



# NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

As amended – 20 October 2022

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North Sydney Development Control Plan (NSDCP) 2013 was adopted by Council on 2 September 2013 and came into force on the 13 September 2013.

This edition includes the following amendments:

<b>DATE</b>		<b>PART</b>	<b>SECTION</b>
<b><i>Adopted</i></b>	<b><i>In force</i></b>		
3 Feb 2014	20 Feb 2014	Part B	2 – Commercial and Mixed Use Development
		Part C	3 – St Leonards / Crows Nest Planning Area
15 Dec 2014	8 Jan 2015	Part C	5 – North Cremorne Planning Area
16 Mar 2015	26 Mar 2015	Part B	7 – Late Night Trading Hours
20 July 2015	6 Aug 2015	Part B	10 – Car Parking and Transport
19 Oct 2015	5 Nov 2015	Part B	10 – Car Parking and Transport
14 June 2016	7 Jul 2016	Part B	2 – Commercial and Mixed Use Development
			10 – Car Parking and Transport
		Part C	1 – Area Character Statements
			2 – North Sydney Planning Area
			3 – St Leonards / Crows Nest Planning Area
			9 – Lavender Bay Planning Area
			10 – Waverton / Wollstonecraft Planning Area
		Part D	1 - Dictionary
19 Sept 2016	13 Oct 2016	Part C	3 – St Leonards / Crows Nest Planning Area
30 Oct 2017	16 Nov 2017	Part C	4 – Cammeray Planning Area
20 Nov 2017	7 Dec 2017	Part B	2 – Commercial and Mixed Use Development
19 Feb 2018	15 Mar 2018	Part C	2 – North Sydney Planning Area
25 Nov 2020	5 Dec 2019	Part A	4 – Notification of Applications (Repealed)
24 Feb 2020	12 Mar 2020	Appendix 1	Table APP-1.1 – Contributory Items
22 June 2020	2 July 2020	Part B	7 – Late Night Trading Hours
24 Aug 2020	14 Sept 2020	Part A	1 - Introduction
			2 - Context
			3 – Submitting and Application
		Part B	1 – Residential Development
			2 – Commercial and Mixed Use Development
			3 – Non-residential development in Residential Zones
			5 – Child Care Centres
			8 – Outdoor Dining and Display of Goods on the Footpath
			10 – Car Parking and Transport
			11 – Traffic Guidelines for Development
			12 – Access
			13 – Heritage and Conservation
			14 – Contamination and Hazardous Building Materials
			15 - Bushland
			16 – Tree and Vegetation Management
			19 – Waste Management
		Part C	2 – North Sydney Planning Area
			6 – South Cremorne Planning Area

DATE		PART	SECTION
<i>Adopted</i>	<i>In force</i>		
<i>cont'</i>			8 – Kirribilli Planning Area
		Part C	9 – Lavender Bay Planning Area
		Part D	1 - Dictionary
		Appendix 1	1 – Heritage – Contributory, Neutral and Uncharacteristic Items
		Appendix 3	3 – Waste Handling Guide
26 Oct 2020	17 Nov 2020	Part C	3 – St Leonards / Crows Nest Planning Area
24 May 2021	26 Nov 2021	Part C	3 – St Leonards / Crows Nest Planning Area
26 Apr 2022	2 May 2022	Part C	2 – North Sydney Planning Area
23 May 2022	10 Jun 2022	Part C	2 – North Sydney Planning Area
10 Oct 2022	20 Oct 2022	Part B	2 – Commercial and Mixed Use Development
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## SECTION 1 INTRODUCTION

### 1.1 NAME OF THIS DEVELOPMENT CONTROL PLAN

This plan is known as North Sydney Development Control Plan (DCP) 2013. The DCP was adopted by Council on 2 September 2013 and came into effect on 13 September 2013.

### 1.2 WHERE THIS DEVELOPMENT CONTROL PLAN APPLIES

This DCP applies to land identified in the Land Application Map to North Sydney Local Environmental Plan 2013 (NSLEP 2013).

### 1.3 RELATIONSHIP TO OTHER PLANS AND POLICIES

This DCP is to be read in conjunction with NSLEP 2013. If there is any inconsistency between this DCP and the LEP, the LEP will prevail.

This DCP repeals the following DCPs pursuant to cl.22 of the Environmental Planning and Assessment Regulation 2000:

- (a) North Sydney DCP 2002;
- (b) North Sydney Development Control Plan No. 1;
- (c) D.C.P. No. 25 Child Care in Commercial Zones;
- (d) D.C.P. No 31 - Outdoor Advertising;
- (e) D.C.P. No 34 - Brothels and Adult Services;
- (f) D.C.P. No 35 - Notification;
- (g) D.C.P. No 36 - Telecommunications;
- (h) D.C.P. No 39 - Access and Mobility;
- (i) D.C.P. No 40 - Boarding Houses; and
- (j) D.C.P. No 41 - Contaminated Land.

This DCP is also to be read in conjunction with the following:

- (a) Environmental Planning and Assessment Act, 1979 ([EP&A Act 1979](#));
- (b) Environmental Planning and Assessment Regulation 2000 ([EP&A Regulation 2000](#));
- (c) Relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs;  
***Note:** It is advised to check [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au) for the most current list and version of applicable SEPPs.*
- (d) [Local Government Act 1993](#);
- (e) Building Code of Australia (BCA);
- (f) Relevant Australian Standards as identified throughout this DCP;
- (g) Land and Environment Court Planning Principles (refer to Part A: Section 1.11); and
- (h) Any other policy or document identified for consideration throughout this DCP.

### 1.4 SAVINGS PROVISION

North Sydney DCP 2002 continues to apply if one or more of the following instances occurs:

- (a) if a development application was lodged with Council, but had not finally been determined before this DCP came into effect, or

- (b) if a development application applies to land deferred from NSLEP 2013.

## 1.5 PURPOSE OF THIS DEVELOPMENT CONTROL PLAN

The purpose of this DCP is to supplement North Sydney LEP 2013 and provide more detailed provisions to guide future development, such that impacts on the community and environment are minimised. The DCP is intended for use by:

- property owners;
- developers;
- the community; and
- the consent authority.

The DCP has been prepared in accordance with s.3.43 of the [EP&A Act 1979](#) and Part 3 of the [EP&A Regulation 2000](#).

Pursuant to s.4.15 of the [EP&A Act 1979](#), the consent authority is required to take into consideration the relevant provisions of this DCP when determining an application for development. However, strict compliance with the provisions of this DCP does not guarantee that development consent will be granted. Section 4.15 of the [EP&A Act 1979](#) contains other matters that must be considered in determining a development application including:

- Any relevant in-force environment planning instruments (SEPP or LEP) or proposed instrument that has been the subject of public consultation under the [EP&A Act 1979](#);
- Any draft or in-force planning agreement that has been entered into under s.7.4, of the [EP&A Act 1979](#);
- Any relevant prescribed matters in the [EP&A Regulation 2000](#);
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with the [EP&A Act 1979](#) or [EP&A Regulation 2000](#); and
- The public interest.

In addition, the consent authority will assess each development application according to its merits and in the context of the site and its locality.

## 1.6 AIMS OF THIS DEVELOPMENT CONTROL PLAN

The aims of this DCP are to:

- (a) Ensure that development positively contributes to the quality of the natural and built environments;
- (b) Encourage development that contributes to the quality of the public domain;
- (c) Ensure that development is economically, socially and environmentally sustainable;
- (d) Ensure future development has consideration for the needs of all members of the community;
- (e) Ensure development positively responds to the qualities of the site and its context;
- (f) Ensure development positively responds to the character of the surrounding area; and

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- (g) Ensure that the actions of the North Sydney Local Strategic Planning Statement (as amended) and the North Sydney Local Housing Strategy (as amended) are achieved.
- (h) Ensure that the Directions Outcomes and Strategies of the North Sydney Community Strategic Plan are achieved.

## 1.7 STRUCTURE OF THE DEVELOPMENT CONTROL PLAN

The DCP comprises 5 parts as follows:

- (a) General Requirements;
- (b) Development Controls;
- (c) Character Statements;
- (d) Dictionary; and
- (e) Appendices.

Each of these parts is described in the following subsections.

### 1.7.1 Part A – General Requirements

Part A of the DCP comprises 5 sections containing information relating to the status and use of the DCP in the development assessment process.

### 1.7.2 Part B – Development Controls

Part B of the DCP comprises 21 sections, each containing provisions relating to a specific type of development or issue.

Each section to this Part commences with a general explanation of what the issues are and what Council is trying to achieve. This is supported by a number of objectives and provisions for each particular issue that needs to be considered in the assessment of a proposed development when it applies.

Many of the provisions are performance based, which provides added flexibility in meeting the desired intent of the provision where developments may not necessarily meet specific numerical standards, due to site or environmental constraints.

Generally, meeting the specific objectives and provisions of each section will achieve overall compliance. The DCP format is intended to encourage flexibility and innovation in development while ensuring the objectives for North Sydney are achieved. In this context Council will not consider favourably development proposals that are inconsistent with the objectives of the DCP. However, Council will consider development proposals that achieve the objectives of the DCP by means other than the provisions in this DCP.

In every neighbourhood there will be examples of development that do not comply with this DCP. DCP's can't undo what has been done in the past and they are often designed to prevent things that have been allowed in the past from reoccurring. For this reason, the existence of features or aspects of development that do not comply with this DCP will have no influence on whether a development or feature will be approved.

Variations to key built form controls will generally not be supported. A detailed written justification is required to be submitted with all applications seeking a variation to a key built form control. Subsection 1.8 to this Part provides further details as to when additional information is required.

Applicants will need to consider the Sections of the DCP that are relevant to their particular development and design their proposal in accordance with the objectives and provisions of those sections. To further assist applicants in determining which Sections of the DCP may be relevant to a particular development, each section makes reference to other Sections of the DCP that may also need to be considered.

### 1.7.3 Part C – Area Character Statements

The LGA comprises a number of neighbourhoods which display distinct characteristics. This Part of the DCP identifies the desired future outcomes for each of these neighbourhoods. In addition, this Part of the DCP contains additional provisions which relate to development within these neighbourhoods. The provisions within this Part take precedence over the provisions within Part B of the DCP.

### 1.7.4 Dictionary

Definitions for the interpretation of the provisions of the DCP are contained in the Dictionary at the end of this DCP. The definitions contained within dictionary to NSLEP 2013 are adopted for the purposes of this DCP.

### 1.7.5 Appendices

This part contains useful information that is referred to throughout the DCP.

## 1.8 VARIATIONS TO KEY DEVELOPMENT CONTROLS

To ensure the consistent application of key development standards contained within this DCP, the consent authority must not grant development consent to any development application which does not comply with the following key development standards:

- Setbacks, contained within provisions P2 and P6 to s.1.4.6, P6 and P7 to s.1.4.3 and P3 and P7 to s.3.3.6 to Part B of the DCP,
- Site coverage controls, contained within provisions P1 to s.1.5.5 and P1 to s.3.4.4 to Part B of the DCP, and
- Landscaped area and unbuilt upon area controls contained within provisions P1 to s.1.5.6 and P1 to 3.4.5 to Part B of the DCP.

However, the consent authority may grant development consent to a development application which does not comply with the aforementioned key development standards but only if it has considered the following matters:

- (a) the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
  - (i) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (ii) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (b) the consent authority is satisfied that:
  - (i) the applicant's written request has adequately addressed the matters required above, and
  - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (c) the consent authority has considered:
  - (i) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (ii) the public benefit of maintaining the development standard.

## Introduction

### 1.9 REQUIREMENTS FOR SUBMISSION OF INFORMATION WITH DEVELOPMENT APPLICATIONS

Part A: Section 3 – *Submitting an Application* provides a checklist of information to be included when submitting a development application.

For further advice on the information required to be submitted with a development application, please contact Council's Customer Service Centre.

### 1.10 MONITORING AND REVIEW

Consent authorities are required to keep LEPs and DCPs under regular and periodic review under s.3.21(1) of the [EP&A Act 1979](#). Council is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments.

It is proposed to undertake a comprehensive review the LEP and DCP at five (5) yearly intervals in order to:

- (a) assess the continued relevance and responsiveness of the Plan's provisions;
- (b) measure the achievement of the objectives of the Plan;
- (c) identify the need for changes to the provisions to better achieve the objectives of the Plan; and
- (d) ensure the availability of adequate development capacity under the Plan's provisions.

The DCP may also be required to be updated on a more regular basis due to a need to immediately resolve arising issues to ensure that the desired future character of North Sydney is maintained and the amenity of residents protected.

### 1.11 LAND AND ENVIRONMENT COURT PLANNING PRINCIPLES

The Land and Environment Court have produced a number of Planning Principles to provide guidance on how the decision making process might be applied to the facts and circumstances for a particular type of case or issue.

Planning Principles deal with a broad range of topics and generally fall into one of two categories:

- Descriptive and Prescriptive Principles: These types of Planning Principles include describing what may/might be regarded as the answer when a planning instrument proposes that an undefined performance criterion must be achieved.
- Process Orientated Principles: These types of principles provide guidance for decision makers on how to consider an issue where there is no detailed approach in the relevant planning instrument.

When preparing a development application, applicants are advised to consider the Land and Environment Court Planning Principles. The Planning Principles can be viewed on the Land and Environment Court's [website](#).

New Planning Principles may be introduced at any time and are also subject to amendment without notice. Accordingly, applicants are advised to always check the Land and Environment Court website for the most current Planning Principle that applies when preparing a development application.



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## SECTION 2 CONTEXT

This Section provides a general description of the North Sydney LGA and details of its composition. More detailed information regarding North Sydney's demographic profile (including past present and projected data) can be obtained from Council's website (refer to [https://www.northsydney.nsw.gov.au/Community\\_Services/About\\_North\\_Sydney/Community\\_Profiles](https://www.northsydney.nsw.gov.au/Community_Services/About_North_Sydney/Community_Profiles)).

### 2.1 GENERAL PROFILE OF NORTH SYDNEY

North Sydney Council serves an area of 10km<sup>2</sup>, which incorporates thriving business districts and diverse residential areas.

Suburbs in the North Sydney area include Cammeray, Cremorne, Crows Nest, Kirribilli, McMahons Point, Milsons Point, Neutral Bay, North Sydney, St Leonards, Waverton and Wollstonecraft.

Around half of North Sydney's 72,150<sup>1</sup> residents are aged between 25 and 49 years. Proportionally there are more couples without children and single person households.

The population is highly mobile. Just over half of all residents rent, and of those who rent, approximately half moved to a new address in the last Census period.

The dwelling density is higher than in most other parts of Sydney and is increasing. Around 89% of total dwellings in the North Sydney LGA are medium-high density (generally comprising apartments, townhouses and terraces).

North Sydney has a high level of visitors - some 62,112<sup>2</sup> people travel to North Sydney for work, and of the over 17,000<sup>3</sup> students attending schools and tertiary institutions, only one in five live in the area.

The principal commercial activities in the North Sydney Central Business District (CBD), one of the largest in Australia, are advertising, marketing, retail, information technology, finance, telecommunications and property development.

### 2.2 RESIDENTIAL POPULATION

These statistics are derived from information reported in the Australian Bureau of Statistics 2016 Australian Census.

- Just over half (54%) of North Sydney residents are Australian born. This represents a substantial reduction (11%) in the overall portion of Australian born residents since 2001, with the portion consistently dropping by approximately 5% since 1996.
- In 2016 38% of North Sydney's population was born overseas. 57% of residents who had arrived in Australia between 2006 and 2016 spoke a language other than English at home, indicating that a majority of new residents came from non-English speaking countries (NESC).
- The three most common countries of birth outside Australia are England (6.6%), New Zealand (3.0%), and China (2.9%, not including SARs and Taiwan). The three largest groups from English speaking countries are from the United Kingdom, New Zealand and South Africa.

<sup>1</sup> ABS Australian Census 2016

<sup>2</sup> ABS Australian Census 2016

<sup>3</sup> Education Precinct Planning Study 2013, prepared by North Sydney Council

- The three largest overseas born groups from NESC are from China, India and Japan. The dominant non-English speaking country of birth in the LGA was China, where 2.9% of the population were born.
- Between the 1996 and 2016 there has been a consistent reduction in the number of residents born overseas from ESC and consistent increases in the number of residents from NESC.
- The proportion of residents born in New Zealand and Japan decreased between 2011 and 2016, while the number of residents born in China, India and the United Kingdom have increased. There are also increases in the number of residents born in South Africa, Malaysia, Korea and the Philippines.
- In 2016, 24.7% of households spoke a language other than English at home. The main languages spoken in North Sydney other than English are Mandarin (3.4%), Cantonese (2.5%) Japanese (1.8%), Spanish (1.4%) and French (1.1%). Approximately 70% of the population speak English only.
- North Sydney has a low proportion of residents with low English language proficiency (2.2%).<sup>4</sup> The largest numbers of residents with low proficiency in spoken English spoke Mandarin (372 persons), Japanese (223 persons) and Cantonese (182 persons), and most of these residents were aged between 55 and 64 years of age.
- Between 2011 and 2016 the number of Mandarin speakers increased from 1,495 to 2,276 residents, overtaking Cantonese as the most common language other than English.
- North Sydney has a higher proportion of people born overseas than Sydney as a whole but a lower proportion of people born in a non-English speaking countries (NESC). Overall, 38% of the population was born overseas, and 17.5% were from a non-English speaking background, compared with 36.8% and 24.4% respectively for the Greater Sydney Area.

## 2.3 WORKING POPULATION

These statistics are derived from information reported in the Australian Bureau of Statistics 2016 Australian Census.

- In 2018, there were 72,245 local jobs in the North Sydney LGA, making a contribution of \$18.53 billion, to the Gross Regional Product (GRP) of NSW.
- The North Sydney CBD is the focus of economic activity in the LGA, containing 60,400 jobs as of 2017.
- The LGA has a younger working population, with 39.8% of the working population under 35 years of age, similar to the average for Greater Sydney of 38.8% of workers are under 35. 13.8% of North Sydney's working population is aged 55 years or over compared with 17.3% for the Greater Sydney Area.
- 51% of the working population was born in Australia. 34.4% of local workers speak a language other than English at home, and 12.1% of local workers arrived in Australia between 2011 and 2016.
- The main cultural groups of workers born in a NESC are from India (5.9%), China (4.4%), Philippines (2.1%) and Hong Kong (1.5%). There are also significant groups of workers from the UK (7.7%), New Zealand (3.0%) and South Africa (1.8%).
- The main languages spoken by workers in North Sydney other than English are Cantonese, Japanese and Mandarin.

<sup>4</sup> ABS Australian Census 2016, refers to those who spoke English 'not well' or 'not at all'

## Context

## 2.4 EDUCATIONAL CENTRES POPULATION

In 2013 there were over 17,000<sup>5</sup> students attending North Sydney schools or tertiary institutions, of which only one in five are residents of North Sydney. The majority of students are at primary or secondary level, with 35% of students in primary school, and 57% in secondary school. In 2016 4.8% of the residential population were attending primary school, 3.1% were attending secondary school, 6.1% were enrolled in university and 1.3% were enrolled in TAFE. The majority of the residential population (74.5%) are not attending an educational institution.<sup>6</sup>

## 2.5 RELIGIOUS AFFILIATION

The major religious affiliations in North Sydney are Catholicism and Anglicanism, with 21.3% and 13% of North Sydney's population adhering to these religions in 2016. The other most common religious affiliations are Buddhism (2.7%) and Hinduism (2.3%). 37.8% of people in North Sydney profess to have no religion.

## 2.6 THE ECONOMY

North Sydney residents, workers, students and visitors have access to a broad range of services, facilities and activities that are an integral part of North Sydney's identity and contribute to quality of life in the area.

North Sydney is an important economic centre with strong industry links to the global economy. There is a diversity of industry in the very large and predominantly commercial office centre in the CBD, the mixed commercial and retail centres of St. Leonards/Crows Nest and Neutral Bay/Cremorne, the smaller predominantly retail suburban centres, harbour services and related industries, and individual businesses in local neighbourhoods.

The major commercial centres have an important role in facilitating and supporting economic development and job creation and providing access to goods and services. Their character and function are integral to economic vitality. The smaller centres have a similar role on a smaller scale.

North Sydney has been identified in the Greater Sydney Commission's *North District Plan*, as part of the 'Eastern Economic Corridor', a series of interconnected employment hubs stretching from Macquarie Park to Sydney Airport. The North Sydney CBD is also identified by the Greater Sydney Commission as a component of the 'Harbour CBD', with a thriving office market complementary to the Sydney CBD.

Approximately 86% of the local workers live outside the LGA.<sup>7</sup> Both the resident and working populations are relatively young with relatively high education and skill levels, with 53.5% of residents and 58.3% of local workers having attained a Bachelor qualification or higher. However, there are significant numbers of people with no post-school qualifications, 18.9% of residents and 18.5% of local workers.<sup>8</sup>

The largest employers are "Professional, Technical and Scientific services" (27.5%), then "Finance and Insurance" (10.9%) and then "Information Media and Telecommunications" (6.7%). The proportion of local workers employed in all three of these sectors is higher than the average across Greater Sydney. These employers are followed by (employing significantly fewer numbers) wholesale and retail trade, accommodation, restaurant, recreation and personal services, health care, education and community services.

North Sydney Council encourages development opportunities which support specialist businesses whilst maintaining diversity and balancing commercial and residential interests.

<sup>5</sup> Education Precinct Planning Study 2013, prepared by North Sydney Council.

<sup>6</sup> ABS 2016 Australian Census

<sup>7</sup> ABS 2016 Australian Census

<sup>8</sup> ABS 2016 Australian Census, figures based on percentage of population aged 15+

## 2.7 LAND USE

Land use in North Sydney predominantly comprises high and medium density residential and commercial development interspersed with some open space areas. Metropolitan planning issues to consolidate urban development enhance North Sydney's status as a major commercial centre and its role within the Eastern Economic Corridor and Harbour CBD, as identified within the Greater Sydney Commission's A Metropolis of Three Cities.

Residential and commercial population growth continues to put pressure on existing infrastructure facilities and the natural environment, including the bushland, foreshores and open spaces. The State Government's strategy for further growth within the LGA is causing some community concern about the rate and type of growth which in turn is affecting quality of life.

The Greater Sydney Commission's North District Plan identifies strategic centres, employment corridors and major city-shaping and city-serving transport corridors within which the most future growth is anticipated to occur.

Council's Residential Development Strategy 2009 focuses development in and around existing town centres that have good access to transport, services, community facilities, employment and recreation and away from more sensitive areas such as foreshores, bushland and conservation areas.

North Sydney LEP 2013 provides the main mechanism for controlling land use in the LGA. The LEP aligns with the desired outcomes of the North District Plan and Council's Residential Development Strategy. The DCP also contains additional provisions to ensure that conflicts between incompatible land uses are minimised.

## 2.8 TRANSPORT AND CONNECTIVITY

The North Sydney LGA is highly accessible and is well-served by both road and public transport networks. This high level of accessibility is directly related to the LGA's central location within the Sydney Metropolitan Area and much of its commercial activity occurring in the North Sydney Centre being situated within the Eastern Economic Corridor and identified as part of the Harbour CBD under the Metropolis of Three Cities strategy. Due to its physical location within the Sydney Metropolitan Area and the restricted number of access points across Sydney Harbour to its centre, the LGA accommodates large amounts of through-traffic and regional trips from the northern regions of the Metropolitan Area. Accordingly, substantial movements are merely just passing through the LGA, rather than being generated or end there.

### 2.8.1 Vehicular Movements

The LGA is effectively split into two by the Warringah Expressway, which provides a major north-south arterial route for vehicles travelling to and through the area. A number of sub-arterial roads also feed into the Warringah Expressway.

In 2016, 32.5% of residents used private vehicles to travel to work, representing a 2% decrease since 2011.<sup>9</sup> However, in the same time frame car ownership rose from 0.98 cars per household to 1.03 cars per household in 2016. This increase in car ownership is placing additional demands on on-street parking and traffic efficiency.

Council has been proactive in reducing traffic and parking congestion through the promotion of the use of public transport, car-share schemes, and other alternative means of transport.

### 2.8.2 Public Transport

The LGA has a high level of accessibility to public transport including train, bus and ferry services.

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<sup>9</sup> ABS 2016 Australian Census

## Context

### Train

The North Shore Railway Line runs through the south-western portion of the LGA with stations located at Wollstonecraft, Waverton, North Sydney and Milsons Point. This line provides direct services to Hornsby via Chatswood and the Blue Mountains. Parts of the LGA are also in close proximity to St Leonards railway station.

North Sydney Railway Station has been upgraded to provide additional capacity to the subregion. This upgrade was completed in late 2008 and was expected to improve commuter capacity by 30%.

Construction of the Sydney City and Southwest Metro lines has commenced, being a continuation of the North-west Metro line between Schofields and Chatswood which commenced operation in mid 2019. The first stage of the continuation comprises a new metro line running between Chatswood and Bankstown, due to open in 2024. The Metro line extension will run through the North Sydney LGA with two new stations to be located at Victoria Cross and Crows Nest. This stage of the Metro is expected to be completed and operational by 2024.

In 2016, 21.8% of residents travelled by train to work, which represents a 4.7% increase since 2011. The level of train patronage has risen dramatically in recent years in response to rising fuel costs.<sup>10</sup> In 2014 North Sydney station had a daily through-put (in/out) of approximately 26,220 passengers.<sup>11</sup> 86% of the working population live outside of the LGA, with 48.3% of local workers using public transport as a method of travel.

### Bus

The LGA is well serviced by buses, with most parts of the LGA located in close proximity to a bus stop. Most bus services provide access to the Sydney CBD to the south and northern parts of the Sydney Metropolitan Area.

There was a small increase in the number of workers travelling to work by bus from 9.3% to 10.4% of local workers between 2011 and 2016. For North Sydney residents there was a small decrease in the number of residents travelling to work by bus, from 17.3% to 16.5% of the LGA's population.

### Ferry

There are 9 public ferry wharfs within the LGA, all of which are located on Sydney Harbour. They provide access to east as far as Manly, to the west as far as Parramatta and to a large number of suburbs on the southern foreshores of Sydney Harbour.

There was a notable decrease in the number of people travelling to work by ferry from 2.1% to 1.5% of the resident population between 2011 and 2016. This decrease was primarily as a result of a reduction in ferry services being provided. The number of local workers travelling to work by ferry remained constant between 2011 and 2016 at 0.4%.

## 2.8.3 Walking and Cycling

The LGA also has some well established pedestrian and cycle networks, especially within the North Sydney CBD, and to the surrounding areas.

The North Sydney CBD suffers heavily from through-traffic, which impacts on pedestrian and cyclist accessibility, amenity and safety. A series of public domain works and new dedicated cycle routes are being implemented through the LGA to help improve the amenity and safety of cyclists and pedestrians.

There was a marginal decrease in the number of residents walking to work from 11.9% to 10.9% of the LGA's population. For local workers the trend was similar, with a decrease from 6.3% to 5.8% of the LGA's working population walking to work.

<sup>10</sup> ABS 2016 Australian Census

<sup>11</sup> TfNSW Train Statistics 2014

With regard to cycling, Council has installed approximately 21.9 kilometres of a planned total of 26.2 kilometres of on and off-road bike paths. As well as the marked cycle routes, a cycling map was developed to compliment Council's *North Sydney Bike Plan*, which has identified existing bicycle paths and prioritised funding for the construction of new bike paths.

## 2.9 BIODIVERSITY

There are approximately 49 hectares of bushland in North Sydney supporting 347 native flora species and 190 native fauna species including 4 frog species, 20 reptile species, 148 bird species and 18 mammal species, in an area of 10km<sup>2</sup>. Most of this bushland is located on the foreshores of Middle Harbour or Port Jackson. These areas generally comprise narrow strips bordering urban development, with larger areas of bushland at Balls Head, Berry Island Reserve and Tunks Park.

Altered natural fire regimes have caused changes to vegetation patterns and native wildlife. Bushwalking and picnicking can also impact on bushland areas.

Pesticides and herbicides, increased nutrients, oils and detergents, chemicals, weed material, leaf litter and sediments all contribute to stormwater runoff that damages aquatic ecosystems. In addition, high levels of phosphates and nitrates in stormwater encourage weed growth in the bush areas.

Non-native plants and animals, habitat loss and urbanisation all put pressure on bushland areas.

Community involvement and education can help protect our remnant bushland. Volunteers in the Bushcare program undertake bush regeneration in eleven sites throughout the LGA. Council provides bush regeneration training for volunteers and specialist workshops on Plant Propagation, Creating Wildlife Habitat Gardens, Wildlife Watching and Aboriginal Site Awareness.

## 2.10 CULTURAL RESOURCES

### 2.10.1 Aboriginal Heritage

The Cammeraygal people of the Eora nation are the traditional custodians of the North Sydney area. North Sydney contains significant Aboriginal cultural heritage, with 60 known sites of Aboriginal heritage significance within the LGA.

A general lack of knowledge and understanding of Aboriginal culture and heritage sites has resulted in the unintentional damage of sites within North Sydney. It is currently the greatest threat to the effective conservation of Aboriginal Heritage sites. Other factors putting pressure on the preservation of Aboriginal Heritage sites include excavation and construction work, more visitors, vandalism and pollution.

Council has developed a strategy for the conservation and management of the Aboriginal sites within North Sydney. The sites, which are registered with the National Parks and Wildlife Service, include middens, occupation sites, rock engravings and rock art and date back at least 7,000 years. The strategy includes a comprehensive register of all sites and provides specific recommendations on their conservation and management. It also outlines opportunities for the community to become involved in the care and management of sites.

Since 2000 North Sydney Council has been a member of the Aboriginal Heritage Office (AHO), a partnership with Lane Cove, Willoughby, Strathfield, Ku-ring-gai and Northern Beaches Council. The AHO provides advice and expertise to its partner organisations in order to protect Aboriginal sites and promote Aboriginal heritage. North Sydney Council funds the position of an Aboriginal Heritage Manager to take a regional approach to the protection of Aboriginal sites and cultural heritage in the participating Council areas.

**Context****2.10.2 Non-Aboriginal Heritage**

North Sydney contains a rich and diverse cultural heritage of structures and places, industrial sites, lookouts, streetscapes, urban patterns, parks and reserves. These elements contribute to community cultural life and a sense of place and identity. They form important tangible links to North Sydney's past that need to be conserved for future generations. Much of this valuable heritage is privately owned.

Increases in population and development puts pressure on Council to maintain each area's heritage and as a result building, demolition and alteration works pose significant threats to North Sydney's cultural heritage. A lack of awareness and appreciation of cultural heritage can also pose threats to its presence in an area.

New heritage provisions have been incorporated into both NSLEP 2013 and NSDCP 2013 to allow more effective assessment of development applications, whilst helping to remove a number of previous hurdles which appeared to unfairly restrict the development potential of affected sites.

New character statements have been prepared for each conservation area to help inform the design of future redevelopment of land within those conservation areas. In particular, they identify the characteristic elements of these areas which Council would like to see retained and an explanation of their significance.

Part B: Section 13 – *Heritage and Conservation* to the DCP provides the context for maintaining what is physically and socially valuable to the community.

**2.11 NOISE**

Noise complaints in North Sydney are mainly associated with noise from commercial premises, social events and barking dogs. Transport corridors through North Sydney are also a source of noise, particularly the Pacific Highway and the Warringah Freeway corridor.

Special events such as New Years Eve celebrations at Bradfield Park and sporting events at North Sydney Oval pose temporary concerns for residents. Longer term problems are associated with increased traffic in North Sydney.

Council continues to use its powers under the [Protection of the Environment Operations Act 1997](#) to enforce noise controls in the community. In addition, Council utilises the NSW Industrial Noise Policy in regulation and planning matters. This Policy covers noise from a range of sources including industrial and commercial premises and is used in the assessment of new developments, modification to existing developments and noise associated with existing development.

Commercial and residential noise guidelines are incorporated within the DCP, with specific controls for late night trading premises (i.e. those premises which usually operate beyond 10.00pm).

**2.12 AIR QUALITY**

Air quality is both a local and global problem. On a local scale North Sydney experiences photochemical smog and fine particle emissions which can cause health and visibility problems. Major air quality issues globally are 'climate change' and 'ozone depletion'. It is now accepted that changes in climate and depletion of the ozone layer is being caused by human activity and Australia's per capita greenhouse gas emissions are the second highest in the world.

The greatest pressures on air quality in North Sydney are from motor vehicles, fires and energy consumption. Motor vehicles emit a range of gases and fine particles that can have harmful health and environmental effects. Fossil fuels burnt to produce electricity release greenhouse gases that cause climate change.

The Energy Smart Installers program is a free electricity and water audit offered to residents that can reduce electricity and water use in the home. Council is also a partner in the



Energy Smart Business program that requires Council to reduce its greenhouse gas emissions by improving its day-to-day operations.

In July 2019 North Sydney Council became the 30<sup>th</sup> Australian Council to declare a 'climate emergency', as a response to the serious risk which climate change poses to the community. Council has also joined the international Cities for Climate Protection campaign, which involves conducting a greenhouse gas emissions audit, committing to an emissions reduction goal, developing and implementing an action plan and monitoring and reviewing performance.

Additionally, Council now purchases 25% of its electricity from renewable sources through Green Power and has a number of policies and plans to reduce motor vehicle use and fire emissions.

Council promotes energy efficient design through development controls for commercial, mixed use and residential development.

## **2.13 WATER QUALITY AND CATCHMENT MANAGEMENT**

The LGA comprise two primary water catchments, that draining to Middle Harbour and that draining to Sydney Harbour. These catchments are divided into 16 sub-catchments, each draining into a major trunk system before discharging into Sydney or Middle Harbours. These catchments are severely degraded, with natural streams being replaced by concrete drains, increased impervious surfaces, litter, sediments, nutrients, bacteria, toxic organics and heavy metals can all affect water quality.

Water catchments in the LGA are under enormous pressure from increased urbanisation, drainage works, littering, erosion, construction sites, fertilisers, sewer overflows, garden waste, street trees, animal droppings, herbicides, pesticides and car emissions. These affect the natural water cycle, destroying the natural characteristics of creeks and polluting the water draining into Sydney and Middle Harbours.

Council has put in place planning, educational, capital works and enforcement activities to address the pressures being placed on North Sydney's water catchments.

North Sydney Council is a member of the Sydney Coastal Council Group, a collaborative regional organisation which seeks to advance sustainable management of Sydney's coastal and estuarine environment. Council as part of this group is participating in the establishment of a Coastal Management Plan (CMP), which comprises a long-term strategy for the co-ordinated management of land within the coastal zone. Any actions and recommendations from the CMP will be implemented through amendments to Council's planning controls.

Council has prepared and is implementing two Stormwater Management Plans for the Port Jackson North and Middle Harbour catchments. Council has installed gross pollutant traps, restored natural drainage lines, increased stormwater education and conducts inspections of commercial outlets.

Council continues monthly water quality monitoring of five of the larger catchments of North Sydney. The monitoring includes physical, chemical and biological tests used to assess the condition of the water. Results are used to focus management practices.

To address the issue of tree leaves and litter, Council has increased and improved street sweeping in the area, preventing the litter and leaves from entering the creeks and harbour.

## **2.14 WASTE**

Waste is increasing and causing greater problems for the environment. Until recently the common way to manage waste was to bury it. Governments at all levels have realised that this is unsustainable and have begun initiatives to ensure improvements in waste handling practices, and a significant reduction in waste quantity and toxicity. Landfill is now viewed as a last resort, after waste has been avoided, reused or recycled.

The LGA's weekly waste and recycling collections increased from approximately 28,000 services in 1990 to 33,678 services in 2015. An average of 11.9 kg per week of waste was



## Context

generated by each household in the LGA in between 2014 and 2015.<sup>12</sup> North Sydney has a relatively high recycling rate, with over 68% of domestic waste recycled.

Increased waste disposal costs and restrictions placed on existing landfill sites is a further incentive to reduce landfill.

Council is a leader in local government for waste management by minimising the amount of waste taken to landfill sites and introducing efficient, cost effective and convenient collection and disposal methods has become a priority.

Council has also reduced landfill waste by undertaking effective education campaigns and offering a comprehensive recycling service. This had resulted in a 70% reduction of domestic waste going to landfill since 1990. However, a recent EPA decision to limit the destination outputs from the waste treatment facility at Eastern Creek has significantly affected Council's ability to meet EPA landfill diversion targets.

Waste education initiatives include information brochures, advertising, talks, composting and worm farm demonstrations, waste minimisation displays and advice to developers and real estate agents on best practice design of garbage storage areas and effective recycling systems. Development controls contained within the DCP promote recycling and waste avoidance.

<sup>12</sup> NSW EPA, NSW Local Government Waste and Resource Recovery Data Report 2014-15, 2016



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## SECTION 3 SUBMITTING AN APPLICATION

### 3.1 INTRODUCTION

The NSLEP 2013 states what types of proposed development or works that are:

- permitted without development consent (i.e. no consent required from Council);
- permitted as “*exempt development*” (i.e. no consent required from Council);
- permitted as “*complying development*” (i.e. consent is required from either Council or a private certifier);
- permitted with development consent (i.e. consent is required from Council); or
- prohibited.

It should be noted that the permissibility and approval requirements of some types of developments are also affected by the provisions of other environmental planning instruments, such as State Environmental Planning Policies (SEPPs).

Where required, a development application or a complying development application must be made in order to obtain development consent. Failure to lodge an application when development consent is required is a breach against the [EP&A Act 1979](#) and may be subject to prosecution, demolition and/or fines. Applicants are advised to refer to the LEP or to contact Council’s Customer Service Centre or one of Council’s Planning Advisors to confirm consent requirements.

Application forms are available from the Customer Service Centre, or on Council’s website ([www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)) together with advice on the details, number and type of plans and supporting information required, fees and procedures.

### 3.2 PRE-DEVELOPMENT APPLICATION PROCESS

When preparing a development application, applicants are advised to first access the planning and development information located on Council’s website ([http://www.northsydney.nsw.gov.au/Building\\_Development](http://www.northsydney.nsw.gov.au/Building_Development)). However, should applicant have any further queries regarding their proposal, or clarification of Council’s planning and development controls, they are welcome to contact Council on Monday to Friday during business hours by phoning (02) 9936 8100.

Council’s Planning and Development Advisors can provide further advice prior to the lodgement of a development application. This advice is informal and is normally conducted over the telephone. However, short scheduled meetings (approximately 30 minutes and free of charge) can be held where the applicant would like to discuss a complex issue or has firm plans about what they are proposing.

Where an applicant seeks detailed feedback, a more formal pre-application meeting is also available. These meetings are held with Council’s technical advisors and an executive planner or assessment team leader. A fee is charged for this service (refer to Council’s Fees and Charges Schedule available on Council’s website).

A pre-application meeting form is available from the Customer Service Centre, or on Council’s website ([www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)). At least 10 days prior to the meeting, detailed sketches, plans, photographs and applicant’s assessment of compliance should be made available to Council officers. This will enable a more comprehensive analysis of your proposal and the provision of constructive feedback.

Within 10 days of the meeting, Council will provide minutes to the applicant, highlighting the main issues discussed and the meeting’s outcome.

**Note:** *The outcome provided within the minutes is not an authoritative statement as to the likely success of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.*



Applicants are strongly encouraged to discuss their proposals with adjoining property owners or occupants prior to the lodgement of a development application. The purpose of this is to determine issues that a neighbour may have early on and to try and have these issues resolved prior to the development application being assessed by Council. Resolving these issues early can help to reduce the amount of time that an application needs to be assessed (i.e. no need to submit revised plans).

### 3.3 APPLICATIONS FOR DEVELOPMENT CONSENT

A development consent is issued to enable building works or the use of land to be undertaken as permitted under the provisions of NSLEP 2013 or any other relevant SEPP. Development consent in most instances will be determined and issued by Council. However, in some limited circumstances, a development consent will be determined by the Minister for Planning or one of their delegates, the Sydney North Regional Planning Panel (i.e. development captured by SEPP (State and Regional Development) 2011), or the North Sydney Local Planning Panel on behalf of Council (i.e. those developments which are required to be referred to the local planning panel by Ministerial Direction under s.4.8(3) of the [EP&A Act 1979](#)).

An application for development consent must be made in accordance with cl.50 and Part 1 to Schedule 1 of the [EP&A Regulation 2000](#). The specific information and documents required to be submitted are reproduced on Council's development application form, copies of which are available from Council's Customer Service Centre or website ([www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)). The documents that are generally required to be submitted with development applications are listed in the following subsections. These lists do not apply to applications for Tree Management Permits, for which specific requirements are set out in Part A: Section 3.5 of the DCP.

Council may waive some of these requirements for some applications, such as a change of use or minor alterations to a building, where the provision of such information is not deemed relevant. Applicants are encouraged to contact Council for more information if they are unsure. Where all relevant documentation is not provided the application may be rejected or put on hold for a limited period until such documentation is supplied.

Development consents issued by Council will last a maximum of 3 years in accordance with Council's policy. This time period may be varied by the provisions of the [EP&A Act 1979](#).

#### 3.3.1 General Requirements

The following documents are generally required to be submitted with all development applications:

- (a) A full **survey plan** of the site, prepared by a registered surveyor which must indicate at a minimum the following information:
  - (i) location, boundary dimensions, site area and north point;
  - (ii) location of any easements and rights of way;
  - (iii) location and uses of existing buildings on the site;
  - (iv) the existing levels of the site in relation to buildings and roads;
  - (v) the location of existing trees and vegetation on the site;
  - (vi) the location and uses of buildings on land adjoining the subject site.
- (b) **Site Analysis Diagram** (refer to Part A: Section 5 – *Site Analysis*).
- (c) **Plans or drawings** generally comprising a site plan, floor plans, elevations and sections, and where relevant subdivision plans. Council also encourages the submission of photomontages to illustrate the proposed development in its context.
- (d) **Shadow diagrams** for all new buildings or significant alterations to existing buildings, showing shadows at 9.00 am, 12 noon, and 3.00 p.m. on 21 June

## Submitting an Application

(Winter Solstice), 21 September / March (Equinox) and 21 December (Summer Solstice). Some applications within the North Sydney CBD will also require the provision of shadow diagrams at 10.00am and or 2.00pm on 21 June, 21 September/March and 21 December. Shadow diagrams must be certified on the appropriate form by a surveyor, architect, or other competent person.

- (e) **Statement of Environmental Effects** or an **Environmental Impact Statement**, depending upon the type of development proposed.
- (f) A **table of compliance** demonstrating how the proposal complies with the relevant development standards contained within the LEP and DCP.
- (g) An **Efficient Use of Resources Commitment Table** demonstrating compliance with / consideration of (as relevant) provisions within the *Efficient Use of Resources* sub-sections of this DCP.
- (h) A **model**, for proposed residential development containing 4 or more dwellings, or for non- residential development with a floor area of 500m<sup>2</sup> or more.

### 3.3.2 Applications Involving Heritage Items or Conservation Areas

In addition to the requirements within s.3.3.1 to this Part, the following information is required with all development applications relating to heritage items, properties within the vicinity of a heritage item or land within a conservation area:

- (a) All sets of plans clearly indicating, in colour, existing walls to be removed and those to remain;
- (b) Measured drawings of the existing building including elevations;
- (c) A **statement of heritage impact**, or, if required, a **conservation management plan**;
- (d) Where a proposal involves demolition, a **structural engineers report** demonstrating why the building is not capable of restoration or reconstruction;
- (e) Details of external materials, finishes and colour schemes and in the case of heritage items, a list of internal features to be affected by the proposal.

### 3.3.3 Other additional Information for Development Applications

In addition to the requirements within s.3.3.1 to this Part, applicants may be required to submit additional information relating to specific issues to ensure that Council can make an informed decision when determining a development application. The instances when additional information is required are outlined throughout various Sections to Part B of this DCP. The information requirements are set out in the relevant Section. It should be noted that Council has concurrence powers to determine applications otherwise integrated under the NSW [Heritage Act 1977](#).

Where applicable, applicants should supply the following information:

- (a) Any information as appropriate to satisfy the relevant Integrated Development authority for development deemed to be Integrated Development pursuant to s.4.46 of the [EP&A Act 1979](#).
- (b) A **BASIX Certificate** for developments affected by [SEPP \(Building Sustainability Index: BASIX\) 2004](#).
- (c) One or a combination of the following in accordance with Part B: Section 14 - *Contamination and Hazardous Materials* of this DCP:
  - (i) A **Preliminary Investigation**;
  - (ii) A **Detailed Investigation**;
  - (iii) A **Remedial Action Plan**.

- (d) A **Travel Plan** in accordance within Part B: Section 10 – *Car Parking and Transport*.
- (e) A **Hazardous Building Materials Survey Report**, prepared in accordance with Part B: Section 14 – *Contamination and Hazardous Materials* of this DCP.
- (f) Applications for child care facilities also require the submission of:
  - (i) A **Landscape Plan**;
  - (ii) An **Environmental Risk Assessment Report**. The Environmental Risk Assessment Report must be prepared by a suitably qualified consultant and should cover aspects relating to air pollution, land contamination and noise;
  - (iii) Written advice from the NSW Department of Education indicating that no objection, in principle, is raised to the proposal;
  - (iv) A **Hazardous Building Materials Report**;
  - (v) An **Emergency Evacuation Plan** for child care facilities that are located above ground level.
- (g) Applications for non-residential development also require the provision of the following:
  - (i) existing and proposed hours of operation; and
  - (ii) full details of the anticipated volume and frequency of deliveries or collections made to a site; and
  - (iii) the type and size of vehicles likely to be used to make any deliveries or collections to the site.
- (h) Applications for late night trading premises also may require the provision of a:
  - (i) **Plan of Management**; or
  - (ii) **Management Checklist**.
- (i) Applications that involve excavation or ground penetration of greater than 2m in depth and within 25m of a rail corridor require the provision of the following:
  - (i) **Geotechnical and Structural report**; and
  - (ii) **Construction/Excavation Methodology**
- (j) An **Erosion and Sediment Control Plan** prepared in accordance with Part B: Section 17 – *Erosion and Sediment Control* of this DCP.
- (k) A **Waste Management Plan** prepared in accordance with Part B: Section 19 – *Waste Management* of this DCP.
- (l) A **Stormwater Management Plan** prepared in accordance with Part B: Section 18 – *Stormwater Management* of this DCP. The plan must include the:
  - (i) proposed method of stormwater disposal to be used until the inter-allotment system becomes functional.
  - (ii) approximate location of pits and pump-outs and site drainage system.
  - (iii) any site constraints such as trees, services, or structures that may affect the viability of the system.

### 3.4 APPLICATIONS FOR COMPLYING DEVELOPMENT CERTIFICATES

#### 3.4.1 General Requirements

A Complying Development Certificate (CDC) is issued for works which satisfy set criteria as outlined in NSLEP 2013 or [\*SEPP \(Exempt and Complying Development Codes\) 2008\*](#). These

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certificates can be issued by Council or an independent accredited certifier. The onus is on the applicant to satisfy themselves that their proposal is one that is capable of being dealt with as complying development (i.e. the proposal must comply with all the set criteria). If in doubt, the applicant should err on the side of caution and lodge a Development Application (DA).

An application for a CDC must be made in accordance with cl.126 and Part 2 to Schedule 1 of the [EP&A Regulation 2000](#). The specific information and documents required to be submitted are reproduced on Council's CDC application form, copies of which are available from Council's Customer Service Centre, or website ([www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)). The documents that are generally required to be submitted with all CDC applications include the following:

- (a) **Survey plan;**
- (b) **Detailed plans**, generally comprising a site plan, floor plans, elevations and sections, and where relevant subdivision works plans;
 

Where the proposed works involve any alteration or addition to, or rebuilding of an existing building, the general plan is to be coloured or otherwise marked to the satisfaction of the principal certifying authority to adequately distinguish the proposed alteration, addition or rebuilding.
- (c) **Specifications**, to describe the construction and materials of which any building is to be built and the method of drainage, sewerage and water supply;

In addition to the above, the following documents may be required:

- (d) **Fire Safety Statement** detailing existing and proposed fire safety measures;
- (e) **BASIX Certificate** for BASIX affected buildings;
- (f) Detailed **Engineering Plans** for subdivision;
- (g) Where the application involves an alternative solution to meet the performance requirements of the BCA relating to fire safety (refer to cl.130 of the [EP&A Regulation 2000](#)):
  - (i) details of the performance requirements that the alternative solution is intended to meet, and
  - (ii) details of the assessment methods used to establish compliance with those performance requirements
- (h) If relevant, evidence of any certified component, process or design.

### 3.4.2 Home Building Act

In the case of an application for building work that involves residential building work (within the meaning of the [Home Building Act 1989](#)) the following information is to be attached to a CDC application:

- (a) in the case of work by a licensee under the [Home Building Act 1989](#):
  - (i) a statement detailing the licensee's name and contractor licence number, and
  - (ii) documentary evidence that the licensee has complied with the relevant requirements of the [Home Building Act 1989](#)<sup>1</sup>, or

<sup>1</sup> A certificate purporting to be issued by an approved insurer under Part 6 of the [Home Building Act 1989](#) to the effect that a person is the holder of an insurance contract issued for the purposes of that Part, is sufficient evidence that the person has complied with the requirements of that Part.

- (b) in the case of work done by any other person:
  - (i) a statement detailing the person's name and owner-builder permit number, or
  - (ii) a declaration signed by the owner of the land, to the effect that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in s.29 of the [Home Building Act 1989](#).

### 3.4.3 Long Service Levy

Pursuant to s.4.28(10A) of the [EP&A Act 1979](#) a CDC cannot be issued by either Council or an accredited certifier until any long service levy payable under s.34 of the [Building and Construction Industry Long Service Payments Act 1986](#) (or where such a levy is payable by instalments, the first instalment of the levy) has been paid. The local council may be authorised to accept payment.

## 3.5 APPLICATIONS FOR TREE MANAGEMENT PERMITS

This sub-section only applies to applications to remove, lop, top or prune one or more declared trees or vegetation, as identified under Part B: Section 16 - *Trees and Vegetation Management* of this DCP and where no other development is involved.

The following information must be provided for applications to which this section applies:

- (a) Applicant's name and address;
- (b) Address and legal description of the property on which the subject tree/s are located;
- (c) Consent of all property owners;
- (d) Other approvals necessary (if any);
- (e) Description of proposed work to be done;
- (f) Whether the proposed works involves tree removal, lopping, topping or pruning;
- (g) Site plan illustrating the site, the position of tree/s affected and any buildings in the proximity of the tree/s;
- (h) Statement of environmental impact (i.e. a statement which explains why the tree/s need to be removed, lopped, topped or pruned); and
- (i) Any other information requested by the Council that is relevant to the special circumstances of the case (e.g. an arborist report).

All relevant documentation must be supplied with the application. Where all relevant documentation is not provided the application may be rejected or put on hold for a limited period until such documentation is supplied.



# SECTION 4      NOTIFICATION OF APPLICATIONS

**THIS SECTION WAS REPEALED ON 5 DECEMBER 2019.  
NOTIFICATION REQUIREMENTS CAN BE FOUND IN COUNCIL’S COMMUNITY  
ENGAGEMENT PROTOCOL (AS AMENDED)**



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## SECTION 5 SITE ANALYSIS

### 5.1 INTRODUCTION

Site analysis forms an important part of the design process. Development proposals need to illustrate how the proposal responds to site conditions and its relationship to the surrounding context. By describing the physical elements of a locality and the conditions impacting on a site, opportunities and constraints for future development can be understood and addressed in the design.

### 5.2 OBJECTIVES

The objectives of undertaking a site analysis are to:

- (a) Identify the prevailing characteristics of an area within which a development site is located;
- (b) Identify the opportunities and constraints of a development site;
- (c) Identify the relationship between a development site and its surroundings; and
- (d) Utilise the information in items (a) to (c) above to inform the design of the proposed development such that impacts on neighbouring properties and the locality are minimised.

### 5.3 WHEN IS A SITE ANALYSIS REQUIRED?

A site analysis is required to be submitted with all the following types of development applications:

- (a) Alterations or additions to any building;
- (b) All new buildings and structures relating to:
  - (i) Residential accommodation;
  - (ii) Commercial premises;
  - (iii) Mixed residential and non-residential development;
  - (iv) Other non-residential development; or
  - (v) Torrens title subdivision of land.

### 5.4 SITE ANALYSIS REQUIREMENTS

A site analysis is required to be prepared as follows:

- (a) Should be drawn to scale and accompanied by a written statement explaining how the design of the proposed development responds to the analysis.
- (b) Discretion may be used concerning the extent of information required for each site analysis (eg. a small extension to the rear of a dwelling house would not necessarily require the same level of information as a proposal to add a second storey extension to a single-storey dwelling). Council ultimately decides on the amount of detail required.
- (c) Look at the land from the site to its surroundings and from the surroundings to the site. Examine the natural and built features relating to the site.
- (d) Design the development to minimise negative impacts on the amenity of any adjoining development, so that it fits within its context. It should reflect the Character Statements for the planning area.

- (e) Refer to the Character Statements for the planning area to determine whether development adjoining a site is a desired characteristic, and what the desired characteristics of the locality are.

#### **5.4.1 Site Analysis Plan**

A Site Analysis Plan must include information, where appropriate, about the subject site and its surrounds, including:

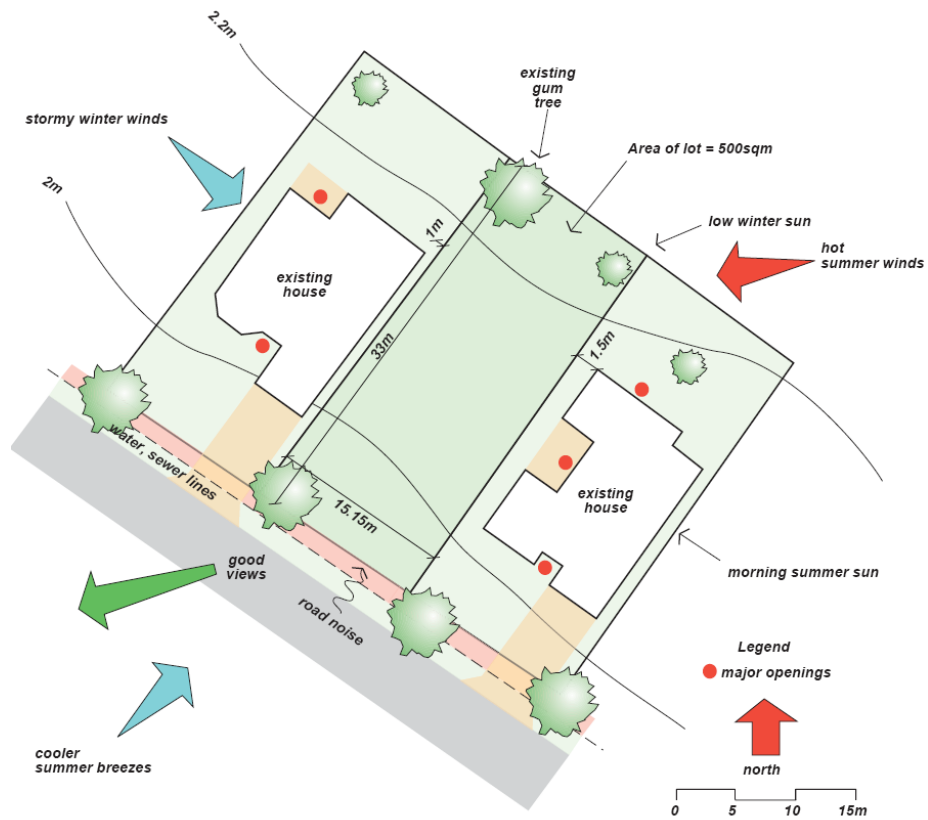
- (a) In relation to the site:
- (i) Site dimensions, including:
    - site area; and
    - boundary dimensions.
  - (ii) Topography, including:
    - Spot levels and contours.
  - (iii) Services, including:
    - Easements; and
    - Connections for drainage and utility services.
  - (iv) Existing Vegetation, including:
    - Location;
    - Height;
    - Canopy spread; and
    - Species
  - (v) Micro climates, including:
    - Orientation (including solar access); and
    - Prevailing winds.
  - (vi) Location of:
    - Buildings and structures;
    - Heritage and archaeological features;
    - Pedestrian and vehicle access;
    - Fences;
    - Natural features such as rock outcrops, cliff faces, watercourses or foreshore edges;
    - Stormwater drainage pattern;
    - Views to and from the site;
    - Overshadowing by neighbouring structures;
    - Scale and north point (magnetic north and true north); and
    - Contaminated soils or filled areas.
- (b) In relation to surrounding land:
- (i) Neighbouring Buildings, including their:
    - Location;
    - Height; and
    - Use.

**Site Analysis**

- (ii) Privacy:
  - Adjoining private open spaces;
  - Location of any facing doors and/or windows (especially those within 9m of the site); and
  - Location of living rooms.
- (iii) Setbacks from all boundaries (where adjoining buildings are built to the boundary, their location height and materials are to be shown);
- (iv) Differences in levels between the site and adjacent boundaries;
- (v) Views and solar access enjoyed by neighbouring properties;
- (vi) Major trees on adjacent properties which overhang the subject property (especially those within 10m of the subject site);
- (vii) Street frontage features (elevations) including:
  - Setbacks;
  - Trees;
  - Fences;
  - Poles;
  - Bus stops; and
  - Kerb cross overs
- (viii) Built form and character of adjacent and characteristic development in the locality;
- (ix) Heritage features of surrounding locality;
- (x) Community facilities and Public open space;
- (xi) Adjoining bushland;
- (xii) Harbour foreshores;
- (xiii) Pedestrian routes to local facilities; and
- (xiv) Sources of nuisance (i.e. roads, flight paths, significant noise sources, pool pumps, polluting operations).

In addition to the above matters, the following information is to be shown where a proposed development relates to housing for seniors or people with a disability, commercial or mixed use developments where the gross floor area exceeds 5,000m<sup>2</sup>.

- (c) Direction and location to local facilities, including:
  - (i) Local shops;
  - (ii) Schools;
  - (iii) Public transport, including:
    - Bus stops;
    - Bus routes;
    - Train stations; and
    - Ferry terminals / stops.
  - (iv) Public Open Space, including:
    - Location; and
    - Use.



**Figure A-5.1:**  
Site analysis diagram



## SECTION 1 RESIDENTIAL DEVELOPMENT

### 1.1 INTRODUCTION

The North Sydney LGA has the second highest dwelling density in NSW. This is reflected in the high proportion of medium (25%) and high density (64%) dwellings accommodated within the LGA. The demand for housing in the LGA is driven by a number of factors, including:

- The aesthetic and cultural characteristics of the LGA such as parks, bushland, foreshore areas and heritage retention;
- The proximity to employment areas, including Sydney City and North Sydney CBDs, both of which lie within the Sydney global economic corridor of industry and business, located between Sydney Airport and Macquarie Park;
- Access to a range of retail, recreational, educational and health services; and
- The extent and accessibility of transport infrastructure.

This demand for housing has seen increases in property and rental values, resulting in pressures for the redevelopment of housing for medium and high density accommodation and high cost housing. Additional pressure also comes from the need to accommodate additional dwellings in line with the State government's Regional Plan for Sydney.

This pressure to accommodate more housing can sometimes result in adverse impacts on the amenity of existing residents in terms of overshadowing, visual and acoustic privacy, traffic congestion and access to open space. Accordingly, development controls are required to ensure that any amenity impacts are minimised.

Council is also wary of the need to provide adequate housing choice to reflect the LGA's future residential demographic profile (refer to Part A: Section 2 – *Context* to the DCP). In particular, there is a need to provide a mixture of dwellings in terms of their type, size, adaptability and affordability.

#### 1.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that residential development:

- O1 reinforces the local planning priorities and actions of Council's Local Strategic Planning Statement;
- O2 reinforces the actions and targets of Council's *Local Housing Strategy*;
- O3 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;
- O4 provides a range of living opportunities that attract and cater for a diverse population;
- O5 does not have adverse impacts on residential amenity or environmental quality;
- O6 is in context with surrounding development;
- O7 contributes to the garden setting and lower scale character of North Sydney's residential neighbourhoods;
- O8 provides safe and comfortable accommodation;
- O9 is consistent with the character that is described in the relevant area character statements;
- O10 incorporates innovative sustainable design to reduce energy and water consumption, and meets or exceeds sustainability requirements, and
- O11 minimise stormwater runoff, maintain or improve stormwater quality and encourage recycling where possible.

### 1.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for residential accommodation, including:

- (a) Attached dwellings;
- (b) Boarding houses;
- (c) Dual occupancies;
- (d) Dwelling houses;
- (e) Group homes;
- (f) Multi dwelling housing;
- (g) Residential flat buildings;
- (h) Secondary dwellings;
- (i) Semi-detached dwellings; and
- (j) Seniors housing.

However, this Section of the DCP does not apply to any of the residential accommodation types listed above, if they are proposed within the *B4 Mixed Use* zone. Residential accommodation proposed in the *B4 Mixed Use* zone is subject to the relevant provisions under Part B: Section 2 – *Mixed Use and Commercial Development* of the DCP.

Non-residential development which is proposed within residential zones is covered by Part B: Section 3 – *Non-residential Development in Residential Zones* of the DCP.

### 1.1.3 Relationships to other sections

Where relevant this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 10 – Car Parking and Transport;
- (c) Part B: Section 11 – Construction Management;
- (d) Part B: Section 12 – Access;
- (e) Part B: Section 13 – Heritage and Conservation;
- (f) Part B: Section 16 – Tree and Vegetation Management;
- (g) Part B: Section 15 – Bushland;
- (h) Part B: Section 17 – Erosion and Sediment Control;
- (i) Part B: Section 18 – Stormwater Drainage;
- (j) Part B: Section 19 – Waste Minimisation and Management; and
- (k) Part B: Section 20 – Public Infrastructure.

### 1.1.4 Relationships to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

- (a) [\*SEPP 65 – Design Quality of Residential Apartment Development\*](#);
- (b) The DoP's [\*Apartment Design Guide\*](#);
- (c) [\*SEPP \(Affordable Rental Housing\) 2009\*](#);
- (d) [\*SEPP \(Coastal Management\) 2018\*](#);
- (e) Livable Housing Australia's [\*Livable Housing Design Guidelines\*](#);

**Residential Development**

- (f) [SEPP \(Housing for seniors and people with a disability\) 2004](#);
- (g) The DoP's [Seniors Living Policy – Urban Design Guidelines for Infill Development](#);
- (h) [SEPP \(Building Sustainability Index: BASIX\) 2005](#);
- (i) [SEPP \(Infrastructure\) 2007](#);
- (j) The DoP's [Development Near Rail Corridors and Busy Roads – Interim Guideline \(19 December 2008\)](#);
- (k) [SREP \(Sydney Harbour Catchment\) 2005](#);
- (l) The DoP's [Sydney Harbour Foreshores and Waterways Area DCP \(2005\)](#); and
- (m) The Rural Fire Service's [Planning for Bush Fire Protection](#).

**1.2 SOCIAL AMENITY**

A diversity of people contributes to the popularity of an area. Diversity also extends the usefulness of an area and contributes to the sustainability of both community and the environment. A range of residential accommodation in terms of built form, tenure and affordability is needed to sustain a diverse population and to ensure that a range of services and facilities continues to be provided in the area. Council aims to maintain the existing diverse mix of residential accommodation in North Sydney, not lose this residential mix to other land uses and to allow for some increase in both the dwelling stock and population, in accordance with the NSW State Government policy of urban consolidation.

The aim of urban consolidation is to accommodate a certain proportion of Sydney's residential growth within existing urban areas. To implement urban consolidation in North Sydney, Council has identified areas where growth can be accommodated in a range of dwelling types including attached dwellings, dual occupancies, dwelling houses, multi dwelling housing and residential flat buildings. Additional living space can also be created through alterations and additions to existing dwellings and residential growth the mixed-use areas.

**1.2.1 Population Mix****Objectives**

- O1 To provide a mixed residential population in terms of age, gender, household type and size, education, income and employment, and including households with children, households on low to moderate incomes, households with aged or disabled persons.
- O2 To ensure that dwelling yield achieves a density that contributes to energy efficient design and residential amenity.

**Provisions**

- P1 Multi-dwelling housing and residential flat buildings containing less than 20 dwellings must include, at least two of the following dwelling types:
  - (a) studio;
  - (b) 1-bedroom;
  - (c) 2-bedroom; and
  - (d) 3-bedroom.
- P2 Despite P1 above, no more than 55% of all dwellings must comprise a combination of both studio and 1-bedroom dwellings.
- P3 Residential flat buildings containing 20 or more dwellings should provide a mix of dwelling sizes in accordance with Table B-1.1.

TABLE B-1.1: Dwelling Mix	
Dwelling Size	% of Total Dwellings
Studio	10-20%
1 bedroom	25-35%
2 bedroom	35-45%
3 bedroom+	10-20%

- P4 Variations to the dwelling mix within P2 or P3 will not be considered, unless the applicant can adequately demonstrate by an authoritative analysis of current and future market demand that the suggested mix is not reasonable.

## 1.2.2 Universal Design and Adaptable Housing

### Objectives

- O1 To encourage the incorporation of universal design features and the provision of adaptable housing in new developments to meet the diverse needs of a variety of occupants.
- O2 To encourage greater housing choice for seniors, families and people with disabilities.
- O3 To enable residents to age in place.

### Provisions

- P1 All new dwellings must satisfy the Silver level performance requirements of the *Livable Housing Design Guidelines*. The incorporation of Gold and Platinum level universal design features is strongly supported.<sup>1</sup>

**Note:** For details on the universal design features and performance requirements of the *Livable Housing Design Guidelines* visit <http://www.livablehousingaustralia.org.au/>.

- P2 A minimum of 20% of dwellings in multi-dwelling housing and residential flat buildings that contain more than 5 dwellings must comprise adaptable housing<sup>2</sup>, and be designed and constructed to a minimum Class C Certification under AS 4299 – Adaptable Housing.
- P3 Where adaptable housing is required to be provided, the adaptable housing components must:
- (e) be integrated into the overall design of the development, and not be isolated; and
  - (f) not use a different standard of materials and finishes to the remainder of the building.
- P4 Where universally designed and adaptable dwellings are proposed, those dwellings must be clearly identified as such on the submitted development application plans.
- P5 Developments requiring adaptable housing must also satisfy the provisions of Part B Section 12.5 of this DCP.

<sup>1</sup> This provision applies to residential development which requires development approval and does not apply to alterations and additions to existing homes or complying development under NSW State Codes.

<sup>2</sup> Adaptable housing is designed with accessible features that can be modified to meet changing needs of residents over time. Typical adaptable features include level and wider doorways and corridors, slip resistant floor surfaces, reachable power points, lever door handles and lever taps. When designing adaptable housing consult AS 1428, 4299 and 4586.



### 1.2.3 Maintaining residential accommodation

#### Objectives

- O1 To ensure that developments do not result in the loss of residential accommodation.

#### Provisions

- P1 Development, whether it comprises new buildings or alterations/additions to existing buildings, should ensure that the existing residential density on site is not reduced (i.e. that the number of dwellings, or the number of rooms/bed spaces in a boarding house, that existed on the site is not reduced).

### 1.2.4 Affordable housing

Housing is considered affordable when households that are renting or purchasing are able to pay their housing costs and still have sufficient income to meet other basic needs such as food, clothing, transport, medical care and education.

Individuals working in key services on low-to-moderate incomes are finding it increasingly difficult to find affordable housing close to their work places. Over time, these individuals may choose not to work in high cost areas that are too far from their accommodation. By increasing access to affordable housing, we work towards integrated and sustainable communities that function in a way that benefits the whole community.

Affordable housing can be provided by both the government and private sectors. More information about affordable housing can be obtained from the Department of Planning's website ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)) and Housing NSW's website ([www.housing.nsw.gov.au](http://www.housing.nsw.gov.au)).

#### Objectives

- O1 To prevent the loss affordable housing within the LGA and displacement of socially disadvantaged groups.
- O2 To encourage the provision of adaptable housing in new developments

#### Provisions

- P1 Development must avoid the loss of low cost accommodation in accordance with the provisions of the [Affordable Rental Housing SEPP](#). Where a loss occurs, the applicant will be required to pay a monetary contribution for the replacement of affordable housing.
- P2 New affordable housing may be provided in accordance with the provisions of the [Affordable Rental Housing SEPP](#).

### 1.2.5 Housing for Seniors and Persons with a Disability

#### Objectives

- O1 To ensure housing for seniors and persons with a disability are appropriately designed to cater for the needs of the community.

#### Provisions

- P1 Development must be provided in accordance with the provisions under of the [SEPP \(Housing for seniors and people with a disability\) 2004](#) and where relevant, the *Seniors Living Policy – Urban Design Guidelines for Infill Development*.
- P2 Residential care facilities and hostels must provide at least one communal open space configured and designed in accordance with the provisions of the Department of Planning's *Apartment Design Guide*.

## 1.3 ENVIRONMENTAL CRITERIA

The quality and amenity of the residential environment is important to the community. It contributes to the comfort and wellbeing of current residents and to sustainability of residential areas and the environment for future users. The quality and amenity of residential development can be maintained and improved by minimising the impacts of development by utilising some or all of the following approaches.

### 1.3.1 Topography

#### Objective

- O1 To ensure that the natural topography and landform are maintained.
- O2 To retain existing vegetation and allow for new substantial vegetation and trees.
- O3 To minimise the adverse effects of excavation on the amenity of neighbouring properties.
- O4 To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.
- O5 To ensure the structural integrity of adjoining properties.
- O6 To minimise adverse effects of adjoining transport infrastructure.

#### Provisions

- P1 Development that includes excavation must not be carried out unless:
  - (a) the development is in accordance with and promotes the objectives to this subsection; and
  - (b) land stability of the site and adjoining land is preserved; and
  - (c) the natural drainage patterns of the land and catchment will not be disrupted; and
  - (d) adverse effects on other properties are avoided or minimised.
- P2 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.
- P3 Development should not result in the ground level (finished) being altered greater than 500mm above or below ground level (existing).
- P4 Habitable rooms (excluding bathrooms, laundries and storerooms) should not be located more than 1m below ground level (existing) for more than 50% of the room's floor area.
- P5 Excavation should not occur within 1m of any property boundary. Where excavation is required within 500mm of a property boundary, Council must not grant development consent unless it is satisfied that the proposed excavation will not result in adversely impacting upon the structural integrity of adjoining properties.

**Note:** *In order to satisfy Council that the level of excavation is acceptable, it is recommended that applicants submit appropriate details from a structural engineer.*
- P6 The depth of soil around buildings must be sufficient to sustain trees as well as shrubs and smaller scale gardens.
- P7 Consent must not be granted to a development for the purposes of attached dwellings, dual occupancies, dwelling houses or semi-detached dwellings where any associated garage or car parking is located in a basement.

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- P8 Notwithstanding P7, Council may grant consent to a dwelling house, dual occupancy, attached dwelling or semi-detached dwelling incorporating a basement garage or car parking, but only where it can be demonstrated:
- (a) that the development satisfies the objectives of this subsection; and
  - (b) that the entire basement is located entirely within the footprint of the building above; and
  - (c) there is no alternative location on the site to accommodate the required level of car parking.
- P9 Consent must not be granted to a development for the purposes of multi dwelling housing or residential flat buildings in any residential zone, where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.
- P10 Where practical,
- (a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.
  - (b) a minimum of 30% of the unexcavated area should be located within the front setback.
  - (c) a minimum 1.5m wide strip of landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.
- P11 Basement car parks, where permitted, must not extend to the full width of a site.

### 1.3.2 Properties in proximity to bushland

**Objectives**

- O1 To ensure that development located within proximity of land zoned *E2 Environmental Conservation* is compatible with long term conservation and management of Council's Bushland reserve system in accordance with Council's Bushland Plan of Management and other relevant legislation and policies.

**Provisions**

- P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - *Bushland* of the DCP.

**Note:** Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.

- P2 Maintain existing ground levels on land adjoining land zoned *E2 Environmental Conservation*.

### 1.3.3 Properties on Bush Fire Prone Land

**Objectives**

- O1 To minimise the risk of harm to persons and property in the event of a bush fire.

**Provisions**

- P1 Where relevant, new development on Bush Fire Prone Land must comply with the relevant requirements of the NSW Rural Fire Service's *Planning for Bush Fire Protection* (as amended).
- P2 Bush fire mitigation controls must be integrated wholly within the boundaries of the land being developed. Asset Protection Zones or other mitigation controls must not be placed on Council land.



### 1.3.4 Properties with a foreshore frontage

#### Objectives

- O1 To promote a scale and form of development that enhances the scenic, environmental and cultural qualities of the foreshore.
- O2 To ensure that development considers coastal processes, such as sea level rise.
- O3 To ensure development is consistent with Council's *Foreshore Access Strategy*.

#### Provisions

- P1 Development on land adjacent to the foreshore must be designed with regard to sea level rise.

*Note: Further information about sea level rise can be obtained from the Department of Planning ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)).*

- P2 Development must be on land adjacent to the foreshore must be designed with regard to the provisions of [SREP \(Sydney Harbour Catchment\) 2005](#) and *Sydney Harbour Foreshores and Waterways Area DCP* (2005).
- P3 Development must not alienate public access to foreshores by the location of foreshore structures.
- P4 Mature trees or significant landscaping should not be removed in order to locate foreshore structures.
- P5 Sea walls, rock outcrops or sandstone platforms should not be removed or covered in order to locate foreshore structures.
- P6 Minimise disturbance of existing, surface and underground drainage to minimise run-off into the water.
- P7 In accordance with Part B: Section 15 – *Bushland* and Part B: 16 – *Tree and Vegetation Management* of the DCP, preserve existing trees and vegetation wherever feasible and replace any tree or vegetation removed or damaged as part of development.
- P8 Natural materials and colours should be used that blend with the water, foreshore sandstone and vegetation, for any foreshore structure.
- P9 Avoid the use of large areas of blank, hard or reflective surfaces.
- P6 Buildings or structures must respect the topographical features of the site.

*Note: For example, buildings are not cantilevered, but follow the topography.*

### 1.3.5 Visual Impact - Access

#### Objectives

- O1 To minimise adverse visual effects as viewed from the harbour.

#### Provisions

- P1 Landscaping should be used to soften the appearance of structures such as inclinator.
- P2 Structures such as inclinator should be recessed below the ground level (existing).
- P3 The use of pathways and graded ramps is preferable to the use of inclinator for access. Where inclinator are to be used, they must be minimised in length.

### 1.3.6 Views

Due to North Sydney's sloping topography and proximity to Sydney Harbour, views and vistas comprise special elements that contribute to its unique character and to the amenity of both private dwellings and the public domain.

**Residential Development**

New development has the potential to adversely affect existing views. Accordingly, there is a need to strike a balance between facilitating new development while preserving, as far as practicable, access to views from surrounding properties.

When considering impacts on views, Council will generally not refuse a development application on the grounds that the proposed development results in the loss of views, where that development strictly complies with the building envelope controls applying to the subject site.

**Objectives**

- O1 To protect and enhance opportunities for vistas and views from streets and other public places.
- O2 To encourage view sharing as a means of ensuring equitable access to views from dwellings, whilst recognising development may take place in accordance with the other provisions of this DCP and the LEP.

**Provisions**

- P1 Development should be designed such that views from streets and other public places, as identified in the relevant area character statement (refer to Part C of the DCP), are not unreasonably obstructed.
- P2 Development should be designed to maximise the sharing of views from surrounding properties and public places.
- P3 Ensure that existing and proposed dwellings will have an outlook onto trees and sky.
- P4 Where a proposal is likely to adversely affect views from either public or private land, Council will give consideration to the Land and Environment Court's Planning Principles for view sharing established in *Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 and *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140. The Planning Principles are available to view on the Land and Environment Court's website ([http://www.lec.justice.nsw.gov.au/planning\\_principles](http://www.lec.justice.nsw.gov.au/planning_principles)).

**1.3.7 Solar access**

**Objectives**

- O1 To ensure that all dwellings have reasonable access to sunlight and daylight.

**Provisions**

- P1 Developments should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:
  - (a) any solar panels;
  - (b) the windows of main internal living areas;
  - (c) principal private open space areas; and
  - (d) any communal open space areas.
 located on the subject property and any adjoining residential properties.  
**Note:** *Main internal living areas excludes bedrooms, studies, laundries, storage areas.*
- P2 Despite P1 above, living rooms and private open spaces for at least 70% of dwellings within a residential flat building should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).
- P3 Avoid providing apartments that have a sole orientation to the south. Where south facing apartments can not be avoided, ensure that they are provided with adequate access to natural light (e.g. by providing enlarged windows, skylights and the like). No

more than 15% of all dwellings in the development must not receive no direct sunlight between 9am and 3pm at mid-winter.

- P4 The use, location and placement of photovoltaic solar panels should take into account the potential permissible building forms on adjacent properties.

### 1.3.8 Acoustic privacy

#### Objective

- O1 To ensure all residents are provided with a reasonable level of acoustic privacy.

#### Control

- P1 New dwellings shall be designed and constructed to comply with the criteria specified in Table B-1.2 for all noise intrusion from external noise sources (including mechanical services noise from within the development itself), with windows and doors closed:

TABLE B-1.2: Noise intrusion criteria from external sources		
Internal Space	Time Period	Max 1hr noise level (LAeq 1 Hour)
Living areas	Day or Night	≤ 40 dBA
Sleeping Areas	Day or Night	≤ 35 dBA

**Notes:** Readings are to be LAeq (1hour), when measured during the noisiest 1 hour period between Day 7am to 10pm; and Night – 10pm to 7am.

- P2 Where multiple dwellings are provided within the same building, the building shall be designed and constructed to comply with the requirements in Table B-1.3 regarding acoustic insulation of walls and floors.

TABLE B-1.3: Internal acoustic insulation criteria	
Item	Criteria
Field Sound Reduction Index R'w of walls, floors services and ducts	BCA as amended. Except that Field Noise Reduction Index of all inter-tenancy walls shall be designed to achieve ≥R'w55 and the intent of the BCA requirements.
Field Sound Reduction Index R'w of Doors	Any door (including the effects of its frame and any edge gaps) in a wall between a dwelling and a stairwell or other internal common area shall be designed to achieve an ≥R'w28.
Impact Isolation of Floors	Where the floor of a dwelling separates a habitable room of one dwelling and a habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like of a separate tenancy, the floor shall be designed to achieve a weighted standardised impact sound pressure level, L <sub>n'tw</sub> not more than 55dB.

- P3 An acoustic report prepared by a certified acoustic consultant must be submitted and address the requirements to P1 where the proposal involves the construction of 4 or more new dwellings.
- P4 Buildings are to be designed and rooms positioned to reduce noise transmission within and between dwellings.
- P5 Bedrooms should be designed so that wardrobes provide additional sound buffering between rooms within the dwelling or between adjoining dwellings over and above the requirements in P2 above.

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- P6 Windows and doors should be located away from external noise sources, or buffers used where separation can not be achieved.
- P7 Materials with low noise penetration properties should be used where practical.
- P8 Locate bedrooms and private open spaces away from noise sources such as garages, driveways, mechanical equipment and recreation areas.
- P9 Mechanical equipment, such as pumps, lifts or air conditioners should not be located adjacent to bedrooms or living rooms of dwellings on adjoining properties.
- P10 Where dwellings are located on busy roads the following construction techniques are to be considered for incorporation into the design of the development to reduce traffic noise within the dwelling:
- (a) cavity brick walls;
  - (b) double glazing;
  - (c) solid core doors;
  - (d) concrete floors; and
  - (e) recessed balconies.
- P11 Where possible, avoid the use high brick fences on busy roads. High fences present a harsh and bland appearance to the street, obstruct views from the footpath to gardens and dwelling entries, reduce amenity for pedestrians and reduce casual surveillance of the street. Try to reduce acoustic impacts through other acoustic reduction measures.
- P12 Development on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the [SEPP \(Infrastructure\) 2007](#).

### 1.3.9 Vibration

**Objectives**

- O1 To ensure that dwellings are not unreasonably impacted upon by vibrations caused by the operation of railways and roadways.

**Provisions**

- P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). In particular, consideration should be given to the vibration criteria contained within the NSW Environment Protection Authority's *Assessing Vibration: a technical guideline*. A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.

### 1.3.10 Visual privacy

**Objectives**

- O1 To ensure that existing and future residents are provided with a reasonable level of visual privacy.

## Provisions

### Building Separation

- P1 Provide visual separation between any non-residential use and dwellings.
- P2 Residential flat buildings are to provide adequate separation between habitable rooms, balconies and non-habitable rooms, consistent with [SEPP 65](#). The relevant building separation distances are reproduced in Table B-1.4. Increased setbacks may be required to ensure that adequate solar access to be provided to neighbouring dwellings.

**TABLE B-1.4: Building Separation Requirements**

Building height (metres)	Between habitable rooms and balconies	Between habitable & non-habitable rooms	Between non-habitable rooms
Up to 4 storeys (approx. 12m)	12m	9m	6m
5 to 8 storeys (approx.-25m)	18m	12m	9m
9 storeys (approx. 25m +)	24m	18m	12m

### Windows

- P3 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- P4 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices.
- P5 Provide suitable screening structures to minimise overlooking from proposed dwellings to the windows, balconies or private open space of adjacent dwellings, to windows, balconies or private open space of dwellings within the same development.

### Decks, Patios and Terraces

- P6 Limit the width and depth of any deck, patio or terrace located greater than 1m above ground level (existing) where privacy and loss of views is an issue and consider using screen devices where relevant.
- P7 Private or communal open spaces such as terraces, patio, gardens and the like are not permitted on rooftops or garage roofs.
- P8 Despite P7 above, private or communal open spaces on roofs may be considered, but only if:
- the space is designed such that there is no potential for existing or future overlooking of the space and subsequent noise and privacy issues;
  - the space is setback at least 1m from the extent of the external enclosing walls to the floor level below; and
  - the space does not exceed 50% of the floor area of the storey immediately below or 18m<sup>2</sup>, whichever is the lesser; and
  - there is no other appropriate ground level space for outdoor recreation off a primary living room.



## 1.4 QUALITY BUILT FORM

In response to their local context, buildings need to be designed to respect the existing topography and relate to the rhythm and pattern of characteristic buildings in the prevailing streetscape. A comfortable and memorable street will be one where no one building or feature dominates.

Kerb and guttering, footpaths, fences, front gardens and the street frontage of buildings all contribute to the appearance of a street and influence how people feel in them and about them. Streets where people feel comfortable will exhibit consistency in these elements and relationships between the scale of these elements.

### 1.4.1 Context

#### Objectives

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

#### Provisions

- P1 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).

### 1.4.2 Subdivision pattern

#### Objectives

- O1 To ensure that the characteristic subdivision pattern remains apparent, even if lots are subdivided or amalgamated.

#### Provisions

- P1 Maintain lot sizes, shape and orientation identified in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, that are characteristic of the area.
- P2 Design and locate buildings to reinforce the characteristic subdivision pattern in the neighbourhood (i.e. walls of buildings are generally built parallel to the property boundaries).
- P3 Where lots have been amalgamated, the bulk of larger buildings must be articulated through the use of bays or indents on the original lot line.
- P4 Residential flat buildings using single-aisle parking should not be constructed on lots with a street frontage of less than 15m. If double-aisle parking is proposed, lots should have a street frontage of not less than 18m.

### 1.4.3 Streetscape

#### Objectives

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.

#### Provisions

- P1 All works within the road reserve must be undertaken in accordance with the *North Sydney Council Performance Guide* (refer to Part B: Section 20 – *Public Infrastructure* of the DCP).
- P2 All existing sandstone kerb and guttering must be retained and maintained.



- P3 Existing street trees are to be retained and protected by avoiding excavation or building within the drip line of the tree (refer to Part B: Section 16 - *Tree and Vegetation Management* of the DCP).
- P4 Plant new trees of the same species that are present in the street, or in accordance with guidelines or strategies adopted by Council.
- P5 Maintain a nature strip on-street if one exists.

#### **1.4.4 Laneways**

##### **Objectives**

- O1 To ensure that laneways are functional, attractive, safe and comfortable places for use by residents as part of their public space and pedestrian network.

##### **Provisions**

- P1 Where a laneway is the principal frontage to a property, dwellings are to address the lane (i.e. do not conceal the front façade of such buildings behind high walls, fences or garages).
- P2 The height of buildings facing laneways should respect the width of the lane (i.e. a one storey building generally provides the most appropriate scale). A two storey building ancillary to the main dwelling may be permitted adjacent to the laneway, but only if:
- (a) the laneway does not comprise the site's primary frontage; and
  - (b) the building does not result in any adverse impacts in terms of visual and acoustic privacy, overshadowing, heritage and an area's character.
- P3 Where a site has a sole frontage to a laneway, any 2 storey component of a building must be set back at least 10m from the laneway boundary.
- P4 Dwellings addressing laneways are to be provided with a reasonable level of privacy through design and landscaping (e.g. the use of obscure glazing and medium height shrubs that partially obscure windows).
- P5 Where car parking is only capable of being located at the boundary to the laneway, only open car spaces or carports will be permitted (i.e. roller doors are not permitted).
- P6 No more than 50% of the width of a laneway frontage may be allocated for car accommodation of any kind, or car park entrances.
- P7 Front fences are to be softened by planting trees and shrubs that hang over or through fences.
- P8 Existing trees on land that abut the laneway should be retained.
- P9 All new and rebuilt fences and structures (including car parking spaces) must be setback at least 1.2m from the laneway frontage. This setback is to be landscaped with appropriate low maintenance plants.

#### **1.4.5 Siting**

##### **Objectives**

- O1 To maintain the characteristic building orientation and siting.

##### **Provisions**

- P1 Buildings are to be sited in accordance with that described in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement sited to relate to neighbouring buildings.
- P2 Site buildings within a single building form, addressing the street.

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- P3 Orient each external wall parallel to the corresponding boundary of the site, unless another orientation is characteristic.

**1.4.6 Setbacks****Objectives**

- O1 To reinforce the characteristic pattern of setbacks and building orientation within the street.
- O2 To control the bulk and scale of buildings.
- O3 To provide separation between buildings.
- O4 To preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

**Provisions****Front**

- P1 The front setback must match the alignment of the primary facades of buildings on adjoining properties. Where different setbacks occur, the average of the setbacks of those primary facades is to be used.

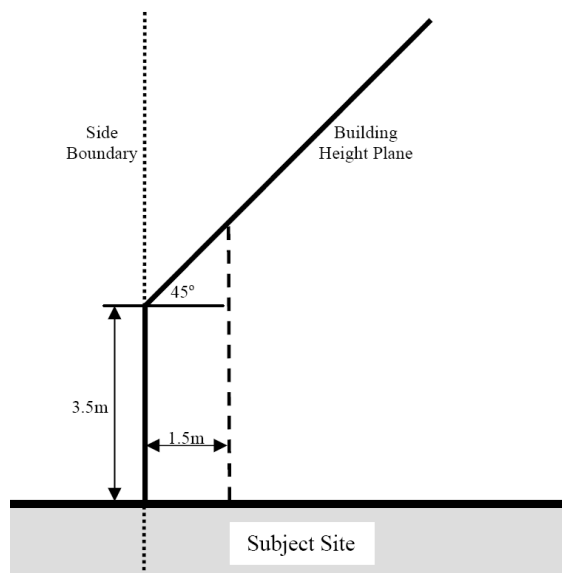
**Side**

- P2 Building setbacks are to comply with the requirements set out in Table B-1.5.

<b>TABLE B-1.5 - Side Setback Requirements</b>			
<b>Zone</b>	<b>Development Types</b>	<b>Minimum Setback Requirement</b>	
<b>E4 – Environmental Living</b>	Dwelling houses; Group homes; Seniors housing	1st storey (up to 4m)	900mm
		2nd storey (up to 7m)	1.5m
		3rd storey or higher (greater than 7m)	2.5m
<b>R2 – Low Residential Density</b>	Boarding houses; Dual occupancies; Dwelling houses; Group homes; secondary dwellings; Semi-detached dwellings; Seniors housing	1st storey (up to 4m)	900mm
		2nd storey (up to 7m)	1.5m
		3rd storey or higher (greater than 7m)	2.5m
<b>R3 – Medium Residential Density</b>	Attached dwellings; Boarding houses; Dual occupancies; Dwelling houses; Group houses; Multi dwelling housing; Secondary dwellings; Semi-detached dwellings; Seniors housing	1st storey (up to 4m)	900mm
		2nd storey (up to 7m)	1.5m
		3rd storey or higher (greater than 7m)	2.5m
	Residential flat buildings	3m; and The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45° (refer to Figure B-1.3).	
<b>R4 – High Residential Density</b>	Attached dwellings; Dual occupancies; Dwelling houses; Group Homes; Secondary dwellings; Semi-detached dwellings;	1.5m; and The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45° (refer to Figure B-1.3).	

**TABLE B-1.5 - Side Setback Requirements**

Zone	Development Types	Minimum Setback Requirement	
	Boarding houses; Multi-dwelling housing; Residential flat building; seniors housing	On land with a height limit of 12m or less	3m; and The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45° (refer to Figure B-1.3).
		On land with a height limit greater than 12m	1st to 3rd storey (up to 10m) 4.5m
			Above 3rd storey 6m
<b>B1 - Neighbourhood Centre</b>	Boarding houses	0m, up to 4 storeys, but only where no window or other openings are provided on the side elevation of the building. Otherwise, the setbacks are to be as follows:	
		1st to 3rd storey (up to 7m)	4.5m
		Above 3rd storey	6m
<b>IN2 – Light Industrial</b>	Boarding houses; Dwelling houses; Dual Occupancies; Attached dwellings; Group homes; Multi dwelling housing; Semi detached dwellings; Seniors housing;	0m, up to 4 storeys but only where no window openings are provided on that elevation of the building, otherwise the setbacks are to be as follows:	
		1st to 3rd storey (up to 7m)	4.5m
		Above 3rd storey	6m



**Figure B-1.3:**

Setback and building height plane controls for the R4 High Density Residential zone, where the height limit is equal to 12m or less.

**Note:** The actual setback of the building may need to be increased to satisfy building separation requirements within cl.1.3.10 to Part B of the DCP.

- P3 Despite P2 above, Council may grant consent to a development with a 0m setback to a side boundary. However, Council must not grant consent, unless the applicant has satisfactorily addressed the questions identified in the Land and Environment Court Planning Principle “Building to the side boundary in residential areas” established in

## Residential Development

Galea v Marrickville Council [2003] NSWLEC 113 and consideration has been given to that statement. The Planning Principle is available to view on the Land and Environment Court's website ([http://www.lec.justice.nsw.gov.au/planning\\_principles](http://www.lec.justice.nsw.gov.au/planning_principles)). The relevant questions are summarised as follows:

- (a) **Is the street characterised by terrace housing?** Building to the boundary is only considered appropriate in streets where the existing form of development is characterised by attached dwellings, semi detached dwellings and multi dwelling housing (e.g. villas and townhouses).
- (b) **What is the height and length of the wall on the boundary?** The length and height of any wall built to the boundary should be minimised to limit any adverse impacts in terms of overshadowing and visual privacy.
- (c) **Has the applicant control over the adjoining site(s) or the agreement of their owners?** Unrestricted access should be made to all components of a building which is built to the boundary to ensure that those components can be adequately maintained over its life.
- (d) **What are the impacts on the amenity and/or development potential of adjoining sites?** It must be adequately demonstrated above all else that building to the boundary will not result in any adverse amenity impacts or development potential of adjoining sites.
- (e) **Are there arrangements in place for the maintenance of the wall or gutters?** Access and maintenance arrangements should be in place before a development application is assessed by Council to avoid disputes later on.

- P4 Where possible, side setbacks should match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement.

### Rear

- P5 Provide rear building setbacks that match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement.
- P6 Despite P5 above, buildings within the *R4 High Density Residential* zone:
- (a) must be setback a minimum of 1.5m from the rear boundary; and
  - (b) where the land is restricted by a height limit:
    - (i) of 12m or less, must not exceed a building height plane commencing at 3.5m above ground level (existing) rear boundary and projected at an angle of 45° internally to the site (refer to Figure B-1.3); or
    - (ii) in excess of 12m must be setback at least 4.5m from the rear boundary for the 1<sup>st</sup> to 3<sup>rd</sup> storeys of the building (no more than 7m above existing ground level) and 6m for any part of the building above the 3<sup>rd</sup> storey.

**Note:** The actual setback of the building may need to be increased to satisfy building separation requirements within s.1.3.10 to Part B of the DCP.

### Laneways

- P7 Despite P1, P5 and P6 above, all buildings and structures must be setback at least 1.2m from a laneway. This provision does not apply to side setbacks.

### Building Separation

- P8 In addition to the setback controls in P1-P7 above, residential flat buildings are required to provide adequate separation between habitable rooms, balconies and non-habitable rooms, in accordance with the provisions contained within s.1.3.10 to Part B of the DCP.

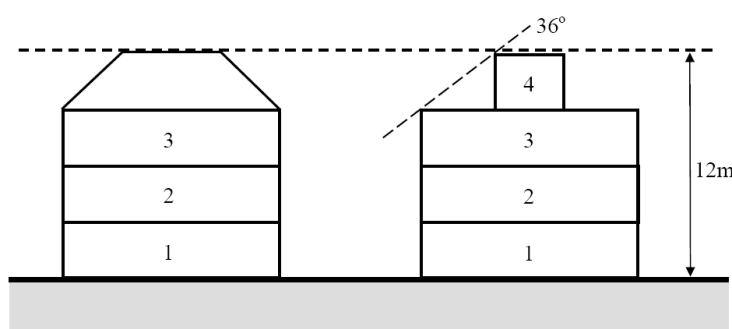
### 1.4.7 Form, massing & scale

#### Objectives

- O1 To ensure the size of new buildings are consistent with surrounding, characteristic buildings and they are not significantly larger than characteristic buildings.

#### Provisions

- P1 The height of buildings is not to exceed that stipulated within cl.4.3 to NSLEP 2013.
- P2 Where applicable, the number of storeys within a building should be consistent with that identified in the relevant area character statement (refer to Part C of the DCP).
- P3 The finished floor height of the ground floor level should not exceed 1m above ground level (existing), measured vertically at any point.
- P4 Finished floor to ceiling heights are a minimum of 2.7m. A lesser height may be permitted by Council, but only where the applicant can satisfactorily demonstrate that the dwelling is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow apartments with large amounts of window area).
- P5 Facades of buildings which face any public street should not be dominated by large expanses of glass (i.e. facades should incorporate smaller door and window openings, so that glass does not dominate the façade).
- P6 Ancillary buildings (e.g. garages, carports, garden sheds, etc) are a much smaller scale than the residential building.
- P7 Residential flat buildings should use a pitched roof form to reflect the prevailing roof typology or that identified in the relevant area character statement (refer to Part C of the DCP).
- P8 Despite P7 above, Council may consider approval of a residential flat buildings with a flat roof, but only where:
- the development complies with the height requirements under P1 above; and
  - where the top-most storey has been setback to comply with a 36 degree angle back from the top edge of the storey located immediately below (refer to Figure B-1.4).



**Figure B-1.4:**  
Residential flat building height controls

### 1.4.8 Built form character

#### Objectives

- O1 To ensure that the design of new buildings reflects and reinforces, or is complementary to, the existing character of the locality.
- O2 To ensure that alterations and additions to or the rebuilding of residential accommodation relying on existing use rights and that existing residential

**Residential Development**

accommodation exceeds the key built form controls applying to that land, that the new development does not result in increased negative impacts on the character of the locality or the amenity of adjoining dwellings.

**Provisions****General**

- P1 Where a building is part of a uniform group of buildings of similar character, locate any additions or alterations to the rear and not visible from the street or any public place. Council may permit alterations and additions to the front of a building, but only where those alterations and additions contribute to, or are sympathetic to the character of those buildings.
- P2 Where a building is to be located amongst buildings having a consistent façade, repeat the size, location and proportions of window, door openings and other distinctive features such as roof form.
- P3 Balconies are to be incorporated within the building envelope.
- P4 Where alterations and additions to or rebuilding of any residential accommodation relying on existing use rights are proposed, they must not result in the:
- (a) material loss of views from other properties or public places, or
  - (b) material overshadowing of other properties or public places, or
  - (c) material loss of privacy to other properties, or
  - (d) increasing of the overall building height, or
  - (e) landscaped area of the development being below the requirements set out in the DCP, or further decrease the landscaped area where the landscaped area is already below the requirements of the DCP, or
  - (f) site coverage of the development exceeding the requirements set out in this DCP or further increase the site coverage where the site coverage is already above the requirements of this DCP.

**Attached Dwellings / Multi-dwelling Housing**

- P5 The layout of the development must not result in a "gun-barrel" form (e.g. long perpendicular driveways flanked by dwellings).
- P6 Where practical, each dwelling should be provided with an individual entrance from a public street or public place.
- P7 Developments should invoke a traditional row housing form fronting the street.

**Residential Flat Buildings**

- P8 Building facades should be modulated in plan and elevation and articulated to reduce the appearance of the building's bulk and to express the elements of the building's architecture.

**1.4.9 Dwelling entry****Objectives**

- O1 To provide a sense of address.
- O2 To provide safe access to dwellings and security for residents.

**Provisions**

- P1 The front door of dwellings and at least one window to a habitable room must be oriented to the street.



- P2 Dwelling entries should be clearly identifiable from the street, have adequate lighting and have direct access from the street frontage (e.g. do not conceal or substantially recess dwelling entries).
- P3 Street numbering must be clearly visible from the primary street frontage.
- P4 In multi-dwelling developments, each dwelling must be clearly marked by number and indicate at communal entry points (e.g. a stair or lift lobby) the numbers of the dwellings that are accessed from that entry point.
- P5 Where multiple external dwelling entries are provided to a single building, the building should be detailed or articulated so that individual dwellings can be easily identified from the street and avoid unintentional entry.
- P6 Multi-dwelling developments should provide disabled access through the principal entrance to the building, in accordance with Part B: Section 12 – Access of the DCP.

### **1.4.10 Roofs**

#### **Objectives**

- O1 To ensure the provision of a characteristic roof typology through the use of similar forms, shapes and materials.

#### **Provisions**

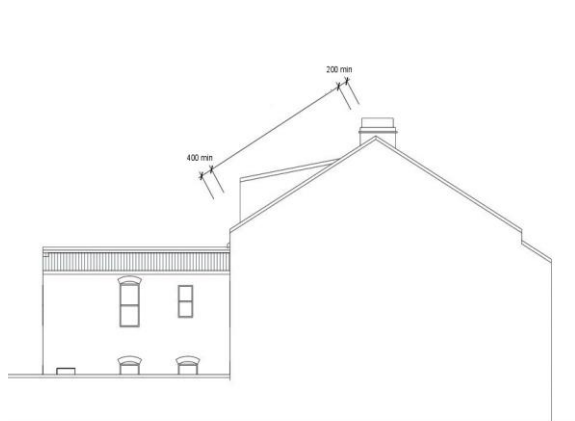
- P1 Buildings should incorporate a pitched roof, except where another roof form is identified in an area character statement (refer to Part C of the DCP) for the neighbourhood, or as being compatible with the characteristic roof form for the neighbourhood.
- P2 Roofs should be similar in form and utilise similar materials to those identified in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement that positively relates neighbouring buildings.
- P3 Roofs should be pitched generally between 25 degrees and 36 degrees, and preferably within the lower end of this range at an angle of 27-28 degrees.
- P4 Despite P3 above, Council may grant consent to a building with a roof pitch less than 25 degrees to maintain views or to correspond with a particular building design.
- P5 Flat or skillion roofs may be considered, where they are provided to the rear of buildings and not seen from the primary street frontage.
- P6 Use terracotta tiles, slate or corrugated iron where appropriate.
- P7 Avoid locating solar panels on the street elevation of a roof. They should be located towards the rear of the property as far as possible.
- P8 Minimise roof projections and internalise roof access.
- P9 If an attic is proposed, it must not exceed more than 50% of the floor area of the storey, immediately below.
- P10 Wherever possible, buildings are designed to include a north facing roof where a solar hot water system or photovoltaic solar panel may be installed.

### **1.4.11 Dormers**

The roof line of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch cladding or ornament of a roof is very carefully considered. This is particularly important within heritage conservation areas, where the change to one property can have an adverse affect on the appearance or character of a whole street.

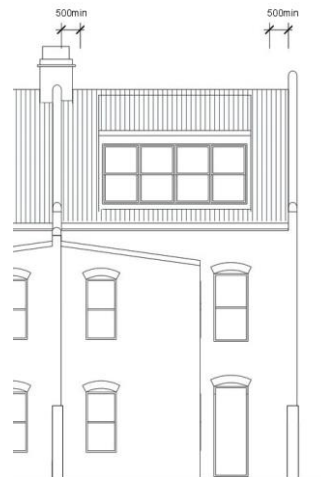
Traditionally, dormers were conceived and constructed as part of the original building design, but many have been added at a later date to allow the better use of attic space. Whether by

design or accident, dormers were usually accommodated without generally upsetting the balance of the roof. Recently however, dormers have been incorporated with the sole purpose of maximising of floorspace as the primary consideration.



**Figure B-1.31**

Dormers are to be set below the main ridge line.



**Figure B-13.32**

Dormers should be inset from party walls.

## Objectives

- O1 To ensure that the location, design, pitch and scale of any dormer is appropriate to the building and roof form to which it is attached, is in character with the area and does not result in any negative impacts on the amenity of adjoining properties.

## Provisions

- P1 Dormers must be appropriate to the style of building to which it is attached, and their style should reflect that which is characteristic of the neighbourhood.
- P2 Dormers may be permitted, where it can be demonstrated that:
- (a) there will be no significant impacts on privacy to adjoining properties;
  - (b) it will not result in any adverse impacts to the significance of any heritage item or heritage conservation area;
  - (c) the existing ridge line will be maintained, and any additions will be set below the ridge line;
- P3 Dormers on the street elevation of a building must not comprise more than  $\frac{1}{3}$  of the width of the roof plane upon which they are placed, excluding laneways.
- P4 Rear dormers or roof additions must be set back a minimum of 200mm from the ridge line, 500mm from party walls and 400 mm from the rear wall as shown in Figures B-1.31 and B-1.32.
- P5 Dormers will not be permitted, if it results in the need to alter the pitch or ridge height of the roof to accommodate the dormers.
- P6 Dormers must not exceed a height of more than 1.5m from its base to its ridge where it faces the street.
- P7 Dormers must be contained within the relevant building envelope applying to the land.



- P8 Balconies are not permitted off dormers which are located on any street elevation, excluding rear laneways. Balconies off dormers may only be considered in any other instance, providing there are no privacy impacts.

- P9 The sides of dormers must not contain glass.

#### 1.4.12 Colours and materials

##### Objectives

- O1 To ensure new buildings reflect and reinforce the existing and desired character of a locality.

##### Provisions

- P1 Buildings should use colours, finishes and materials identified in the relevant area character statement (refer to Part C of the DCP), if provided.
- P2 Natural colours and muted and earth tones should be used for major areas of the building, such as walls and roof, with stronger colours restricted to smaller features, such as window frames, doors and decorative features.
- P3 Avoid the extensive use of reflective glass, reflective metal and plastics on the exterior of buildings.
- P4 Buildings should incorporate a high proportion of masonry to glass as follows - if a vertical or horizontal line is drawn in any position on any façade it should not pass over more than 50% of glass, or 75% of clear opening and glass.
- P5 Solar panels should be integrated into dwelling design where possible.

#### 1.4.13 Balconies - Apartments

##### Objectives

- O1 To ensure the provision of functional private open space for apartments.

##### Provisions

- P1 Apartments must be provided with at least one balcony with a minimum depth of 2m and a minimum area of 8m<sup>2</sup> (n.b. best practice standard for balcony size is 15% of the floor area<sup>3</sup> of the apartment).
- P2 If an apartment is not provided with a balcony, the size of the apartment should be increased by a minimum of 8m<sup>2</sup> (i.e. the apartment size being increased by the minimum balcony size).
- P3 Balconies must be incorporated within building envelope (as specified by setbacks and or building height plane) and should not be located on roofs, podiums or be cantilevered.
- P4 Balconies should be integrated into the overall architectural form and detail of the building.
- P5 No balconies, verandahs or the like are to project over the public domain.
- P6 Where a proposal involves the conversion of an existing commercial building, and that commercial building's envelope does not comply with the setback and/or building envelope controls for the site, any new balcony must not project beyond the existing building's envelope.
- P7 Balconies should not be enclosed.

<sup>3</sup> Balconies are not included within total floor area of an apartment.

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- P8 Notwithstanding P7, Council may permit the enclosure of a balcony, but only if:
- (a) the building is predominantly characterised by enclosed balconies; or
  - (b) if the building is not predominately characterised by enclosed balconies, subject to the approval of a balcony strategy for the building.
- P9 A balcony strategy should:
- (a) include details outlining the size, scale and choice of materials of the proposed enclosure/s); and
  - (b) be adopted by the body corporate before being submitted to Council.

**1.4.14 Front fences**

This subsection of the DCP applies to fences which are located between the front property boundary and the street elevation of the building.

**Objectives**

- O1 To ensure that front fences contribute to a characteristic pattern of fences.
- O2 To enable causal surveillance of the public domain, minimising the potential for criminal activities to occur.
- O3 To provide visual and acoustical privacy.
- O4 To minimise their dominance on the street and contribute to a garden setting.

**Provisions**

- P1 Front fences and side fences located between the street frontage and its respective building line are not to exceed 1m in height. Where sites have a dual street frontage, consideration may be given to higher side fences to provide privacy.
- P2 Fences should be designed and constructed with materials similar to those identified in the relevant area character statement (refer to Part C of the DCP), if provided.
- P3 The design of the fence should not obscure views of the building and garden areas from the street.
- P4 Transparent fences (i.e. comprising no more than 50% solid construction – measured vertically across its entire length) must not exceed 1.5m in height, unless otherwise indicated in this DCP.
- P5 Solid fences (e.g. masonry, lapped and capped timber, brushwood) must not exceed 1m in height, unless otherwise indicated in this DCP.
- P6 Despite P4 and P5 above, Council may permit a higher fence in the following instances:
  - (a) Where the scale and or heritage value of the property are appropriate for a higher fence, Council may allow a fence up to 1.5m in height but only where that part of the fence over 1.2m is of open construction.
  - (b) Where traffic noise is likely to cause an adverse impact on the privacy of the residence, Council may permit a fence up to 1.8m in height of solid construction on land fronting the following streets:
    - (i) Bannerman Street;
    - (ii) Belgrave Street;
    - (iii) Brook Street;
    - (iv) Chandos Street, between Oxley and Brook Streets;
    - (v) Clarke Street;
    - (vi) Ernest Street;

- (vii) Falcon Street;
- (viii) Gerard Street;
- (ix) Harriette Street;
- (x) High Street, between Warringah Expressway and Clarke Road;
- (xi) Kurraba Road, between Clarke and Wycombe Road;
- (xii) McPherson Street;
- (xiii) Miller Street;
- (xiv) Military Road;
- (xv) Murdoch Street;
- (xvi) Pacific Highway;
- (xvii) River Road;
- (xviii) Shirley Road between, River Road and the Pacific Highway;
- (xix) Wycombe Road; or
- (xx) any other street where the traffic volume exceeds 5,000 movements a day.

- P7 Fences should incorporate setbacks from the boundary of the site and be articulated to minimise their visual impact.
- P8 Must not reduce the significance of any heritage item or heritage conservation area.
- P9 Soften the appearance of solid fences by:
- (a) providing a continuous landscaped area of not less than 600mm wide on the street side of the fence or
  - (b) the use of openings, variation in colour, texture or materials to create visual interest.
- P10 Match the height of transparent fences (such as metal grille) to the characteristic height in the street.

## 1.5 QUALITY URBAN ENVIRONMENT

The design, site layout and facilities of residential development should meet the needs of future residents and allow them to enjoy a reasonable standard of living, without having adverse affects on those residents, on residents of existing development or on the wider community and environment.

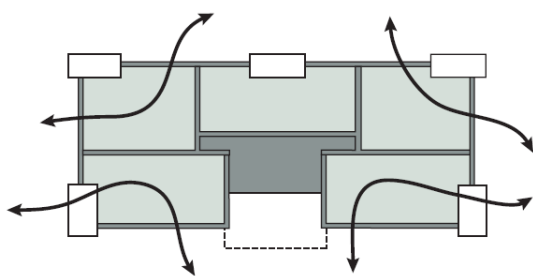
### 1.5.1 High quality residential accommodation

#### Objectives

- O1 To provide a high level of internal amenity for those who reside in the building.

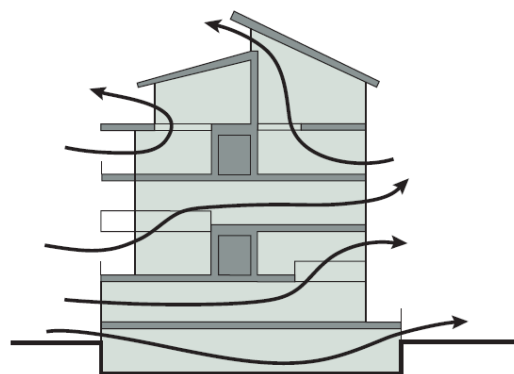
## Provisions

- P1 Dwellings within multi dwelling housing or residential flat buildings must be designed to provide the following minimum internal areas<sup>4</sup>:
- (a) Studio 35m<sup>2</sup>
  - (b) 1 bedroom 50m<sup>2</sup>
  - (c) 2 bedrooms 70m<sup>2</sup>
  - (d) 3+ bedrooms 90m<sup>2</sup>
- P2 Include courtyards, balconies and gardens as the principal open space area for residents.
- P3 Communal corridors must have a minimum width of 2m to facilitate movement (i.e. no right angled corners).
- P4 No more than 8 dwellings are to be accessible from a single common lobby space.
- P5 Avoid the use of double loaded corridors.
- P6 The depth of a habitable room from a window, providing light and air to that room, must not exceed 10m.
- P7 Apartments must provide a minimum width of 4m. An apartment's width should increase relative to an increase in its depth.
- P8 The depth of a single aspect apartment must not exceed 8m from a window.
- P9 The habitable space serviced by a window is no more than 10 times the glazed area of the window.
- P10 At least 60% of apartments are to be provided with cross ventilation (i.e. window openings that face different directions. Refer to Figures B-1.5 – B-1.8). For apartments with no cross ventilation, ceiling fans must be provided.
- P11 The amount of glazing on eastern and western elevations is to be minimised and incorporate external shading devices.



**Figure B-1.5:**

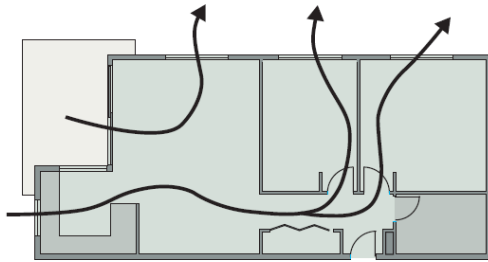
Corner apartments can achieve effective natural cross ventilation



**Figure B-1.6:**

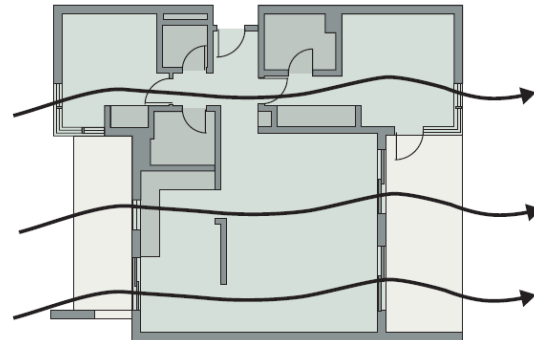
Good cross ventilation can be achieved with cross over apartments, maisonette apartments and semi-basement carparks

<sup>4</sup> Minimum internal space excludes balconies, garages and ancillary storage space. For multi-dwelling developments with one predominant dwelling type strict compliance with minimum space is required.



**Figure B-1.7:**

Natural ventilation in this corner apartment is drawn through windows having different orientation. This layout works well in upper floor apartments



**Figure B-1.8:**

This optimal layout allows air flow directly from one side of the apartment to the other

## 1.5.2 Lightwells and Ventilation

### Objectives

- O1 To ensure that dwellings are provided with sufficient natural solar access and ventilation, where the provision through conventional means (i.e. windows) is adversely restricted or compromised.

### Provisions

- P1 Council does not support the use of lightwells for the provision of light and ventilation to dwellings. However, Council may consent to the use of lightwells, but only if the following criteria are satisfactorily met:
- (a) the lightwell does not provide the primary source of natural daylight and ventilation to any habitable room of a dwelling within the development; and
  - (b) the dimensions of the lightwell comply with the building separation requirements set out in P5 to s.1.3.10 to Part B of the DCP (e.g. if non-habitable rooms face into a lightwell under 12m in height, the lightwell should measure 6m x 6m in plan); and
  - (c) the lightwell is directly connected at ground level to streets or lanes in buildings greater than 30m in height to allow air movement in the lightwell; and
  - (d) all building services (e.g. utility installations, pipes, cabling and the like) are concealed and not overlooked by principal living rooms or bedrooms; and
  - (e) the lightwell is fully open to the sky.
- P2 Despite P1(b) above, a lesser dimension may be considered, but only if it can be satisfactorily demonstrated that acoustic privacy, visual privacy and daylight access to all dwellings can be provided.
- P3 Alternative methods of ventilation of dwellings may be considered, but only if it can be satisfactorily demonstrated that there is no impact on privacy, noise, and fire safety.
- P4 If an alternative method of ventilation is proposed, submit a ventilation report by a certified ventilation consultant in accordance with the AS 1668, which recommends that the minimum natural cross ventilation rate of airflow should be 60L/s and the minimum removal of excess heat should be 10 air changes per hour, to provide reasonable comfort to occupants.



### 1.5.3 Safety and security

#### Objectives

- O1 To ensure a high level of personal safety for people who use or visit the building.

#### Provisions

- P1 Maximise views of the street and dwelling entries and communal areas within the development (from dwelling entries, windows and balconies).
- P2 Limit the number of dwellings sharing one entry or lobby to 10 dwellings.
- P3 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).
- P4 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.
- P5 In public areas, use materials that discourage vandalism (i.e. non-porous surfaces such as glazed ceramics or treated masonry).
- P6 Install locks on doors and windows, viewers to doors.
- P7 Roller shutters should not be installed on windows or doors.
- P8 Provide lighting to communal areas (laundries, garbage storage, pathways, lobbies, car parking areas and stairwells).
- P9 Locate shared facilities in areas that will be well used.

### 1.5.4 Vehicular Access & Car Parking

#### Objectives

- O1 To provide adequate on-site car parking for residents.
- O2 To ensure adequate access for all vehicles.
- O3 To maintain garden settings.
- O4 To minimise adverse visual impacts on the appearance of the street or building.

#### Provisions

##### Quantity

- P1 Comply with the parking requirements within Part B: Section 10 – *Car Parking and Transport* of the DCP.

##### Location

- P2 All parking associated with multi dwelling housing and residential flat buildings must be provided underground (i.e. within a basement).
- P3 All parking for attached dwellings, detached dwellings, dual occupancies or semi-detached dwellings must not be provided underground, unless site conditions dictate that this is the only or most appropriate solution for parking provision.
- P4 Where security doors/gates are proposed, an intercom system to facilitate visitor/service access to underground parking areas must be provided.
- P5 Design accessways, driveways and parking areas to:
- (a) enable vehicles to enter the parking space or garage in a single turning movement;
  - (b) enable vehicles to leave the parking space in no more than two turning movements;
  - (c) enable vehicles to avoid queuing on public roads;



- (d) comply with AS 1428.2 Design for Access and Mobility; and
  - (e) comply with the requirements of vehicular crossings and driveways as set out in s.20.4 to this Part of the DCP.
- P6 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.
- P7 Driveway and pedestrian access must be separated.
- P8 The use of car spaces within a development is restricted to the occupiers of that development.
- P9 Visitor car parking spaces must be designated as common property.
- P10 Garages, carports or other like parking structures must not be located between the primary street frontage and the primary street façade of the building.
- P11 A single car parking space (i.e. not within a garage, carport or other structure) may be located between the primary street frontage and the primary street façade of the building, but only if:
- (a) no other on-site parking exists or is possible;
  - (b) no rear laneway exists to provide vehicle access from the laneway rather than from the street;
  - (c) no demolition or partial demolition of the property is required to cater for the space;
  - (d) any excavation required is minimal in comparison to the area of the parking space;
  - (e) on-street parking is constrained by commuter parking and/or RMS clearways;
  - (f) the parking space is uncovered;
  - (g) porous materials are used for the parking space's surface;
  - (h) landscaped area complies with the minimum requirements under s.1.5.5 to this Part of the DCP, or if it is already less than the minimum requirement, the landscaped area is not further reduced;
  - (i) adequate space to fit vehicles within the property boundary exists to avoid overhang onto the footpath;
  - (j) it complies with AS 2890.1.

**Access**

- P12 Provide vehicular access, directly from a public road, to any allotments to be created by subdivision.
- P13 Where site has frontages to both a street and a rear laneway, vehicular access should be provided from the laneway rather than the street.
- P14 Do not compromise streetscape, building form and landscaped area, or heritage significance through the provision of vehicle access.
- P15 Where there is no parking on an original lot, and on-site parking is not characteristic, do not introduce vehicle access from the street.
- P16 Limit the width of vehicle access to 2.5m and locate to one side of the property, or to side or rear of the building if possible.
- P17 Provide a minimum of 5.5m between gates or doors to parking areas and the boundary to allow a car to stand within the property boundary while the gates/doors are opening.
- P18 If security gates/doors are to be used, provide an intercom to allow access for visitors.

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- P19 Set back any development, including fences, at least 1.2m from a boundary with a laneway to provide adequate turning space.
- P20 Widen the laneway, as required, for attached dwelling development or residential flat buildings.

**1.5.5 Site Coverage****Objectives**

- O1 To ensure that development is balanced and in keeping with the optimum capacity of the site with no over development.
- O2 To ensure that development promotes the existing or desired future character of the neighbourhood.
- O3 To control site density.
- O4 To limit the building footprint so as to ensure adequate provision is made for landscaped area and private open space.

**Provisions**

- P1 Maximum site coverage must be in accordance with Table B-1.6.

<b>TABLE B-1.6: Maximum Site Coverage Requirements</b>		
<b>Residential Development Type</b>	<b>Lot Size (m<sup>2</sup>)</b>	<b>Site Coverage (max)</b>
<b>Detached dwelling, semi detached dwelling, attached dwelling (including any secondary dwelling if provided)</b>	0-229	60%
	230-499	50%
	500-749	40%
	750-999	35%
	1000+	30%
<b>Dual Occupancy</b>	All	45%
<b>Multi-dwelling housing</b>	All	50%
<b>Residential Flat Building</b>	All	45%

- P2 For the purposes of P1, the following items are considered to constitute site coverage:
- (a) buildings as defined by the [EP&A Act 1979](#);
  - (b) garages and carports;
  - (c) sheds;
  - (d) enclosed / covered balconies, decks, pergolas and the like;
  - (e) swimming pools, spa pools and the like;
  - (f) other structures including:
    - (i) permanent BBQ structures;
    - (ii) cabanas;
    - (iii) external staircases;
    - (iv) gazebos;
    - (v) greenhouse/glasshouse;
    - (vi) plant rooms;



- (vii) rainwater tanks;
- (viii) ramps;
- (ix) garbage storage facilities.

However, site coverage excludes:

- (g) any basement;
- (h) any part of an awning that is outside the subject site;
- (i) any eaves;
- (j) unenclosed balconies<sup>5</sup>, decks, pergolas and the like;
- (k) paving and patios (porous and non-porous);
- (l) driveways and car stand areas (porous and non-porous);
- (m) water features; or
- (n) anything else defined as landscaped area.

P3 For the purposes of P1, the area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area and site coverage.

### 1.5.6 Landscape Area

#### Objectives

- O1 The specific objectives of the landscaped area controls are to:
- (a) promote the character of the neighbourhood;
  - (b) provide useable private open space for the enjoyment of residents;
  - (c) provide a landscaped buffer between adjoining properties;
  - (d) maximise retention and absorption of surface drainage water on site;
  - (e) minimise obstruction to the underground flow of water;
  - (f) promote substantial landscaping, that includes the planting of trees that when mature will have significant canopy cover;
  - (g) control site density;
  - (h) minimise site disturbance;
  - (i) contributes to streetscape and amenity;
  - (j) allows light to penetrate between buildings;
  - (k) encourage the provision of space for biodiversity conservation and ecological processes; and
  - (l) provide a buffer between bushland areas and development.

#### Provisions

- P1 Provide minimum landscaped area and maximum un-built upon areas in accordance with Table B-1.7.

---

<sup>5</sup> Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

TABLE B-1.7: Minimum Landscaped Area and Un-built Upon Area Requirements

Residential Development Type	Lot Size (m <sup>2</sup> )	Landscaped Area (min)	Un-built Upon Area (max)
Detached dwelling, semi detached dwelling, attached dwelling (including any secondary dwelling)	0-229	20%	20%
	230-499	30%	20%
	500-749	40%	20%
	750-999	45%	20%
	1000+	50%	20%
Dual Occupancy	All	40%	15%
Multi-dwelling housing	All	30%	20%
Residential Flat Building	All	40%	15%

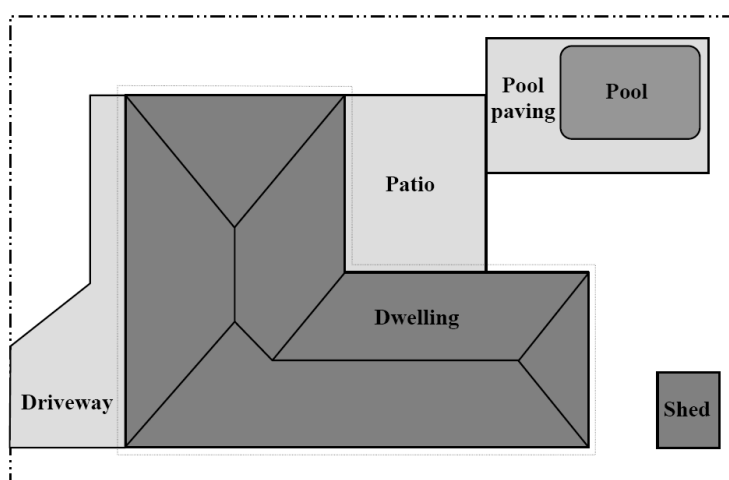


Figure B-1.9:

Areas of "landscaped area", "site coverage" and "unbuilt upon area".

## LEGEND

-  Site
-  Landscaped Area
-  Site Coverage
-  Un-built upon area

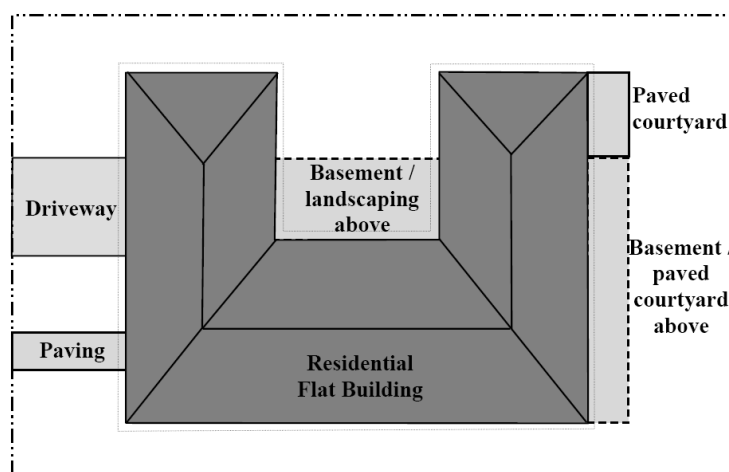


Figure B-1.10:

Areas of "landscaped area", "site coverage" and "unbuilt upon area".

## LEGEND

-  Site
-  Landscaped Area
-  Site Coverage
-  Un-built upon area

P2 For the purposes of P1:

- (a) Landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area<sup>6</sup>;

<sup>6</sup> Landscaping located above a basement or on the roof of a building does not constitute "landscaped area".



- (b) The area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area, landscaped area and un-built upon area; and
- (c) the following items are considered to constitute un-built upon area:
  - (i) any part of a basement which does not comprise site coverage;
  - (ii) unenclosed balconies<sup>7</sup>, decks, pergolas and the like;
  - (iii) paving and patios (porous and non-porous);
  - (iv) driveways and car stand areas (porous and non-porous); or
  - (v) water features.

However, un-built upon area excludes:

- (vi) anything else defined as site coverage; or
  - (vii) anything else comprising landscaped area.
- P3 Avoid creating landscaped areas that are broken into a series of small fragmented unusable areas.
- P4 Establish a significant landscaped setting for pathways and paved areas.
- P5 Use planting to create a buffer against cold winter winds (generally westerly), or to direct cooling breezes in summer (generally north easterly), into living areas of dwellings.
- P6 Locate driveways and pathways at least 500mm from common boundaries.
- P7 Provide screen planting, including trees, within the 1.5m setback from the common boundary.
- P8 Retain existing mature vegetation and trees and show what measures are to be implemented to protect this vegetation during construction (refer to Part B: Section 16 – *Trees and Vegetation Management* of the DCP).
- P9 Vegetation and landscape elements should be selected and designed to avoid overshadowing existing solar panels or roof spaces which are capable of accommodating solar panels.
- P10 Use pervious materials or stepping stones where pathways are incorporated within side setbacks.

### 1.5.7 Landscaping

#### Objectives

- O1 Landscaping and planting satisfies minimum performance standards and is sustainable and appropriate to the site.
- O2 Landscaping should not adversely impact upon the amenity and usability of adjoining properties.
- O3 To encourage biodiversity conservation and ecological processes.
- O4 To provide a buffer between bushland and development.

#### Provisions

- P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 – *Bushland* of the DCP.

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<sup>7</sup> Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

**Residential Development**

**Note:** Refer to the Bushland Buffer Map in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.

- P2 Retain existing trees wherever practical.
- P3 Avoid works which are to occur within the drip line of any tree that has a height greater than 6m, or a girth greater than 1m, measured 1m above the base of the tree.
- P4 Where a development proposes to incorporate plant containers, they should have a minimum diameter of 110mm and a minimum depth of 135mm.
- P5 Developments should incorporate locally occurring native species to reduce water and fertilizer requirements.
- P6 Achievement of maximum density, pursuant to Council's controls, will be subject to retention of significant trees (as identified by Council) and other important topographic features.
- P7 Minimise disturbance of natural ground levels, native vegetation and topography in the vicinity of identified significant trees.
- P8 New hedges must not result in the unreasonable reduction of access to sunlight or views. A condition may be imposed on a development consent which may restrict the maximum height of a hedge.
- P9 Trees should provide at least 50% canopy cover over landscaped areas at maturity.
- P10 Plant the largest growing and longest lived tree species appropriate to the site conditions.
- P11 Council encourages the incorporation of green walls into developments where appropriate.

**Notes:** Refer to the North Sydney Council Green Roof and Wall Resource Manual for technical guidance on the design, construction and maintenance of green walls.

### 1.5.8 Front gardens

**Objectives**

- O1 To maximise water infiltration on a site.
- O2 To soften the built form.

**Provisions**

- P1 The entire front setback must not be paved or concreted.
- P2 Where car parking and driveways are located in the front yard, use the minimum amount of paving as practicable.
- P3 Allow private gardens to merge with those adjoining and support the landscape character of the area.
- P4 Plant trees and shrubs that will hang over or through fences.
- P5 Complement the existing landscape character of the street, including street planting undertaken through Council's Street Tree Strategy (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
- P6 Design front gardens that will soften and complement the view of buildings from the street and surrounding properties.
- P7 Avoid medium height, dense planting around dwelling entries.

### 1.5.9 Private and Communal Open Space

**Objectives**

- O1 To ensure residents are provided with a reasonable level of outdoor amenity.



O2 To ensure private open space is of sufficient size to be useable.

**Provisions**

P1 Must provide minimum private open space areas in accordance with Table B-1.8.

TABLE B-1.8: Minimum Private Open Space Requirements				
Residential Development Type	Lot Size (m <sup>2</sup> )	Minimum area at ground level (m <sup>2</sup> /dw)	Minimum area above ground level (m <sup>2</sup> /dw)	
<b>Detached dwelling, semi detached dwelling, attached dwelling</b>	0-229	40m <sup>2</sup>	NA	
	230-499	40m <sup>2</sup>	NA	
	500-749	50m <sup>2</sup>	NA	
	750-999	50m <sup>2</sup>	NA	
	1000+	70m <sup>2</sup>	NA	
<b>Dual occupancy</b>	All	40m <sup>2</sup>	NA	
<b>Multi-dwelling housing</b>	All	35m <sup>2</sup>	8m <sup>2</sup>	
<b>Residential flat building</b>	All	25m <sup>2</sup>	Studio	4m <sup>2</sup>
			1 – Bed	8m <sup>2</sup>
			2 – Bed	10m <sup>2</sup>
			3 + -Bed	12m <sup>2</sup>

P2 Usable private open space areas should be located to the rear or over the northern portion of the site to maximise privacy and solar access.

P3 Where private open space areas are to be provided at ground level, it must have a minimum dimension of 4m, or a minimum dimension of 2m where provided above ground level, or 2.4m where it applies to a 3+ bedroom apartment.

P4 Private open spaces should be located such that they are directly accessible off a main living area of the dwelling.

P5 In addition to the requirements of P1, multi-dwelling developments are encouraged to provide communal open space areas to encourage social interaction.

**Notes:** It is considered best practice to provide communal open space areas in the order of 25% to 30% of the site area. A reduction in this requirement could be considered acceptable where private open spaces in excess of the minimum requirements are provided.

### 1.5.10 Swimming pools and spas

**Objectives**

O1 To minimise the visual impact of swimming pools and spas.

O2 To minimise the acoustic impacts on residents of adjoining properties.

O3 To minimise the use of potable water supplies.

**Provisions**

P1 Pools, spas and any associated structures (such as pool coping levels, surrounding decks and the like) are not to exceed 500mm above ground level (existing). Compliance with this requirement requires the applicant to illustrate the proposed RLs against spot RL's provided on the site survey plan.

P2 The application must be accompanied by cross section plans of the proposed pool through both axis demonstrating proposed finished levels of the pool and surrounds in

**Residential Development**

relation to existing ground levels, the boundaries of the site, and the ground levels (existing) on adjacent sites.

- P3 Pools and any associated structure must be set back a minimum of 1.2m from any property boundary.
- P4 Pools and any associated structures must be set back a minimum of 6m from any habitable room within a dwelling on an adjoining property.
- P5 Where illumination of the pool is proposed, use low level lighting only and direct away from adjoining properties.
- P6 Locate any associated pool equipment in close proximity to the principal dwelling.
- P7 A water tank must be installed and be of sufficient capacity to ensure that the pool can be topped up to the manufacturer's recommended level without the need to rely on potable water supplies. This requirement is over and above any additional requirements associated with P3, P4 and P5 to s.1.6.9 to this Part of this DCP relating to water conservation and water tanks. The tank must be fed by down pipes from a minimum of 50m<sup>2</sup> of roof area of the dwelling on the site. The size of the water tank must be provided in accordance with that specified in Table B-1.9.

<b>TABLE B-1.9: Rainwater tank requirements for swimming pools</b>	
<b>Pool Size (litres)</b>	<b>Rainwater tank size (litres)</b>
<20,000l	1,500l
20,000-40,000l	3,000l
>40,000l	Complies with BASIX

- P8 A pool cover must be installed where a proposed development includes a swimming pool or spa.

**1.5.11 Tennis courts****Objectives**

- O1 To minimise adverse affects on residents of adjoining properties.

**Provisions**

- P1 Must be setback a minimum of 1.5m from any property boundary.
- P2 Must be setback a minimum of 6m from any habitable room of a dwelling on an adjoining property.
- P3 A landscape screen should be provided between a tennis court and adjoining properties and the colour of any associated fencing should be black to blend with landscaping and to minimise disruption to views.
- P4 Must not be floodlit.
- P5 All stormwater run-off should be detained on-site before draining to Council's stormwater system.
- P6 The surface of the tennis court should not be located more than 500mm above or below ground level (existing).

## 1.5.12 Garbage storage

### Objectives

- O1 To minimise any adverse affects on residents and the wider community by ensuring that adequate garbage storage and holding areas are provided which are conveniently accessible for residents and garbage contractors.
- O2 To ensure developments are designed to maximise resource recovery through waste avoidance, source separation and recycling.

### Provisions

#### Waste Receptacles

- P1 Each dwelling must be provided with a waste storage cupboard within the kitchen, capable of accommodating at least 2 days of waste and to enable the source separation of garbage, recyclables and compost within separate containers.
- P2 On-site garbage storage areas must be provided which are capable of accommodating at least the number of garbage and recycling bins indicated in Table B-1.10.

TABLE B-1.10: Waste bin requirements		
No. of dwellings	No. of garbage bins required	No. of recycling bins required
1-3 dwellings	1 x 80L bin / dw*	1 x 140L commingled mobile bin / dw
4-12 dwellings	1 x 80L bin / dw or 1 x 240L bin / 3 dws or part thereof	2 x 240L comingled mobile recycling bin each colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans
13 or more	1 x 240L bin / 3 dws 660L bins permitted	2 x 240L mobile bins / 15 dws or part thereof 660L bins permitted colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans

\* dw = dwelling

- P3 Notwithstanding the rates to P2, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.
- P4 All multi-dwelling developments containing a lift must provide:
  - (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
  - (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building, with at least one point of access to the garbage chute, which is provided with space to accommodate 1 x 240 litre bin for the separate collection of recyclable materials.
- P5 Multi-dwelling developments which do not contain a lift, but propose to incorporate a garbage chute, must comply with the requirements of P4(a) and P4(b).
- P6 A garbage storage area should be located within 2m of the street boundary.

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- P7 Notwithstanding P6 above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street boundary.

**Location**

- P8 If the garbage storage area is to be the collection point, provide clear and unimpeded access that is no more than 2m from the street boundary entrance to the site.
- P9 Ensure that the garbage storage area is easily accessible from all parts of the building and from the collection area.
- P10 Locate and design garbage storage areas to complement the streetscape.
- P11 Ensure garbage/recycling bins/green waste bins/general household bulky waste clean-up materials will not be visible from the street in the garbage storage area.
- P12 Where possible integrate garbage storage areas with the building.
- P13 Do not place structures for garbage storage areas that are more than 1m high on the boundary or within the front building line.
- P14 Garbage facilities are to be designed and constructed in accordance with Council's Waste Management Guide (refer to Appendix 3 of this DCP).

**1.5.13 Site facilities****Objectives**

- O1 To ensure that site facilities are unobtrusive, integrated into developments, provide for needs of residents and reduce impact of development on the environment.

**Provisions**

- P1 Provide open air clothes drying facilities in a sunny location, which is adequately screened from streets and public places and receives no less than 2 hours of direct sun per day.
- P2 Provide a lockable mailbox, for each dwelling, close to the main pedestrian entry to the dwelling or building.
- P3 Provide no more than one telecommunications/TV antenna per residential building.
- P4 Provide ancillary storage facilities within residential flat buildings at the rates outlined in Table B-1.11 and linked to each dwelling through provisions of the relevant Strata Plan (at least 50% within the apartment).

TABLE B-1.11: Residential storage	
Dwelling Size	Minimum Storage Rate
Studio	4m <sup>3</sup>
1 bedroom dwelling	6m <sup>3</sup>
2 bedroom dwelling	8m <sup>3</sup>
3+ bedroom dwelling	10m <sup>3</sup>

**1.5.14 Servicing of new lots****Objectives**

- O1 To ensure new lots are adequately serviced.

**Provisions**

- P1 Applicant's must demonstrate how the site is to be serviced for gas, water, electricity, drainage, sewerage, telephone and storm water removal, including any easements that need to be created and practical access for long term maintenance.
- P2 All new allotments must provide gravity drainage to the nearest street gutter or inter-allotment drainage system.

**1.6 EFFICIENT USE OF RESOURCES**

Nearly half the energy consumption in buildings is through heating, cooling, ventilation and lighting. By incorporating passive solar design and technologies that reduce energy consumption it is possible to reduce costs to the resident (e.g. lower energy bills) and to the environment (e.g. a reduction in greenhouse gases and use of non-renewable resources), both of which contribute to sustainable development.

All development applications for residential development, including mixed-use development, must submit an *Efficient Use of Resources Commitment Table* in order to demonstrate the proposed development will achieve an efficient use of resources.

**1.6.1 Energy efficiency****Objectives**

- O1 To ensure that developments minimise their use of non-renewable energy resources.

**Provisions**

- P1 A BASIX Certificate is required to be submitted with all residential development types nominated under [\*SEPP \(Building Sustainability Index: BASIX\) 2004\*](#).

**Note:** BASIX assessments and certificates can be obtained on-line at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

- P2 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in s.1.6 to this Section of the DCP for the whole of the building.
- P3 Development should be designed, such that it does not reduce the energy efficiency of buildings on adjoining lands.
- P4 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P5 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P6 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P7 Energy efficient lighting and technology should be used to reduce energy consumption. Consider the use of solar powered illumination.
- P8 Use solar powered lighting for external areas
- P9 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
- (a) orientation or shape of the block;
  - (b) existing overshadowing due to either the surrounding terrain or existing development;
  - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction;

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- (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.
- P10 Where the proposed development involves the installation of any of the following:
- (a) hotwater systems;
  - (b) clothes drier;
  - (c) dishwasher;
  - (d) fixed air conditioning systems (including reverse cycle systems);
  - (e) fixed heating systems;
- they must have a minimum energy star rating of 3.5 stars.

## 1.6.2 Passive solar design

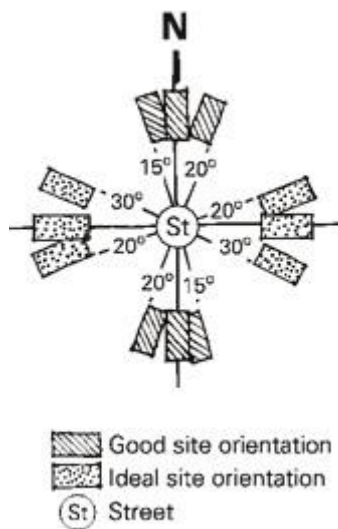
### Objectives

- O1 To ensure that site layout and building orientation allows for maximum solar access to dwellings, especially to living areas, and are adapted to local climatic conditions and prevailing site characteristics.

### Provisions

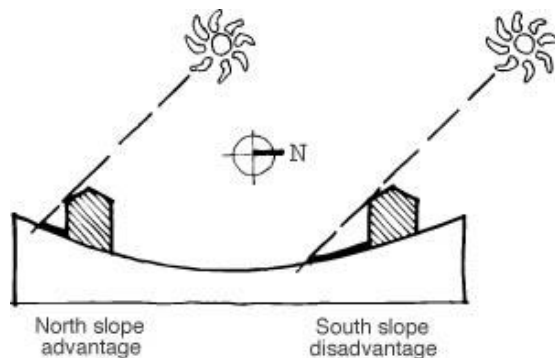
- P1 To achieve maximum solar access orient the building within 20° west of north to 30° east of north.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Locate the main daytime living areas (e.g. family, dining and meal rooms) on the northern side of dwellings.
- P4 Orient the long axis or length of the building to the northerly aspect.
- P5 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the eaves or shading device should reach this line.
- P6 Ensure windows of living areas that face north will receive at least three hours of sunlight between 9am and 3pm over a portion of their surface during the winter solstice.
- P7 If landscaping is proposed as part of the development, a documented landscape design concept demonstrates how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west facing windows and open car parking areas, and enabling winter sunlight to penetrate outdoor and indoor living and working areas.
- P8 Consideration should be given to using north facing pergolas to shade walls and windows (deciduous vines can be trained over the pergola to provide effective cooling in warm weather).
- P9 Where a north facing pergola contains fixed louvres, space and orient the louvres so that a line between the top of one blade and the bottom of the next makes an angle of 70°.
- P10 Angle louvres to correspond to the lowest altitude angle the sun reaches at noon in winter (31° in Sydney).
- P11 Provide adjustable awnings, shutters and external louvres on east and west facing windows.

- P12 Where main living areas are oriented northwards, aim to achieve a glazed area of 30% of the dwelling's floor area in this direction.
- P13 East and west facing glazing should be minimised and fully shaded at the summer solstice.
- P14 South facing glazing should be kept to a minimum to reduce winter heat losses.



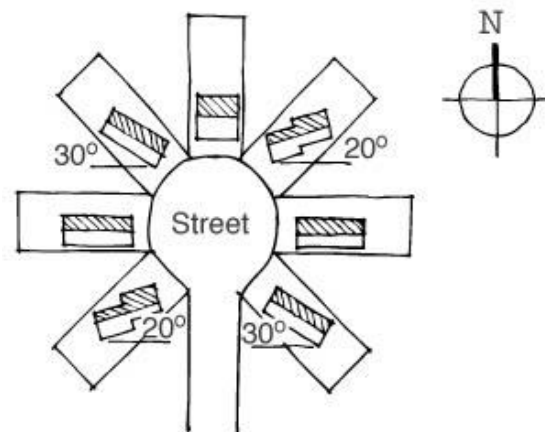
**Figure B-1.10:**

Good passive solar performance can be achieved at minimal cost if the development is appropriately oriented.



**Figure B-1.12:**

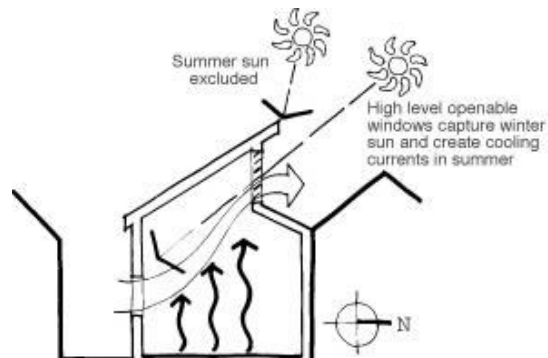
A north facing slope increases the potential for access to northern sun and is ideal for higher housing densities. A south facing slope increases the potential for overshadowing.



**Day time living areas shown shaded**

**Figure B-1.11:**

Where possible, orient the development such that daytime living areas and outdoor spaces are north-facing.



**Figure B-1.13:**

Poor orientation can exclude winter sun, and cause overheating in summer by allowing low angle east or west sun to strike glass surfaces.

### 1.6.3 Thermal Mass and Insulation

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.

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Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

**Objectives**

- O1 To achieve more even, year-round average temperature, making the dwelling more comfortable to live in and resulting in less demand for artificial heating or cooling.

**Provisions**

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. A concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.
- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.

**1.6.4 Natural ventilation**

Ventilation is essential for good health and prevention of condensation. However, the lack of natural ventilation can cause discomfort for occupants and waste energy if artificial ventilation is installed.

**Objectives**

- O1 To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

**Provisions**

- P1 Locate windows and openings in line with each other on opposing walls and with prevailing breezes.
- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

**1.6.5 Colours and materials**

Colours and materials can be used to absorb or reflect heat from the sun. Dark colours tend to absorb the sun's rays whereas light colours are more reflective. There is little advantage in using dark external colours to absorb heat in winter. However, the use of lighter colours, particularly on the roof area and on east and west facing walls, are particularly advantageous

during summer to reflect the sun's heat. Glare effects and streetscape issues need to be considered when choosing external colours.

**Objectives**

- O1 To maximise the energy efficiency of dwellings.

**Provisions**

- P1 Buildings should use lighter coloured materials and finishes on main external parts of the building.

**1.6.6 Hotwater systems****Objectives**

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

**Provisions**

- P1 New hotwater systems installed in dwellings must not solely rely on electrical mains power to heat the water (n.b. sole electrical hotwater systems are not permitted in new dwellings).
- P2 Install solar powered water heaters on any residential development. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.
- P3 Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.
- P4 Locate solar cells, heat pumps or any associated structures so as to avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- P5 Centralise solar or heat pump hot water systems in larger scale residential flat buildings or attached dwelling developments, to achieve economies of scale.
- P6 Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

**1.6.7 Water conservation****Objectives**

- O1 To minimise the use of potable water.

**Provisions**

- P1 A BASIX Certificate is required to be submitted with all residential development types nominated under [SEPP \(Building Sustainability Index: BASIX\) 2004](#).

**Note:** BASIX assessments and certificates can be obtained on-line at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

The following provisions only apply to residential developments that do not require a BASIX Certificate.

- P2 Consideration is to be given to incorporation of grey-water and black-water reticulation systems.
- P3 Where the proposed development involves the installation of new:
- (a) shower roses;

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- (b) taps for use over a basin, ablution trough, kitchen sink or laundry tub;
  - (c) flow restrictors;
  - (d) toilets;
  - (e) white goods, such as clothes washers or dishwashers;
- they must have the highest WELS star rating available at the time of development.
- P4 Rainwater tanks are to be installed in accordance with the exempt development requirements under [SEPP \(Exempt and Complying Development Codes\) 2008](#).
- P5 Install a stormwater tank where this will not affect amenity, views and other requirements of this section of the DCP.

### 1.6.8 Stormwater management

#### Objectives

- O1 To mimic pre-development or natural drainage systems through the incorporation of WSUD on-site.
- O2 To protect watersheds by minimising stormwater discharge and maximising stormwater quality.
- O3 To minimise off-site localised flooding or stormwater inundation.

#### Provisions

- P1 An Erosion and Sediment Control Plan for the construction of the building is required in accordance with Part B: Section 17 - *Erosion and Sedimentation Control* of the DCP.
- P2 A Stormwater Drainage Plan is required demonstrating compliance with this subsection as well as Part B: Section 18 - *Stormwater Drainage* of the DCP.
- P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.
- P4 Use site contouring and landscaped areas to increase on-site infiltration of stormwater.
- P5 Rainwater tanks should be installed for all residential developments, including major alterations and additions, and be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events.
- P6 As a minimum, post-development stormwater discharge rates should be less than pre-development stormwater discharge rates.
- P7 As a minimum, post-development stormwater quality should be improved from pre-development levels.
- P8 Grade land around structures to divert surface water clear of existing and proposed structures and adjoining premises.
- P9 On -site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff.
- P10 Do not construct over any registered easement without the approval of the body benefiting from the easement.
- P11 Do not construct within 3m of a sewer/water main without the prior approval of the relevant service authority.
- P12 Impervious surfaces should be minimised.
- P13 Ensure paved areas are at least 50% pervious.
- P14 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m<sup>2</sup> must also submit a Water Sensitive Urban Design report

from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.

- P15 All developments with a gross floor area greater than 2000m<sup>2</sup> are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:
- (a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;
  - (b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;
  - (c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;
  - (d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.

### 1.6.9 Waste Management & Minimisation

#### Objectives

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

#### Provisions

- P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 - *Waste Minimisation and Management* of the DCP.
- P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).
- P3 Adequate recycling systems must be provided in the design of the garbage room.
- P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.
- P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.
- P6 The storage of any hazardous waste materials must be adequately secured.

### 1.6.10 Green roofs

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building's running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

#### Objectives

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.
- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.

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- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.
- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

**Provisions**

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces which are generally flat, must submit a roof plan demonstrating how the new available roof space<sup>8</sup> contributes to the achievement of at least three of the above objectives.
- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

**1.6.11 Wind Turbines**

**Objectives**

- O1 To manage the impacts of wind turbines

**Provisions**

- P1 Wind turbines are:
  - (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
  - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
  - (c) not to affect the structural integrity of the building;
  - (d) should not detract from the significance of a heritage item or a heritage conservation area;
  - (e) not to be located along a bat or bird flyway; and
  - (f) to be installed in accordance with manufacturer's specifications.
- P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
  - (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
  - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

<sup>8</sup> "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.



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## SECTION 2 COMMERCIAL & MIXED USE DEVELOPMENT

### 2.1 INTRODUCTION

The North Sydney LGA contains a variety commercial centres ranging from one of Australia's largest commercial centres down to small scale neighbourhood centres focusing on one or a small cluster of retail shops and services.

The most significant commercial centre in the North Sydney LGA is the North Sydney Central Business District (CBD), which primarily comprises tall commercial towers with some isolated mixed commercial and residential development. Its close proximity to Sydney Harbour and City of Sydney provides the area with a vibrant and successful commercial centre. The CBD is well serviced by public transport and provides access to a wide range of employment, cultural, social, educational and recreational opportunities. Conversely, the amenity of the CBD is compromised by a general lack of open space, access to solar access and intensively used public walkways. Its good access to public transport and proximity to the Sydney CBD, reinforces the need to encourage high grade commercial floor space to ensure that the CBD continues to contribute to its status as a "global city" as identified under the Metropolitan Strategy.

The remaining centres of North Sydney comprise a variety of mixed use areas zoned either *B1 Neighbourhood Business*, *B4 Mixed Use* or *IN2 Light Industrial*. These centres generally provide for a wide range of residential, commercial and high tech industrial floorspace. The proximity of residential and commercial development can create potential conflicts which must be addressed at the design stage such that amenity of residents is maximised while also enabling commercial premises to operate effectively and contribute to a vibrant centre.

#### 2.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that commercial and mixed use developments:

- O1 can meet the aims and residential and employment population targets as outlined in the State Government's *Metropolitan Strategy* and *Inner North Subregional Strategy*,
- O2 can meet the aims and dwelling targets of Council's *Residential Development Strategy*,
- O3 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;
- O4 provide various grades and sizes of commercial floorspace to accommodate a mix of business, service, high tech industry, retail and recreational uses,
- O5 are designed to contribute positively to their surroundings and particularly to diversity, vitality, social engagement and 'a sense of place',
- O6 provide active street frontages both during the day and night,
- O7 contribute to maximising public transport usage, walking and cycling,
- O8 provide an acceptable level of amenity to residents living within and adjoining centres,
- O9 are designed to mitigate against the extreme impacts of the sun, wind and rain,
- O10 provide adequate natural light to buildings, public places and streets,
- O11 incorporate innovative sustainable design to reduce energy and water consumption and meets or exceeds sustainability requirements,
- O12 minimise the acoustic impacts on residents from non-residential activities,
- O13 maximise opportunities for the sharing of views,



- O14 creates safe and high quality urban environments through careful design of buildings and use of materials, and a well designed and maintained public domain,
- O15 encourages the provision of adaptable office development which meets the requirements of new office technology and caters for variations in office layout and use,
- O16 soften the highly urbanised landscape by introducing water and greenery,
- O17 minimise stormwater runoff, maintain and improve stormwater quality and encourage recycling where possible, and
- O18 contribute to attractive and well designed public open spaces to service increased population of the area.

### 2.1.2 When does this section of the DCP apply?

This section of the DCP applies to:

- (a) development for any purpose on land zoned:
  - (i) *B1 Neighbourhood Centre*,
  - (ii) *B3 Commercial Core*,
  - (iii) *B4 Mixed Use*.
- (b) development for any non-residential purpose on land zoned *IN2 Light Industry*, and
- (c) development for any purpose on land zoned *SP2 Infrastructure*, except where any adjacent or adjoining land is zoned:
  - (i) *R2 Low Density Residential*,
  - (ii) *R3 Medium Density Residential*,
  - (iii) *R4 High Density Residential*, or
  - (iv) *E4 Environmental Living*.

Where the subject land is zoned *SP2 Infrastructure* and any adjacent or adjoining land is zoned *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential* or *E4 Environmental Living*, development applications will be required to comply with Part B: Section 3 – *Non-residential development in residential zones* of the DCP.

If land zoned *SP2 Infrastructure* is located adjacent to one or more of the following zones:

- (a) *B1 Neighbourhood Centre*,
- (b) *B3 Commercial Core*,
- (c) *B4 Mixed Use*,
- (d) *IN2 Light Industry*.

then the controls of the most restrictive zone will apply to the subject site. For example, if the subject site is located adjacent to land zoned *B1 Neighbourhood Centre* and *B4 Mixed Use*, then the provisions of the *B1 Neighbourhood Centre* would apply.

### 2.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 8 – Outdoor Dining and Display of Goods on the Footpath;
- (c) Part B: Section 9 – Advertising and Signage;
- (d) Part B: Section 10 – Car Parking and Transport;

- (e) Part B: Section 11 – Construction Management;
- (f) Part B: Section 12 – Access;
- (g) Part B: Section 13 – Heritage and Conservation;
- (h) Part B: Section 14 – Contamination and Hazardous Building Materials;
- (i) Part B: Section 15 – Bushland;
- (j) Part B: Section 16 – Tree and Vegetation Management;
- (k) Part B: Section 17 – Erosion and Sediment Control;
- (l) Part B: Section 18 – Stormwater Drainage;
- (m) Part B: Section 19 – Waste Minimisation and Management; and
- (n) Part B: Section 20 – Public Infrastructure.

### 2.1.4 Relationships to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) [\*SEPP No.65 – Design Quality of Residential Apartment Development\*](#);
- (b) The DoP's [\*Apartment Design Guide\*](#);
- (c) [\*SEPP \(Housing\) 2021\*](#);
- (d) Livable Housing Australia's [\*Livable Housing Design Guidelines\*](#);
- (e) *Repealed*;
- (f) [\*SEPP \(Building Sustainability Index: BASIX\) 2005\*](#);
- (g) [\*SEPP \(Transport and Infrastructure\) 2021\*](#);
- (h) The DoP's [\*Development Near Rail Corridors and Busy Roads – Interim Guideline\*](#) (19 December 2008);
- (i) [\*Chapter 10 - Sydney Harbour Catchment to SEPP \(Resilience and Hazards\) 2021\*](#); and
- (j) The DoP's [\*Sydney Harbour Foreshores and Waterways Area DCP \(2005\)\*](#);
- (k) The [\*St Leonards Crows Nest 2036 Plan\*](#).

## 2.2 FUNCTION

The main financial and business activities are complemented by a variety of other supporting infrastructure, activities and services located in and around the area which are essential to its functioning as a place where people work, live and visit.

Diversity of people, environments and experiences encourages activity and contributes to the popularity of areas. Diversity attracts many users, extends the usefulness of the area and contributes to the sustainability of both community and environment.

### 2.2.1 Diversity of activities, facilities, opportunities and services

#### Objectives

- O1 To ensure a diversity of activities, facilities, opportunities and services is provided, including high grade business accommodation, community services, employment, entertainment, government agencies, health and welfare, recreation and retail.
- O2 To ensure that streets are appropriately activated to encourage pedestrian use.

#### Provisions

- P1 Non-residential buildings or components of buildings should incorporate a variety of different sized spaces that reflect a site's location in the commercial centre hierarchy



(i.e. large floor plates should be provided in higher order centres with small floor plates in lower order centres).

- P2 Consideration should be given to incorporating community and entertainment facilities within a development.
- P3 A variety of uses should be provided at street level, which contributes positively to economic and social vitality.
- P4 Avoid blank walls that face streets and laneways at the ground level.
- P5 Enhance the amenity of the public domain to meet the needs of the workforce, residents and visitors.
- P6 Mixed use developments within the *B1 Neighbourhood Centre*, *B4 Mixed Use* or *IN2 Light Industrial* zones should:
  - (a) ensure all residential common areas of the building (including the principal entrance to the building) are accessible to all persons regardless of mobility; and
  - (b) have the retail/commercial uses located on the ground floor, retail/commercial or residential uses on the first floor, and residential uses on upper floors.

## 2.2.2 Maximise use of public transport

### Objectives

- O1 To ensure that developments maximise access to public transport, walking and cycling.
- O2 To try and achieve a modal split of 60% public transport and 30% private car.

### Provisions

- P1 Locate pick up and drop off points for public transport and taxi ranks as close as possible to public spaces and activities.
- P2 Locate short stay (ten minute) parking spaces within or as close as possible to meeting places.
- P3 Limit the amount of long stay off street commuter parking to that which existed at the time of gazettal of NSLEP 2001 (Amendment No.9 – North Sydney Centre) on the 28 February 2003.
- P4 Minimise any non-residential parking on site.
- P5 Bicycle storage facilities are provided in accordance with Part B: Section 10 - *Car Parking and Transport* of the DCP.
- P6 Provide showers for use by cyclists and people that walk to work.

## 2.2.3 Mixed Residential Population

### Objectives

- O1 To provide a mixed residential population in terms of age, gender, household type and size, education, income and employment, including households with children, households on low to moderate incomes, households with aged or disabled persons.

### Provisions

- P1 Mixed use developments incorporating residential accommodation containing less than 20 dwellings must include, at least two of the following dwelling types:
  - (a) studio;
  - (b) 1-bedroom;
  - (c) 2-bedroom; and
  - (d) 3-bedroom.

**Commercial & Mixed Use Development**

- P2 Despite P1 above, no more than 55% of all dwellings must comprise a combination of both studio and 1-bedroom dwellings.
- P3 Mixed use developments incorporating residential accommodation containing 20 or more dwellings should provide a mix of dwelling sizes in accordance with Table B-2.1.

TABLE B-2.1: Dwelling Mix	
Dwelling Size	% of Total Dwellings
studio	10-20%
1 bedroom	25-35%
2 bedroom	35-45%
3 bedroom+	10-20%

- P4 Variations to the dwelling mix within P2 or P3 will not be considered, unless the applicant can adequately demonstrate by an authoritative analysis of current and future market demand that the suggested mix is not reasonable.
- P5 In mixed use developments containing residential accommodation, all new dwellings must satisfy the Silver level performance requirements of the *Livable Housing Design Guidelines*. The incorporation of Gold and Platinum level universal design features is strongly supported.<sup>1</sup>

**Note:** For details on the universal design features and performance requirements of the *Livable Housing Design Guidelines* visit <http://www.livablehousingaustralia.org.au/>.

- P6 A minimum of 20% of dwellings in mixed use developments containing more than 5 dwellings must comprise adaptable housing<sup>2</sup>, and be designed and constructed to a minimum Class C Certification under AS 4299 – Adaptable Housing.
- P7 Where adaptable housing is to be provided, the adaptable housing components must:
- (a) be integrated into the overall design of the development, and must not be isolated; and
  - (b) not use a different standard of materials and finishes to the remainder of the building.
- P8 Where universally designed and adaptable dwellings are proposed, those dwellings must be clearly identified as such on the submitted development application plans.
- P9 Developments requiring adaptable housing must also satisfy the provisions of Part B: Section 12 - Access of this DCP.
- P10 Provide services and facilities within the development that meet the needs of different population groups and build flexibility into communal spaces to meet changing needs.

**2.2.4 Design of tourist and visitor accommodation****Objectives**

- O1 To ensure that hotel or motel accommodation and serviced apartments are not used or converted for permanent residential accommodation.

<sup>1</sup> This provision applies to residential development which requires development approval and does not apply to alterations and additions to existing homes or complying development under NSW State Codes.

<sup>2</sup> Adaptable housing is designed with accessible features that can be modified to meet changing needs of residents over time. Typical adaptable features include level and wider doorways and corridors, slip resistant floor surfaces, reachable power points, lever door handles and lever taps. When designing adaptable housing consult AS 1428, 4299 and AS 4586.



- O2 To minimise impacts on the operation of other uses, where the short term visitor accommodation is provided within a mixed use development.

**Provisions**

- P1 No more than 50% of rooms to hotel or motel accommodation must be provided with kitchens or kitchenettes.
- P2 Rooms to hotel or motel accommodation must be provided in accordance with the dimensions indicated in Table B-2.2.

TABLE B-2.2 - Minimum and maximum room sizes		
Number of persons	Minimum Size	Maximum Size
1	10.5m <sup>2</sup>	27m <sup>2</sup>
2	16m <sup>2</sup>	27m <sup>2</sup>
3	21.5m <sup>2</sup>	27m <sup>2</sup>
4 (max)	27m <sup>2</sup>	27m <sup>2</sup>

- P3 All tourist and visitor accommodation developments must provide common facilities such as conference rooms, restaurants and bars.
- P4 Balconies to hotel or motel accommodation rooms are not permitted.
- P5 Where tourist and visitor accommodation is to be provided within a mixed use development, it must be provided with separate and secured access from other land use activities accommodated within the building.

**2.2.5 Tourist and visitor accommodation management****Objectives**

- O1 To ensure that tourist and visitor accommodation are appropriately managed.

**Provisions**

- P1 Hotels or motel accommodation is to be operated as one entity with a central management structure.
- P2 A Management Statement, stating that the premise is a hotel or motel with common facilities, or a serviced apartment should be submitted with the DA to ensure that the premise operates as a hotel or motel or serviced apartment.
- P3 Prior to the granting of any development consent, the Management Statement should be conjointly signed by Council and applicant.
- P4 Maximum period of tenure for guests must not exceed 13 weeks.
- P5 Hotel or motel accommodation rooms are to be serviced daily.

**2.3 ENVIRONMENTAL CRITERIA**

A clean and protected environment is important to the community. It contributes to the comfort and wellbeing of current users and to the sustainability of the environment for future generations.

**2.3.1 Clean Air****Objectives**

- O1 To ensure that development does not adversely affect air quality.

**Commercial & Mixed Use Development****Provisions**

- P1 Operating plant, building materials and finishes should be incorporated that are non-toxic and reduce toxic emissions.
- P2 Discourage use of the private motor car and encourage walking, cycling and use of public transport.
- P3 Car parking is provided in accordance with Part B: Section 10 - *Car parking and Transport* of the DCP.

**2.3.2 Noise****Objectives**

- O1 To ensure reasonable levels of acoustic amenity to nearby residents.

**Provisions**

- P1 Noise emission associated with the operation of non-residential premises or non-residential components of a building must not exceed the maximum 1 hour noise levels (LAeq 1 Hour) specified in Table B-2.3.

TABLE B-2.3 –Noise Emission Limits			
Time Period			Max 1 hour noise level (LAeq 1 Hour)
Day	Week	Time	
Weekday	Day	7am – 6pm	60 dBA
	Evening	6pm – 10pm	50 dBA
	Night	10pm – 7am	45 dBA
Weekend	Day	8am – 7pm	60 dBA
	Evening	7pm – 10pm	50 dBA
	Night	10pm – 8am	45 dBA

**Notes:** LAeq (1hour) readings are to be measured during the noisiest 1 hour period between Day – 7/8am to 6/7pm, Evening – 6/7pm – 10pm and Night – 10pm to 7/8am.

- P2 In terms of determining the maximum noise levels as required by P1 above, the measurement is to be taken at the property boundary of the nearest residential premises. Within a mixed use development, the boundary is taken to be nearest floor ceiling or wall to a residential dwelling on the site.
- P3 Despite P1 above, the noise emission associated with the operation of non-residential premises or non-residential components of a building must not exceed 5 dBA above the background maximum 1 hour noise level (LAeq 1 Hour) during the day and evening and not exceeding the background level at night when measured at the boundary of the property.
- P4 Council may require the submission of an Acoustic Report to ensure compliance with P1 above.
- P5 Plant and machinery should incorporate noise reduction measures to minimise their impacts.
- P6 Developments should be designed and / or incorporate features that reduce noise transmission.
- P7 Where practical, development should incorporate adequate measures for tonal, low frequency, impulsive, or intermittent noise.
- P8 Developments must comply with *EPA Noise Policy for Industry 2017* in particular the modification required for acceptable noise level (ANL).



### 2.3.3 Wind Speed

#### Objectives

- O1 To ensure pedestrian comfort is not adversely affected by wind when walking along public streets or sitting down in public spaces.

#### Provisions

- P1 Buildings should be designed to reduce wind velocity at footpaths and public outdoor spaces.
- P2 Development should not result in the wind speed exceeding 13m/s at footpaths and accessible outdoor spaces.
- P3 A Wind Impact Report, prepared by an appropriately qualified person, must be submitted with any application where the proposal results in the building exceeding 33m in height.

### 2.3.4 Reflectivity

#### Objectives

- O1 To minimise the impacts by reflected light and solar reflectivity from buildings on pedestrians and motorists.

#### Provisions

- P1 Buildings should provide a greater proportion of solid to void on all facades and use non-reflective materials.
- P2 Buildings should use non-reflective glass and / or recess glass behind balconies.
- P3 Sun shields, such as awnings, canopies and pergolas should be provided to glazed areas.
- P4 Council may require the submission of a Reflectivity Study prepared by a suitably qualified consultant.

### 2.3.5 Artificial illumination

#### Objectives

- O1 To minimise the impact of artificial illumination on the amenity of residents and pedestrians.
- O2 To provide a safe urban environment without adverse effects on surrounding development or the public domain.
- O3 To minimise the impact of artificial illumination in contributing to sky glow.

#### Provisions

- P1 External facades of buildings should not be floodlit.
- P2 Where external artificial illumination is proposed:
- (a) it should be designed and sited to minimise glare.
  - (b) It must comply with the standards set out in Australian Standard AS 4282 – *Control of the Obtrusive Effects of Outdoor Lighting*.
- P3 Illumination of roof top and/or podium level facilities is not to exceed the curfew outlined in Table B-2.4.

**Commercial & Mixed Use Development****TABLE B-2.4 – Illumination curfews**

Zone	Curfew Time
B3 Commercial Core	1.00am
B1 Neighbourhood Centre B4 Mixed Use IN2 Light Industry	11.00pm

- P4 Entrances must be well lit and do not produce shadows or adverse glare.
- P5 Staff entrances which are separated from the main building entrance must be well lit and opportunities for casual surveillance is maximised.
- P6 Timers and sensors should be used to minimise sky glow.
- P7 Council may require the submission of a Lighting Report for a development prepared by an appropriately qualified person.

**2.3.6 Awnings****Objectives**

- O1 To provide adequate weather protection for people using streets and other public spaces.

**Provisions**

- P1 Provide continuous, horizontal awnings on all street frontages which are activated by ground floor uses and those streets identified in the relevant area character statement (refer to Part C of the DCP), using materials that are sun, rain and wind proof.
- P2 Awnings must be provided as required in Table B-2.5.

**TABLE B-2.5 – Awnings**

Requirement		Zone	
		B3 Commercial Core B4 Mixed Use	B1 Neighbourhood Centre
Minimum Width		2m (min)	2m (min)
Setback from kerb -	General	1.1m (or 600mm where walkway is not of sufficient width)	600mm
	To accommodate street trees	1.5m	2.0m
Height above footpath level		3.2m - 4.2m	3.0m - 3.6m

- P3 New awnings should match the height of existing awnings on adjacent sites.
- P4 Weather seals are to be provided between new and existing awnings on adjacent sites and between the awning and the building.
- P5 Where appropriate, temporary shade structures such as retractable blinds, umbrellas and pergolas may be provided (e.g. to outdoor café and gardens).
- P6 Openings with a minimum dimension of 1.5m - 2m (measured from kerb) by 2.5m wide must be provided in awnings located over public footpaths to allow for the accommodation of street trees.



### 2.3.7 Solar access

#### Objectives

- O1 To ensure that solar access is maintained to Special Areas, open spaces and publicly accessible outdoor places.
- O2 To maintain solar access to residential areas surrounding the North Sydney Centre.
- O3 To avoid the creation of long solid masses of development which prevent the penetration of daylight and/or sunlight through to pedestrian levels and to northern and eastern facades of buildings.
- O4 To ensure that all dwellings have reasonable access to sunlight and daylight.

#### Provisions

- P1 Developments within the North Sydney Centre must comply with the height and overshadowing requirements contained within cl.4.3, and cl.6.4 of NSLEP 2013.
- P2 Developments located outside of the North Sydney Centre should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:
  - (a) any solar panels;
  - (b) the windows of main internal living areas;
  - (c) principal private open space areas; and
  - (d) any communal open space areas.

located on the subject property and any adjoining residential properties.

**Note:** Main internal living areas excludes bedrooms, studies, laundries, storage areas.

- P3 Despite P2 above, living rooms and private open spaces for at least 70% of dwellings within a residential flat building or shoptop housing should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).
- P4 New development should not overshadow existing or proposed public open spaces located outside of the North Sydney Centre between 11.30am and 2.30pm.
- P5 Spaces are to be created between taller buildings to avoid a solid mass of development and to allow daylight and/or sunlight to penetrate through to pedestrian level.
- P6 Setbacks must be provided between buildings above the podium level.
- P7 Provide a mix of sun-protected and unprotected areas in public open space, roof top gardens and other outdoor spaces.
- P8 Avoid providing apartments within mixed use developments that have a sole orientation to the south. Where south facing apartments cannot be avoided, ensure that they are provided with adequate access to natural light (e.g. by providing enlarged windows, skylights and the like). No more than 15% of all dwellings in the development must not receive no direct sunlight between 9am and 3pm at mid-winter.
- P9 The use, location and placement of photovoltaic solar panels take into account the potential permissible building form on adjoining properties.

### 2.3.8 Views

Due to North Sydney's sloping topography and proximity to Sydney Harbour, views and vistas comprise special elements that contribute to its unique character and to the amenity of both private dwellings and the public domain.

New development has the potential to adversely affect existing views. However, the ability to share views becomes increasingly more difficult in locations of existing or anticipated areas of high density (e.g. North Sydney Centre, St Leonards and Milsons Point). Whilst no-

**Commercial & Mixed Use Development**

one is entitled to a view, attempts should be made to consider the potential impact on existing views and share those where reasonably possible.

When considering impacts on views, Council will generally not refuse a development application on the grounds that the proposed development results in the loss of views, where that development strictly complies with the building envelope controls applying to the subject site.

**Objectives**

- O1 To protect and enhance opportunities for vistas and views from streets and other public places.
- O2 To protect and enhance existing views and vistas from streets and other public spaces.
- O3 To provide additional views and vistas from streets and other public spaces where opportunities arise.
- O4 To encourage view sharing as a means of ensuring equitable access to views from dwellings, whilst recognising development may take place in accordance with the other provisions of this DCP and the LEP.

**Provisions**

- P1 Where appropriate, the opening up of views should be sought to improve the legibility of the area.
- P2 Provide public or semi-public access to top floors where possible (e.g. restaurants, roof top gardens and facilities).
- P3 Use setbacks, design and articulation of buildings to maintain street views, views from public areas and those identified in the relevant area character statement (refer to Part C of the DCP).
- P4 Maintain and protect views identified in the relevant area character statement (refer to Part C of the DCP) from future development.
- P5 Where a proposal is likely to adversely affect views from either public or private land, Council will give consideration to the Land and Environment Court's Planning Principles for view sharing established in *Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor* [2013] NSWLEC 1046 and *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140. The Planning Principles are available to view on the Land and Environment Court's website ([http://www.lec.justice.nsw.gov.au/planning\\_principles](http://www.lec.justice.nsw.gov.au/planning_principles)).

**2.3.9 Acoustic privacy****Objective**

- O1 To ensure all residents within mixed use developments are provided with a reasonable level of acoustic privacy.

**Control**

- P1 This subsection only applies to the residential component of any mixed use development.
- P2 New dwellings shall be designed and constructed to comply with the criteria specified in Table B-2.6 for all noise intrusion from external noise sources (including mechanical services noise from within the development itself), with windows and doors closed:

TABLE B-2.6: Acoustic Amenity		
Internal Space	Time Period	Max 1 hr noise level (LAeq 1 Hour)
Living areas	Day or Night	≤ 40 dBA
Sleeping Areas	Day or Night	≤ 35 dBA



**Notes:** Readings are to be LAeq (1hour), when measured during the noisiest 1 hour period between Day 7am to 10pm; and Night – 10pm to 7am.

- P3 Where multiple dwellings are provided within the same building, the residential components of the building shall be designed and constructed to comply with the requirements in Table B-2.7 regarding acoustic insulation of walls and floors.

<b>TABLE B-2.7: Acoustic transmission</b>	
<b>Item</b>	<b>Criteria</b>
Field Sound Reduction Index R'w of walls floors services and ducts	BCA as Amended, Except that Field Noise Reduction Index of all inter-tenancy walls shall be designed to achieve $\geq R'w55$ and the intent of the BCA requirements.
Field Sound reduction Index R'w of doors	Any door (including the effects of its frame and any edge gaps) in a wall between a dwelling and a stairwell or other internal common area shall be designed to achieve an $\geq R'w28$
Impact Isolation of Floors	Where the floor of a dwelling separates a habitable room of one dwelling and a habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like of a separate tenancy, the floor shall be designed to achieve a weighted standardised impact sound pressure level, $L_{n'tw}$ not more than 55 dB.

- P4 An acoustic report prepared by a certified acoustic consultant must be submitted with all development applications which involves the construction of 4 or more new dwellings and must address the requirements to P2.
- P5 Buildings are to be designed and rooms positioned to reduce noise transmission within and between dwellings.
- P6 Bedrooms should be designed so that wardrobes provide additional sound buffering between rooms within the dwelling or between adjoining dwellings over and above the requirements in P3 above.
- P7 Windows and doors should be located away from external noise sources, or buffers used where separation cannot be achieved.
- P8 Materials with low noise penetration properties should be used where practical.
- P9 Locate bedrooms and private open spaces away from noise sources such as garages, driveways, mechanical equipment and recreation areas.
- P10 Mechanical equipment, such as pumps, lifts or air conditioners should not be located adjacent to bedrooms or living rooms of dwellings within the development or on adjoining properties.
- P11 Where dwellings are located on busy roads incorporate the following into the design of the development to reduce traffic noise within the dwelling:
- (a) cavity brick walls;
  - (b) double glazing;
  - (c) solid core doors;
  - (d) concrete floors; and
  - (e) recessed balconies.
- P12 Development comprising places of public worship, hospitals, educational facilities or child care centres or containing residential uses on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any

other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of SEPP (Infrastructure) 2007. An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the [SEPP \(Infrastructure\) 2007](#).

- P13 Where possible, avoid the use high brick fences on busy roads. High fences present a harsh and bland appearance to the street, obstruct views from the footpath to gardens and dwelling entries, reduce amenity for pedestrians and reduce casual surveillance of the street. Try to reduce acoustic impacts through other acoustic reduction measures.

### 2.3.10 Vibration

#### Objectives

- O1 To minimise the impact on safety and the operation of road and rail tunnels.

#### Provisions

- P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). In particular, consideration should be given to the vibration criteria contained within the Department of Environment Climate Change and Water's *Assessing Vibration: a technical guideline*. A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.

### 2.3.11 Visual privacy

#### Objectives

- O1 To ensure that existing and future residents are provided with a reasonable level of visual privacy.

#### Provisions

- P1 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- P2 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices.
- P3 Provide suitable screening structures or planting to minimise overlooking from proposed dwellings to the windows, balconies or private open space of adjacent dwellings, to windows, balconies or private open space of dwellings within the same development.
- P4 Provide visual separation between any non-residential use and residential uses within buildings and sites.
- P5 The residential components of mixed use developments are to provide adequate separation between habitable rooms, balconies and non-habitable rooms, consistent with [SEPP 65](#). The relevant separation distances are reproduced in Table B-2.8.

**TABLE B-2.8: Building Separation Requirements**

<b>Building height (metres)</b>	<b>Between habitable rooms and balconies</b>	<b>Between habitable &amp; non-habitable rooms</b>	<b>Between non-habitable rooms</b>
Up to 4 storeys (approx. 12m)	12m	9m	6m
5 to 8 storeys (approx. 12-25m)	18m	12m	9m
9 storeys + (approx. 25m +)	24m	18m	12m

- P6 Council may consider a variation to the building separation control within P5 above, but only where the applicant can demonstrate that the variation has been made in response to site and context constraints and that the variation is not made at the expense of amenity (e.g. visual and acoustic privacy, outlook, solar access). However, Council will not consider a variation if an apartment's only outlook is onto an area that is under the minimum building separation distance.

## 2.4 QUALITY BUILT FORM

Commercial centres and their skylines evolve. Well designed buildings respond to the environment of the centre in terms of the various scales at which they are experienced. They can also make a positive contribution to the character and identity of the centre and provide a benchmark for innovative design in building and environmental technology.

Buildings in centres should have a positive relationship with relevant topographical features, surrounding buildings and the townscape when viewed from all directions.

Proposals for large scale developments have the potential for dramatic impacts on the urban environment. They can harm qualities that people value about a place such as solar access and scale. For these reasons proposals for tall buildings are particularly subject to very close scrutiny.

Proposals will be assessed in terms of their positive contribution and any adverse impacts associated with their design and siting. They will be evaluated for the quality of their design and their response to their urban context.

The relationship of proposals to transport infrastructure will be considered in the assessment. This includes existing capacity available, the quality of links between transport and the site, and the feasibility of making improvements to those links.

Any building must be sustainable in the broadest sense taking into account its social and economic impact, based on whole life costs and benefits.

### 2.4.1 Context

#### Objectives

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

#### Provisions

- P1 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).
- P2 A Site Analysis is undertaken in accordance with Part A: Section 5 - *Site Analysis* of this DCP.

## 2.4.2 Site Consolidation

### Objectives

- O1 To enable the creation of a human scale that also reflects a consistent subdivision pattern.
- O2 To enable the creation of suitably sized commercial floor plates that can be tenanted easily.

### Provisions

- P1 Amalgamate lots to achieve lot frontage identified in the relevant area character statement (refer to Part C of the DCP).
- P2 Break down the apparent length of buildings by incorporating articulation, design and detailing and or a change in materials, finishes and colours.

## 2.4.3 Setbacks

### Objectives

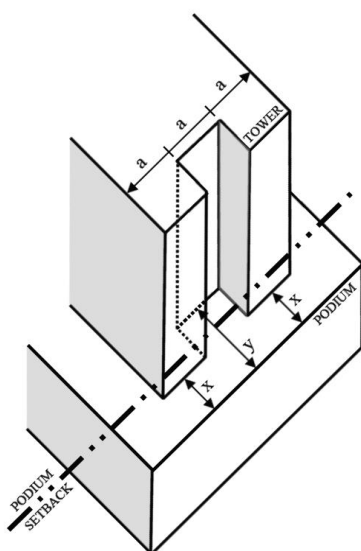
- O1 To enable a reduction in the impact of scale.
- O2 To ensure adequate ventilation, solar access, sky views, privacy, view sharing and a reduction of adverse wind effects.
- O3 To improve pedestrian flow and amenity and allow a range of activities to be accommodated.

### Provisions

#### General

- P1 Provide a setback for public space at ground level where indicated in the relevant area character statement (refer to Part C of the DCP).
- P2 New development must give consideration to the setbacks of adjacent buildings and heritage items.

#### Front



**Figure B-2.1:**

Weighted average is the average of projections and recesses from setback above podium (i.e.  $x + x + y / 3 =$  podium setback)

- P3 A zero metre setback must be provided, unless an alternative setback is identified within the in the relevant area character statement (refer to Part C of the DCP).

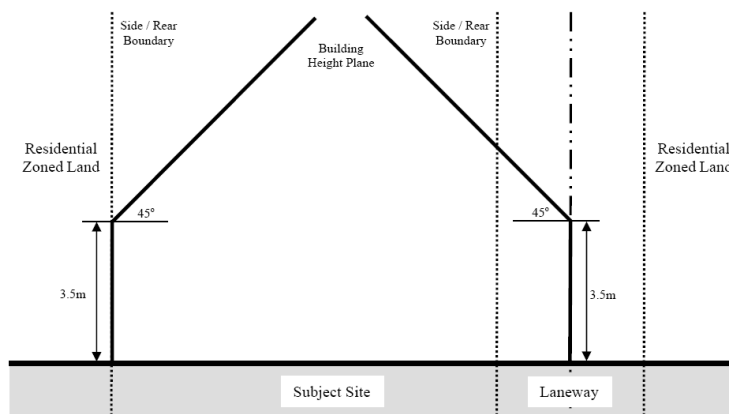
- P4 That part of the building located above the podium must be setback a weighted average (refer to Figure B-2.1) in accordance with the relevant area character statement (refer to Part C of the DCP).

### Side & Rear

- P5 A zero metre setback, unless an alternative setback is identified within the relevant area character statement (refer to Part C of the DCP).
- P6 Despite P5 above, buildings containing non-residential activities must be set back a minimum of 3m from the property boundary where the adjoining site has balconies or windows to main living areas of dwellings or serviced apartments located at the same level.

**Note:** Side setbacks may be affected by building separation requirements and or podium level setback requirements.

- P7 Despite P5 above, a development proposed on land adjoining or adjacent to a residential or recreation zone must not exceed a building height plane commencing:
- at 3.5m above ground level (existing) and projected at an angle of 45 degrees internally to the site from all boundaries that directly adjoin land zoned *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential*, *RE1 Public Recreation*, or
  - at 3.5m above ground level (existing) and projected at an angle of 45 degrees internally to the site from the centre line of any adjoining road or laneway separating the site from land zoned *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential*, *RE1 Public Recreation*.



**Figure B-2.2:**  
Building height plane requirements

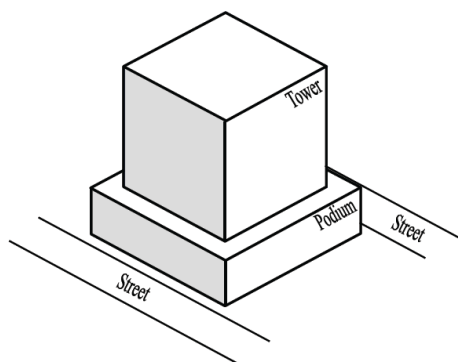
- P8 Where setbacks are required from existing property boundary this should be clear of all structures above and below ground level, excluding awnings and other elements allowed by Council.
- P9 Where an applicant seeks a basement structure built to the property boundary fronting a laneway in the *B1 Neighbourhood Centre* or *B4 Mixed Use* zone for the purposes of underground car parking, Council may require a 1.5m setback at street level to be provided subject to an s.88B instrument application outlining public access rights, clear of any structure to 1.5m below ground level (existing) and 3m above ground level (existing) and requiring all maintenance, cleaning and the like to be the responsibility of the property owner. Applicants are advised to contact Council prior to the lodgement of any development application seeking a basement car park built to the property boundary fronting any laneway to determine if the setbacks in this provision are required to be met.
- P10 Stratum subdivisions will generally not be accepted for dedication of land/airspace to Council.

## 2.4.4 Podiums

### Objectives

- O1 For buildings to reinforce a human scale when read from the public domain.
- O2 To ensure that laneways are integrated into pedestrian network.
- O3 To ensure that laneways are safe and comfortable for pedestrians.

### Provisions



**Figure B-2.3:**

Podium/tower form of development

- P1 Where required, a podium must be provided along all street frontages including laneways, with a height and setback above the podium, in accordance with the relevant area character statement (refer to Part C of the DCP).
- P2 Podiums should match the height and setbacks of adjacent buildings or the average of the heights of the adjacent podiums having regard to their existing nature and/or their redevelopment potential.
- P3 Where the ground level changes across the width of a site, the podium should be stepped at an appropriate location to maintain a characteristic podium height.

## 2.4.5 Building design

### Objectives

- O1 To ensure that buildings are designed to reinforce the urban character of a locality.
- O2 To ensure that buildings clearly define streets, street corners and public spaces.
- O3 To encourage high quality, built form outcomes and achieve design excellence.

### Provisions

- P1 Floor to ceiling heights should be provided in accordance with the minimum requirements set out in Table B-2.9.

TABLE B-2.9: Minimum floor to ceiling height requirements			
Zone	Ground Floor	First Floor	Upper Floors
B1 Neighbourhood Business	3.3m	2.7m	2.7m
B3 Commercial Core	3.3m	3.3m	3.3m
B4 Mixed Use	3.3m	3.3m	2.7m
IN2 Light Industrial	3.3m	2.7m	2.7m



- P2 Council may consider a variation to the minimum requirements in P1, but only if the applicant can demonstrate that the dwelling or non-residential floor space is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow apartments / commercial tenancies with large amounts of window area).
- P3 The apparent length of buildings should be broken down through the use of articulation, design and detailing, changes in materials and colours.
- P4 High quality materials should be used throughout the building design.
- P5 Podiums are to be built to the boundary of the site unless providing a setback for public space at ground level as required by the relevant area character statement (refer to Part C of the DCP).
- P6 Buildings should be built predominantly to setback alignment.
- P7 Building should be articulated and have a positive relationship with the public domain in terms of scale and setbacks.
- P8 Building elements, such as materials, finishes, and window dimensions should relate to neighbouring buildings.
- P9 Buildings are to respect the setting and curtilage of heritage items (refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).
- P10 Buildings should incorporate architectural detailing and ornamentation which provides a rich visual reference for pedestrians.
- P11 Where party walls are exposed or new developments result in a blank wall, a visually interesting treatment is required for that wall. The architectural treatment used should be sympathetic to the character of the area and any nearby heritage items or conservation areas.
- P12 Balconies are to be incorporated within the setback or building envelopes.
- P13 Within the *B1 Neighbourhood Centre* zone, provide a traditional two storey shopfront parapet form along the primary street frontages, with any development above two storeys (where permissible) set back in accordance with the relevant area character statement.

## 2.4.6 Skyline

### Objectives

- O1 To provide a distinctive and well designed skyline through the introduction of visually interesting elements in the articulation and detailing of the upper levels and roofs of buildings.

### Provisions

- P1 Buildings located on land within the North Sydney Centre must comply with the building height requirements outlined in cl.4.3 and cl.6.3 of NSLEP 2013.
- P2 The built form should step down from the centre of each commercial or mixed use centre to a comparable scale at the interface of any adjoining residential zone.
- P3 Roofs should be designed such that they are integral with the overall design of the building.
- P4 All roof top located building plant and services are to be contained within a single structure. It should be centrally located to avoid overshadowing and other impacts.
- P5 If telecommunication aerials are to be provided, they must be incorporated into the roof top design, and not comprise ad-hoc additions.
- P6 With respect to buildings greater than 30m in height, and all buildings within the North Sydney Centre, the roof is to be designed such that consideration is given to the building being seen in a regional view catchment.



- P7 All plant room equipment must not be visible from any location viewed from ground level.

## 2.4.7 Junction and termination of streets

### Objectives

- O1 To ensure that the design and form of buildings reinforces the junction and termination of streets (excluding laneways).

### Provisions

- P1 Buildings located on the corner of a street intersection or at the termination of a street should:
- (a) be designed with increased emphasis to anchor primary vistas and nodal points;
  - (b) be designed such that the corner of the building addressing an intersection is reinforced through utilisation of splays, curves, building entries and other architectural elements;
  - (c) where located at a street intersection, incorporate a minimum 1.5m splay measured from the corner of the intersection along each property boundary; and
  - (d) be designed such that the building's height is concentrated on that section of the building located at the corner of the street intersection or is centralised on the street façade where it is located at the termination of a street.

## 2.4.8 Balconies - Apartments

### Objectives

- O1 To ensure the provision of functional private open space for apartments.

### Provisions

- P1 Balconies must be incorporated within building envelope (as specified by setbacks and or building height plane) and should not be located on roofs, podiums or be cantilevered.
- P2 Balconies should be integrated into the overall architectural form and detail of the building.
- P3 No balconies, verandahs or the like are to project over the public domain.
- P4 Where a proposal involves the conversion of an existing commercial building, and that commercial building's envelope does not comply with the setback and/or building envelope controls for the site, any new balcony must not project beyond the existing building's envelope.
- P5 Balconies should not be enclosed.
- P6 Notwithstanding P5, Council may permit the enclosure of a balcony, but only if:
- (a) the building is predominantly characterised by enclosed balconies; or
  - (b) if the building is not predominately characterised by enclosed balconies, subject to the approval of a balcony strategy for the building.
- P7 A balcony strategy should:
- (a) include details outlining the size, scale and choice of materials of the proposed enclosure(s); and
  - (b) be adopted by the body corporate before being submitted to Council.

## **2.4.9 Through-site pedestrian links**

### **Objectives**

- O1 To increase pedestrian permeability through commercial and mixed use centres.
- O2 To increase linkages to facilities, outdoor spaces and public transport.
- O3 To provide safe and usable pedestrian spaces.
- O4 To increase the amenity for pedestrians.

### **Provisions**

- P1 Provide linkages through sites to other streets and laneways as identified in the relevant area character statement (refer to Part C of the DCP) applying to the site or where enhancing pedestrian movement to public transport infrastructure.
- P2 Provide linkages to facilities, outdoor spaces and public transport.
- P3 Provide public access through pedestrian links from 6am to 10pm daily.
- P4 Pedestrian links must be lined with active uses along at least one side of the link to engage pedestrians.
- P5 Pedestrian links must be a minimum of 6m in width that is free from obstructions.
- P6 Escalators must be provided within the link where there is a substantial change in level.
- P7 The number of pedestrian entries to the link is maximised.
- P8 The extent of natural light to the link should be maximised where possible.
- P9 Where a through-site link is to be provided along the side boundary of a property, it should be open to the sky.
- P10 Signage must be provided at the entry to the linkage, indicating public accessibility and the street to which the connection links.
- P11 Opportunities for integration of public art installations within the link are to be maximised.
- P12 The linkage is to be designed to positively respond to the "safer by design" principles.

## **2.4.10 Streetscape**

### **Objectives**

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.
- O2 To promote the creation of lively and active street and laneway frontages.
- O3 To create visual interest in the built form.
- O4 To create a feeling of safety both by day and night.
- O5 To minimise visual clutter associated with overhead infrastructure.

### **Provisions**

- P1 The ground level of buildings should align with the corresponding level of the adjacent footpath, laneway or outdoor space.
- P2 Continuous active uses, such as shops and cafes, should be provided at the ground level of the building to all streets, laneways and public spaces.
- P3 Where practical, the building's ground level façade to a laneway should be provided as an active frontage (e.g. has a retail or commercial premises fronting the laneway).
- P4 Landscaping and changes in level at building frontages is to be avoided where possible to facilitate natural surveillance of public areas and views into buildings.

**Commercial & Mixed Use Development**

- P5 All ground level windows fronting street, laneways and public spaces must be glazed with clear glass, to promote active surveillance of the public domain.
- P6 All ground level shopfronts are to have a zero metre setback unless specified in the relevant area character statement (refer to Part C of the DCP).
- P7 Introduce visually interesting elements to the building façade such as articulation, detailing and art works.
- P8 Streetscape elements, such as street furniture, lighting, paving, awnings, outdoor seating and umbrellas, are to be consistent with Council's Public Domain Style Manual and Design Codes.
- P9 Undergrounding of overhead infrastructure should be provided in association with significant new development, consistent with the North Sydney Council Undergrounding Master Plan.

### 2.4.11 Entrances and exits

**Objectives**

- O1 To enable equitable access to all persons regardless of ability.
- O2 To ensure that entrances are clearly visible from the street and convey a sense of address.
- O3 To maximise safety and amenity of occupants to building containing a mixture of land uses.

**Provisions**

- P1 Main entrances and exits located at the front of the site must be directly visible from the street.
- P2 At least one main entrance to the building provides a continuous path of travel.
- P3 Entrances must not be obscured by landscaping or other obstacles and have clear sight lines.
- P4 Entrances are clearly identifiable to reduce confusion and unintentional entry.
- P5 If exits to the building are closed after hours, this must be indicated at the entrance of the building.
- P6 Entrance lobbies are well illuminated, with seating provided and a firm and level non-slip floor surface.
- P7 Places of safe refuge are incorporated into the overall design of buildings. Lift lobbies or toilets may be used as all or part of a safe refuge.
- P8 Access to the building must be designed in accordance with the provisions contained within Part B: Section 12 – Access of the DCP.
- P9 Separated pedestrian entrances and lobbies are to be provided where it is proposed to accommodate within the same building, the following mixture of land uses:
  - (a) residential accommodation and non-residential development; or
  - (b) hotel or motel accommodation or serviced apartments and any other form non-residential development.

### 2.4.12 Nighttime appearance

**Objectives**

- O1 To improve the visual interest of the street and cityscape by night.

**Provisions**

- P1 Encourage the use of large windows to enable internal illumination to spill onto public footpaths and public areas.



- P2 Decorative elements or prominent architectural features of a building should be illuminated, but only where they do not result in adverse impacts upon nearby residents.

### 2.4.13 Public spaces and facilities

#### Objectives

- O1 To ensure that buildings contribute to external and internal public spaces and facilities nearby and inclusion of these areas as part of the public domain.
- O2 To ensure that buildings interact with and contribute positively to their surroundings at street level.
- O3 To ensure that buildings contribute to diversity, vitality, social engagement and "a sense of place".

#### Provisions

- P1 In terms of built form and intensity, new development should respect the scale, character and density of existing development located adjacent to business zoned land.
- P2 Development should not detrimentally affect the amenity of the existing area, having regard to its redevelopment potential.
- P3 A range of outdoor spaces should be provided. Larger spaces and deeper footpaths provide opportunities for a wider range of activities to be accommodated.
- P4 Avoid cluttering spaces and changes of level.
- P5 Locate facilities that attract people, such as public phones, seating and information kiosks, in public spaces to reinforce activity at ground level.
- P6 Avoid over-management of public spaces by security patrols or through the use of closed circuit television (CCTV).

## 2.5 QUALITY URBAN ENVIRONMENT

The design of buildings meets the needs of the widest range of people in the community from childhood to old age. This includes people with any form of disability. Commercial centres should be barrier free for the disabled travelling within the centre in the public domain as well as in the use of private property. Safe and enjoyable continuous paths of travel should be provided for pedestrians with rear lanes offering convenient short cuts.

Natural surveillance of areas lowers the likelihood of vandalism and crime. Clear sight lines and the proximity of dwellings and retail areas to the public domain assist in creating a safer environment. High walls and barriers obscure sight lines and can increase the likelihood of crime.

### 2.5.1 Accessibility

#### Objectives

- O1 To ensure that buildings are made accessible to all persons regardless of their mobility.

#### Provisions

- P1 Buildings are to be designed in accordance with the provisions contained within Part B: Section 12 - Access of the DCP.



## 2.5.2 Safety and security

### Objectives

- O1 To ensure that a high level of personal safety and security is provided within the development.

### Provisions

- P1 Design routes between building entrances to maximise personal safety. Routes from parking areas to lift lobbies are particularly important in this regard. Clear lines of sight and well lit routes are required.
- P2 Where open space and pedestrian routes are provided, they must be clearly defined, and have clear and direct sightlines for the users.
- P3 Adequate lighting must be provided to open spaces, entrances and pedestrian areas to avoid the creation of shadowed areas.
- P4 Rear service areas and access lanes should either be well secured or easily visible.
- P5 Land use activities which operate after normal business hours should be located along well-used pedestrian routes.
- P6 Public toilets, telephones and other public facilities must be provided with direct access and good visibility from well-used public spaces.
- P7 Robust and durable design features should be used where relevant to discourage vandalism.
- P8 Consider the use of bollards or low walls and the careful design of shopfronts to decrease the likelihood of ram raids and provide higher levels of security for shop owners or tenants.
- P9 The use of security grilles at the street frontage is discouraged. If security grilles are necessary then install on the inside of the shopfront and maintain clear visibility into the shop. Use toughened glass.
- P10 Solid security rollers to shopfronts are not permitted.
- P11 Fire escapes should not be recessed into the building form. If it is necessary locate them in recesses, then the recess must be shallow to provide for personal security of pedestrians.
- P12 Buildings should be designed to allow for the overlooking and natural surveillance of rear lanes (e.g. from retail and other uses at all levels of the building).
- P13 Rear lanes should be provided with safe and secure lighting.
- P14 Clear sight lines should be maintained around all vehicle access points.
- P15 Street numbering of buildings must be clearly visible from street at all times of the day such that they are easily identifiable.

## 2.5.3 Illumination

### Objectives

- O1 To ensure the safety of pedestrians in the public domain after dusk.

### Provisions

#### General

- P1 The following areas must be illuminated in accordance with *AS 1158.3.1 - Pedestrian (P)*:
- (a) public footpaths;
  - (b) laneways; and



- (c) areas under publically accessible awnings over public or private property.
- P2 Accent lighting should be used to highlight solid sections of buildings which adjoin public footpaths.
- P3 Level of lighting provided, and fittings used, should be consistent with that of nearby properties.
- P4 Lighting is to be provided in accordance with *AS/NZS 1158.3.1:1999 Pedestrian (P) – "pedestrian area performance and installation requirements"* except in the following instances:
- (a) Within the North Sydney CBD Character Area:
- (i) Illuminance values in the range of 150% to 400% of the Lighting Category P6 illuminances.
  - (ii) Maintained horizontal average illuminance – 30 lux.
  - (iii) Minimum maintained horizontal average illuminance – 10 lux.
  - (iv) Maintained illuminance uniformity – 10.
  - (v) Maintained vertical illuminance – 10 lux.
- (b) Within all other business zones:
- (i) Illuminance values in the range of 100% to 300% of the Lighting Category P6 illuminances.
  - (ii) Maintained horizontal average illuminance – 20 lux.
  - (iii) Minimum maintained horizontal average illuminance – 7 lux.
  - (iv) Maintained illuminance uniformity – 10.
  - (v) Maintained vertical illuminance – 7 lux.
- P5 As a minimum requirement, all external lighting should operate, from dusk until dawn on Thursday, Friday and Saturday nights, and from dusk until midnight on all other nights. Extended illumination may be considered in the *B3 Commercial Core* zone only.
- P6 Control is initiated by a suitably adjusted/calibrated photo-electric switch should be incorporated to turn on at dusk and that the lights will be at full output when the daylight illuminance in the subject areas falls to the required illuminances stipulated above.
- P7 Luminaires must be suitable for the installation conditions (non-corroding, sealed against ingress of water, dust and insects) and utilize lamps with a luminous efficacy not less than 70 lumens per watt.
- P8 Luminaires should be aesthetically compatible with the design of the awnings and building façade to which they are attached.
- P9 Bare lamp fluorescent luminaires are not permitted.
- P10 The use of recessed downlights (with suitable broad lighting distribution) is encouraged wherever practical.
- P11 Where the design of the awning or building façade precludes the installation of recessed downlights, use surface mounted luminaires compatible with the design of the awning/façade.

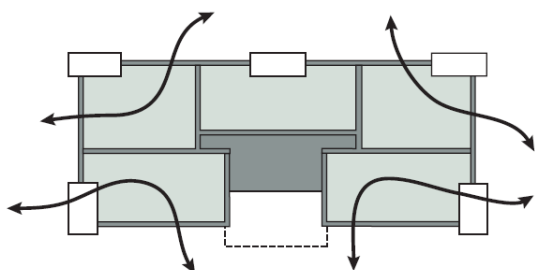
#### 2.5.4 High quality residential accommodation

##### Objectives

- O1 To provide a high level of internal amenity for those who reside in the building.

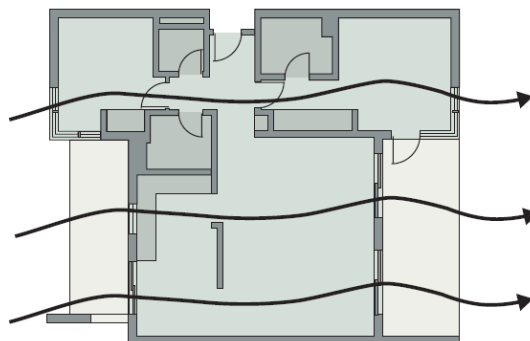
## Provisions

- P1 Apartments within mixed use developments, must be designed to provide the following minimum internal areas<sup>3</sup>:
- (a) Studio 35m<sup>2</sup>
  - (b) 1 bedroom 50m<sup>2</sup>
  - (c) 2 bedrooms 70m<sup>2</sup>
  - (d) 3+ bedrooms 90m<sup>2</sup>
- P2 Include courtyards, balconies and gardens as the principal open space area for residents. These should have solar access for a minimum of 2 hours a day measured at June 21<sup>st</sup>.
- P3 Communal corridors must have a minimum width of 2m to facilitate movement (i.e. no right angled corners).
- P4 No more than 8 dwellings are to be accessible from a single common lobby space.
- P5 Avoid the use of double loaded corridors.
- P6 Maximum depth of a habitable room from a window, providing light and air to that room, is 10m.
- P7 Apartments have a minimum width of 4m. An apartment's width should increase relative to an increase in its depth.
- P8 Single aspect apartments have a maximum depth of 8m from a window.
- P9 The habitable space serviced by a window is no more than 10 times the glazed area of the window.



**Figure B-2.5:**

Corner apartments can achieve effective natural cross ventilation



**Figure B-1.8:**

This optimal layout allows air flow directly from one side of the apartment to the other.

- P10 At least 60% of apartments are to be provided with cross ventilation (i.e. window openings that face different directions). For apartments with no cross ventilation, ceiling fans must be provided.
- P11 Utilise double glazing, awnings or window solar screens to reduce reliance on artificial cooling of buildings.
- P12 The amount of glazing on eastern and western elevations is to be minimised and incorporate external shading devices.

<sup>3</sup> Minimum internal space excludes balconies, garages and ancillary storage space. For multi-dwelling developments with one predominant dwelling type strict compliance with minimum space is required.



- P13 Amenity and safety of residents is protected from intrusion by users of the non-residential parts of the development (e.g. through the use of security access to lifts and car parking).

## 2.5.5 Lightwells and Ventilation

### Objectives

- O1 To ensure that apartments within mixed use developments are provided with sufficient natural solar access and ventilation, where the provision through conventional means (i.e. windows) is adversely restricted or compromised.

### Provisions

- P1 Council does not support the use of lightwells for the provision of light and ventilation to dwellings. However, Council may consent to the use of lightwells, but only if the following criteria are satisfactorily met:
- (a) the lightwell does not provide the primary source of natural daylight and ventilation to any habitable room of a dwelling within the development; and
  - (b) the dimensions of the lightwell comply with the building separation requirements set out in P5 to s.2.3.11 to this Part of the DCP (e.g. if non-habitable rooms face into a lightwell under 12m in height, the lightwell should measure 6m x 6m in plan); and
  - (c) the lightwell is directly connected at ground level to streets or lanes in buildings greater than 30m in height to allow air movement in the lightwell; and
  - (d) all building services (e.g. utility installations, pipes, cabling and the like) are concealed and not overlooked by principal living rooms or bedrooms; and
  - (e) the lightwell is fully open to the sky.
- P2 Despite P2(b) above, a lesser dimension may be considered, but only if it can be satisfactorily demonstrated that acoustic privacy, visual privacy and daylight access to all dwellings can be provided.
- P3 Alternative methods of ventilation of dwellings may be considered, but only if it can be satisfactorily demonstrated that there is no impact on privacy, noise, and fire safety.
- P4 If an alternative method of ventilation is proposed, submit a ventilation report by a certified ventilation consultant in accordance with the AS 1668, which recommends that the minimum natural cross ventilation rate of airflow should be 60L/s and the minimum removal of excess heat should be 10 air changes per hour, to provide reasonable comfort to occupants.

## 2.5.6 Private Open Space

### Objectives

- O1 To ensure that residents of apartments within mixed use developments are provided with a reasonable level of outdoor amenity.
- O2 To ensure that private open spaces are a sufficient size to be usable.

### Provisions

- P1 Apartments within mixed use developments must provide at least one private open space with the following minimum areas:
- (a) Studio 4m<sup>2</sup>
  - (b) 1 bedroom 8m<sup>2</sup>
  - (c) 2 bedrooms 10m<sup>2</sup>
  - (d) 3+ bedrooms 12m<sup>2</sup>

**Note:** Best practice standard for balcony size is 15% of floor area of the apartment.

**Commercial & Mixed Use Development**

- P2 Private open spaces must provide a minimum depth of 2m, or 2.4m where it relates to a 3+ bedroom apartment.
- P3 Where apartments are proposed without private open space, the size of the apartment must be increased by the minimum private open space requirement.
- P4 Private open spaces should be located such that they are directly accessible off a main living area of the dwelling.
- P5 In addition to the requirements of P1, multi-dwelling developments are encouraged to provide communal residential areas to encourage social interaction.

*Notes: It is considered best practice to provide communal areas in the order of 25% to 30% of the site area. A reduction in this requirement could be considered acceptable where private open spaces in excess of the minimum requirements are provided.*

- P6 Communal residential spaces:
  - (a) should comprise a mixture of indoor and outdoor spaces (such as gymnasium, pool and meeting rooms for residents);
  - (b) must be provided in developments containing more than 15 bedrooms, with a minimum area of 20m<sup>2</sup> or 1m<sup>2</sup> per bedroom, whichever is the greater;
  - (c) may be provided in form of an internal room as long as it has a minimum area of 75% of the total residential communal area requirement (as required in P6(b) above), with the remainder appropriately located in the external recreation area; and
  - (d) must be provided with access to natural light and not be located in basements.

## 2.5.7 Vehicular access

### Objectives

- O1 To enhance pedestrian safety.
- O2 To minimise the disruption to the streetscape from vehicle crossovers.
- O3 To enhance the visual streetscape.

### Provisions

- P1 Where available and practical, all vehicle access must be provided from laneways.
- P2 Service vehicle access should be combined with parking access.
- P3 Vehicular access points should be limited to a maximum of one access point per building.
- P4 Where possible, shared or amalgamated vehicle access points with an adjoining building should be provided.
- P5 Vehicle entries, walls and ceilings should be finished with high quality materials, finishes and detailing, similar to the overall external facades of the building.
- P6 Service ducts and pipes should be concealed when viewed from the public domain.
- P7 Parking areas must be designed to enable vehicles to enter and leave the site in a forward direction.

## 2.5.8 Car Parking

### Objectives

- O1 Maintain existing on-site car parking provision for employees and visitors.

### Provisions

- P1 Provide on-site car parking in accordance with Part B: Section 10 – Car Parking and Transport of the DCP.



- P2 All car parking must be provided underground.
- P3 Where security doors/gates are proposed provide an intercom system to facilitate visitor/service access to underground parking areas.
- P4 Disabled and visitor parking spaces must be designated common property once the development is subdivided.

### 2.5.9 Garbage Storage

#### Objectives

- O1 To ensure sufficient space is provided on site for waste storage.
- O2 To ensure garbage storage areas are screened from the public domain.
- O3 To ensure convenient access for collection.

#### Provisions

##### General

- P1 Communal on-site waste storage, recycling and collection points must be provided for each development site.
- P2 Separate waste storage facilities must be provided where a development contains a mixture of both residential and commercial uses. Access to these separate storage areas is to be restricted to their respective users.
- P3 A garbage storage area should be located within 2m of the street or laneway boundary.
- P4 Notwithstanding P3 above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street or laneway boundary.
- P5 Garbage storage facilities should not be located in conjunction with the main pedestrian entrances to a building.
- P6 Garbage bins stored in a collection facility should be located within 3m of the facility's entrance.
- P7 Convenient access for on-site movement and collection should be provided.
- P8 More than one communal on-site waste storage and recycling area should be provided on large or steep sites, or where there is more than one Council collection point.
- P9 Garbage storage areas must be screened from streets and laneways to discourage the illegal dumping of rubbish and unsightly mess visible to pedestrians.
- P10 Garbage storage areas must be located and managed to avoid causing a nuisance from smells, insects or animals.
- P11 Sufficient space must be provided to accommodate any on-site treatment facilities (e.g. compaction) proposed to be incorporated.
- P12 Garbage storage areas should be adequately protected from inclement weather. Where appropriate, the area should be enclosed or undercover.
- P13 Storage areas must be well ventilated and drained to a lawfully approved sewerage system.
- P14 Where a garbage chute is provided or required:
- (a) a separate garbage chute must be provided for the residential and commercial components of the building;
  - (b) the garbage chute room must be adequately ventilated and incorporate fire safety and other services in accordance with the BCA.

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P15 Garbage facilities are to be designed and constructed in accordance with Council's Waste Management Guide (refer to Appendix 3).

## Commercial components

P16 On-site garbage storage areas must be provided which are capable of accommodating the number of garbage and recycling bins as indicated in Table B-2.10. However, industry standards for waste generation rates may be used where these differ from the Council rates or if no Council rate is given.

TABLE B-2.10: Waste bin requirements			
Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
<b>Child care facilities</b>	All types	20L / child / week	10L / child / week
<b>Office buildings</b>	General office use	10L / 100m <sup>2</sup> GFA / day	10L / 100m <sup>2</sup> GFA / day
<b>Retail Trading</b>	Shops < 100m <sup>2</sup>	50L / 100m <sup>2</sup> GFA / day	25L / 100m <sup>2</sup> GFA / day
	Shops ≥ 100m <sup>2</sup>	50L / 100m <sup>2</sup> GFA / day	50L / 100m <sup>2</sup> GFA / day
	Supermarkets	660L / 100m <sup>2</sup> GFA / day	130L / 100m <sup>2</sup> GFA / day
	Showrooms	40L / 100m <sup>2</sup> GFA / day	10L / 100m <sup>2</sup> GFA / day
	Greengrocers	240L / 100m <sup>2</sup> GFA / day	410L / 100m <sup>2</sup> / day
	Florist / plant shop	900L / 100m <sup>2</sup> GFA / day (combined)	
	Butcher / Delicatessen	80L / 100m <sup>2</sup> GFA / day	Variable, but average 50L / 100m <sup>2</sup> GFA / day
	Bakery	295L / 100m <sup>2</sup> GFA / day	165L / 100m <sup>2</sup> GFA / day
	Fish	50L / 100m <sup>2</sup> GFA / day. Waste receptacles shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C	Variable
<b>Food and drink premises</b>	Take away food and drink premises	80L / 100m <sup>2</sup> GFA / day	240L / 100m <sup>2</sup> GFA / day
	Restaurants and cafes	10L / 1.5m <sup>2</sup> GFA / day	120L / 100m <sup>2</sup> GFA / day
	Registered clubs	50L / 100m <sup>2</sup> bar area / day	50L / 100m <sup>2</sup> bar area / day
	Pub Small bar	80L / 100m <sup>2</sup> restaurant GFA / day	50L / 100m <sup>2</sup> dining area / day
<b>Assembly rooms</b>	Social recreational or religious premises	50L / 100m <sup>2</sup> GFA / day	10L / 100m <sup>2</sup> GFA / day
	Entertainment facilities	1L / 4 seats / screening	0.5L / 4 seats / screening
<b>Tourist and visitor accommodation</b>	Backpacker accommodation	40L / occupant space / week	20L / occupant space / week
	Hotel and motel accommodation	5L / bed space / day	5L / bed space / day
		50L / 100m <sup>2</sup> bar area / day	50L / 100m <sup>2</sup> bar area / day
		10L / 1.5m <sup>2</sup> dining area / day	50L / 100m <sup>2</sup> dining area / day
	Serviced apartments	120L / apartment / week	60L / apartment / week



**TABLE B-2.10: Waste bin requirements**

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
Industrial	-	Dependant upon industry type	Dependant upon industry type

P17 Notwithstanding the rates to P16, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.

P18 All developments containing a lift must provide:

- (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
- (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building with at least one point of access to the garbage chute, with the space to accommodate at least 1 x 240 litre recycling bin for the separate collection of recyclable materials.

P19 The area allocated must accommodate any privately arranged collection (e.g. daily or weekly, etc. collections).

P20 Source separation must be provided within the garbage storage area to maximise recycling and reduction of waste sent to land fill.

P21 Food and drink premises and any other premises involved in the storing of perishable goods are required to:

- (a) provide specialised containment for food scraps;
- (b) Arrange regular/daily collection of food scraps; and
- (c) Provide refrigerated garbage rooms where large volumes of perishables (such as seafood) and infrequent collection is proposed.

P22 Grease traps may be required in certain circumstances (refer to Sydney Water may have specific trade waste requirements).

P23 Special arrangements are required for the storage and disposal of any special waste material, such as medical or hazardous wastes. Applicants should contact Council and Environment Protection Authority for further information.

**Residential component**

P24 On-site garbage storage areas must be provided which are capable of accommodating at least the number of garbage and recycling bins as indicated in Table B-2.11.

**TABLE B-2.11: Waste bin requirements**

No. of Apartments	No. of garbage bins required	No. of recycling bins required
1-3	1 x 80 litre bin / dw*	1 x 140 litre bin / dw
4-12	1 x 80 litre bin / dw or 1 x 240 litre bin / 3 dws	2 x 240 L comingled mobile recycling bin each colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans

**Commercial & Mixed Use Development****TABLE B-2.11: Waste bin requirements**

No. of Apartments	No. of garbage bins required	No. of recycling bins required
13 or more	1 x 240 litre bin / 3 dws 660 litre bins permitted	2 x 240 litre mobile bins / 15 dws or part thereof 660 litre bins permitted colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans

\* dw = dwelling

P25 Notwithstanding the rates to P24, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.

P26 All developments containing a lift must provide:

- (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
- (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building, with at least one point of access to the garbage chute, which is provided with space to accommodate 1 x 240 litre bin for the separate collection of recyclable materials.

P27 Developments which do not contain a lift, but propose to incorporate a garbage chute, must comply with the requirements of P26(a) and P26(b).

P28 Each dwelling must be provided with a waste storage cupboard within the kitchen, capable of accommodating at least 2 days waste and to enable source separation of garbage, recyclables and compost material in separate containers.

**2.5.10 Site facilities****Objectives**

O1 To ensure that any site facilities are unobtrusive, integrated into developments, provide for occupants needs and reduce impacts on the environment.

**Provisions****General**

- P1 Site facilities should be located in the most accessible and convenient location and, if possible, located near regularly staffed areas such as reception areas.
- P2 Direct access should be provided to site facilities. The use of long corridors and blind corners should be avoided. The use of lighting and mirrors should be used in problem areas.
- P3 Site facilities should be designed to encourage their use by keeping them clean and vandal resistant. Access routes should be clearly signed and information provided in facilities to report maintenance and vandalism.
- P4 Seating is open to view and well lit after dark.
- P5 Provide no more than one telecommunications/TV antenna per building.

**Commercial**

- P6 Services such as ATMs, self service vending machines and telephones should be:
  - (a) located in areas of frequent activity,
  - (b) be well lit after dark,



- (c) located away from concealed areas, and
- (d) be well maintained and vandal resistant.

- P7 ATMs and self service vending machines must not be located in recesses and must be designed to incorporate mirrors or reflective material so users can observe people approaching from behind.
- P8 ATMs and self-service vending machines must be unobtrusive and sympathetically integrated into shop-fronts and are not to obstruct pedestrian access.
- P9 Where ATMs or self-service vending machines issue paper receipts, the machine must incorporate a rubbish receptacle which is integrated into the overall design of the machine.
- P10 To ensure that self-service vending machines do not distribute inappropriate material to minors, the applicant must demonstrate to Council's satisfaction how the distribution of restricted material/s will be restricted.

**Residential**

- P11 Open air drying facilities should be provided in a sunny location which are adequately screened from streets and public places.
- P12 Provide a lockable mailbox for each dwelling close to the main pedestrian entry to the dwelling or building.
- P13 Provide ancillary storage facilities at the rate outlined in Table B-2.12 and linked to each dwelling through provisions of the relevant Strata Plan (at least 50% within the apartment).

TABLE B-2.12: Residential storage	
Dwelling Size	Minimum Storage Rate
Studio	4m <sup>3</sup>
1 bedroom dwelling	6m <sup>3</sup>
2 bedroom dwelling	8m <sup>3</sup>
3+ bedroom dwelling	10m <sup>3</sup>

- P14 Basement storage facilities will not be permitted for conversion to car parking spaces, either informally or by means of lodging a development application or a s.96 application to modify a development consent.
- P15 Incorporate car wash bays in mixed use developments where there are more than 4 dwellings within the development.

**2.5.11 Temporary structures**

**Objectives**

- O1 To ensure that the location of temporary structures promotes public safety and amenity.
- O2 To encourage vitality, diversity and natural surveillance in the community without causing adverse effects on the streetscape.

**Provisions**

- P1 Temporary structures must not be located:
- (a) in locations that hinder access to power or water access points;
  - (b) within 5m from front and/or side boundaries to facilitate pedestrian movement;

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- (c) which breach traffic signs or hinder pedestrian or vehicular movement (e.g. in driveways or doorway entrances.);
  - (d) in such a way as to impact on informal or formal through site links or areas formally designated for public access; and
  - (e) near fire protection equipment or exits.
- P2 Mobile carts or stalls:
- (a) are not permitted on road shoulders;
  - (b) may be subject to a limited period of consent and hours of operation;
  - (c) must not provide any live or amplified music or other sounds promoting the cart or stall;
  - (d) must comply with the [Food Act 2003](#), the *National Code for Food Vending Vehicles and Temporary Food Premises* and the *Building Code of Australia*;
  - (e) should use biodegradable materials for all coffee/drink cups, cutlery and/or packaging of pre-cooked food stuffs;
  - (f) should be designed and use colours and materials that are compatible with the nature of Council's plazas; and
  - (g) must obtain the relevant Council permit and display it during the hours of operation.
- P3 Temporary stalls on public footpaths will be generally limited to Mount Street Plaza and Elizabeth Plaza, Ernest Place.
- P4 Internal temporary structures should be compatible with the interior design of the building within which it is to be located.
- P5 Outdoor temporary structures are designed to be consistent with streetscape through their design and use of materials, colours and finishes.
- P6 Maximum of one coffee cart within a 200m radius.
- P7 Signage for any mobile cart is limited to one business identification sign affixed to the front panel of the cart and must not exceed 50% of that area.
- P8 Any ancillary equipment should not be visible from the street and should be stored directly inside the temporary structure.
- P9 Mobile cart/stall operators are responsible for the control of litter generated by the cart or stall.
- P10 Tables and chairs are not permitted to be provided for patrons. A stool may be permitted for the operator only.

## 2.6 EFFICIENT USE OF RESOURCES

The commercial and retail sectors are significant users of electricity and are major contributors to greenhouse emissions in Australia. Improving energy efficiency is one of the most cost effective ways of reducing greenhouse gas emissions. The pursuit of energy efficiency can bring economic, social and environmental benefits. Another reason to encourage energy efficiency is the reduction in maintenance costs and improved leasability and saleability of the building.

Reducing waste has environmental, social and economic benefits. There are many opportunities in the development process to reduce the amount of waste and to maximise the amount of material that is recycled and reused, rather than going to landfill.

The amount of stormwater runoff in an area relates directly to intensity of development in that area. The more impervious to stormwater an urban area is, the larger the runoff quantities are and thereafter the impact on the environment.



Applicants must comply with the submission requirements and performance targets set out in Table B-2.13 in order to demonstrate the proposed development will achieve an efficient use of resources.

**TABLE B-2.13: Non-residential thresholds, submission requirements and performance targets**

Threshold/size	Submission requirement	Performance target
<b>Alterations affecting less than half the original building or tenancy (measured over the roof and the outer walls)</b>	An Efficient Use of Resources Commitment Table (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-sections.
<b>Alterations affecting more than half the original building or tenancy (measured over the roof and the outer walls)</b>	The development must comply with the relevant submission requirements as if it were a new development.	The development must comply with the relevant performance targets as if it were a new development.
<b>Less than 2000m<sup>2</sup> GFA</b>	An Efficient Use of Resources Commitment Table (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section.
<b>2000m<sup>2</sup>-5000m<sup>2</sup> GFA</b>	An Efficient Use of Resources Commitment Table (to be completed by the applicant); AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section.
	A NABERS Energy Commitment Agreement and associated documentation (see s.2.6.1(P21) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.
	A WSUD report from a suitably qualified consultant.	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
<b>&gt;5000m<sup>2</sup> GFA</b>	A NABERS Energy Commitment Agreement and associated documentation (see s.2.6.1(P21) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out	The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.

**TABLE B-2.13: Non-residential thresholds, submission requirements and performance targets**

Threshold/size	Submission requirement	Performance target
	proposed energy efficiency measures; AND	
	A WSUD report from a suitably qualified consultant; AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
	Evidence that the building design has been awarded a Green Star rating; OR If evidence of a Green Star rating being awarded is not available at DA stage or if a Green Star rating tool is not available for the particular type of non-residential development proposed, a Sustainability Report including an Efficient Use of Resources Commitment Table (to be completed by suitably qualified consultants) must be submitted.	The base building, or the whole building where there is to be one tenant to occupy the whole building, must achieve a 5 star Green Star rating; OR If a Sustainability Report which includes an Efficient Use of Resources Commitment Table is required it must demonstrate compliance with / consideration of (as relevant) DCP provisions within the Efficient Use of Resources sub-section and demonstrate that the development will achieve a very high degree of environmental sustainability.

### 2.6.1 Energy efficiency

Most commercial buildings or premises could reduce their energy consumption by at least 20% by investing in the latest energy efficient equipment. Such investment invariably offers a highly profitable rate of return, resulting in cost-effective energy savings with the positive result of reducing emissions.

Nearly half of energy consumption in buildings is due to heating, cooling, ventilation, office equipment and lighting. A typical energy bill is 25% of a building's total operating costs. By incorporating passive solar design strategies and using building techniques that minimise energy use, it is possible to reduce energy associated costs by up to 60%.

The main sources of energy use in commercial buildings include heating and cooling (air-conditioning), lighting and the use of office equipment. The way the occupants operate and maintain a building is crucial to its energy efficiency so just having a smart design does not guarantee an efficient building. Controls in this section of the DCP seek to acknowledge these facts by addressing both building design and maintenance.

#### **BASIX – Building Sustainability Index**

Developments involving the construction of a new dwelling and some alterations to existing dwellings will require the submission of a BASIX certificate. For further information, visit [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

#### **National Australian Built Environment Rating Scheme (NABERS)**

North Sydney Council encourages developers to obtain a NABERS rating for commercial and commercial components of buildings. The rating assesses a building's performance in terms of its Greenhouse gas emissions during its operation.

The Rating Scheme, which is managed by the Department of Environment, Climate Change and Water (DECCW), allows owners and occupiers of commercial and commercial



components of buildings to benchmark the greenhouse performance of their premises on scale of one to five. One represents the most polluting and five, the least polluting, with three representing best market practice. New commercial buildings, refurbishments, tenancies and fitouts will have to demonstrate compliance with this DCP by signing DECCW's NABERS – Energy Commitment Agreement and achieving a minimum 4.5 star rating for the base building, whole building for tenancies (as appropriate).

### Green Star

North Sydney Council encourages developers to obtain a Green Star rating for developments involving the provision of substantial commercial floor space. The Green Star rating system, which is managed by the Green Building Council of Australia, is a comprehensive, national, voluntary environmental rating system that evaluates the environmental design and construction of buildings. Approximately, 11 per cent of Australia's CBD<sup>4</sup> commercial office buildings are Green Star certified, reinforcing that building "green" is now a business imperative.

The following Green Star Certified Ratings are available:

- **4 Star Green Star Certified Rating** (score 45-59) signifies 'Best Practice' in environmentally sustainable design and/or construction
- **5 Star Green Star Certified Rating** (score 60-74) signifies 'Australian Excellence' in environmentally sustainable design and/or construction
- **6 Star Green Star Certified Rating** (score 75-100) signifies 'World Leadership' in environmentally sustainable design and/or construction

Although Green Star certification requires a formal process, any project can freely download and use the Green Star tools as guides to track and improve their environmental attributes. Refer to [www.gbca.org.au](http://www.gbca.org.au).

### Objectives

- O1 To ensure that developments minimise their use of non-renewable energy resources.
- O2 To ensure that buildings are designed such that the air conditioning plant meets performance requirements, while minimising energy usage.
- O3 To encourage the use of energy efficient lighting.

### Provisions

#### General

- P1 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in this subsection for the whole of the building.
- P2 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
  - (a) orientation or shape of the block;
  - (b) existing overshadowing due to either the surrounding terrain or existing development;
  - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction; and
  - (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.
- P3 Ensure that the development does not reduce the energy efficiency of buildings in the vicinity.

<sup>4</sup> Figures obtained from the Green Building Council of Australia, circa October 2010.



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- P4 Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating and cooling, not the whole building.
- P5 Where the proposed development involves the installation of any of the following:
- (a) hotwater systems;
  - (b) clothes drier;
  - (c) dishwasher;
  - (d) fixed air conditioning systems (including reverse cycle systems);
  - (e) fixed heating systems;
- they must have a minimum energy star rating of 4.5 stars.
- P6 Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient LED lighting.
- P7 Car parking areas should be designed and constructed so that electric vehicle charging points can be installed at a later time.
- P8 Where appropriate and possible, the development of the public domain should include electric vehicle charging points or the capacity for electric vehicle charging points to be installed at a later time.
- P9 Improve the efficiency of hot water systems by insulating hot water systems.
- P10 Wherever possible solar hot water systems should be provided.
- P11 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P12 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P13 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P14 Energy efficient lighting and technology should be used to reduce energy consumption. Consider the use of solar powered illumination.
- P15 Use solar powered lighting for external areas.

**Residential component**

- P16 A BASIX Certificate is required to be submitted with all developments incorporating residential development types nominated under SEPP (Building Sustainability Index: BASIX) 2004.

**Note:** BASIX assessments and certificates can be obtained on-line at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

**Commercial components**

- P17 In multi-floor or multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for light, air-conditioning and power within each floor and/or tenancy and/or strata unit. Locations are to be identified on the development plans. Electricity sub-metering should be provided for significant end uses that will consume more than 10,000 kWh/a.
- P18 Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.
- P19 Locate appliances and equipment that generate waste heat, (such as copiers) in areas separated from the spaces requiring cooling.
- P20 Buildings, or the commercial components of mixed use buildings, that have a gross floor area greater than 2000m<sup>2</sup> must be capable of achieving a minimum 4.5 star



rating under DECCW's NABERS Energy. In this regard, the following information is required to be lodged with the relevant certifying authority (Council or an accredited certifier) prior to the issue of a Construction Certificate:

- (a) Evidence that a Commitment Agreement has been entered into with DECCW, to deliver this Star rating for the base building (i.e. services traditionally supplied as 'common' to tenants, such as air conditioning, lifts and common area lighting) or for the whole building where the applicant is to occupy the entire building.
- (b) An independent energy assessment report that follows the guidelines in DECCW's *NABERS Energy and Water for Offices Rules for collecting and using data*. This document can be obtained from [www.nabers.gov.au/](http://www.nabers.gov.au/);
- (c) A computer building simulation in accordance with DECCW's *NABERS Energy Guide to Building Energy Estimation*. This document can be obtained from [www.nabers.gov.au/](http://www.nabers.gov.au/). The computer building simulation is required to demonstrate to the satisfaction of Council, or the private certifier if Council is not the certifying authority, that the building can reasonably be expected to achieve the proposed rating under realistic operating conditions.

P21 Developments involving the provision of more than 5,000m<sup>2</sup> of office floor space must demonstrate that the development can achieve a minimum 5 star rating under the Green Building Council of Australia's Green Star – Office rating tool. The rating tool can be obtained from the Green Building Council of Australia's website - [www.gbca.org.au](http://www.gbca.org.au).

## 2.6.2 Passive solar design

### Objectives

O1 To ensure that site layout and building orientation allows for maximum solar access and are adapted to local climatic conditions and prevailing site characteristics.

### Provisions

- P1 To achieve maximum solar access for the buildings residential components of a building orient the building within 20° west of north to 30° east of north.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Locate the main daytime living areas (e.g. family, dining and meal rooms) on the northern side of apartments.
- P4 Orient the long axis or length of the building to the northerly aspect.
- P5 East and west facing glazing should be minimised and fully shaded at the summer solstice.
- P6 Ensure windows of living areas to apartments that face north will receive at least three hours of sunlight between 9am and 3pm over a portion of their surface during the winter solstice.
- P7 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the eaves or shading device should reach this line.
- P8 Optimise natural light access to reduce the amount of energy used to run artificial lighting (limiting the internal depth of the building allows efficient use of natural light).
- P9 If landscaping is proposed as part of the development, a documented landscape design concept shows how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living and working areas.

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- P10 Consideration should be given to using north facing pergolas to shade walls and windows (deciduous vines can be trained over the pergola to provide effective cooling in warm weather).
- P11 Where a north facing pergola contains fixed louvres, space and orient the louvres so that a line between the top of one blade and the bottom of the next makes an angle of 70°.
- P12 Angle louvres to correspond to the lowest altitude angle the sun reaches at noon in winter (31° in Sydney).
- P13 Where main living areas are oriented northwards, aim to achieve a glazed area of 30% of the dwelling's floor area in this direction.
- P14 South facing glazing should be kept to a minimum to reduce winter heat losses.
- P15 Buildings are designed, wherever possible, to include a north facing roof where a solar hot water system or collector can be installed.

### 2.6.3 Thermal mass and insulation

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.

Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

#### Objectives

- O1 To achieve more even, year-round average temperature, making the building more comfortable for occupants and resulting in less demand for artificial heating or cooling.

#### Provisions

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. a concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.
- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.
- P7 Heat loss/gain is minimised through the use of awnings, shutters or high performance glazing (e.g. double glazing).

## 2.6.4 Natural ventilation

### Objectives

- O1 To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.
- O3 To ensure that workers are provided with direct access to fresh air and to assist in promoting thermal comfort for occupants

### Provisions

- P1 Locate windows and openings in line with each other on opposing walls and with prevailing breezes.
- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

## 2.6.5 Water Conservation

### Objectives

- O1 To minimise the use of potable water .
- O2 To encourage the reuse of greywater, rainwater and stormwater.

### Provisions

#### General

- P1 Where the proposed development involves the installation of new:
  - (a) shower roses;
  - (b) taps for use over a basin, ablution trough, kitchen sink or laundry tub;
  - (c) flow restrictors;
  - (d) toilets;
  - (e) white goods, such as clothes washers or dishwashers;
 they must have the highest WELS star rating available at the time of development.
- P2 Recycled water (served by dual reticulation) should be utilised for permitted non-potable uses such as toilet flushing, laundry, irrigation, car washing, fire fighting, industrial processes and cooling towers..
- P3 Harvest and use rainwater for garden irrigation and toilet flushing.
- P4 Collect and reuse stormwater runoff for subsurface irrigation.
- P5 Use endemic plants (as listed on Council's website) and xeriscape principles in landscaping.
 

**Note:** Xeriscape principles essentially seek to limit the use of water for irrigation, through the design of landscaped areas and careful use of vegetation.
- P6 Install water efficient irrigation systems and controls.
- P7 Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other significant end uses.
- P8 Where cooling towers are used they are:
  - (a) to employ alternative water sources where practical; or
  - (b) to include a water meter connected to a building energy and water metering system to monitor water usage; and
  - (c) to be connected to a recirculating cooling water loop; and

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- (d) discouraged where they are a single pass cooling systems; and
- (e) to be connected to a conductivity meter to ensure optimum circulation before discharge.

P9 Install a pool cover where the proposed development includes an external swimming pool.

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P10 Rainwater tanks or other alternative water sources including recycled water systems are to be installed to minimise the use of potable water and maximise the use of alternative water sources.

P11 Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation.

P12 Separate meters are to be installed on separate units of occupancy in non-residential BCA class 5, 6 and 7 buildings.

P13 A reporting system should be developed to inform/educate occupants about the building's water consumption.

P14 Use waterless urinals.

P15 Install sensor operated taps, or automatic shutoff taps, especially in public areas.

**Residential**

P16 A BASIX Certificate is required to be submitted with all buildings incorporating residential development types nominated under SEPP (Building Sustainability Index: BASIX) 2004.

**Note:** BASIX assessments and certificates can be obtained on-line at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## 2.6.6 Waste Management & Minimisation

**Objectives**

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

**Provisions**

P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 - *Waste Minimisation and Management* of the DCP.

P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).

P3 Adequate recycling systems must be provided in the design of the garbage room.

P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.

P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.

P6 The storage of any hazardous waste materials must be adequately secured.

## 2.6.7 Stormwater management

**Objectives**

- O1 To mimic pre-development or natural drainage systems through the incorporation of WSUD on-site.



O2 To protect watersheds by minimising stormwater discharge and maximising stormwater quality.

O3 To minimise off-site localised flooding or stormwater inundation.

**Provisions**

P1 An *Erosion and Sediment Control Plan* for the construction of the building is required in accordance with Part B: Section 17 - *Erosion and Sedimentation Control* of the DCP.

P2 A *Stormwater Management Plan* for the operation of the building is required demonstrating compliance with this subsection as well as Part B: Section 18 - *Stormwater Management* of the DCP.

P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.

P4 Rainwater tanks should be installed for all developments, including major alterations and additions and mixed-use developments. Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events.

P5 As a minimum, post-development stormwater discharge rates should be less than pre-development stormwater discharge rates.

P6 As a minimum, post-development stormwater quality should be improved from pre-development levels.

P7 On-site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff

P8 Impervious surfaces should be minimised.

P9 Ensure paved areas are at least 50% pervious.

P10 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m<sup>2</sup> must also submit a Water Sensitive Urban Design report from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.

P11 All developments with a gross floor area greater than 2000m<sup>2</sup> are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:

(a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;

(b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;

(c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;

(d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.

**2.6.8 Building Materials**

**Objectives**

O1 To encourage the use of materials which have a low environmental impact during their life cycle.

O2 To encourage the use of toxin free material to minimise the health impact of materials used indoors.

O3 To maximise the energy efficiency of buildings.

**Provisions**

P1 Products with the least life cycle impact should be favoured.

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- P2 The use of the following types of building materials are to be maximised wherever possible:
- (a) materials which are sourced from renewable and abundant resources;
  - (b) materials which are durable;
  - (c) locally manufactured materials and produced;
  - (d) materials with a low embodied energy content;
  - (e) salvaged and/or recycled materials;
  - (f) timber used be obtained from certified sustainable sources;
  - (g) materials with a high recycled content (>50%);
  - (h) low volatile organic compound (VOC) emitting materials;
  - (i) mechanical fixings instead of adhesives and glues, wherever possible;
  - (j) when using Medium Density Fibreboard, ensure that it has a low formaldehyde content;
  - (k) use toxin-free floor finishes;
- P3 Avoid the use of the following:
- (a) copper, chrome, cadmium, lead, mercury, cyanide, and formaldehyde;
  - (b) materials, sealants and adhesives containing PVC;
  - (c) wood treated with CCA;
  - (d) solvents.
- P4 Use physical termite barriers (made of granite or stainless steel) instead of chemicals where possible.
- P5 Buildings should use lighter coloured materials and finishes on main external parts of the building.

### 2.6.9 Adaptive reuse of buildings

**Objectives**

- O1 To encourage the adaption and reuse of buildings.

**Provisions**

- P1 Where feasible, existing buildings are to be reused in preference to demolition.
- P2 Buildings should be designed to encourage adaptable office floorspace to accommodate changing occupier requirements.

### 2.6.10 Hotwater systems

**Objectives**

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

**Provisions**

- P1 New hotwater systems installed in dwellings must not solely rely on electrical mains power to heat the water (n.b. sole electrical hotwater systems are not permitted in new dwellings).
- P2 Install solar powered water heaters on any residential development. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.



- P3 Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.
- P4 Locate solar cells, heat pumps or any associated structures so as to avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- P5 Centralise solar or heat pump hot water systems in larger scale residential flat buildings or attached dwelling developments, to achieve economies of scale.
- P6 Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

### 2.6.11 Green roofs

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building's running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

#### Objectives

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.
- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.
- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.
- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

#### Provisions

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces must submit a roof plan demonstrating how the new available roof space<sup>5</sup> contributes to the achievement of at least three of the above objectives.
- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

<sup>5</sup> "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.



## 2.6.12 Wind Turbines

### Objectives

- O1 To manage the impacts of wind turbines.

### Provisions

- P1 Wind turbines are:
- (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
  - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
  - (c) not to affect the structural integrity of the building;
  - (d) should not detract from the significance of a heritage item or a heritage conservation area;
  - (e) not to be located along a bat or bird flyway; and
  - (f) to be installed in accordance with manufacturer's specifications.
- P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
- (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
  - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

## 2.7 PUBLIC DOMAIN

The public domain includes streets and laneways, parks, plazas and malls, as well as areas for café and restaurant seating, entries and foyers to buildings and the interface where buildings meet the street or an adjoining open space.

The quality of the public domain has an impact on how people relate to their surroundings, how they use the public domain, how comfortable they feel in it, how they feel about it, and what they think about it. The public domain allows for freedom of movement, access to a range of services and activities. It provides space to relax in, meet friends, 'hang out', congregate and be entertained in. It above all contributes to community identity and sense of place.

Design of the public domain is important - too often buildings relate poorly to the public domain and public spaces are just the left over spaces between buildings. A well designed public domain is one which is accessible to all, encourages a diverse range of activities and users throughout an extended period of the day, and is safe and comfortable for all users. Successful streets and public spaces are the ones we enjoy walking along, shopping at or sitting in.

All Public Domain design should be in accordance with the *North Sydney Centre Domain Strategy*, the *St Leonards Public Domain Strategy* and *North Sydney Council Infrastructure Manual*.

### 2.7.1 Street furniture, landscaping works, utilities and equipment

#### Objectives

- O1 To ensure that street furniture, landscaping works, utilities and equipment positively contribute to the community's enjoyment of the public domain, but does not impede pedestrian movement and safety or reduce visual quality.

#### Provisions

- P1 Where relevant, all works should be designed in accordance with:



- (a) North Sydney Centre Public Domain Strategy;
- (b) St Leonards Public Domain Strategy; and
- (c) North Sydney Council Infrastructure Manual.

- P2 Where present, overhead wires are to be relocated underground along property boundaries, consistent with the North Sydney Council Undergrounding Master Plan.
- P3 Seating should be provided in public spaces that are not allocated to a specific use (e.g. a café) for people to 'hang out', take refuge and rest.
- P4 Seating or seating areas should be positioned at the edge of footpaths where through movement is not obstructed.
- P5 Pedestrian sight lines should not be obstructed by landscaping or other street improvements.
- P6 Public areas should be free from clutter and unclear level changes, having particular regard for accessibility.
- P7 Publicly accessible areas are to be provided with a high quality of lighting for security and amenity purposes.

## 2.7.2 Public entertainment and expression

### Objectives

- O1 To ensure that venues for public entertainment and expression of community identity are provided.

### Provisions

- P1 Formal and informal spaces for public entertainment should be provided.
- P2 Multi-functional street furniture should be incorporated into the design (e.g. a flat bench may become an informal plinth for performance artists).
- P3 At least one space within the North Sydney Centre must be provided that is large enough to hold an open air performance or market.
- P4 Public notice boards and kiosks should be provided in locations where people will be gathering.
- P5 Space should be provided within buildings for community facilities such as exhibition areas, recreational facilities or cinemas.

## 2.7.3 Public art

### Objectives

- O1 To contribute to the cultural life and enjoyment of commercial areas.
- O2 To allow for community self expression.

### Provisions

- P1 The design of public art should be in accordance with *North Sydney Centre Public Domain Strategy*.
- P2 Artworks should be integrated into the design of public spaces and the publically accessible locations of private developments (i.e. main entrances, lobbies, street frontages, gardens, walls and rooftops).
- P3 Council's Arts and Culture Officer should be consulted in the design and execution stages for any public artwork, prior to development consent being issued.
- P4 Community groups should be consulted in the design of artworks.
- P5 Consideration should be given to artworks that serve a dual role (e.g. as play equipment for children, informal seating or a marker for a meeting place).

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- P6 Artwork should demonstrate its relevance to its location, reflecting the area's history, culture or local community.
- P7 Artwork should enhance a sense of place or the distinctive identity of the area.
- P8 Council's *Arts Plan* should be considered in the design of all public art. It documents the process for completing an Arts Plan submission where an Arts Plan is lodged with a development application.

## 2.7.4 Paving

### Objectives

- O1 To ensure pedestrian surfaces are safe for all users.
- O2 To ensure that pedestrian routes are clearly identified.
- O3 To ensure that paving is constructed from materials that provide consistency and continuity of streetscape.

### Provisions

- P1 Except where negotiated with the Council, all footpath paving along property frontages must be provided in accordance with Council's specifications (including requirements for disabled access).
- P2 The extent, nature and type of paving materials include tactile surfaces in appropriate locations to assist the visually impaired.
- P3 Paving may be considered as part of public art, but only in consultation with Council.

## 2.7.5 Native vegetation and water

### Objectives

- O1 To increase the provision of native vegetation and water in the public domain and publically accessible areas within private developments.

### Provisions

- P1 All works should be designed in accordance with *North Sydney Centre Public Domain Strategy*.
- P2 Water features, utilising non-potable water, should be considered for inclusion within public spaces, building entrances, foyers, facades and rooftops.
- P3 Roof top gardens should be considered for incorporation where practicable and where they do not result in unreasonable amenity impacts to adjoining and neighbouring properties.
- P4 Trees should be planted where appropriate to provide shade, shelter and fauna.
- P5 Development on properties in proximity to bushland must be consistent with the requirements of Section 15 – *Bushland* to Part B of the DCP.

**Note:** Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.



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## SECTION 3 NON-RESIDENTIAL DEVELOPMENT IN RESIDENTIAL ZONES

### 3.1 INTRODUCTION

Non-residential development in residential zones generally comprises, but is not limited to, the following types of uses:

- Child care centres;
- Educational establishments;
- Information and education facilities;
- Health care facilities (including health consulting rooms, medical centres and hospitals);
- Places of worship;
- Community facilities;
- Neighbourhood shops; and
- Entertainment facilities.

There are also some instances, where non-residential development occurs within residential zones that operate pursuant to existing use rights (refer to Division 4.11 of the [EP&A Act](#)) or are a permissible use pursuant to cl.2.5 and Schedule 1 – *Additional Permitted Uses* to NSLEP 2013.

The majority of these uses are primarily operated from large scale buildings which are often inconsistent with the scale of residential development occurring within the residential zones. They can also lead to additional impacts on residential amenity in terms of traffic impacts and noise.

The purpose of this Section of the DCP is to provide guidance to applicants for the development of non-residential development in residential zones such that the impacts on residential amenity is minimised.

#### 3.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that non-residential development in residential zones:

- O1 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;
- O2 does not have adverse impacts on residential amenity or environmental quality;
- O3 is in context with surrounding development;
- O4 contributes to the garden setting and lower scale character of North Sydney's residential neighbourhoods;
- O5 is consistent with the character that is described in the relevant area character statements; and
- O6 incorporates innovative sustainable design to reduce energy and water consumption, and meets or exceeds sustainability requirements.

### 3.1.2 When does this section of the DCP apply?

This Section of the DCP applies to:

- (a) all development within the *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential* and *E4 Environmental Living* zones other than for the following:
  - (i) Attached dwellings,
  - (ii) Boarding houses,
  - (iii) Dual occupancies,
  - (iv) Dwelling houses,
  - (v) Group homes,
  - (vi) Multi dwelling housing,
  - (vii) Residential flat buildings,
  - (viii) Secondary dwellings,
  - (ix) Semi-detached dwellings,
  - (x) Seniors housing, or
  - (xi) Shop top housing.
- (b) development for any purpose on land zoned *SP2 Infrastructure*, and where any adjacent or adjoining land is zoned:
  - (i) *R2 Low Density Residential*,
  - (ii) *R3 Medium Density Residential*,
  - (iii) *R4 High Density Residential*, or
  - (iv) *E4 Environmental Living*.

If land zoned *SP2 Infrastructure* is located adjacent to one or more than the following zones:

- (a) *R2 Low Density Residential*,
- (b) *R3 Medium Density Residential*,
- (c) *R4 High Density Residential*, or
- (d) *E4 Environmental Living*.

then the controls of the most restrictive zone will apply to the subject site. For example, if the subject site is located adjacent to land zoned *R2 Low Density Residential* and *R4 High Density Residential*, then the provisions of the *R2 Low Density Residential* would apply.

### 3.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 5 – Child Care Facilities;
- (c) Part B: Section 9 – Advertising and Signage;
- (d) Part B: Section 10 – Car Parking and Transport;
- (e) Part B: Section 12 – Access;
- (f) Part B: Section 13 – Heritage and Conservation;
- (g) Part B: Section 15 – Bushland;
- (h) Part B: Section 16 – Tree and Vegetation Management;

- (i) Part B: Section 17 – Erosion and Sediment Control;
- (j) Part B: Section 18 – Stormwater Drainage;
- (k) Part B: Section 19 – Waste Minimisation and Management; and
- (l) Part B: Section 20 – Public Infrastructure.

### 3.1.4 Relationships to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) [\*SEPP \(Educational Establishments and Child Care Facilities\) 2017\*](#);
- (b) [\*SEPP \(Infrastructure\) 2007\*](#);
- (c) The DoP's [\*Development Near Rail Corridors and Busy Roads – Interim Guideline\*](#) (19 December 2008);
- (d) [\*SREP \(Sydney Harbour Catchment\) 2005\*](#);
- (e) The DoP's [\*Sydney Harbour Foreshores and Waterways Area DCP \(2005\)\*](#); and
- (f) The Rural Fire Services [\*Planning for Bush Fire Protection\*](#) guidelines.

## 3.2 ENVIRONMENTAL CRITERIA

The quality and amenity of the residential environment is important to the community. It contributes to the comfort and wellbeing of current residents and to the sustainability of residential areas and the environment for future users. The quality and amenity of non-residential development can be maintained and improved by minimising the impacts of development by utilising some or all of the following approaches.

### 3.2.1 Topography

#### Objective

- O1 To ensure that the natural topography and landform are maintained
- O2 To retain existing vegetation and allow for new substantial vegetation and trees.
- O3 To minimise the adverse effects of excavation on the amenity of neighbouring properties.
- O4 To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.
- O5 To ensure the structural integrity of adjoining properties.
- O6 To minimise adverse effects of adjoining transport infrastructure.

#### Provisions

- P1 Development that includes excavation must not be carried out unless:
  - (a) the development is in accordance with and promotes the objectives to this subsection; and
  - (b) land stability of the site and adjoining land is preserved; and
  - (c) the natural drainage patterns of the land and catchment will not be disrupted; and
  - (d) adverse effects on other properties are avoided or minimised.
- P2 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.
- P3 Development should not result in the ground level (finished) being greater than 500mm above or below ground level (existing).



- P4 Excavation should not occur within 1m of any property boundary.
- P5 The depth of soil around buildings must be sufficient to sustain trees as well as shrubs and smaller scale gardens.
- P6 Consent must not be granted where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.
- P7 Where practical,
- (a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.
  - (b) a minimum of 30% of the unexcavated area should be located within the front setback.
  - (c) a minimum 1.5m wide strip of landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.
- P8 Basement car parks, where permitted, must not extend to the full width of a site.

### **3.2.2 Properties in proximity to bushland**

#### **Objectives**

- O1 To ensure that development located within proximity of land zoned *E2 Environmental Conservation* is compatible with long term conservation and management of Council's Bushland reserve system in accordance with Council's Bushland Plan of Management and other relevant legislation and policies.

#### **Provisions**

- P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - *Bushland* of the DCP.
- Note:** Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.
- P2 Maintain existing ground levels on land adjoining land zoned *E2 Environmental Conservation*.

### **3.2.3 Properties on Bush Fire Prone Land**

#### **Objectives**

- O1 To minimise the risk of harm to persons and property in the event of a bush fire.

#### **Provisions**

- P1 Where relevant, new development on Bush Fire Prone Land must comply with the relevant requirements of the NSW Rural Fire Service's *Planning for Bush Fire Protection* (as amended).
- P2 Bushfire mitigation controls must be integrated wholly within the boundaries of the land being developed. Asset Protection Zones or other mitigation controls must not be placed on Council.

### **3.2.4 Properties with a foreshore frontage**

#### **Objectives**

- O1 To promote a scale and form of development that enhances the scenic, environmental and cultural qualities of the foreshore.
- O2 To ensure that development considers coastal processes, such as sea level rise.
- O3 To ensure development is consistent with Council's *Foreshore Access Strategy*.

**Non-Residential Development in Residential Zones****Provisions**

- P1 Development on land adjacent to the foreshore must be designed with regard to sea level rise.  
*Note: Further information about sea level rise can be obtained from the Department of Planning ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)).*
- P2 Development must be on land adjacent to the foreshore must be designed with regard to the provisions of [SREP \(Sydney Harbour Catchment\) 2005](#) and *Sydney Harbour Foreshores and Waterways Area DCP* (2005).
- P3 Development must not alienate public access to foreshores by the location of foreshore structures.
- P4 Mature trees or significant landscaping should not be removed in order to locate foreshore structures.
- P5 Sea walls, rock outcrops or sandstone platforms should not be removed or covered in order to locate foreshore structures.
- P6 Minimise disturbance of existing surface and underground drainage to minimise run-off into the water.
- P7 In accordance with Part B: Section 15 – *Bushland* and Part B: Section 16 – *Tree and Vegetation Management* of the DCP, preserve existing trees and vegetation wherever feasible and replace any tree or vegetation removed or damaged as part of development.
- P8 Natural materials and colours should be used that blend with the water, foreshore sandstone and vegetation, for any foreshore structure.
- P9 Avoid the use of large areas of blank, hard or reflective surfaces.
- P10 Buildings or structures must respect the topographical features of the site.  
*Note: For example, buildings are not cantilevered, but follow the topography.*
- P11 Retaining walls must not exceed 500mm in height individually or where more than one retaining wall is proposed, a cumulative height of 500mm.

**3.2.5 Noise****Objectives**

- O1 To ensure reasonable levels of acoustic amenity to nearby residents.

**Provisions**

- P1 Noise emission associated with the operation of non-residential premises must not exceed the maximum 1 hour noise levels (LAeq 1 Hour) specified in Table B-3.1.

TABLE B-3.1: Noise Emission Limits				
Time Period			Max 1 hour noise levels (LAeq 1 Hour)	
Day	Week	Time	Urban Area*	Suburban Area#
Weekday	Day	7am – 6pm	60 dBA	55 dBA
	Evening	6pm – 10pm	50 dBA	45 dBA
	Night	10pm – 7am	45 dBA	40 dBA
Weekend	Day	8am – 7pm	60 dBA	55 dBA
	Evening	7pm – 10pm	50 dBA	45 dBA
	Night	10pm – 8am	45 dBA	40 dBA



**Non-Residential Development in Residential Zones**

**Notes:** *Laeq (1hour) readings are to be measured during the noisiest 1 hour period between Day – 7/8am to 6/7pm, Evening – 6/7pm – 10pm and Night – 10pm to 7/8am.*  
*\* Urban Area – applies to any allotment of land zoned SP1 Special Activities or SP2 Infrastructure that is located adjacent to land zoned B1 Neighbourhood Centre, B3 Commercial Core or B4 Mixed Use.*  
*# Suburban Area – Applies to any allotment of land not classified as an urban area.*

- P2 In terms of determining the maximum noise levels as required by P1 above, the measurement is to be taken at the property boundary of the nearest residential premises.
- P3 Despite P1 above, the noise emission associated with the operation of non-residential premises must not exceed 5 dBA above the background maximum 1 hour noise level (LAeq 1 Hour) during the day and evening and not exceeding the background level at night when measured at the boundary of the property.
- P4 Council may require the submission of an Acoustic Report to ensure compliance with P1 above.
- P5 Plant and machinery should incorporate noise reduction measures to minimise their impacts.
- P6 Developments should be designed and / or incorporate features that reduce noise transmission.
- P7 Where practical, development should incorporate adequate measures for tonal, low frequency, impulsive, or intermittent noise.
- P8 Developments must comply with *EPA Noise Policy for Industry 2017* in particular the modification required for acceptable noise level (ANL).

### **3.2.6 Reflectivity**

#### **Objectives**

- O1 To minimise the impacts by reflected light and solar reflectivity from buildings on pedestrians and motorists.

#### **Provisions**

- P1 Buildings should provide a greater proportion of solid to void on all facades and use non-reflective materials.
- P2 Buildings should use non-reflective glass and / or recess glass behind balconies.
- P3 Sun shields, such as awnings, canopies and pergolas should be provided to glazed areas.
- P4 Council may require the submission of a Reflectivity Study prepared by a suitably qualified consultant.

### **3.2.7 Artificial illumination**

#### **Objectives**

- O1 To minimise the impact of artificial illumination on the amenity of residents and pedestrians.
- O2 To provide a safe urban environment without adverse affects on surrounding development or the public domain.
- O3 To minimise the impact of artificial illumination in contributing to sky glow.

#### **Provisions**

- P1 External facades of buildings should not be floodlit.
- P2 Where external artificial illumination is proposed:
  - (a) it should be designed and sited to minimise glare

**Non-Residential Development in Residential Zones**

- (b) It must comply with the standards set out in Australian Standard AS 4282 – *Control of the Obtrusive Effects of Outdoor Lighting*.
- P3 Illumination of roof top and/or podium level facilities is not to exceed 10pm on any day.
- P4 Entrances must be well lit and do not produce shadows or adverse glare.
- P5 Staff entrances which are separated from the main building entrance must be well lit and opportunities for casual surveillance is maximised.
- P6 Timers and sensors should be used to minimise sky glow.
- P7 Council may require the submission of a Lighting Report for a development prepared by an appropriately qualified person.

### 3.2.8 Views

Due to North Sydney's sloping topography and proximity to Sydney Harbour, views and vistas comprise special elements that contribute to its unique character and to the amenity of both private dwellings and the public domain.

New development has the potential to adversely affect existing views. Accordingly, there is a need to strike a balance between facilitating new development while preserving, as far as practicable, access to views from surrounding properties.

When considering impacts on views, Council will generally not refuse a development application on the grounds that the proposed development results in the loss of views, where that development strictly complies with the building envelope controls applying to the subject site.

#### Objectives

- O1 To protect and enhance opportunities for vistas and views from streets and other public places.
- O2 To protect and enhance existing views and vistas from streets and other public spaces.
- O3 To provide additional views and vistas from streets and other public spaces where opportunities arise.
- O4 To encourage view sharing as a means of ensuring equitable access to views from dwellings, whilst recognising development may take place in accordance with the other provisions of this DCP and the LEP.

#### Provisions

- P1 Where appropriate, the opening up of views should be sought to improve the legibility of the area.
- P2 Use setbacks, design and articulation of buildings to maintain street views and views from public areas.
- P3 Maintain and protect views identified in the relevant area character statement (refer to Part C of the DCP) from future development.
- P4 Where a proposal is likely to adversely affect views from either public or private land, Council will give consideration to the Land and Environment Court's Planning Principles for view sharing established in *Rose Bay Marina Pty Ltd v Woollahra Municipal Council* and *anor* [2013] NSWLEC 1046 and *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140. The Planning Principles are available to view on the Land and Environment Court's website ([http://www.lec.justice.nsw.gov.au/planning\\_principles](http://www.lec.justice.nsw.gov.au/planning_principles)).

### 3.2.9 Solar access

#### Objectives

- O1 To ensure that dwellings on adjoining and neighbouring sites have reasonable access to sunlight and daylight.



### Provisions

P1 Developments should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:

- (a) any solar panels;
- (b) the windows of main internal living areas;
- (c) principal private open space areas; and
- (d) any communal open space areas.

located on any adjoining residential properties.

**Note:** *Main internal living areas excludes bedrooms, studies, laundries, storage areas.*

P2 Despite P1 above, living rooms and private open spaces for at least 70% of any adjacent dwellings within a residential flat building or shoptop housing should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).

P3 The use, location and placement of photovoltaic solar panels take into account the potential permissible building form on adjoining properties.

### 3.2.10 Acoustic privacy

#### Objective

O1 To ensure all residents are provided with a reasonable level of acoustic privacy.

#### Control

P1 Materials with low noise penetration properties should be used where practical.

P2 Mechanical equipment, such as pumps, lifts or air conditioners should not be located adjacent to bedrooms or living rooms of dwellings on adjoining properties.

P3 Where buildings are located on busy roads incorporate the following into the design of the development to reduce traffic noise within the building:

- (a) cavity brick walls;
- (b) double glazing;
- (c) solid core doors;
- (d) concrete floors; and
- (e) recessed balconies.

P4 Development comprising places of public worship, hospitals, educational facilities or child care centres on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of SEPP (Infrastructure) 2007. An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the [SEPP \(Infrastructure\) 2007](#).

### 3.2.11 Vibration

#### Objectives

O1 To ensure that workers are not unreasonably impacted upon by vibrations caused by the operation of railways and roadways.

**Provisions**

- P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). In particular, consideration should be given to the vibration criteria contained within the NSW Environment and Protection Authority's *Assessing Vibration: a technical guideline*. A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.

**3.2.12 Visual privacy****Objectives**

- O1 To ensure that adjoining residents are provided with a reasonable level of visual privacy.

**Provisions**

- P1 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- P2 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices.
- P3 Provide suitable screening structures or planting to minimise overlooking to the windows, balconies or private open space of dwellings on adjacent land.
- P4 Signage should not be illuminated.
- P5 Open entertaining spaces such as terraces, patio, gardens and the like on roof tops are generally not supported.
- P6 Despite P5 above, open spaces on roofs may be considered, but only if:
- (a) the space is designed such that there is no potential for existing or future overlooking of the space and subsequent noise and privacy issues;
  - (b) the space is setback at least 1m from the extent of the external enclosing walls to the floor level below; and
  - (c) the space does not exceed 50% of the floor area of the storey immediately below or 18m<sup>2</sup>, whichever is the lesser; and
  - (d) there is no other appropriate ground level space for outdoor recreation.

**3.3 QUALITY BUILT FORM**

In response to their local context, buildings need to be designed to respect the existing topography and relate to the rhythm and pattern of characteristic buildings in the prevailing streetscape. A comfortable and memorable street will be one where no one building or feature dominates.

Kerb and guttering, footpaths, fences, front gardens and the street frontage of buildings all contribute to the appearance of a street and influence how people feel in them and about them. Streets where people feel comfortable will exhibit consistency in these elements and relationships between the scale of these elements.



### **3.3.1 Context**

#### **Objectives**

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

#### **Provisions**

- P1 A Site Analysis is undertaken in accordance with Part A: Section 5 – *Site Analysis* of this DCP.
- P2 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).

### **3.3.2 Streetscape**

#### **Objectives**

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.

#### **Provisions**

- P1 All works within the road reserve must be undertaken in accordance with the *North Sydney Council Performance Guide* (refer to Part B: Section 20 – *Public Infrastructure* of the DCP).
- P2 All existing sandstone kerb and guttering must be retained and maintained.
- P3 Existing street trees are to be retained and protected by avoiding excavation or building within the drip line of the tree (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
- P4 Plant new trees of the same species that are present in the street, or in accordance with guidelines or strategies adopted by Council.
- P5 Maintain a nature strip on-street if one exists.

### **3.3.3 Laneways**

#### **Objectives**

- O1 To ensure that laneways are functional, attractive, safe and comfortable places for use by residents as part of their public space and pedestrian network.

#### **Provisions**

- P1 The height of buildings facing laneways should respect the width of the lane (i.e. a one storey building generally provides the most appropriate scale).
- P2 Where car parking is only capable of being located at the boundary to the laneway, only open car spaces or carports will be permitted (i.e. roller doors are not permitted).
- P3 No more than 50% of the width of a laneway frontage may be allocated for car accommodation of any kind, or car park entrances.
- P4 Laneway fences are to be softened by planting trees and shrubs that hang over or through fences.
- P5 Existing trees on land that abut the laneway should be retained.
- P6 All new and rebuilt fences and structures (including car parking spaces) must be setback at least 1.2m from the laneway frontage. This setback is to be landscaped with appropriate low maintenance plants.

### 3.3.4 Subdivision pattern

#### Objectives

- O1 To ensure that the characteristic subdivision pattern remains apparent, even if lots are subdivided or amalgamated.

#### Provisions

- P1 Maintain lot sizes, shape and orientation identified in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, that are characteristic of the area.
- P2 Design and locate buildings to reinforce the characteristic subdivision pattern in the neighbourhood.
- P3 Break down the bulk of larger buildings, where lots have been amalgamated, with bays or indents on the original building line.

### 3.3.5 Siting

#### Objectives

- O1 To maintain the characteristic building orientation and siting.

#### Provisions

- P1 Buildings are to be sited in accordance with that described in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, sited to relate to neighbouring buildings.
- P2 Site buildings within a single building form, addressing the street.
- P3 Orient each external wall parallel to the corresponding boundary of the site, unless another orientation is characteristic.

### 3.3.6 Setbacks

#### Objectives

- O1 To reinforce the characteristic pattern of setbacks and building orientation within the street.
- O2 To control the bulk and scale of buildings.
- O3 To provide separation between buildings.
- O4 To preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

#### Provisions

##### Front

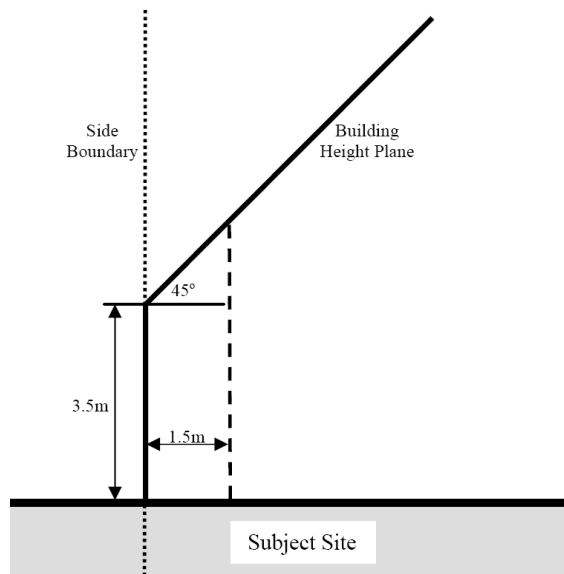
- P1 The front setback must match the alignment of the primary facades of buildings on adjoining properties. Where different setbacks occur, the average of the setbacks of those primary facades is to be used.
- P2 An increased setback may be required where there is a need to reduce the visual dominance of a large scale premises through the incorporation of landscaping or other screening and design treatments.

##### Side

- P3 Building setbacks are to comply with the requirements set out in Table B-3.4.

**TABLE B-3.2: Side Setback Requirements**

Zone	Minimum Setback Requirement		
<b>R2 Low Residential Density</b> <b>R3 Medium Residential Density</b> <b>E4 Environmental Living</b>	1 <sup>st</sup> storey (up to 4m)	900mm	
	2 <sup>nd</sup> storey (up to 7m)	1.5m	
	3 <sup>rd</sup> storey or higher (more than 7m)	2.5m	
<b>R4 High Residential Density</b>	On land with a height limit of 12m or less	3m; and The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45 degrees (refer to Figure B-1.3).	
	On land with a height limit greater than 12m	1 <sup>st</sup> to 3 <sup>rd</sup> storey (up to 10m)	4.5m
		Above 3 <sup>rd</sup> storey (more than 10m)	6.0m



**Figure B-3.1:**

Setback and building height plane controls for the *R4 High Density Residential* zone, where the height limit is equal to 12m or less.

- P4 Where possible, side setbacks should match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement (refer to Part C of the DCP).
- P5 Despite P3 above, the building must be set back a minimum of 3m from the property boundary, where the adjoining site has balconies or windows to main living areas of dwellings or serviced apartments located at the same level.

**Rear**

- P6 Provide rear building setbacks that match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement (refer to Part C of the DCP).

**Non-Residential Development in Residential Zones**

- P7 Buildings within the *R4 High Density Residential* zone:
- (a) and where the land is restricted by a height limit of 12m or less, must not exceed a building height plane commencing at 3.5m above ground level (existing) from the rear boundary and projected at an angle of 45 degrees internally to the site (refer to Figure B-3.1); or
  - (b) and where the land is restricted by a height limit in excess of 12m must be setback at least 4.5m from the rear boundary for the 1<sup>st</sup> to 3<sup>rd</sup> storeys of the building (no more than 7m above existing ground level) and 6m for any part of the building above the 3<sup>rd</sup> storey.

**Laneways**

- P8 Despite P1 and P5 above, all buildings and structures must be setback at least 1.2m from a laneway. This provision does not apply to side setbacks.

**3.3.7 Form, massing & scale**

**Objectives**

- O1 The size of new buildings is consistent with surrounding, characteristic buildings and is not significantly larger than characteristic buildings.
- O2 The design of new buildings reflects and reinforces, or is complementary to, the existing character of the locality.
- O3 That buildings clearly define streets, street corners and public spaces.

**Provisions**

- P1 The height of buildings is not to exceed that stipulated within cl.4.3 to NSLEP 2013.
- P2 The number of storeys should be consistent with that identified in the relevant area character statement (refer to Part C of the DCP).
- P3 The finished floor height of the ground floor level should be no higher than 1m, measured vertically at any point, above ground level (existing).
- P4 Finished floor to ceiling heights are a minimum of 3.3m at the ground floor and 2.7m for each floor above the ground floor. Council may consider a variation to the minimum requirements, but only if the applicant can demonstrate that the non-residential floor space is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow commercial spaces with large amounts of window area).
- P5 Where alterations and additions are proposed to a development relying on existing use rights, they must not result in the:
  - (a) material loss of views from other properties or public places, or
  - (b) material overshadowing of other properties or public places, or
  - (c) material loss of privacy to other properties, or
  - (d) increasing of the overall building height, or
  - (e) landscaped area of the development being below the requirements set out in the DCP, or further decrease the landscaped area where the landscaped area is already below the requirements of the DCP, or
  - (f) site coverage of the development exceeding the requirements set out in this DCP, or further increase the site coverage where the landscaped area is already above the requirements of this DCP.
- P6 Balconies must be incorporated within the building envelope.
- P7 Ancillary buildings (e.g. garages, carports, sheds etc) should be a much smaller scale than the principle building.



- P8 Where a building is to be located amongst buildings having a consistent form and scale the size, location and proportions of window, door openings and other distinctive features such as roof form should be carried over to the new development.
- P9 Provide smaller door and window openings within masonry walls, so that glass does not dominate the façade.
- P10 Where practical, each tenancy to a building should be provided with an individual entrance from a public street or public place.
- P11 The apparent length of buildings should be broken down through the use of articulation, design and detailing, changes in materials and colours.
- P12 High quality materials should be used throughout the building design.
- P13 Building elements, such as materials, finishes, and window dimensions should relate to neighbouring buildings.
- P14 Buildings are to respect the setting and curtilage of heritage items (refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).

### **3.3.8 Entrances and exits**

#### **Objectives**

- O1 To enable equitable access to all persons regardless of ability.
- O2 To ensure that entrances are clearly visible from the street and convey a sense of address.

#### **Provisions**

- P1 Main entrances and exits located at the front of the site must be directly visible from the street.
- P2 At least one main entrance to the building provides a continuous path of travel.
- P3 Entrances must not be obscured by landscaping or other obstacles and have clear sight lines.
- P4 Entrances are clearly identifiable to reduce confusion and unintentional entry.
- P5 If exits to the building are closed after hours, this must be indicated at the entrance of the building.
- P6 Entrance lobbies are well illuminated, with seating provided and a firm and level non-slip floor surface.
- P7 Places of safe refuge are incorporated into the overall design of buildings. Lift lobbies or toilets may be used as all or part of a safe refuge.
- P8 Access to the building must be designed in accordance with the provisions contained within Part B: Section 12 – Access of the DCP.

### **3.3.9 Colours and materials**

#### **Objectives**

- O1 To ensure new buildings reflect and reinforce the existing and desired character of a locality.

#### **Provisions**

- P1 Buildings should use materials identified in the relevant area character statement (refer to Part C of the DCP), if provided.
- P2 Natural colours and muted and earth tones should be used for major areas of the building, such as walls and roof, with stronger colours restricted to smaller features, such as window frames, doors and architectural detailing.

**Non-Residential Development in Residential Zones**

- P3 Avoid the extensive use of reflective glass, reflective metal and plastics on the exterior of buildings.
- P4 Buildings should incorporate a high proportion of masonry to glass as follows - if a vertical or horizontal line is drawn in any position on any façade it should not pass over more than 50% of glass, or 75% of clear opening and glass.
- P5 Solar panels should be integrated into building design where possible.

### 3.3.10 Front fences

#### Objectives

- O1 To ensure that front fences contribute to a characteristic pattern of fences.
- O2 To enable causal surveillance of the public domain, minimising the potential for criminal activities to occur.
- O3 To provide visual and acoustical privacy.
- O4 To minimise their dominance on the street and contribute to a garden setting.

#### Provisions

- P1 Fences should be designed similar to those identified in the relevant area character statement (refer to Part C of the DCP), or where no style and type is provided, they should be characteristic with those within the visual catchment of the site, when viewed from directly opposite the site.
- P2 The use of tall security fencing should be avoided. Where security fencing is demonstrated to be required, it must be primarily open in design such that it does not obscure the main building and is to be and supplemented with landscaping.
- P3 Fences may need to be articulated to minimise their visual impact.
- P4 Fences must not reduce the significance of any heritage item or heritage conservation area.

## 3.4 QUALITY URBAN ENVIRONMENT

The design, site layout and facilities of non-residential development should meet the needs of the future occupants, without having adverse affects on nearby residents or on the wider community and environment.

The design of buildings meets the needs of the widest range of people in the community from childhood to old age. This includes people with any form of disability.

Natural surveillance of areas lowers the likelihood of vandalism and crime. Clear sight lines assist in creating a safer environment. High walls and barriers obscure sight lines and can increase the likelihood of crime.

### 3.4.1 Accessibility

#### Objectives

- O1 To ensure that buildings are made accessible to all persons regardless of their mobility.

#### Provisions

- P1 Buildings are to be designed in accordance with the provisions contained within Part B: Section 12 - Access of the DCP.



### **3.4.2 Safety and security**

#### **Objectives**

- O1 To ensure that a high level of personal safety and security is provided within the development and public domain.

#### **Provisions**

- P1 Design routes between building entrances to maximise personal safety. Routes from parking areas to lift lobbies are particularly important in this regard. Clear lines of sight and well lit routes are required.
- P2 Adequate lighting must be provided to open spaces, entrances and pedestrian areas to avoid the creation of shadowed areas.
- P3 Rear service areas and access lanes should either be well secured or easily visible.
- P4 Robust and durable design features should be used where relevant to discourage vandalism.
- P5 The use of security grilles at the street frontage is discouraged. If security grilles are necessary then install on the inside of the shopfront and maintain clear visibility into the shop. Use toughened glass.
- P6 Solid security rollers to shopfronts, building entries and the like are not permitted.
- P7 Fire escapes should not be recessed into the building form. If it is necessary locate them in a recess, then the recess must be shallow to provide for personal security of pedestrians.
- P8 Buildings should be designed to allow for the overlooking and natural surveillance of rear lanes (e.g. from retail and other uses at all levels of the building).
- P9 Rear lanes should be provided with safe and secure lighting.
- P10 Clear sight lines should be maintained around all vehicle access points.
- P11 Street numbering of buildings must be clearly visible from street at all times of the day such that they are easily identifiable.
- P12 Maximise views of the street and building entries and communal areas within the development.
- P13 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).
- P14 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.

### **3.4.3 Vehicular Access & Car Parking**

#### **Objectives**

- O1 To provide adequate on-site car parking for residents.
- O2 To ensure adequate access for all vehicles.
- O3 To maintain garden settings.
- O4 To minimise adverse visual impacts on the appearance of the street or building.

#### **Provisions**

##### **Quantity**

- P1 Comply with the parking requirements within Part B: Section 10 – *Car Parking and Transport* of the DCP.

##### **Location**

- P2 All parking should be provided underground (i.e. within a basement) or where provided at grade, must be adequately screened from the public domain. At grade car parking

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may only be permitted, where it can be demonstrated that the development can comply with the landscaping and site coverage controls contained within this Section of the DCP.

- P3 Where security doors/gates are proposed, an intercom system to facilitate visitor/service access to underground parking areas must be provided.
- P4 Design accessways and driveways to:
  - (a) enable vehicles to enter the parking space or garage in a single turning movement;
  - (b) enable vehicles to leave the parking space in no more than two turning movements;
  - (c) enable vehicles to avoid queuing on public roads; and
  - (d) comply with AS 1428.2 Design for Access and Mobility.
  - (e) comply with the requirements of vehicular crossings and driveways as set out in Section 20.4 to this Part of the DCP.
- P5 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.
- P6 Driveway and pedestrian access must be separated.
- P7 The use of car spaces within a development is restricted to the occupiers of that development.
- P8 Garages, carports or other like parking structures must not be located between the primary street frontage and the primary street façade of the building.
- P9 Despite P8 above, car parking spaces (i.e. not within a garage, carport or other structure) may be located between the primary street frontage and the primary street façade of the building, but only if:
  - (a) no other on-site parking exists or is possible;
  - (b) no rear laneway exists to provide vehicle access from the laneway rather than from the street;
  - (c) no demolition or partial demolition of the property is required to cater for the space;
  - (d) any excavation required is minimal in comparison to the area of the parking space;
  - (e) on-street parking is constrained by commuter parking and/or RMS clearways;
  - (f) the parking space is uncovered;
  - (g) porous materials are used for the parking space's surface;
  - (h) landscaped area complies with the minimum requirements under s.1.5.5 to this Part of the DCP, or if it is already less than the minimum requirement, the it is not further reduced;
  - (i) adequate space to fit vehicles within property boundary exists to avoid overhang onto the footpath;
  - (j) it complies with AS 2890.1.

**Access**

- P10 Provide vehicular access, directly from a public road.
- P11 Where the site has frontages to both a street and a rear laneway, vehicular access should be provided from the laneway rather than the street.
- P12 Do not compromise streetscape, building form and landscaped area, or heritage significance through the provision of vehicle access.



- P13 Provide a minimum of 5.5m between gates or doors to parking areas and the boundary of the site to allow a car to be within the property boundary while the gates/doors are opening.
- P14 If security gates/doors are to be used provide an intercom to allow access for visitors.
- P15 Set back any development, including fences, at least 1.2m from a boundary with a laneway to provide adequate turning space within the lane.

### 3.4.4 Site Coverage

#### Objectives

- O1 To ensure that development is balanced and in keeping with the optimum capacity of the site with no over development.
- O2 To ensure that development promotes the existing or desired future character of the neighbourhood.
- O3 To control site density.
- O4 To limit the building footprint so as to ensure adequate provision is made for landscaped area.

#### Provisions

- P1 Maximum site coverage must be in accordance with Table B-3.3.

TABLE B-3.3: Maximum Site Coverage Requirements		
Zone	Lot Size (m <sup>2</sup> )	Site Coverage (max)
<b>R2 Low Density Housing</b> <b>E4 Environmental Living</b>	0-229	65%
	230-499	50%
	500-749	40%
	750-999	35%
	1000+	30%
<b>R3 Medium Density Housing</b>	All	50%
<b>R4 High Density Housing</b>	All	45%

- P2 For the purposes of P1, the following items are considered to constitute site coverage:
- (a) buildings as defined by the [EP&A Act](#);
  - (b) garages and carports;
  - (c) sheds;
  - (d) enclosed / covered decks, pergolas and the like;
  - (e) swimming pools, spa pools and the like;
  - (f) other structures including:
    - (i) permanent BBQ structures;
    - (ii) cabanas;
    - (iii) external staircases;
    - (iv) gazebos;
    - (v) greenhouse/glasshouse;
    - (vi) plant rooms;
    - (vii) rainwater tanks;

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- (viii) ramps;
- (ix) garbage storage facilities.

However, site coverage excludes:

- (g) any basement;
- (h) unenclosed balconies<sup>1</sup>, decks, pergolas and the like;
- (i) paving and patios (porous and non-porous);
- (j) driveways and car stand areas (porous and non-porous);
- (k) water features; or
- (l) anything else defined as landscaped area.

P3 For the purposes of P1, the area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area and site coverage.

### 3.4.5 Landscape Area

#### Objectives

- O1 The specific objectives of the landscaped area controls are to:
- (a) promote the character of the neighbourhood;
  - (b) provide useable open space for the enjoyment of workers;
  - (c) provide a landscaped buffer between adjoining properties;
  - (d) maximise retention and absorption of surface drainage water on site;
  - (e) minimise obstruction to the underground flow of water;
  - (f) promote substantial landscaping, that includes the planting of trees that when mature will have significant canopy cover;
  - (g) control site density;
  - (h) minimise site disturbance;
  - (i) contributes to streetscape and amenity;
  - (j) allows light to penetrate between buildings;
  - (k) encourage the provision of space for biodiversity conservation and ecological processes; and
  - (l) provide a buffer between bushland areas and development.

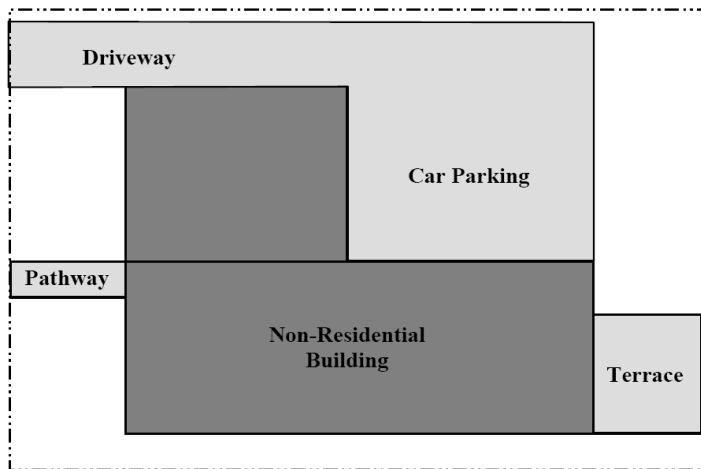
#### Provisions

- P1 Provide a minimum landscaped area and maximum un-built upon area in accordance with Table B-3.4.

<sup>1</sup> Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

**TABLE B-3.4: Minimum Landscaped Area and Un-built upon Area Requirements**





Zone	Lot Size (m <sup>2</sup> )	Landscaped Area (min)	Un-built upon area (max)
<b>R2 Low Density Housing</b> <b>R3 Medium Density Housing</b> <b>E4 Environmental Living</b>	0-229	15%	20%
	230-499	30%	20%
	500-749	40%	20%
	750-999	45%	20%
	1000+	50%	20%
	All	30%	20%
<b>R4 High Density Housing</b>	All	40%	15%



**Figure B-3.2:**

Areas of "landscaped area", "site coverage" and "unbuilt upon area".

**LEGEND**

-  Site
-  Landscaped Area
-  Site Coverage
-  Un-built upon area

P2 For the purposes of P1:

- (a) landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area<sup>2</sup>;
- (b) The area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area, landscaped area and un-built upon area; and
- (c) the following items are considered to constitute un-built upon area:
  - (i) any part of a basement which does not comprise site coverage;
  - (ii) unenclosed balconies<sup>3</sup>, decks, pergolas and the like;
  - (iii) paving and patios (porous and non-porous);
  - (iv) driveways and car stand areas (porous and non-porous);
  - (v) water features; or

<sup>2</sup> Landscaping located above a basement or on the roof of a building does not constitute "landscaped area".

<sup>3</sup> Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

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however, un-built upon area excludes:

- (vi) anything else comprising site coverage; or
- (vii) anything else comprising landscaped area.

- P3 Avoid creating landscaped areas that are broken into a series of small fragmented unusable areas.
- P4 Establish a significant landscaped setting for pathways and paved areas.
- P5 Use planting to create a buffer against cold winter winds (generally westerly), or to direct cooling breezes in summer (generally north easterly).
- P6 Locate driveways and pathways at least 500mm from common boundaries.
- P7 Provide screen planting, including trees, within the 1.5m setback from the common boundary.
- P8 Retain existing mature vegetation and trees and show what measures are to be implemented to protect this vegetation during construction (refer to Part B: Section 16 – *Trees and Vegetation Management* of the DCP).
- P9 Vegetation and landscape elements should be selected and designed to avoid overshadowing existing solar panels or roof spaces which are capable of accommodating solar panels.
- P10 Use pervious materials or stepping stones where pathways are incorporated within side setbacks.

### 3.4.6 Landscaping

#### Objectives

- O1 Landscaping and planting satisfies minimum performance standards and is sustainable and appropriate to the site.
- O2 Landscaping should not adversely impact upon the amenity and usability of adjoining properties.
- O3 To encourage biodiversity conservation and ecological processes.
- O4 To provide a buffer between bushland and development.

#### Provisions

- P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 – *Bushland* of the DCP.  
**Note:** Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.
- P2 Retain existing trees wherever practical.
- P3 Avoid works which are to occur within the drip line of any tree that has a height greater than 6m, or a girth greater than 1m, measured 1m above the base of the tree.
- P4 Where a development proposes to incorporate plant containers, they should have a minimum diameter of 110mm and a minimum depth of 135mm.
- P5 Developments should incorporate locally occurring native species and reduce water and fertilizer requirements.
- P6 Achievement of maximum density, pursuant to Council's controls, will be subject to retention of significant trees (as identified by Council) and other important topographic features.
- P7 Minimise disturbance of natural ground levels, native vegetation and topography in the vicinity of identified significant trees.



- P8 New hedges must not result in the unreasonable reduction of access to sunlight or views. A condition may be imposed on a development consent which may restrict the maximum height of a hedge.
- P9 Trees should provide at least 50% canopy cover over landscaped areas at maturity.
- P10 Plant the largest growing and longest lived tree species appropriate to the site conditions.
- P11 Council encourages the incorporation of green walls into developments where appropriate.

**Notes:** Refer to the North Sydney Council Green Roof and Wall Resource Manual for technical guidance on the design, construction and maintenance of green walls.

### 3.4.7 Front gardens

#### Objectives

- O1 To maximise water infiltration on a site.
- O2 To soften the built form.

#### Provisions

- P1 The entire front setback must not be paved or concreted.
- P2 Where car parking and driveways are located in the front yard, use the minimum amount of paving as practicable.
- P3 Front gardens should merge with those on adjoining properties and support the landscape character of the area.
- P4 Plant trees and shrubs that will hang over or through fences.
- P5 Complement the existing landscape character of the street, including street planting undertaken through Council's Street Tree Strategy (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
- P6 Design front gardens that will soften and complement the view of buildings from the street and surrounding properties.
- P7 Do not provide medium height, dense planting around building entries.

### 3.4.8 Garbage Storage

#### Objectives

- O1 To ensure sufficient space is provided on site for waste storage.
- O2 To ensure garbage storage areas are screened from the public domain.
- O3 To ensure convenient access for collection.
- O4 To ensure developments are designed to maximise resource recovery through waste avoidance, source separation and recycling.

#### Provisions

- P1 On-site garbage storage areas must be provided which are capable of accommodating the number of garbage and recycling bins as indicated in Table B-3.5. However, industry standards for waste generation rates may be used where these differ from the Council rates or if no Council rate is given.

**Non-Residential Development in Residential Zones****TABLE B-3.5: Waste bin requirements**

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
<b>Child care facilities</b>	All types	20 L / child / week	10 L / child / week
<b>Office buildings</b>	General office use	10 L / 100m <sup>2</sup> GFA / day	10 L / 100m <sup>2</sup> GFA / day
<b>Retail Trading</b>	Shops < 100 m <sup>2</sup>	50 L / 100 m <sup>2</sup> GFA / day	25 L / 100 m <sup>2</sup> GFA / day
	Shops > 100 m <sup>2</sup>	50 L / 100 m <sup>2</sup> GFA / day	50 L / 100 m <sup>2</sup> GFA / day
	Supermarkets	660 L / 100 m <sup>2</sup> GFA / day	130 L / 100 m <sup>2</sup> GFA / day
	Showrooms	40 L / 100 m <sup>2</sup> GFA / day	10 L / 100 m <sup>2</sup> GFA / day
	Greengrocers	240 L / 100 m <sup>2</sup> GFA / day	410 L / 100 m <sup>2</sup> GFA / day
	Florist / plant shop	900 L / 100 m <sup>2</sup> GFA / day (combined)	
	Butcher / Delicatessen	80 L / 100 m <sup>2</sup> GFA / day	Variable, but average 50 L / 100 m <sup>2</sup> GFA / day
	Bakery	295 L / 100 m <sup>2</sup> GFA / day	165 L / 100 m <sup>2</sup> GFA / day
<b>Food and drink premises</b>	Take away food and drink premises	80 L / 100 m <sup>2</sup> GFA / day	240 L / 100 m <sup>2</sup> GFA / day
	Restaurants and cafes	10 L / 1.5 m <sup>2</sup> GFA / day	120 L / 100 m <sup>2</sup> GFA / day
	Registered clubs	50 L / 100 m <sup>2</sup> bar area / day	50 L / 100 m <sup>2</sup> bar area / day
	Pub Small bar	80 L / 100 m <sup>2</sup> restaurant GFA / day	50 L / 100 m <sup>2</sup> restaurant GFA / day
<b>Assembly rooms</b>	Social recreational or religious premises	50 L / 100 m <sup>2</sup> GFA / day	10 L / 100 m <sup>2</sup> GFA / day
	Entertainment facilities	1 L / 4 seats / screening	0.5L / 4 seats / screening
<b>Tourist and visitor accommodation</b>	Backpacker accommodation	40 L / occupant space / week	20 L / occupant space / week
	Hotel and motel accommodation	5 L / bed space / day	5 L / bed space / day
		50 L / 100 m <sup>2</sup> bar area / day	50 L / 100 m <sup>2</sup> bar area / day
		10 L / 1.5 m <sup>2</sup> dining area / day	50 L / 1.5 m <sup>2</sup> dining area / day
	Serviced apartments	120 L / apartment / week	60 L / apartment / week
<b>Industrial</b>	-	Dependant upon industry type	Dependant upon industry type

\* GFA = gross floor area

- P2 Notwithstanding the rates to P1, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.



- P3 All developments containing a lift must provide:
- (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
  - (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building with at least one point of access to the garbage chute, with space to accommodate 1 x 240L bin for the separate collection of recyclable materials.
- P4 A garbage storage area/s should be located within 2m of the street or laneway boundary.
- P5 Notwithstanding P4 above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street or laneway boundary.
- P6 Garbage storage facilities should not be located in conjunction with the main pedestrian entrances to a building.
- P7 Garbage bins stored in a collection facility should be located within 3m of the facility's entrance.
- P8 Convenient access for on-site movement and collection should be provided.
- P9 More than one communal on-site waste storage and recycling area should be provided on large or steep sites, or where there is more than one Council collection point.
- P10 Garbage storage areas must be screened from streets and laneways to discourage the illegal dumping of rubbish and unsightly mess visible to pedestrians.
- P11 Garbage storage areas must be located and managed to avoid causing a nuisance from smells, insects or animals.
- P12 Sufficient space must be provided to accommodate any on-site treatment facilities (e.g. compaction) proposed to be incorporated.
- P13 Garbage storage areas should be adequately protected from inclement weather. Where appropriate, the area should be enclosed or undercover.
- P14 Storage areas must be well ventilated and drained to a lawfully approved sewerage system.
- P15 Where a garbage chute is provided or required the garbage chute room must be adequately ventilated and incorporate fire safety and other services in accordance with the BCA.
- P16 Garbage facilities are to be designed and constructed in accordance with Council's Waste Management Guide (refer to Appendix 3).
- P17 Garbage facilities must accommodate any privately arranged collection (e.g. daily or weekly, etc. collections).
- P18 Source separation must be provided within the garbage storage area to maximise recycling and reduction of waste sent to land fill.
- P19 Food and drink premises and any other premises involved in the storing of perishable goods are required to:
- (a) provide specialised containment for food scraps;
  - (b) Arrange regular/daily collection of food scraps; and
  - (c) Provide refrigerated garbage rooms where large volumes of perishables (such as seafood) and infrequent collection is proposed.
- P20 Grease traps may be required in certain circumstances (refer to Sydney Water may have specific trade waste requirements).

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- P21 Special arrangements are required for the storage and disposal of any special waste material, such as medical or hazardous wastes. Applicant's should contact Council and Environment Protection Authority for further information.
- P22 Locate and design garbage storage areas to complement the streetscape.
- P23 Ensure garbage/recycling bins/green waste bins will not be visible from the street in the garbage storage area.
- P24 Where possible integrate garbage storage areas with the building.
- P25 Do not place structures for garbage storage areas, that are more than 1m high on the boundary or within the front building line.

**3.5 EFFICIENT USE OF RESOURCES**

The commercial and retail sectors are significant users of electricity and are major contributors to greenhouse gas emissions in Australia. Improving energy efficiency is one of the most cost effective ways of reducing greenhouse gas emissions. The pursuit of energy efficiency can bring economic, social and environmental benefits. Another reason to encourage energy efficiency is the reduction in maintenance costs and improved leasability and saleability of the building.

Reducing waste has environmental, social and economic benefits. There are many opportunities in the development process to reduce the amount of waste and to maximise the amount of material that is recycled and reused, rather than going to landfill.

The amount of stormwater runoff in an area relates directly to intensity of development in that area. The more impervious to stormwater an urban area is, the larger the runoff quantities are and thereafter the impact on the environment.

Applicants must comply with the submission requirements and performance targets set out in Table B-3.6 in order to demonstrate the proposed development will achieve an efficient use of resources.

**TABLE B-3.6: Non-residential thresholds, submission requirements and performance targets**

Threshold/size	Submission requirement	Performance target
<b>Alterations affecting less than half the original building or tenancy (measured over the roof and the outer walls)</b>	<i>An Efficient Use of Resources Commitment Table</i> (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within the Efficient Use of Resources sub-section.
<b>Alterations affecting more than half the original building or tenancy (measured over the roof and the outer walls)</b>	The development must comply with the relevant submission requirements as if it were a new development.	The development must comply with the relevant performance targets as if it were a new development.
<b>Less than 2000m<sup>2</sup> GFA</b>	<i>An Efficient Use of Resources Commitment Table</i> (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section.



**Non-Residential Development in Residential Zones**

**TABLE B-3.6: Non-residential thresholds, submission requirements and performance targets**

Threshold/size	Submission requirement	Performance target
<b>2000m<sup>2</sup>- 5000m<sup>2</sup> GFA</b>	An <i>Efficient Use of Resources Commitment Table</i> (to be completed by the applicant); AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section.
	A <i>NABERS Energy Commitment Agreement</i> and associated documentation (see s.2.6.1(P21) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.
	A <i>WSUD report</i> from a suitably qualified consultant.	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
<b>&gt;5000m<sup>2</sup> GFA</b>	A <i>NABERS Energy Commitment Agreement</i> and associated documentation (see s.3.5.1(P17)); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an <i>Energy Efficiency Report</i> is required it must demonstrate that a high level of energy efficiency will be achieved.
	A <i>WSUD report</i> from a suitably qualified consultant; AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
	Evidence that the building design has been awarded a Green Star rating; OR If evidence of a Green Star rating being awarded is not available at DA stage or if a Green Star rating tool is not available for the particular type of non-residential development proposed, a <i>Sustainability Report</i> including an <i>Efficient Use of Resources Commitment Table</i> (to be completed by suitably qualified consultants) must be submitted.	The base building, or the whole building where there is to be one tenant to occupy the whole building, must achieve a 5 star Green Star rating; OR If a <i>Sustainability Report</i> which includes an <i>Efficient Use of Resources Commitment Table</i> is required it must demonstrate compliance with / consideration of (as relevant) DCP provisions within the Efficient Use of Resources sub-section and demonstrate that the development will achieve a very high degree of environmental sustainability.

### 3.5.1 Energy efficiency

Nearly half of energy consumption in non-residential buildings is due to heating, cooling, ventilation, office equipment and lighting. A typical energy bill is 25% of a building's total operating costs. The way the occupants operate and maintain a building is crucial to its energy efficiency so just having a smart design does not guarantee an efficient building. Controls in this section of the DCP seek to acknowledge these facts by addressing both building design and maintenance.

#### **National Australian Built Environment Rating Scheme (NABERS)**

North Sydney Council encourages developers to obtain a NABERS rating for commercial and commercial components of buildings. The rating assesses a building's performance in terms of its Greenhouse gas emissions during its operation.

The Rating Scheme, which is managed by the Department of Environment, Climate Change and Water (DECCW), allows owners and occupiers of commercial and commercial components of buildings to benchmark the greenhouse performance of their premises on scale of one to five. One represents the most polluting and five, the least polluting, with three representing best market practice. New commercial buildings, refurbishments, tenancies and fitouts will have to demonstrate compliance with this DCP by signing DECCW's NABERS – Energy Commitment Agreement and achieving a minimum 4.5 star rating for the base building, whole building for tenancies (as appropriate).

#### **Green Star**

North Sydney Council encourages developers to obtain a Green Star rating for developments involving the provision of substantial commercial floor space. The Green Star rating system, which is managed by the Green Building Council of Australia, is a comprehensive, national, voluntary environmental rating system that evaluates the environmental design and construction of buildings. Approximately, 11 per cent of Australia's CBD<sup>4</sup> commercial office buildings are Green Star certified, reinforcing that building "green" is now a business imperative.

The following Green Star Certified Ratings are available:

- **4 Star Green Star Certified Rating** (score 45-59) signifies 'Best Practice' in environmentally sustainable design and/or construction
- **5 Star Green Star Certified Rating** (score 60-74) signifies 'Australian Excellence' in environmentally sustainable design and/or construction
- **6 Star Green Star Certified Rating** (score 75-100) signifies 'World Leadership' in environmentally sustainable design and/or construction

Although Green Star certification requires a formal process, any project can freely download and use the Green Star tools as guides to track and improve their environmental attributes. Refer to [www.gbca.org.au](http://www.gbca.org.au).

#### **Objectives**

- O1 To ensure that developments minimise their use of non-renewable energy resources.
- O2 To ensure that buildings are designed such that the air conditioning plant meets performance requirements, while minimising energy usage.
- O3 To encourage the use of energy efficient lighting.

#### **Provisions**

- P1 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in this subsection for the whole of the building.

<sup>4</sup> Figures obtained from the Green Building Council of Australia, circa October 2010.



- P2 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
- (a) orientation or shape of the block;
  - (b) existing overshadowing due to either the surrounding terrain or existing development;
  - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction; and
  - (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.
- P3 Ensure that the development does not reduce the energy efficiency of buildings in the vicinity.
- P4 Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating and cooling, not the whole building.
- P5 Where the proposed development involves the installation of any of the following:
- (a) hotwater systems;
  - (b) clothes drier;
  - (c) dishwasher;
  - (d) fixed air conditioning systems (including reverse cycle systems);
  - (e) fixed heating systems;
- they must have a minimum energy star rating of 4.5 stars.
- P6 Improve the efficiency of hot water systems by insulating hot water systems.
- P7 Wherever possible solar hot water systems should be provided.
- P8 Fixed heating and cooling systems are not encouraged.
- P9 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P10 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P11 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P12 Energy efficient lighting and technology should be used to reduce energy consumption. Consider the use of solar powered illumination.
- P13 Use solar powered lighting for external areas.
- P14 Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.
- P15 Locate appliances and equipment that generate waste heat, (such as copiers) in areas separated from the spaces requiring cooling.
- P16 Buildings, or the commercial components of mixed use buildings, that have a gross floor area greater than 2000m<sup>2</sup> must be capable of achieving a minimum 4.5 star rating under DECCW's NABERS Energy. In this regard, the following information is required to be lodged with the relevant certifying authority (Council or an accredited certifier) prior to the issue of a Construction Certificate:
- (a) Evidence that a Commitment Agreement has been entered into with DECCW, to deliver this Star rating for the base building (i.e. services traditionally supplied

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as 'common' to tenants, such as air conditioning, lifts and common area lighting) or for the whole building where the applicant is to occupy the entire building.

- (b) An independent energy assessment report that follows the guidelines in DECCW's *NABERS Energy and Water for Offices Rules for collecting and using data*. This document can be obtained from [www.nabers.gov.au/](http://www.nabers.gov.au/);
- (c) A computer building simulation in accordance with DECCW's *NABERS Energy Guide to Building Energy Estimation*. This document can be obtained from [www.nabers.gov.au/](http://www.nabers.gov.au/). The computer building simulation is required to demonstrate to the satisfaction of Council, or the private certifier if Council is not the certifying authority, that the building can reasonably be expected to achieve the proposed rating under realistic operating conditions.

P17 Developments involving the provision of more than 5,000m<sup>2</sup> of office floor space must demonstrate that the development can achieve a minimum 5 star rating under the Green Building Council of Australia's Green Star – Office rating tool. The rating tool can be obtained from the Green Building Council of Australia's website - [www.gbca.org.au](http://www.gbca.org.au).

### 3.5.2 Passive solar design

#### Objectives

- O1 To ensure that site layout and building orientation allows for maximum solar access and are adapted to local climatic conditions and prevailing site characteristics.

#### Provisions

- P1 Buildings should be oriented within 20° west of north to 30° east of north to maximise solar access.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Orient the long axis or length of the building to the northerly aspect.
- P4 East and west facing glazing should be minimised and fully shaded at the summer solstice.
- P5 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the shading device or eaves should reach this line.
- P6 Optimise natural light access to reduce the amount of energy used to run artificial lighting (limiting the internal depth of the building allows efficient use of natural light).
- P7 If landscaping is proposed as part of the development, a documented landscape design concept shows how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living and working areas.
- P8 Buildings are designed, wherever possible, to include a north facing roof where a solar hot water system or collector can be installed.

### 3.5.3 Thermal mass and insulation

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.



Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

**Objectives**

- O1 To achieve more even, year-round average temperature, making the building more comfortable for occupants and resulting in less demand for artificial heating or cooling.

**Provisions**

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. a concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.
- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.
- P7 Heat loss/gain is minimised through the use of awnings, shutters or high performance glazing (e.g. double glazing).

**3.5.4 Natural ventilation**

Ventilation is essential for good health and prevention of condensation. However, the lack of natural ventilation can cause discomfort for occupants and waste energy if artificial ventilation is installed.

**Objectives**

- O1 To ensure that workers are provided with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

**Provisions**

- P1 Locate windows and openings in line with each other on opposing walls and with prevailing breezes.
- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

**3.5.5 Water Conservation**

**Objectives**

- O1 To minimise the use of potable water.

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O2 To encourage the reuse of greywater, rainwater and stormwater.

**Provisions**

- P1 Where the proposed development involves the installation of new:
- (a) shower roses;
  - (b) taps for use over a basin, ablution trough, kitchen sink or laundry tub;
  - (c) flow restrictors;
  - (d) toilets;
  - (e) white goods, such as clothes washers or dishwashers;
- they must have the highest WELS star rating available at the time of the development.
- P2 Recycled water (served by dual reticulation) should be utilised for permitted non-potable uses such as toilet flushing, laundry, irrigation, car washing, fire fighting, industrial processes and cooling towers.
- P3 Harvest and use rainwater for garden irrigation and toilet flushing.
- P4 Collect and reuse stormwater runoff for subsurface irrigation.
- P5 Use endemic plants (as listed on Council's website) and xeriscape principles in landscaping.
- Note:** *Xeriscape principles essentially seek to limit the use of water for irrigation, through the design of landscaped areas and careful use of vegetation.*
- P6 Install water efficient irrigation systems and controls.
- P7 Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other significant end uses.
- P8 Where cooling towers are used they are:
- (a) to employ alternative water sources where practical; or
  - (b) to include a water meter connected to a building energy and water metering system to monitor water usage; and
  - (c) to be connected to a recirculating cooling water loop; and
  - (d) discouraged where they are a single pass cooling systems; and
  - (e) to be connected to a conductivity meter to ensure optimum circulation before discharge.
- P9 Install a pool cover where the proposed development includes an external swimming pool.
- P10 Rainwater tanks or other alternative water sources including recycled water systems are to be installed to minimise the use of potable water and maximise the use of alternative water sources.
- P11 Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation.
- P12 Separate meters are to be installed on separate units of occupancy in non-residential BCA class 5, 6 and 7 buildings.
- P13 A reporting system should be developed to inform/educate occupants about the building's water consumption.
- P14 Use waterless urinals.
- P15 Install sensor operated taps, or automatic shutoff taps, especially in public areas.



### **3.5.6 Waste Management & Minimisation**

#### **Objectives**

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

#### **Provisions**

- P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 - *Waste Management* of the DCP.
- P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).
- P3 Adequate recycling systems must be provided in the design of the garbage room.
- P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.
- P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.
- P6 The storage of any hazardous waste materials must be adequately secured.

### **3.5.7 Stormwater management**

#### **Objectives**

- O1 To mimic pre-development or natural drainage systems through the incorporation of WSUD on-site.
- O2 To protect watersheds by minimising stormwater discharge and maximising stormwater quality.
- O3 To minimise off-site localised flooding or stormwater inundation

#### **Provisions**

- P1 An Erosion and Sediment Control Plan for the construction of the building is required in accordance with Part B: Section 17 - *Erosion and Sedimentation Control* of the DCP.
- P2 A *Stormwater Management Plan* for the operation of the building is required demonstrating compliance with this subsection as well as Part B: Section 18 - *Stormwater Management* of the DCP.
- P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.
- P4 Rainwater tanks should be installed for all developments, including major alterations and additions and mixed-use developments. Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events.
- P5 As a minimum, post-development stormwater discharge rates should be less than pre-development stormwater discharge rates.
- P6 As a minimum, post-development stormwater quality should be improved from pre-development levels.
- P7 On-site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff
- P8 Impervious surfaces should be minimised.
- P9 Ensure paved areas are at least 50% pervious.

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- P10 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m<sup>2</sup> must also submit a Water Sensitive Urban Design report from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.
- P11 All developments with a gross floor area greater than 2000m<sup>2</sup> are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:
- (a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;
  - (b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;
  - (c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;
  - (d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.

### 3.5.8 Building Materials

#### Objectives

- O1 To encourage the use of materials which have a low environmental impact during their life cycle.
- O2 To encourage the use of toxin free material to minimise the health impact of materials used indoors.

#### Provisions

- P1 Products with the least life cycle impact should be favoured.
- P2 The use of the following types of building materials are to be maximised wherever possible:
- (a) materials which are sourced from renewable and abundant resources;
  - (b) materials which are durable;
  - (c) locally manufactured materials and produced;
  - (d) materials with a low embodied energy content;
  - (e) salvaged and/or recycled materials;
  - (f) timber used be obtained from certified sustainable sources;
  - (g) materials with a high recycled content (>50%);
  - (h) low volatile organic compound (VOC) emitting materials;
  - (i) mechanical fixings instead of adhesives and glues, wherever possible;
  - (j) when using Medium Density Fibreboard, ensure that it has a low formaldehyde content;
  - (k) materials which are non-toxic, including toxin-free floor finishes;
- P3 Avoid the use of the following:
- (a) copper, chrome, cadmium, lead, mercury, cyanide, and formaldehyde;
  - (b) materials, sealants and adhesives containing PVC;
  - (c) wood treated with CCA;
  - (d) solvents.
- P4 Use physical termite barriers (made of granite or stainless steel) instead of chemicals where possible.

### 3.5.9 Adaptive reuse of buildings

#### Objectives

- O1 To encourage the adaption and reuse of buildings.

#### Provisions

- P1 Where feasible, existing buildings are to be reused in preference to demolition.
- P2 Buildings should be designed to encourage adaptable office floorspace to accommodate changing occupier requirements.

### 3.5.10 Hotwater systems

#### Objectives

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

#### Provisions

- P1 New hotwater systems must not solely rely on electrical mains power to heat the water.
- P2 Install solar powered water heaters. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.
- P3 Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.
- P4 Locate solar cells, heat pumps or any associated structures so as to as avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- P5 Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

### 3.5.11 Green roofs

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building's running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

#### Objectives

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.
- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.
- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.

**Non-Residential Development in Residential Zones**

- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

**Provisions**

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces must submit a roof plan demonstrating how the new available roof space<sup>5</sup> contributes to the achievement of at least three of the above objectives.
- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

### 3.5.12 Wind Turbines

**Objectives**

- O1 To manage the impacts of wind turbines

**Provisions**

- P1 Wind turbines are:
- (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
  - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
  - (c) not to affect the structural integrity of the building;
  - (d) should not detract from the significance of a heritage item or a heritage conservation area;
  - (e) not to be located along a bat or bird flyway; and
  - (f) to be installed in accordance with manufacturer's specifications.
- P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
- (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
  - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

<sup>5</sup> "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.



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## SECTION 4 BOARDING HOUSES

### 4.1 INTRODUCTION

Boarding houses form a significant component of North Sydney's affordable housing stock, providing accommodation for a diverse range of people within the community. North Sydney Council has actively pursued the retention of and increase in provision of affordable housing stock in the LGA since the mid 1980s. Council's *Affordable Housing Strategy 2008*, identifies the retaining and increasing boarding house stock, to meet the need for local housing choice.

*State Environmental Planning Policy (Affordable Rental Housing) 2009* (Affordable Rental Housing SEPP) also contains provisions pertaining to the provision and alterations and additions to existing boarding houses. This SEPP should be consulted in the preparation of any development application for a boarding house. The provisions contained within this section are in addition to those contained within the Affordable Rental Housing SEPP.

#### 4.1.1 General Objectives

To ensure that boarding houses:

- O1 provide a principal place of residence for long term residents and are not used for tourist purposes such as hotel or motel accommodation, serviced apartments or backpacker accommodation,
- O2 differ from self contained accommodation by the provision of shared facilities,
- O3 are appropriately designed in terms of bulk and scale, and residential amenity including internal layout, and
- O4 operate without adversely interfere with the amenity on the local area.

#### 4.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for:

- (a) Establishment of a new boarding house by the conversion of an existing building;
- (b) Construction of a new boarding house; and
- (c) Alterations and additions to an existing boarding house.

#### 4.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 10 – Car Parking;
- (e) Part B: Section 12 – Access; and
- (f) Part B: Section 13 – Heritage.

Where there is an inconsistency between this Section and Sections 1 and 2 to Part B of the DCP, the requirements under this Section of the DCP prevails.

#### 4.1.4 Relationship to other Documents

This Section of the DCP must be read in conjunction with the *Affordable Rental Housing SEPP*. In particular, all developments for boarding houses are to comply with the relevant

standards for boarding houses contained within Clauses 29 and 30 to the *Affordable Rental Housing SEPP* and the controls listed in the following subsections to this section of the DCP.

## 4.2 INTERNAL BUILDING DESIGN

The design of boarding houses must consider the balance between the shared and private areas. Lodgers generally occupy only one room as their own space, so shared areas are a particularly significant component of the accommodation.

### 4.2.1 Objectives

- O1 To ensure that communal facilities are designed to meet the needs of lodgers.
- O2 To ensure that lodgers are provided with a reasonable level of amenity.
- O3 To ensure the safety of lodgers and any associated staff.

### 4.2.2 Provisions

#### Communal living areas

- P1 At least 1 communal living room must be provided in all boarding houses.
- P2 Where a boarding house is more than one storey, at least one communal living room should be provided on each storey of the building.
- P3 Indoor communal living room must have a minimum area of 15m<sup>2</sup>, with an additional 1m<sup>2</sup> per lodger over 6 lodgers.
- P4 Indoor common living rooms should be located:
  - (a) on the ground floor near frequently used spaces (e.g. kitchen, lobby, laundry, mail area, manager's office); and
  - (b) directly adjacent to common outdoor areas; and
  - (c) such that at least one communal living room is capable of receiving more than 3 hours sunlight between 9.00am and 3.00pm at midwinter.
- P5 Internal doors to common indoor living rooms must contain glass to provide an outlook into the room from corridors or other shared facilities.

#### Boarding rooms

- P6 Each boarding room (excluding any private kitchen or bathroom facilities) must:
  - (a) have a minimum area of 12m<sup>2</sup> for any room proposed for occupation by a single lodger, or 16m<sup>2</sup> in any other case; and
  - (b) Not exceed 25m<sup>2</sup> in area; and
  - (c) Not provide accommodation for more than 2 lodgers.
- P7 Each room is large enough to accommodate more than a single function (i.e. sleeping plus studying, watching TV etc).
- P8 All bedrooms must be provided with access to natural light and ventilation.
- P9 Windows must have a minimum area of 10% of the floor area of the room.
- P10 Adequate storage facilities for clothes, linen, and personal items must be provided within each bedroom.

#### Shared facilities

- P11 Shared facilities are to comply with the following minimum requirements:
  - (a) Kitchen and dining area - 15m<sup>2</sup>, with an additional 1m<sup>2</sup> per resident over 6 lodgers; and
  - (b) Bathroom(s) - 5m<sup>2</sup>. Also refer to the BCA requirements.

## Boarding Houses

- P12 A meal service may be provided.
- P13 Kitchen facilities can be used by lodgers 24 hours per day / 7 days week.
- P14 Provide one washing machine and one washing tub for every 10 lodgers.
- P15 Provide one electric clothes dryer or 20m of external clothes line for every 10 lodgers.

### Internal circulation

- P16 No more than 8 boarding rooms can share a stairway, corridor or deck.
- P17 Internal circulation areas are to be designed to enhance choices about privacy and interaction.

### Management office design

- P18 Every boarding house is to be provided with a management office.
- P19 Management offices must be located at a central, visible point which is convenient to all users of the boarding house.
- P20 Where more than 20 lodgers are to be accommodated, a boarding room or on-site dwelling is to be provided for a boarding house manager.

### Personal security

- P21 Ensure areas adjacent to shared entry lobbies are visible from the outside to the inside.
- P22 Communal and common areas are well lit and provide clear sight lines.
- P23 Provide a secure point for mail deliveries.

### Fire safety

- P24 All boarding houses are to comply with all the fire safety provisions of the Building Code of Australia as they apply to Boarding Houses (Class 1b or Class 3).
- P25 Any required exit door from lobby must never be locked.

### Accessibility

- P26 Access to the building must be designed in accordance with the provisions contained within Part B: Section 12 – Access.

## 4.3 LANDSCAPED AREA

Lodgers generally occupy only one room as their own space. Therefore the provision and design of boarding house open space and lodgers' access to this is particularly important.

### 4.3.1 Objectives

- O1 To ensure that access to communal open space areas is designed to meet the needs of lodgers.
- O2 To ensure that privacy is provided to communal open space areas from adjoining developments.
- O3 To ensure that any private open space provided is clearly separated from any communal open space.

### 4.3.2 Provisions

#### Landscaped area

- P1 Use fencing, screen planting and structures to define the landscaped area.
- P2 Set aside an area of the site, immediately adjacent to the main circulation route, rear entry or ground floor common living or activity areas, as landscaped area for the lodgers of the boarding house.

- P3 Use screen planting and trees to block views of the landscaped area from public places and views to and from nearby properties.

**Private space**

- P4 Use screening to provide visual privacy for private space (such as balconies and courtyards) attached to a particular lodger's room/s from any communal space.
- P5 Provide at least one communal private open space area with a minimum area of 20m<sup>2</sup> and a minimum dimension of 3m. The minimum area must increase by at least 5m<sup>2</sup> for every 10 lodgers. This area must not be located within the front setback.
- P6 If accommodation is provided for an on-site manager, a minimum 8m<sup>2</sup> private open space are must be provided directly adjacent to the dwelling.

## 4.4 MANAGEMENT AND REGISTRATION

### 4.4.1 Objectives

- O1 To ensure that boarding houses minimise impacts upon the local community.
- O1 To ensure that boarding houses continue to provide adequate and affordable accommodation to long term residents and not tourists.
- O2 To enable Council to monitor the operations of boarding houses.

### 4.4.2 Provisions

**Management**

- P1 Boarding houses are managed either on site or through arrangements outlined in a management plan submitted to Council.
- P2 Applications are to be accompanied by a Management Plan, which must address the following operational aspects of the boarding house:
- (a) fees for residency;
  - (b) management and supervision through an on-site manager or regular visits;
  - (c) kitchen usage, the provision of meals or resident provision of meals;
  - (d) noise inside the boarding house and in adjacent private open space areas;
  - (e) use of communal space and facilities;
  - (f) parking for cars;
  - (g) cleanliness and maintenance of the property and grounds; and
  - (h) house rules (covering issues such as access to rooms, keeping shared facilities clean and tidy, visitors, pets, quiet enjoyment etc).
- P3 Managers must be over 18 years of age.
- P4 Occupiers of adjacent properties are to be provided with a 24 hour telephone number for a principal (for example owner or manager) so they can contact the premises.
- P5 Separately meter each lettable room for electricity/gas and water.

**Registration**

- P6 New boarding houses must be registered with Council.
- P7 Council may require boarding houses to complete a questionnaire on an annual basis to enable Council to maintain its boarding houses data base. The questionnaire will ask for information on number of lodgers, fees charged and lodgers' length of stay.
- P8 The boarding house may be inspected periodically by Council, or its agent.



## SECTION 5 CHILD CARE FACILITIES

### 5.1 INTRODUCTION

Well located and designed child care facilities, whether they be home based, centre based or school based, contribute to the well being of children. Children and their caregivers require high quality service in facilities that enhance the occupants' well being. Services must meet State Government standards and offer a safe, healthy and accessible environment.

The design of child care facilities must serve the needs of children, babies, care giving staff, clerical staff, kitchen staff, cleaning staff and parents. The design must provide adequate space for each of these groups, and take into account their needs in using and working in the facility.

Child care facilities can have adverse impacts on the amenity and safety of an area, especially residential areas, through increased noise, traffic and parking impacts, and need to be considered in any development proposal.

#### 5.1.1 General objectives

To ensure that child care facilities:

- O1 provide affordable, high quality child care, in convenient locations, that meet the needs of the resident and working population;
- O2 operate without adverse impacts on the local area; and
- O3 guide applicants in providing best practice child care environments.

#### 5.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for the construction of or alterations and additions to centre based child care facilities.

This section does not apply to either home-based child care or school-based child care facilities which satisfy the exempt development or complying development requirements under [\*SEPP \(Educational establishments and Child Care Facilities\) 2017\*](#). However, many of the objectives and provisions for centre based child care facilities may be useful for those wishing to establish such a service.

#### 5.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial Development and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 9 – Advertising and Signage;
- (f) Part B: Section 12 – Access;
- (g) Part B: Section 13 – Heritage and Conservation; and
- (h) Part B: Section 15 – Bushland Areas.

Where there is an inconsistency between this Section and Sections 2 and 3 to Part B of the DCP, the requirements under this Section of the DCP prevails.

### 5.1.4 Relationship to other documents

This Section has been prepared with regard to:

- (a) [SEPP \(Educational Establishments and Child Care Facilities\) 2017](#);
- (b) The Department of Planning, Industry and Environment's [Child Care Planning Guideline](#);
- (c) North Sydney Council's [Children Services Guide](#);
- (d) North Sydney Council's *Child Care Centres Best Practice Guide*;
- (e) North Sydney Council's *Best Practice Guidelines for Above Ground Floor Child Care Centres*, prepared by KU Children's Services (2019);
- (f) NSW Cancer Council's [Shade for Early Childhood Services](#);
- (g) the [Children \(Education and Care Services\) Supplementary Provisions Act 2011](#);
- (h) the [Education and Care Services Regulations](#);
- (i) the [Children \(Education and Care services\) Supplementary Provisions Regulation 2019](#);
- (j) the [National Quality Standard for Early Childhood Education and Care and School Age Care \(2018\)](#);
- (k) the Association of Australian Acoustic Consultants' *Technical Guidelines – Child Care Centre Noise Assessment*.

In this manner, and consistent with the requirements outlined within the Education and Care Services Regulations, a License is required from the Department of Education (DoE) prior to operation of the proposed child care facility. Applicants should consult with DoE to determine licensing requirements prior to lodgement of a development application with Council. It should be noted that the granting of development consent by Council will not necessarily result in the issuing of a licence from DoE.

In the case where an inconsistency exists between this Section of the DCP and the NSW [Education and Care Services Regulations](#) or the [Children \(Education and Care services\) Supplementary Provisions Regulation 2019](#), these Regulations and their successors will prevail.

All applications are required to comply with:

- (a) the performance based standards in the *National Quality Standard for Early Childhood Education and Care and School Age Care* (2009) and its successors;
- (b) the performance based standards in the NSW [Education and Care Services Regulations](#) and the [Children \(Education and Care services\) Supplementary Provisions Regulation 2019](#) and their successors; and
- (c) the relevant provisions contained within:
  - (i) the Building Code of Australia (Child Care Centres are classified as 9b buildings); and
  - (ii) Australian Standards 1428.3.

**Note:** *The Building Code of Australia and National Building Code are currently undergoing review by the Australian Building Code Board with respect to child care facilities located above ground level and may result in more onerous requirements than that outlined in this Section of the DCP.*

## 5.2 LOCATION

### Objectives

- O1 To ensure that the users of child care facilities are not affected by adverse noise or air quality or by the presence of inappropriate land uses.

## Child Care Facilities

### Provisions

- P1 Centre based child care facilities must not front a state road (as defined under the [Roads Act 1993](#)).
- P2 Child care facilities must not be located adjacent to or within 100m of a sex service premises or a restricted premises, injecting room, drug clinic or the like.
- P3 An electro-magnetic field and radio frequency impacts assessment must be undertaken where the source is within 300m of a proposed child care facility.

## 5.3 SITING

It is preferable to provide child care facilities at the ground floor level as they enable high levels of access to soft landscaped outdoor play spaces and enable more efficient and safer evacuation if the need arises. However, Council acknowledges that locating facilities at the ground level may not always be possible due to the high levels of density of development in some areas (e.g. North Sydney, St Leonards, Neutral Bay town centres).

### Objectives

- O1 To provide access to naturally landscaped outdoor play areas.
- O2 To ensure the safe evacuation of children in the event of an emergency.

### Provisions

- P1 Child care facilities should be located at ground level wherever possible.
- P2 Council may consider approving a child care facility located above ground floor level, subject to the following criteria being met:
  - (a) A fire isolated safe haven is provided within the facility, where children and staff can muster during the initial stages of a fire alert or other emergency.
  - (b) The safe haven must be physically open onto either:
    - (i) a fire stair dedicated to the facility, incorporating handrails designed for children to hold onto and prevent children from falling through; or
    - (ii) an emergency fire rated lift dedicated to the facility.
  - (c) The safe haven should be of such a size to cater for the maximum capacity of the centre and is to be excluded from the indoor space controls per child (best practice is to provide a minimum of 0.25sqm per child and staff).
  - (d) An Emergency Evacuation Plan, prepared by the intended operator of the facility must be submitted with the development application. The Emergency Evacuation Plan must demonstrate how the child care facility may be evacuated independently of any other use within the building. Details of the evacuation proceeds for the remainder of the building will also need to be provided.
  - (e) Indoor play areas are not impeded by internal features such as columns.
  - (f) The minimum area of indoor play spaces are to be increased by the same amount of any decrease in the minimum outdoor play space requirements, unless it can be adequately demonstrated that safe access to an off-site outdoor play area can be provided.
  - (g) Outdoor areas are provided with protection from adverse weather.
  - (h) Outdoor areas are oriented to the north to maximise solar access and natural light and views.

## 5.4 CAPACITY AND COMPOSITION

### Objectives

- O1 To ensure that impacts from child care facilities can be appropriately controlled.



O2 To ensure that a reasonable distribution of child care places is provided for all age groups.

O3 To ensure that appropriate numbers of staff are provided.

**Provisions**

P1 A centre based child care facility should not provide more than 90 child care places.

**Note:** To ensure a reasonable level of amenity is achieved for adjoining properties, a maximum provision of 75 child care places is considered to be best practice.

P2 Where a centre based child care facility provides more than 75 child care places, the facility must provide for small group care (i.e. provision must be made for separate entrances and playgrounds for different age groups).

P3 Due to the desirability of providing additional child care places for children under the age of 2 years, a component of child care places in Long Day Care services must be allocated to children under the age of 2 years.

P4 The ratio of staff to children must comply with those permitted under the *National Quality Standard for Early Childhood Education and Care and School Age Care* (2018).

## 5.5 ENTRY

**Objective**

O1 To ensure that patrons can easily identify the entrance to the facility and be protected from inclement weather.

O2 To ensure the safety of children using the facility.

**Provisions**

P1 Entrances to centre-based and school-based child care facilities are clearly marked by appropriate signage.

P2 Weather protection, such as an awning, is provided to the main entry to the building containing a centre based or school-based facility and are designed and constructed to complement the building to which it is attached.

P3 Where a centre-based child care facility is located within a building that also accommodates other uses, a separate and clearly marked entrance for the child care facility must be provided.

## 5.6 ACCESS AND MOBILITY

**Objectives**

O1 Safe and easy access within, into and out of the child care facilities.

**Provisions**

P1 Child care facilities must be designed in accordance with Australian Standard 1428.3 (Design for Access and Mobility. Part 3: Requirements for children and adolescents with physical disabilities).

## 5.7 SAFETY AND SECURITY

**Objectives**

O1 To ensure all users are capable of entering and leaving the child care facility in a safe manner.

**Provisions**

P1 On site parking spaces and set-down and pick-up areas are well lit.

P2 Entry gates are located within sight of staff in the office.

**Child Care Facilities**

- P3 Bells, alarms or other suitable mechanisms are to be provided on the entry gate to alert staff as to when someone is entering or leaving the child care facility.
- P4 An Emergency Evacuation Plan must be submitted to Council with any development application.
- P5 Entry to a child care facility should be limited to one secure point, which is to be:
- (a) appropriately located to allow ease of access;
  - (b) adequately signposted;
  - (c) well lit;
  - (d) accessible by pedestrians and motorists;
  - (e) safe from pedestrian and vehicle transition areas;
  - (f) visible from the street if located within a separate building, or building foyer if located in a multiple occupancy building;
  - (g) of sufficient size to prevent congestion, taking into consideration the capacity of the child care facility;
  - (h) monitored through either natural or camera surveillance; and
  - (i) incorporate a transitional space which is to be adequately fenced and separated from the entrance.

## 5.8 AIR QUALITY

It is important to consider the health of children in the local area by providing for them an environment which, ideally, protects them from pollution, and if this is not possible, at least manages (and thereby minimises) their exposure to pollutants. This can be achieved by considering the location and design of a child care facility, and aspects of its operation.

Applications where the environmental risk assessment report indicates that exposure to pollutants cannot be reduced to the satisfaction of Council, may be refused on these grounds.

### Objectives

- O1 Minimise the health impacts from air pollution on children.

### Provisions

- P1 All applications must be accompanied by an Air Quality Assessment Report to determine the level of pollutants within and surrounding the site of the proposed child care facility.
- P2 Child care facilities located on or adjacent to:
- (a) major roads (including state and regional);
  - (b) roads where there is an average daily traffic rate of more than 5,000 vehicular trips per day; or
  - (c) sites where the external noise level exceeds 55 dBA (L<sub>A90</sub> 24 hours),
- must incorporate the use of pollution reduction measures such as:
- (d) air conditioning systems; and
  - (e) play areas located away from pollution sources.

## 5.9 DROP OFF AND PICK UP OF CHILDREN

### Objective

- O1 To ensure the safe and efficient transfer of children to and from the child care facility.

### Provisions

- P1 Must provide car parking in accordance with Part B: Section 10 – *Car Parking and Transport* of the DCP.
- P2 In addition to P1 above, one designated disabled access and one designated emergency vehicle space must be provided on site in the *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential*, *SP2 Infrastructure (Educational Establishment)* and *E4 Environmental Living* zones, and within close proximity in the *B1 Neighbourhood Centre*, *B3 Commercial Core*, *B4 Mixed Use* and *IN2 Light Industrial* zones (e.g. on-street directly adjacent to the centre).
- P3 Provide accessible parking spaces for the set down and pick up of children, no more than 50m from the child care centre.
- P4 Car parking provisions do not substantially modify the streetscape.
- P5 Spaces are clearly marked to reflect that they are for the exclusive use of the child care users between the peak am and pm hours of the centre (i.e. 7.30am-9.30am and 4.30pm-6.30pm).
- P6 Where the parking is provided underground, that parking is located within 20 metres of a lift which has access to the child care centre.
- P7 Secure, undercover pram storage should be provided at 1 space for every 2 children under two years of age.

## 5.10 PLAY SPACES

Well designed indoor spaces enhance the well being of the users of the child care facility. The quality of the indoor space affects the level of child involvement and the type of interaction between staff and children.

Indoor space requirements refer to areas used by children for sleeping, eating and playing, and by staff for the caring of children and undertaking duties within the centre. Passageways, kitchens, toilets and shower areas, or other facilities such as cupboards, are not included when calculating this floor area.

Children require outdoor space so they can move freely and engage in vigorous play. Outdoor space also offers sensory stimulation, provided by different surfaces, exposure to fresh air, sunlight, wind and even rain.

Ideally outdoor space will be exposed to the sky to provide direct sunlight, breezes and fresh air, and will have access to shelter and shade. However, it is recognised that in some instances, such as within commercial zones, the provision of this type of space can be difficult, and outdoor space may also be in the form of:

- (a) Podium levels - Particular consideration must be given to access to daylight and sunlight, the safety fencing of outdoor play areas, noise and fire exits.
- (b) Rooftops - Particular consideration must be given to the impact of winds, plant and machinery on nearby rooftops, safety fencing of the play area, and fire exits.
- (c) Indoor / outdoor areas - Particular consideration must be given to isolating the children from the effects of noise, pollution and winds, and access to natural light and air. Planting, climbing equipment and visual features must provide an interesting and stimulating experience for the children.

### 5.10.1 Indoor spaces

#### Objectives

- O2 Ensure that adequate indoor space is provided for children and staff to learn and grow.

**Child Care Facilities****Provisions**

- P1 A minimum of 3.25m<sup>2</sup> of unencumbered indoor floor space per child care place must be provided.  
**Note:** To ensure a reasonable level of amenity is achieved, provision 4.5m<sup>2</sup> per child care place is considered to be best practice.
- P2 In addition to P1, a minimum of 10m<sup>2</sup> of unencumbered indoor floor space per employee must be provided to accommodate office space/s, staff room/s, sick bay area/s and adult toilet and shower facilities, located within the licensed floor area.
- P3 Playroom spaces are to be designed such that they are not impeded by internal building features such as columns.

**5.10.2 Transition Areas**

A Transition Area comprises an indoor or outdoor area which performs an important role in helping extend children's play into the outside areas (e.g. covered verandah or terrace).

**Objectives**

- O1 Outdoor play in all weather conditions.
- O2 Integration of indoor and outdoor play spaces.
- O3 Transition areas that are safe, comfortable and of a functional size.

**Provisions**

- P1 Transition areas must be located between the indoor space and outdoor space and be able to be supervised from outside of the area.
- P2 The area may be included in calculations of outdoor unencumbered space.  
**Note:** To ensure a reasonable level of amenity for the users of the facility, the provision of Transition Areas in addition to the minimum requirements for indoor and outdoor spaces is considered to be best practice.
- P3 The area should be a minimum of 4 metres wide.
- P4 The transition area must be designed to allow indoor and outdoor activities to be conducted undercover.
- P5 The transition area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall.

**5.10.3 Outdoor space****Objectives**

- O1 Ensure that outdoor spaces allow children to play and experience sunlight, breezes and fresh air.
- O2 Ensure that outdoor spaces provide an environmentally, safe and healthy area for play.

**Provisions**

- P1 A minimum of 7m<sup>2</sup> of open space per child care place must be provided.  
**Note:** To ensure a reasonable level of amenity is achieved, provision 10m<sup>2</sup> per child care place is considered to be best practice.
- P2 Must not be located directly adjacent to a state road.
- P3 Ensure that exposure to adverse weather and environs such as external noise, pollution and winds is minimised.
- P4 Locate seating and outdoor play equipment in shaded areas.
- P5 Ensure outdoor space has a northern orientation with access to views and receives a minimum of 2 hours direct sunlight per day.



- P6 Ensure outdoor space is adequately shaded in accordance with guidelines set out in the NSW Cancer Council's *Shade for Early Childhood Services* publication.
- P7 Physical shading devices are to provide sun protection to children and to be integrated into the design of the building.
- P8 The playground space should be a compact square, rectangular or L-shaped area sited on one or two sides of the building, to facilitate functional use by children and effective supervision by staff.
- P9 Use plant species in landscaping that are not harmful to children or the environment. Avoid the use of noxious and environmental weeds (as listed on Council's website).
- P10 A detailed landscape plan prepared by a qualified landscape architect or other design professional with demonstrated experience in the design of children's play spaces must be submitted with any development application for a child care facility. The landscape plan must illustrate:
- (a) the separation of play areas for different age groups including the location of low fencing, planting and other structures which divide the areas but allow for interaction between the ages;
  - (b) the separation of outdoor play space into active and quiet zones;
  - (c) the type and placement of any fixed play equipment;
  - (d) the location and type of shade structures;
  - (e) the use of a variety of surfaces such as timber decking, artificial grass, sand etc. Surfaces are to comply with AS 4422 – Playground Surfacing;
  - (f) the use of a variety of textures, shapes and forms, with a blend of natural and artificial materials and plantings, that are highly interactive with the children and stimulate the senses;
  - (g) storage areas which can be used by staff without leaving the children;
  - (h) access to water should be available in the playground so that staff can fill up water troughs of supply water to the sandpit to enhance children's play;
  - (i) drainage;
  - (j) sandpits that:
    - (i) have a minimum depth of 450mm;
    - (ii) are designed to minimise the spillage of sand, preferably with an edge that can be swept; and
    - (iii) incorporate a cover when not in use.
  - (k) Outdoor play spaces located above ground level must be enclosed by a combination of walls and fences a minimum of 1800mm high to prevent children from falling or climbing out of the space and to prevent items from being thrown out of the space.

#### 5.10.4 Indoor-Outdoor spaces

##### Objectives

- O1 To ensure useable outdoor space is provided for children regardless of locational constraints.

##### Provisions

- P1 Indoor-outdoor spaces will only be considered in locations where it can be proven that the required level of outdoor space can not be provided.

**Note:** *The North Sydney Centre, St Leonards and mixed use areas of Crows Nest, Milsons Point, Neutral Bay and Cremorne are examples of where the provision of indoor-outdoor spaces may be considered acceptable.*

**Child Care Facilities**

- P2 A landscape plan must be prepared by a qualified professional and submitted with any proposal for a child care facility, detailing the same variety of elements and design considerations as outdoor spaces (refer to Section 5.10.3).
- P3 Spaces are to be provided with natural light through windows and skylights.
- P4 Spaces must incorporate higher floor to ceiling heights than indoor spaces.
- P5 Spaces should be provided with access to natural air flows and the ability for children to see out.
- P6 Spaces to be provided with a sandpit and associated drainage for water play.
- P7 Spaces should include a variety of natural materials.
- P8 Spaces must be physically separated from indoor spaces with visual and physical access between the two areas for staff and children.
- P9 Spaces are not impeded by internal features such as columns.

### 5.10.5 Play Equipment

**Objectives**

- O1 To ensure the safety of children using play equipment.

**Provisions**

- P1 Any outdoor play equipment must comply with Australian Standards and include appropriate ground surfacing. The surface around and underneath play equipment must comply with Australian and NZ Standard AS/NZS4422:1996.

### 5.10.6 Fences

**Objectives**

- O1 To ensure that fences complement the exist design features of the building, and adjoining buildings where appropriate.
- O2 To ensure that fences provide maximum protection for children.

**Provisions**

- P1 All fences within and bordering child care facilities are to meet the Australian Standards for safety. The design and height of fencing should prevent children from scaling, or crawling under the fence.
- P2 Use materials and finishes for fences that complement characteristic visual elements in the surrounding physical environment and do not dominate the streetscape.
- P3 If perimeter fences of the outdoor space are close to a major road or a hazard, make them higher than the Australian Standard of 1200mm.
- P4 Provide a childproof self-locking mechanism on all gates.
- P5 Fences to outdoor play spaces located above ground level should be a minimum of 1800mm high.

## 5.11 VISUAL AND ACOUSTIC PRIVACY

Good management of privacy issues ensures the child care facilities are well integrated within the local context.

While child care facilities are beneficial within a community, there can be noise issues arising from the operation of the facility, which can be addressed by considering the location and orientation of outdoor space, driveways, parking and access. In residential areas the location of windows and doors can influence noise impacts on nearby homes.



### 5.11.1 Visual privacy

#### Objectives

- O1 To ensure that both the users of the facility and adjoining property owners are afforded appropriate levels of visual privacy.

#### Provisions

- P1 Provide screening by trees, fencing and window coverings to minimise overlooking and noise impacts.
- P2 Locate any play structures at least 3m from any property boundary located adjoining a residential property.

### 5.11.2 Acoustic privacy

#### Objectives

- O1 To ensure that the operation of the child care facility does not adversely impact on the acoustic amenity of adjoining properties.

#### Provisions

- P1 All applications must be accompanied by an Acoustic Report prepared by a suitably qualified acoustic consultant.
- P2 Noise levels (measured at any point on the boundary of the site between the proposed Centre and adjoining property) do not exceed 5dB(A) above the L<sub>90</sub> background level during the hours of operation. Council may consider a variation to this requirement, but only if the applicant can adequately demonstrate that an alternative method of controlling the impact as outlined in the Association of Australian Acoustic Consultants' *Technical Guidelines – Child Care Centre Noise Assessment*.
- P3 Where practical, locate noisy areas such as outdoor play areas, vehicle access and pathways away from habitable windows of adjoining dwellings.
- P4 Consideration is given to using appropriate noise reduction measures, such as:
- (a) Appropriate location of areas of high noise generation;
  - (b) Double glazing on windows;
  - (c) Acoustic fences; and
  - (d) Construction materials incorporating sound insulation properties.



## SECTION 6 SEX SERVICES AND RESTRICTED PREMISES

### 6.1 INTRODUCTION

Sex services premises are premises used for the purposes of a brothel, whereas restricted premises are business or retail premises, that due to their nature, restrict access to patrons or customers over 18 years of age and include adult bookshops, sex shops or businesses that offer sex related services including strip joints, sensual massage parlours and the like.

Whilst such premises can benefit some sections of the community, they also have the potential to offend others. Sex services and restricted premises that are inappropriately located and/or designed can pose negative impacts on neighbourhood amenity and community wellbeing. It is therefore important that planning controls are applied to mitigate any potential negative impacts whilst allowing for the development of sex services and restricted premises in a discrete manner in suitable locations within the North Sydney Local Government Area.

Development consents granted for sex services and restricted premises may be initially limited to a period of twelve months, when Council will re-evaluate the proposal in terms of any complaints received regarding the hours of operation, and compliance with any conditions of development consent. Where development consent is granted, a specified operator will be nominated on the consent. Should the operator change, Council must be notified prior to the new operator commencing. A new development application will be required for changes to the number of sex workers, hours of operation, or signage. Council has a general enforcement power where land uses operate without consent, or outside conditions of consent. Council will consider taking legal action if it has evidence that sex services and/or restricted premises are operating outside of consent conditions.

#### 6.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 ensure that sex services and restricted premises are designed, located and operated in a manner that avoids adverse impacts on the amenity of the surrounding area and its residents and visitors; and
- O2 protect workers and customers of such businesses.

#### 6.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for new or alterations and additions to "*restricted premises*" and "*sex service premises*" as defined in NSLEP 2013.

#### 6.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 2 – Commercial and Mixed Use Development;
- (c) Part B: Section 9 – Advertising and Signage;
- (d) Part B: Section 10 – Car Parking; and
- (e) Part B: Section 12 – Access.

Where there is an inconsistency between this Section and Section 2 to Part B of the DCP, the requirements under this Section of the DCP prevails.



#### **6.1.4 Relationships to other documents**

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) The [Restricted Premises Act 1943](#) which provides the statutory framework for the control of sex services and restricted premises in NSW,
- (b) The NSW Health Department's *Health and Hygiene Guidelines for Brothels and Adult Services*,
- (c) The Sex Workers Outreach Project's *Getting on Top of Health and Safety in the NSW Sex Industry*.

### **6.2 LOCATIONAL REQUIREMENTS**

#### **Objectives**

- O1 To ensure that sex services and restricted premises are located in appropriate areas where they do not have an adverse impact on the character or amenity of the area and neighbouring properties, in particular upon residential and sensitive land uses.
- O2 To prevent any adverse impact on the amenity and character of an area and neighbouring properties as a result of a concentration or accumulation of sex services and restricted premises.

#### **Provisions**

- P1 New sex services and restricted premises must not be located:
  - (a) within 500m from any existing sex services or restricted premises; and
  - (b) within 100m from or within a direct line of sight of a place of worship, hospital, school (including a preschool), child care centre or other place frequented by children for recreational, cultural or similar activities, or community facilities; and
  - (c) on land that is directly adjacent to land zoned R2 – Low Density Residential, R3 – Medium Density Residential, R4 – High Density Residential, SP2 – Infrastructure (Educational Establishment), RE1 Public Recreation or RE2 Private Recreation.
- P2 Locate sex services and restricted premises out of clear visibility from bus stops regularly used by school buses or school children.
- P3 Sex services and restricted premises must not be located at the ground floor or street level of the building within which it is located, excluding any access thereto.
- P4 Despite P3 above, Council may grant consent to a sex services or restricted premises on the ground floor or street level of a building, but only where it can be demonstrated that:
  - (a) The premises does not have a direct frontage to a public street, excluding any rear laneway;
  - (b) The premises does not contain any windows facing a public street, excluding any rear laneway; and
  - (c) Is not located adjacent to any shop fronts, arcades or thoroughfares generally used by the public and locations of high pedestrian access.
- P5 Sex services and restricted premises must not be located in an area where there is evidence of crime and drug use. To determine if crime in a locality is an issue, Council may refer the application to the NSW Police for comment.

## 6.3 EXTERNAL DESIGN OF PREMISES

### Objectives

- O1 To ensure that the external design of sex services and restricted premises reduces the impact on the character and appearance of the streetscape and amenity of neighbouring properties, whilst providing for the safety and security of visitors and staff when approaching, entering and leaving the premises.

### Provisions

- P1 Provide access to sex services and restricted premises directly from well lit roads or car parking areas, so that access is not obtained through public portions of buildings.
- P2 Any landscaping that is proposed must not obstruct the visibility from the public areas of entrances and exits to ensure the safety of all staff and visitors to the premises.
- P3 Sex services and restricted premises must not display sex-related products, sex workers, performers, or nude or semi-dressed staff from the windows, doors or outside of their premises.
- P4 The interior of sex services and restricted premises must not be visible from any place in the public domain.
- P5 Ensure that the external appearance of sex services and restricted premises respects the character of the streetscape and not be such that the premise becomes a prominent feature in the street.
- P6 Avoid designs and locations that might encourage people to wait outside the sex service or restricted premises.

## 6.4 INTERNAL DESIGN OF PREMISES

### Objectives

- O1 To ensure that the internal layout of sex services and restricted premises maximises the comfort, safety and security of visitors and staff.

### Provisions

- P1 Provide internal reception/waiting areas (except for premises that provide retail services only) to prevent clients from loitering outside.
- P2 Design internal areas to minimise alcoves and entrapment spaces.
- P3 Provide adequate safety and surveillance systems.

## 6.5 SIGNAGE

### Objectives

- O1 To ensure that any advertising signage which identifies sex services or restricted premises does not detract from the neighbourhood character nor allude to the type of activities undertaken on the site.

### Provisions

- P1 Must comply with the requirements of Part B: Section 9 - *Advertising and Signage* to this DCP.
- P2 Where there is an inconsistency between this Section and Section Part B: Section 9 - *Advertising and Signage*, this Section will prevail.



- P3 Confine advertising signs for sex services and restricted premises to one business identification sign that identifies the street or suite number, telephone number and name of the person who conducts the business or the registered name of the business.
- P4 Locate the sign at ground floor level outside the entrance to the premises, with a maximum size of 0.5m x 0.5m.

## **6.6 SAFETY AND SECURITY**

### **Objectives**

- O1 To ensure personal safety of workers, clients and general public through the design of sex services and restricted premises.

### **Provisions**

- P1 Measures should be incorporated to safeguard workers, clients and the general public, including security doors, lighting of access ways and car parking areas.
- P2 Provide illumination on routes to and in external areas of premises in isolated premises and commercial areas.

## **6.7 ACOUSTIC PRIVACY**

This control does not apply to restricted premises that provide retail services only.

### **Objectives**

- O1 To minimise noise at the boundary of the premises.

### **Provisions**

- P1 Applications must be accompanied by a *noise management plan* and an *acoustic impact report* prepared by a suitably qualified acoustic consultant.
- P2 Windows and doors should incorporate noise reduction measures.
- P3 Premises should incorporate building materials and arrange room layouts to minimise noise transmission.

## **6.8 VISUAL PRIVACY**

### **Objectives**

- O1 To protect visual privacy for activities within the premises are not apparent from outside.

### **Provisions**

- P1 Consider measures including choice of glazing and arrangement of windows and rooms to provide privacy to people in restricted premises and to prevent activities being visible from outside the premises.

## SECTION 7 LATE NIGHT TRADING HOURS

### 7.1 INTRODUCTION

Late night trading premises can positively contribute to the character of an area through increased vitality and vibrancy of the urban environment outside of normal business hours. Conversely, the operation of such premises and associated actions of patrons also has the potential to adversely impact upon the amenity of nearby residential or other sensitive land uses.

This section of the DCP aims to assist in the management of impacts from the operation of late night trading premises on the sites and neighbourhoods in which they are located and in particular, to protect the amenity of local residents. This is to be primarily achieved through restricting trading hours dependant upon a premises location and promoting ongoing good management practices.

The provisions of this Section do not set out to curb or increase potential trading hours in a blanket fashion, but to allow opportunities for late night trading hours to occur in appropriate locations and with appropriate management actions.

It is particularly important for proponents of late night trading premises to demonstrate responsible management over time. This commitment should be demonstrated both at the development application stage and throughout the history of the operation of a premises.

Late night trading hours are considered by Council to be a privilege and not a right.

#### 7.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 identify appropriate locations and trading hours for late night trading premises;
- O2 ensure that late night trading premises will have minimal adverse impacts on the amenity of residential or other sensitive land uses;
- O3 ensure that operators of late night trading premises commit to good management practices through the implementation of robust plans of management;
- O4 encourage late night trading premises that contribute to vibrancy and vitality, as appropriate to the status of the zone within which it is located;
- O5 encourage a broad mix of night time uses with broad community appeal that reflect the diverse entertainment and recreational needs of people who work, live and visit North Sydney;
- O6 encourage a diversity of night-time activity in defined areas;
- O7 prevent the proliferation of poorly managed late night trading premises;
- O8 ensure that new late night trading premises do not reduce the diversity of retail services in an area;
- O9 ensure that development applications are accompanied by sufficient information so that proposals for night trading premises can be fully and appropriately assessed;
- O10 ensure that appropriate hours are permitted for outdoor trading; and
- O11 ensure a consistent approach to the assessment of applications for premises seeking night trading hours.

#### 7.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for non-residential uses seeking to operation wholly or in part for trading hours between 8pm and 7am that involve:

- (a) a change of use of a premises;

- (b) new or extended trading hours to existing premises;
- (c) refurbishment, additions or extensions that will result in an intensification of an existing use; or
- (d) formalisation of trading hours following a trial period as prescribed in this Section of the DCP; or outdoor trading beyond 8pm.

For the purposes of (c) above, an intensification of use means any increase in the capacity of the premises to accommodate additional patrons, determined by:

- (a) an increase in the amount of licensed floor area (via a liquor licence);
- (b) an increase in the amount of floor space accessible to the public (excluding toilets, lifts, stairways, ramps, escalators, corridors, hallways, lobbies and the like);
- (c) an increase in patron capacity; or
- (d) an increase in the amount of footpath seating areas.

The application of this Section of the DCP is not retrospective nor does it derogate from existing consents.

This section of the DCP does not apply to development for new or alterations and additions to an existing brothel, home occupation (sex services), restricted premise, or sex service premise:

### 7.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 2 – Commercial and Mixed Use Development;
- (c) Part B: Section 3 – Non-residential Development in Residential Zones; and
- (d) Part B: Section 8 – Outdoor Dining and Goods Display on the Footpath.

## 7.2 MATTERS FOR CONSIDERATION

### Objectives

- O1 To ensure that relevant matters are considered when determining what operating hours are considered to be acceptable.

### Provisions

- P1 Appropriate trading hours will be determined by taking into account a number of primary issues which include (but are not limited to):
- (a) the location and context of the premises, including proximity to residential and other sensitive land uses and other late trading premises;
  - (b) the specific nature of the premises (e.g. pub, nightclub, restaurant etc) and the proposed hours of operation;
  - (c) the existing hours of operation of surrounding businesses;
  - (d) the size and patron capacity of the premises;
  - (e) the availability of amenities provided to premises;
  - (f) the impact of the premises on the mix, diversity and possible concentration, of late night uses in the locality;
  - (g) the likely operation of the proposal during day time hours;

**Late Night Trading Hours**

- (h) submission of a Plan of Management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain;
  - (i) the diversity of retail services within an area and the impact of a late night proposal on this diversity;
  - (j) measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding, the premises;
  - (k) the accessibility and frequency of public transport during late night trading hours.
- P2 Consideration of all of these factors provides the basis for a consistent approach to the determination of appropriate trading hours and creates greater certainty both for the community and proponents of late night trading premises.
- P3 Once these factors are taken into consideration late night trading hours may be permitted in appropriate circumstances, particularly in areas of North Sydney that already exhibit or have an emerging vibrant night-time character, as opposed to parts of the LGA that are predominantly residential in character where amenity impacts can be the greatest and most difficult to manage.

**7.3 TRADING HOURS****7.3.1 Trading Hours**

Maximum allowable trading hours have been established that are considered to represent the desired late night trading character for each zone. A development application for late night trading will only be granted the maximum trading hours where an application can demonstrate the use of the premises during these hours will satisfy all provisions within this DCP Section and result in acceptable impacts upon the surrounding locality.

Many of these late night trading areas directly adjoin residential zones. The impacts of late night premises within these interface areas must be carefully considered. In addition, many late night premises are located within mixed use buildings where residences are located directly above. Where these impacts cannot be reasonably addressed, these sites may be granted trading hours less than the maximum hours set out within the table.

Council will consider the extension of trading hours within the North Sydney CBD up to 24 hour trading but only where the uses are suitable for the locality. These uses will be subject to on-going trial periods with the maximum 5 year trial period permitted. This will enable monitoring of premises within the CBD to ensure these uses do not detract from the character of the area.

**Objectives**

- O1 To ensure that trading hours are consistent with the desired character of each zone.
- O2 To minimise adverse amenity impacts on nearby residents.
- O3 To encourage a vibrant late night economy within North Sydney.
- O4 To ensure a reasonable balance is achieved between late night uses and residential amenity.
- O5 To ensure that residential zones located within the interface to late night trading areas are reasonably protected.
- O6 To minimise amenity impacts resulting from parking and traffic caused by late night uses.

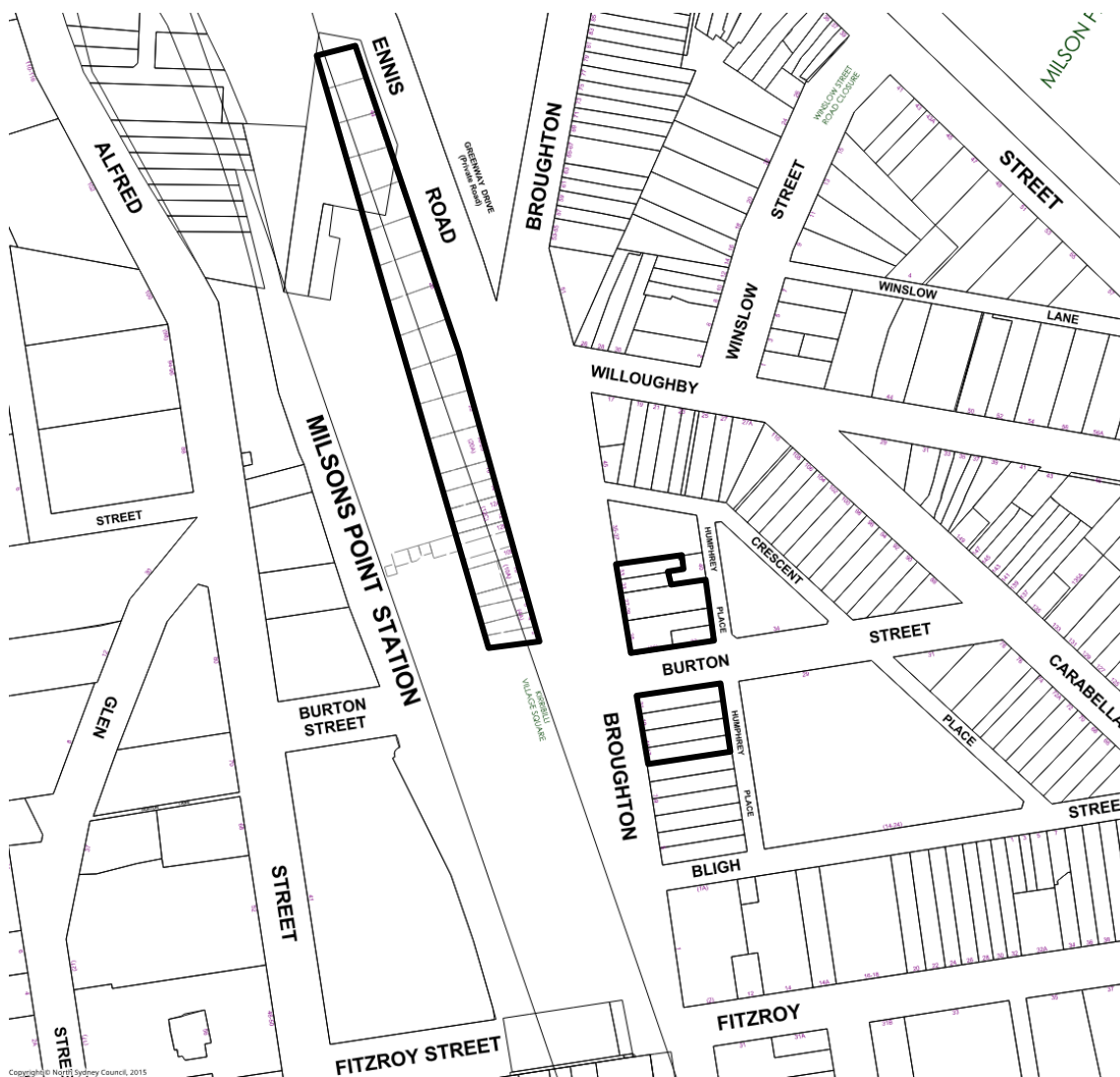


### Provisions

P1 The **maximum** trading hours that will be granted for a premises within each zone are outlined within Table B-7.1 below. These hours will be granted only where an application satisfies the matters for consideration in Section 7.2 and all other relevant sections outlined within this Section of the DCP.

TABLE B-7.1 Maximum Trading Hours			
Zone		Trading Hours	
		Indoor	Outdoor
<b>B3 Commercial Core</b>  <b>*Refer to P2 &amp; P3</b>		6am to Midnight	7am to 11pm
<b>B4 Mixed Use</b>		7am to 11pm (Mon-Wed) 7am to Midnight (Thurs-Sat) 7am to 10pm (Sun)	7am to 10pm
<b>B1 Neighbourhood Centre</b>	Properties in Kirribilli Village where small bars are permitted and as identified in Figure B-7.1	7am to 11pm (Mon-Wed) 7am to Midnight (Thurs-Sat) 7am to 10pm (Sun)	7am to 10pm
	1) Properties within Kirribilli Village, other than those identified in Figure B-7.1. 2) Properties with a frontage to Miller St, Cammeray 3) Blues Point Road, McMahons Point	7am to 10pm (Sun-Wed) 7am – 11pm (Thurs – Sat)	7am to 9pm
	All other locations	7am to 10pm	8am to 8pm
	<b>All other zones</b>	7am to 10pm	8am to 8pm

**Note:** 1. All service of food, alcohol or relevant services shall cease immediately at the time specified above with all patrons being required to leave within 30 minutes of the closing time.  
2. Outdoor furniture shall be set up and removed within 30 minutes of approved outdoor seating trading hours.

**Late Night Trading Hours****Figure B-7.1:**

Areas within Kirribilli Village where small bars are permitted. For clarity purposes, it affects 11-33 Broughton Street, Kirribilli; 32 Burton Street, Kirribilli and 2-44 Ennis Road, Kirribilli.

**B3 Commercial Zone – North Sydney Centre**

- P2 In addition to the hours stipulated in Table B-7.1, where an application satisfies the matters for consideration in Section 7.2 and all other relevant provisions of the DCP, an extension of trading hours up to 24 hour trading will be considered for premises located within the B3 Commercial Core zone in the North Sydney Centre only.
- P3 Any extension beyond 12 midnight would be subject to an on-going trial period with the maximum trial period granted of up to 5 years.

**Existing Premises**

- P4 Existing premises which have approval to trade outside maximum trading hours may apply for these existing hours in new and refurbished areas within the premises and these will be considered provided it can be demonstrated that:
- The existing premises' operation has an acceptable impact upon the surrounding locality; and

- (b) The impacts of the proposed trading hours are satisfactory having regard to the matters for consideration outlined in Section 7.2 and all other relevant DCP provisions.

**Luna Park**

- P5 No extension to existing approved trading hours for Luna Park will be granted.

**Extended Trading Hours – Non-licensed premises**

- P6 In addition to the hours stipulated in Table B-7-1, where an application satisfies the matters for consideration in Section 7.2 and all other relevant provisions of the DCP, extended trading hours may be considered for non-licensed premises such as shops, service stations, health service facilities, recreational facilities, information and education facilities and the like. Any extension beyond the trading hours set out within the DCP may be subject to a trial period.

**7.3.2 Trial Periods****Objectives**

- O1 To enable Council to monitor and assess the management performance of a premises and its impact on neighbourhood amenity.

**Provisions**

- P1 Prior to granting consent for the maximum or extended trading hours, Council may impose a one year trial period for a premises that, in the opinion of Council, may have the potential to generate adverse impacts on the amenity of the surrounding area.
- P2 A Section 4.55 application must be lodged prior to the expiration of a trial period should the applicant seek to apply to formalise these hours. In most instances, a condition of consent will clarify that the extended trading hours will stand in place until such time as the modification application is determined.
- P3 Following the trial period, the trial hours will be granted on a permanent basis only if Council is satisfied that the premises has demonstrated good management performance and compliance with a Plan of Management (if applicable), other than for premises within the North Sydney CBD as set out within P4.
- P4 Trial periods within the North Sydney Centre shall be on-going and a maximum trial period of up to 5 years shall be granted. A Section 4.55 application must be lodged every 5 years should the applicant seek to renew these trading hours.

**7.3.3 Acoustic Impacts****Objectives**

- O1 To ensure the use of premises do not result in any unreasonable acoustic impacts on surrounding residential properties.

**Provisions**

- P1 The premises must comply with the following relevant noise criteria:
- (a) the noise emission limits set out in Section 2.3.2 – Noise to Part B of the DCP for development located in the:
    - (i) *B1 Neighbourhood Centre zone*;
    - (ii) *B3 Commercial Core zone*; and
    - (iii) *B4 Mixed Use zone*.
  - (b) the noise emission limits set out in Section 3.2.5 – Noise to Part B of the DCP for development located in all other zones.
  - (c) All relevant noise criteria required by the NSW Office of Liquor, Gaming and Racing Authority (OLGR) for licensed premises.

**Late Night Trading Hours**

- P2 An Acoustic Report prepared by an appropriately qualified Acoustic Consultant which predicts the likely level of compliance with the criteria outlined in P1 as relevant must be submitted with a development application for any of the following late night trading premises or activities:
- (a) pubs,
  - (b) small bars,
  - (c) outdoor dining,
  - (d) smoking areas, and
  - (e) any use proposed to operate beyond the maximum trading hours.
- P3 Where relevant, an Acoustic Report should take into account any mechanical plant associated with the use of the site.
- P4 The recommendations of any Acoustic Report must form part of the Plan of Management where relevant and shall be adhered to at all times.
- P5 The applicant may be required to undertake on-going acoustic monitoring and this will be required as part of a condition of consent.

**Note:** It is at Council's discretion to request the submittal of an Acoustic Report for any development application if it considered the proposal may impact adversely on the amenity of the area.

**7.3.4 External doors, windows and openings****Objectives**

- O1 To minimise noise impacts on surrounding residential properties.
- O2 To protect adjacent residential properties located within close proximity to late night premises.

**Provisions**

- P1 Where a premises is located within close proximity of a residential property or other sensitive noise receiver and is likely to result in adverse acoustic impacts, all doors and windows on a building's elevation fronting a residential receiver, must be kept closed no later than the hours specified in the following table, other than to allow entry or egress.

<b>TABLE B-7.2 – Doors and windows to be kept closed</b>		
<b>Zone</b>		<b>Doors and windows to be kept closed by:</b>
<b>B3 Commercial Core</b>		11pm
<b>B4 Mixed Use</b>		10pm
<b>B1 Neighbourhood Centre</b>	Properties in Kirribilli Village where small bars are permitted and as identified in Figure B-7.1	10pm
	1) Properties within Kirribilli Village, other than those identified in Figure B-7.1	9pm
	2) Properties with a frontage to Miller St, Cammeray	
	3) Blues Point Road, McMahon's Point	8pm
	All other locations	
<b>All other zones</b>		8pm

- P2 Notwithstanding P2, doors and windows must be closed in accordance with the recommendations of any applicable Acoustic Report, where the recommendation is more restrictive than the hours specified in P2.



- P3 Where a site has two frontages, entry or exit after 10pm should occur only from the primary frontage or road and not onto a secondary road or laneway.
- P4 The applicant must demonstrate that the premises can be adequately ventilated to accommodate the closure of these doors and windows and that the premises can comply with relevant BCA provisions including egress and fire safety.

### **7.3.5 Waste Management**

#### **Objectives**

- O1 To ensure the appropriate siting of waste facilities to minimise noise impacts to surrounding residential properties.

#### **Provisions**

- P1 An area for on-site management of waste and recycling shall be nominated and its design shall be in accordance with relevant Environmental Health Guidelines.
- P2 The garbage/recycling area must be appropriately sited as far as possible from nearby residential properties.
- P3 The transfer of waste, particularly glass bottles, into an outdoor garbage/recycling area must not occur after 10pm where this would likely be audible from surrounding residential properties.

### **7.3.6 Use of Smoking Areas**

#### **Objectives**

- O1 To ensure that the impacts of the use of areas on the site for smoking are properly considered.
- O2 To minimise the impacts of the use of smoking areas on surrounding residential amenity.

#### **Provisions**

- P1 Operating hours for smoking areas may equal those for indoor areas as shown in Table B-7.1 if Council is satisfied that the requirements of this section can be met.
- P2 Council must be satisfied that the operation of late night smoking areas will not result in any additional impact on the surrounding area. Where a smoking area may impact upon the amenity of surrounding residential receivers, the following will need to be confirmed with any application for late night smoking areas for licensed premises:
- (a) the purpose of the smoking area is to establish a short stop or short term 'breakout area' for smokers;
    - (i) there must be no music, entertainment or gaming machines in the area;
    - (ii) appropriate ashtrays will be installed;
    - (iii) smokers will be discouraged from remaining in the area longer than necessary than to have a cigarette.
    - (iv) The Plan of Management must nominate the maximum capacity for this area at any one time.
  - (b) Other than those required by emergency systems, PA or audio systems are not to be installed in outdoor smoking areas.
  - (c) Where necessary, the outdoor smoking area must incorporate the added feature of an air lock to minimise the potential for noise spill from the interior of the premises. Doors to air locks are to be fitted with appropriate door closing hardware to ensure that they are not 'held open' which could negate the acoustic benefits.

**Late Night Trading Hours**

- (d) The smoker's area is not to be used as an additional place for drinking and dining. No tables, chairs or service are to be provided. Service to patrons is to be restricted to internal areas. Staff should not serve patrons in the smoking area in the aim of discouraging patrons from remaining in the smoking area and encourage them to return to the primary facilities inside the premises.
- (e) If a smoking area also doubles as an outdoor dining/drinking area, then any associated tables, chairs and the service of food, drinks and the like can be provided for the period of the approved outdoor trading hours only. Once the maximum approved outdoor trading hours have been reached, patrons cannot be given access to the chairs, tables, or the service of food and drink in these locations. The service of patrons is to be restricted to internal areas of the premises only. Staff should not serve patrons in the smoking area in the aim of discouraging patrons from remaining in the smoking area and encourage them to return to the primary facilities inside the premises.
- (f) In instances where there is uncertainty over the appropriateness of the smokers' area, consent for its use as a smokers area will only be granted for a limited time (e.g. 12 months). After 12 months from the release of an Occupation Certificate, an applicant may seek the removal of the restrictive condition, via the lodgement of a Section 96 application. Any such application must be accompanied by an Acoustic Report providing details of acoustic testing carried out and the results of such tests demonstrating compliance with all relevant Acoustic Criteria in Section 7.3.3.

## 7.4 PREMISES MANAGEMENT CHECKLISTS AND PLANS OF MANAGEMENT

All development applications for late night trading premises must be accompanied by a **Premises Management Checklist** as a minimum. This will provide Council with relevant information required to assess any late night trading Development Application.

Development Applications which have the potential to impact adversely on residential amenity and neighbourhood safety such as pubs and small bars are required to prepare a **Plan of Management** that includes verifiable data and actions. Plans of Management are to include information about the operational and contextual aspects of a premises (e.g. locality description, security numbers, noise emission, trading hours etc.) as well as details about what actions will be taken to ensure that premises will be responsibly managed (e.g. crowd control procedures, noise minimisation, waste management etc).

This ensures that proponents of late night trading premises have considered and addressed any potential impacts that may arise from the premise's operation during late night hours, as well as enabling the Council to effectively assess the impacts of a proposal. It is the responsibility of the licensee to facilitate a well run and managed premises and display sensitivity about the impact of the premises on the liveability of neighbourhoods.

### Objectives

- O1 To ensure that potential impacts from the operation of the premises are considered and addressed during the assessment of an application; and
- O2 To enable Council to review Plans of Management to ensure that management practices are being appropriately applied to late night trading premises.

### Provisions

#### **Premises Management Checklist**

- P1 A Premises Management Checklist addressing all criteria set out in Section 7.4.1 of this Section of the DCP, must be submitted for any for development application proposing to operate between 8pm and 7am unless a Plan of Management is required.



**Plan of Management**

- P2 A Plan of Management addressing all criteria set out in Section 7.4.2 of this Section of the DCP, must be submitted with a development application for any of the following late night trading premises proposing to operate between 8pm and 7am:
- (a) pub,
  - (b) small bar,
  - (c) any use proposed to operate beyond the maximum trading hours.
- P3 Plans of Management must be reviewed following any trial period and make revisions necessary to maintain a level of amenity and safety in the vicinity of the premises which is at an acceptable community standard.
- P4 The Plan of Management shall form part of any development consent granted by Council.

**Notes:** It is at Council's discretion to request further information regarding the management of any late night premises if it is considered that the proposal may impact adversely on the amenity of the area.

*This additional information may be either in the form of a formal Plan of Management, or (where requested by Council) a letter that addresses a specific matter (or matters) of concern particular to the proposal (e.g. security provision, noise, waste management, staffing etc.)*

**7.4.1 Premises Management Checklists**

Where relevant, at a minimum, management checklists must:

- (a) Describe measures that will be taken to minimise internal and external noise impacts on adjoining properties and how such measures will be implemented;
- (b) Outline the procedures for minimising and managing waste that is generated on site and how and when waste will be collected (e.g. disposal of bottles, waste removal etc.);
- (c) Provide details of the type and number of staff that will be employed on the premises at any one time;
- (d) Describe any arrangements that have been made for on-site security (if relevant). This is to include specific information on the number of licensed security staff, including details of any electronic surveillance systems within the premises;
- (e) Describe any steps that will be taken to manage patron behaviour when leaving the premises late at night;
- (f) Describe any methods for controlling and managing crowds within and outside the premises;
- (g) Describe measures will be taken to manage large groups of people during peak trading periods;
- (h) Provide a copy of a house policy that describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol;
- (i) State the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time;
- (j) State the operating and/or trading hours of the premises;
- (k) Describe any measures to increase patron awareness of public transport availability in the locality; and
- (l) Describe when and how the site will be cleaned and generally serviced.

## 7.4.2 Plans of Management Criteria

Plans of Management should include the following information where relevant:

### Site and Locality Details

- (a) A description of the primary use of the premises as well as any secondary/ancillary uses (e.g. retail liquor sales, entertainment, outside trading areas, gaming areas etc). This may be in the form of a floor and/or site plan that indicates the use of all areas within the building or site.
- (b) Identification of any 'active areas' adjacent to the boundaries of the site used in association with the use of premises (e.g. Outdoor seating, footway dining, patron queuing areas, parking etc).
- (c) A floor plan that indicates the proximity of external doors, windows and other openings to residential and other sensitive land uses.
- (d) Details of the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time.
- (e) The location of waste storage areas.
- (f) Location of air conditioning, exhaust fan systems and security alarms.
- (g) A site context plan that provides empirical details of on-site and off-site car parking within 100 metres radius of the site, including a description of the availability of public transport in the locality during the proposed trading hours. This should also include routes to taxi ranks or possible taxi pick-up and drop-off areas.
- (h) Identification of the most commonly used pedestrian routes to and from the premises.

### Operational Details

#### (a) **Organisational Overview**

An overview of the organisation in the form of a brief statement that provides details about the company/licensee/proprietor that includes information regarding:

- (i) the number and type of staff (including security);
- (ii) other similar premises within the company's portfolio (if relevant);
- (iii) any Liquor Licenses for the premises;
- (iv) a description of any actions that the proprietor/licensee has taken to co-operate with NSW Police, the local community and incorporated resident groups regarding the management of the premises;
- (v) membership of a Licensing Accord within the North Sydney LGA; and
- (vi) actions taken to liaise with the local community about premises management and activities (e.g. meetings, letter drops).

#### (b) **Hours of Operation**

- (i) A schedule of the proposed operating hours for each day of the week for all areas of the premises (e.g. courtyards, rooftop, balcony, footway, gaming room etc.) showing the range of hours proposed for each day in the format above.

#### (c) **Noise**

- (i) The identification of all likely noise and vibration sources associated with the operation of the premises. This may include such sources as:
  - entertainment, including amplified music from a band or disc jockey;
  - external (outside) areas such as courtyards, rooftops, balconies etc;
  - patrons leaving and entering the premises;
  - the operation of mechanical plant and equipment; and



- waste disposal, sorting and collection of bottles etc.
- (ii) A description of the existing acoustic environment during hours proposed beyond midnight (e.g. from vehicular traffic, noise from surrounding premises, pedestrian noise etc.).
- (iii) The identification of all noise sensitive areas of different occupancy in close proximity to the proposed use (e.g. residential dwellings; boarding houses, backpacker accommodation, hostels etc.).
- (d) **Safety and Security**
  - (i) A description of any arrangements that will be made for the provision of security staff. This is to include (but is not limited to) the following:
    - any recommendations from Local Licensing Police regarding appropriate security provision and a statement outlining the extent of compliance with police recommendations;
    - the number of security personnel that will be patrolling inside and outside the premises including the frequency of security patrols;
    - identification of the physical extent of any patrolled areas outside the premises;
    - hours that security personnel will be on duty (including the period after closing time); and
    - staff security training, weapons detection, and other security response methods.
  - (ii) Details of CCTV surveillance camera installation that identifies both indoor and outdoor areas monitored by cameras and camera technical specifications (e.g. recording capacity, frames per second etc.).
  - (iii) Details of signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises.
  - (iv) Written confirmation that the NSW Police Service raises no objection to trading hours beyond midnight (if trading hours beyond midnight are sought) and there is no record of significant crimes generated by the premises or records showing an increase in crime associated with the premises.
  - (v) Details of any complaints associated with the operation of the premises must be recorded in a Complaints Register which includes:
    - Complaint date and time;
    - Name, contact and address details of person(s) making the complaint;
    - Nature of complaint;
    - Name of staff on duty; and
    - Action taken by premises to resolve the complaint.

**Management Measures**

- (a) **General Amenity**
  - (i) Details of all measures that will be taken to ensure that amenity impacts that may result from the operation of the premises are minimised. This should identify (where relevant) any measures taken to ensure that the operation of the premises will not materially affect the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
  - (ii) Details of all actions that will be taken to respond to complaints made about the operation of the premises (e.g. consultations with residents, discussions with

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Council Officers, liaison with Police, public access to Plans of Management, review of existing Plan of Management etc.).

- (iii) A waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas etc.
- (iv) Details of when (frequency) and how the premises will be cleaned and serviced.
- (v) If the premises has gaming machines, details of where gaming areas will be located in order to not be viewable from the street (e.g. away from the street frontage, not at ground level if multiple floors, appropriate screening); and how these areas will be patrolled.
- (vi) A statement that addresses how the premises/use will impact/ contribute on the mix of uses in the area/locality during both day and night trading hours.
- (vii) Details of methods that will increase patron awareness of public transport availability (e.g. signage, availability of timetables) as well as a description of any other measures that will assist patrons in using public transport (e.g. provision of a shuttle service, taxi assistance etc.).
- (viii) Details of methods that will increase patron awareness of responsible disposal of cigarette butts.
- (ix) Any other measures that will be undertaken to ensure that amenity impacts that may arise from the operation of the premises are addressed.

**(b) Noise**

- (i) Details of all on-site and off-site noise and vibration attenuation measures.
- (ii) A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (e.g. Australian Standards, [Protection of the Environment Operations Act 1997](#), EPA Industrial Noise Guidelines, etc.).
- (iii) Details of all actions that will be taken to ensure that the operation of the premises will not give rise to any "offensive noise" as defined under the [Protection of the Environment Operations Act 1997](#).
- (iv) Details of how management will address complaints relating to noise, and any noise control strategies that will be implemented to minimise the potential for complaints (e.g. liaison with neighbours and local police, maintaining a complaint register etc).
- (v) Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies etc.
- (vi) Details of any noise limiting devices to be installed.

**(c) Security and Safety**

- (i) Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering and leaving the premises will minimise disturbance to the neighbourhood.
- (ii) Any provisions that will be made to increase security in times where higher than average patronage is expected (e.g. During live entertainment, peak periods on weekends, New Years Eve, following large sporting events in the locality, during special events and functions etc.).
- (iii) Liaison that will be undertaken with other licensees or operators of late trading premises in the locality/area to improve security at night.
- (iv) Details of measures that will be implemented to ensure that neighbourhood amenity and safety is protected. At a minimum this should include:



- emergency procedures;
  - crowd control;
  - search procedures;
  - maintenance of an incident register;
  - monitoring of patron behaviour;
  - monitoring of numbers of patrons within the premises;
  - recording of complaints and reporting of incidents to Police;
  - where relevant, membership of the proprietor/licensee to a Licensing Accord (please refer to the Office of Gaming Liquor & Racing's website for details of Licensing Accords operating within the North Sydney LGA) and a demonstrated commitment to the strategies and principles of the Accord;
  - dress codes;
  - staff security training;
  - distinctive security attire;
  - availability of cloak rooms;
  - internal and external security patrols;
  - the location, design and type of footpath and external lighting that will be installed;
  - measures to prevent glass drinking receptacles being carried from the premises by patrons;
  - measures to ensure safe capacities (e.g. electronic counting of patrons, occupancy limits, signage);
  - provision of pre-booking services for taxis; and
  - availability of courtesy bus services.
- (v) If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded. This description may address such matters as:
- the use of temporary ropes and bollards;
  - maximum queue numbers;
  - actions taken to minimise loitering; and
  - actions ensuring the fast and efficient movement of a queue.
- (vi) Methods employed to implement harm minimisation and the responsible service of alcohol (RSA) requirements of the Casino, Liquor and Gaming Authority such as:
- employee training and awareness regarding RSA and harm minimisation;
  - approaches that will be used to manage intoxicated and/or disorderly persons;
  - promotion of non-alcoholic beverages;
  - display of the premises' house policy;
  - assisting patrons in accessing safe transportation from the premises (e.g. arranging taxis, public transport timetable information);
  - encouraging responsible drinking; and



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- actions taken to discourage drug use and to manage drug related incidents.



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## SECTION 8 OUTDOOR DINING AND DISPLAY OF GOODS ON THE FOOTPATH

### 8.1 INTRODUCTION

Outdoor dining and display of goods can add to the diversity and vibrancy of our urban environment. In the right circumstances, outdoor dining and goods display areas can contribute to street life and draw people to an area. It also improves the amenity of public spaces, provides causal surveillance and assists in business prosperity.

However, careful attention to the location, layout, design and management of outdoor dining and goods display areas is required to ensure that these function effectively and do not interfere with the safety and primary function of the footpath or nearby road.

#### 8.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 To enable the appropriate use of footpaths such that they contribute to the diversity and attractiveness of shopping areas;
- O2 To ensure that the use of footpaths contribute to the expression of local character and identity;
- O3 To ensure that any ancillary use of the footpath does not interfere with the safety and functioning of the footpath or any nearby road;
- O4 To create comfortable settings for outdoor dining; and
- O5 To prevent the ad-hoc proliferation of advertising on footpaths.

#### 8.1.2 When does this section of the DCP apply?

This section of the DCP applies to use of the footpath for outdoor dining or for the display of goods whether it requires development consent under the provisions of NSLEP 2013 or permitted without development consent (See Part 2 – *Exempt Development Code* of the [Codes SEPP](#) and Schedule 2 – *Exempt Development* of NSLEP 2013). Despite whether consent is or is not required, a permit will be required from Council for any use of the footpath.

With respect to the term “footpath”, this term extends to include all parts of a road reserve which are dedicated to the primary movement of pedestrians, whether permanently constructed as a footpath or on a temporary basis. These controls have been formed with regard to the **North Sydney Outdoor Dining & Goods Display Policy**.

With respect to the term “outdoor dining”, this term relates to activities associated with a lawfully approved food and drink premises (which includes a restaurant or cafe, takeaway food and drink premise, pub or small bar). Furthermore, “outdoor dining area” incorporates the serving of food and or drink in the public domain and any associated furniture such as seating, tables, barriers, planters, umbrellas, heaters and the like.

This Section should be referred to by anyone intending to make a development application to Council for consent to use part of the footpath for outdoor dining or for the display of goods, specifically in the design stage. Council will also use this Section when issuing a permit for outdoor dining or goods display on the footpath where the proposal is deemed to be exempt development to ensure a consistent approach is applied to the use of the public domain.

### 8.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 2 – Commercial and Mixed Use Development;
- (c) Part B: Section 12 – Access.

### 8.1.4 Relationship to other documents or planning policies

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

- (a) *North Sydney Outdoor Dining and Display of Goods Policy*;
- (b) The Office of Liquor Gaming and Racing's *Footpath Strategy*.

### 8.1.5 Additional permits

Where an applicant seeks to provide outdoor dining or goods display area on the footpath, they may also be required to obtain one or more of the following:

- (a) an approval under s.68 of the [Local Government Act 1993](#);
- (b) an approval under s.125 of the [Roads Act 1993](#); and
- (c) a consent under s.138 of the [Roads Act 1993](#).

Inquire with Council to ascertain if the permits are required.

## 8.2 USE OF LANEWAYS FOR OUTDOOR DINING

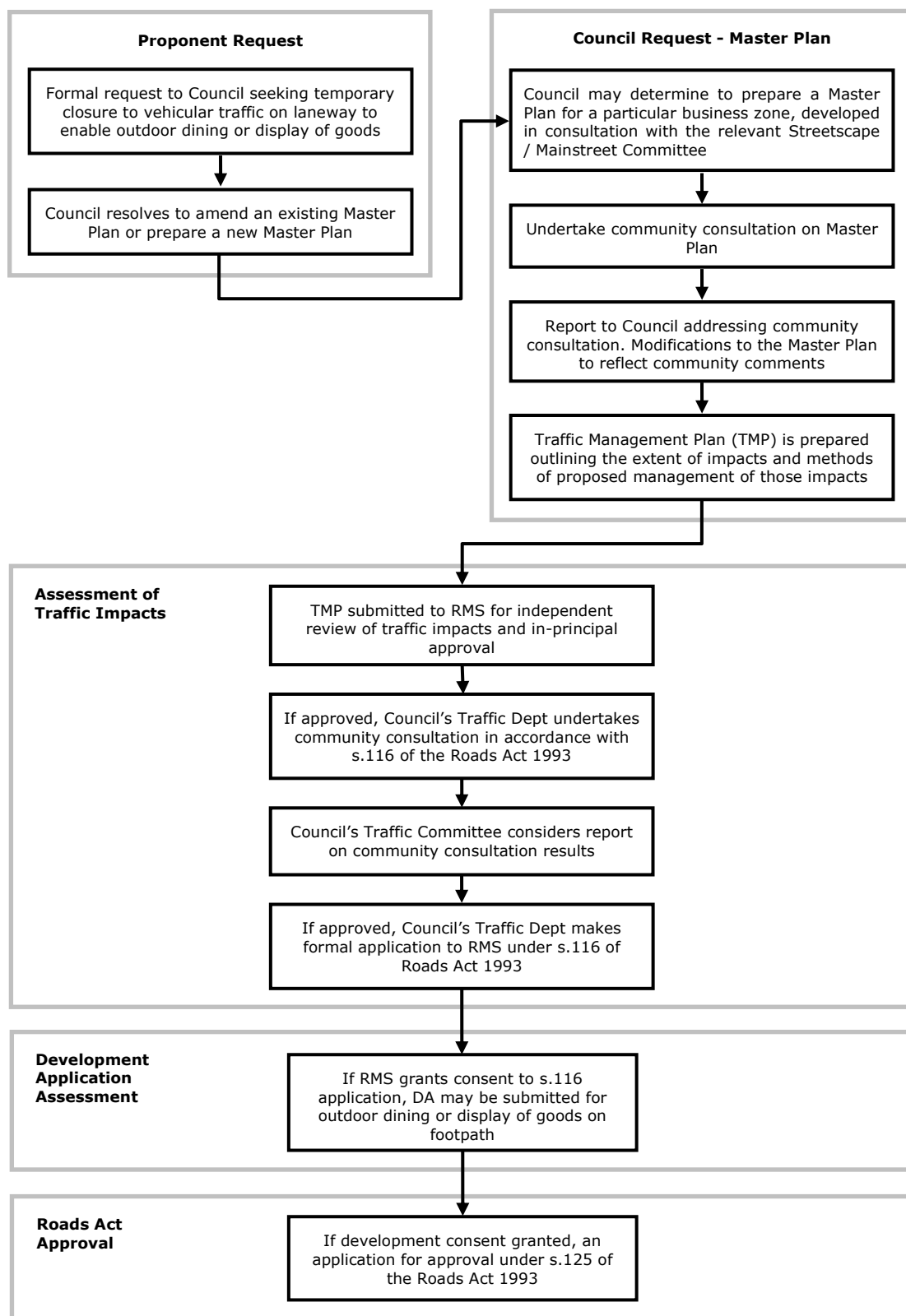
Pursuant to s.125 of the [Roads Act 1993](#) Council may grant approval to the operator of a "restaurant or café" or adjacent to a footway of a public road to use part of that footway for the purposes of a restaurant. A footway is defined under the [Roads Act 1993](#) as:

**footway** means that part of a road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic).

Council has a long standing policy for the activation of its laneways in the Business zones under its LEP. To encourage the achievement of this policy position, Council will from time to time investigate the potential for the temporary closure of some laneways to vehicular traffic during specified times to enable the carriageway portions of a laneway to be used for pedestrian access, outdoor dining or the display of goods.

Before Council has the power to grant a development consent under s.4.16 of the [EP&A Act, 1979](#) or an approval under s.125 of the [Roads Act 1993](#), to permit use of the carriageway portions of a laneway for outdoor dining or the display of goods, it needs to be satisfied that the laneway has been appropriately closed to vehicular traffic pursuant to s.116 of the [Roads Act 1993](#). Figure B-8.1 outlines the process to be undertaken in the temporary closing of a laneway to enable Council to approve outdoor dining or the display of goods within a laneway.

The creation of pedestrian access in the road reserve on a temporary basis or otherwise may facilitate the lodgement of a development application for outdoor dining or the display of goods. Development applications will be assessed on their individual merits. The facilitation of a pedestrian area through temporary road closures or restriction of vehicle access must not be construed in any way as to the limiting or fettering the exercise of any statutory discretion or duty.



**Figure B-8.1:** Process for the temporary closure of roads to vehicular traffic to enable pedestrian access, outdoor dining and the display of goods.



## 8.3 FUNCTION

### 8.3.1 Location

#### Objectives

- O1 To create opportunity for the enlivening of existing commercial streets, whilst minimising impacts on residential and pedestrian amenity.

#### Provisions

- P1 Outdoor dining or goods display areas will only be permitted on a "footway" as defined under the [Roads Act 1993](#), where it is provided in conjunction with a new or an existing food and drink premises or retail premises (i.e. within or adjacent to the *B1 Neighbourhood Centre*, *B3 Commercial Core* or *B4 Mixed Use* zones) for which development consent has been granted.
- P2 Avoid locating outdoor dining or goods display areas on footpaths adjacent to arterial roads or too close to fast moving vehicles, where the safety and comfort of patrons may be compromised by vehicle conflict, noise or air pollution.
- P3 Where possible, cluster outdoor dining or goods display areas to minimise impacts on the pedestrian environment.
- P4 Avoid locating outdoor dining or goods display areas near housing where noise and odours may reduce residential amenity.
- P5 Outdoor dining and goods display areas and any associated structures or equipment must not obscure a driver's or pedestrian's view of advisory and regulatory traffic signs or controls.
- P6 Outdoor dining or goods display areas and any associated structures or equipment must not impede access to any public/private utility or stormwater drainage pit.
- P7 Must be consistent with the objectives of the relevant *Locality Character Statement* contained within the **North Sydney Outdoor Dining and Display of Goods Policy**.

### 8.3.2 Public transport

#### Objectives

- O1 To ensure that access to and operation of public transport is not compromised.

#### Provisions

- P1 Outdoor dining and goods display areas and any associated structures and equipment must not be located in a manner that interferes with the use of public transport or with pedestrian or vehicular access thereto.

### 8.3.3 Emergency access

#### Objectives

- O1 To ensure that emergency access to business premises is not compromised.

#### Provisions

- P1 Outdoor dining and goods display areas must be capable of being cleared of all temporary structures within 1 hour to enable emergency access to repair buildings or critical infrastructure. When access is required, 2 working days notice will be given for routine works and 1 hour notice for emergency works.
- P2 Outdoor dining and display areas and any associated structures and equipment must not be located such that they hinder access by emergency personnel.



## 8.4 SOCIAL AMENITY

### 8.4.1 Noise

#### Objectives

- O1 To minimise acoustic impacts on nearby residents.

#### Provisions

- P1 Live or recorded entertainment such as music, broadcast programs or the like is not permitted within outdoor dining or display areas.

### 8.4.2 Lighting

#### Objectives

- O1 To provide a safe and comfortable environment for pedestrians and patrons, whilst minimising impacts on nearby residents.

#### Provisions

- P1 Provide adequate lighting to ensure the safety and comfort of both patrons and pedestrians alike.
- P2 Lighting must be designed such that it does not disturb neighbouring shops or nearby residences.

### 8.4.3 Solar access

#### Objectives

- O1 To provide a comfortable environment within which to enjoy outdoor dining or shopping.

#### Provisions

- P1 Solar access to nearby open spaces, outdoor dining areas or residential areas, is not to be obstructed, particularly between the hours of 12 noon and 2.00pm.
- P2 Locate outdoor dining areas that have good solar access and daylight.

### 8.4.4 Weather protection

#### Objectives

- O1 To provide a comfortable environment within which to enjoy outdoor dining or shopping.

#### Provisions

- P1 Outdoor dining and goods display areas should rely on the use of existing awnings for weather protection. Where awnings are not available, Council may consider, where appropriate, the use of removable umbrellas or retractable blinds.
- P2 The use of clear plastic roll down weather screens off umbrellas may be permitted, but only where necessary and only in periods of heavy rain.
- P3 Use of weather protection screens which are not attached to an umbrella or an awning are not supported by Council. However, such screens may be permitted by Council, but only where Council is satisfied that the following instances can be met:
- (a) The outdoor dining area to be protected is to be isolated from any other food or drink premises which has an outdoor dining area and is not to be erected in any significant streetscape.
  - (b) It can be demonstrated by an appropriately qualified wind consultant that the subject site is subject to adverse wind conditions (i.e. wind tunnel).



- P4 Such structures will be removed from the public domain outside of business hours of the associated premises.
- P5 The structures must be sympathetically designed to integrate with the streetscape.
- P6 Structures should be transparent where possible to maintain pedestrian sightlines.
- P7 Umbrella overhang of the licensed area may be required to achieve the desired streetscape appearance. In such instances the Permit holder shall indemnify the Council.
- P8 Where heaters are proposed, they are to be safely positioned where they do not obstruct the passage of pedestrians or vehicles - ensure that heaters are stable and will not fall or be knocked over.

#### **8.4.5 Cleaning**

##### **Objectives**

- O1 To ensure that the public domain is maintained to a high standard.

##### **Provisions**

- P1 Approved outdoor dining and goods display areas are to be cleaned on a daily basis, including the removal of all litter, food scraps and the like.
- P2 Applicants must take precautions to ensure the prevention of any potential damage to the footpath (such as staining or cracking of surfaces) and other Council property (such as street signage). A management plan is to be submitted to Council outlining the proposed procedures should such an event occur.

#### **8.4.6 Views**

##### **Objectives**

- O1 To ensure the safety of pedestrians and drivers by not obscuring important sightlines.

##### **Provisions**

- P1 Structures and equipment associated with an outdoor dining or display area must maintain a clear view to shop entrances and shop windows so that the business can be clearly identified by pedestrians.
- P2 Structures and equipment associated with an outdoor dining or display area must maintain clear sight lines for drivers and pedestrians.

### **8.5 BUILT FORM**

#### **8.5.1 Structures and designated areas**

##### **Objectives**

- O1 To ensure that pedestrian movements are not adversely affected after the ceasing of business operations associated with outdoor dining or the display of goods.

##### **Provisions**

- P1 Permanent structures to delineate the outdoor dining or display area are not permitted.
- P2 Removable screens/barriers or removable planter boxes, may be used to delineate the designated area to prevent pedestrians stumbling into the area.
- P3 All structures, equipment and materials associated with the outdoor dining or goods display must be removed from the footpath at the end of each day's trading (includes tables, chairs, display stands and the like, but excludes fixed umbrellas or required markers/planter boxes which has prior approval).

**Outdoor Dining and Display of Goods on the Footpath**

- P4 Markers may be placed on the footpath to define the designated area to the satisfaction of Council.

**8.5.2 Layout and dimensions****Objectives**

- O1 To ensure that sufficient space is made available for safe movement of pedestrians during the use of the footpath for outdoor dining or the display of goods.

**Provisions**

- P1 Minimum setback to the kerb is to be provided in accordance with Table B-8.1:

<b>TABLE B-8.1 – Minimum setbacks to street kerbs</b>			
<b>Location</b>	<b>High Traffic Risk*</b>	<b>Medium Traffic Risk<sup>#</sup></b>	<b>Low Traffic Risk<sup>+</sup></b>
High pedestrian traffic <sup>^</sup>	3.0m	2.5m	2.5m
Medium pedestrian traffic <sup>^</sup>	2.5m	2.0m	2.0m
Low pedestrian traffic <sup>^</sup>	2.0m	1.5m	1.2m
<p><b>* High traffic risk</b></p> <ul style="list-style-type: none"> <li>• high volume</li> <li>• high speed</li> <li>• travel lane adjacent to kerb</li> <li>• requires vehicle protection to separate outdoor dining from traffic lane if outdoor dining is adjacent to kerb</li> </ul> <p><b># Medium traffic risk</b></p> <ul style="list-style-type: none"> <li>• medium volume</li> <li>• medium speed</li> <li>• parking adjacent to kerb</li> <li>• requires fence to separate outdoor dining from traffic if outdoor dining is adjacent to kerb</li> </ul> <p><b>+ Low traffic risk</b></p> <ul style="list-style-type: none"> <li>• low volume</li> <li>• low speed</li> <li>• parking adjacent to kerb</li> <li>• requires minor planters to separate outdoor dining from traffic</li> </ul> <p><b>^ Pedestrian traffic rates</b> are identified in the on the Area Management System Permit Areas for Outdoor Dining &amp; Goods Display Areas on the Footpath Map contained within the North Sydney Outdoor Dining and Goods Display Policy</p>			

- P2 Despite the above requirements, each situation shall be assessed on its merits. An increased setback may be required to achieve appropriate levels of safety for pedestrians, patrons and/or drivers. Alternatively a decreased setback may be permitted, but only where a barrier to Council's satisfaction is installed that ensures the safety of pedestrians and patrons alike.
- P3 Minimum setback to specific street infrastructure and furniture is to be provided in accordance with Tables B-8.2 and B-8.3.

<b>TABLE B-8.2: Minimum setback to street infrastructure and furniture</b>	
<b>Object</b>	<b>Setback</b>
General Items <i>Trees and tree plots; front of public seating; rubbish bins; bicycle hoops, parking signs; parking meters; phone boxes; bus stop shelters</i>	900mm
Essential Services <i>Fire hydrants; hose reel cupboards; fire exit doors; fire equipment stores; substations; communication poles</i>	
Other items <i>Bollards; way finding signs, back of public seating</i>	500mm
Items not listed above	See Table B-8.3

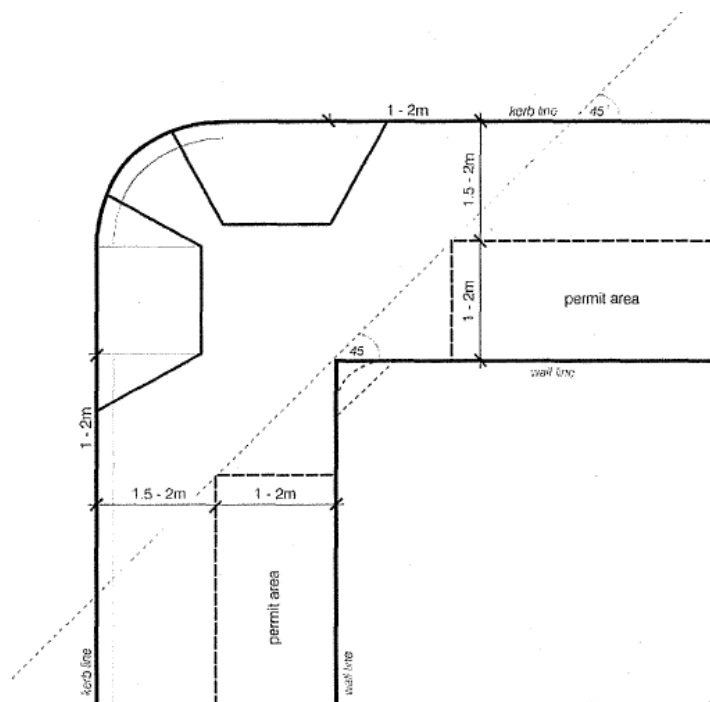
**TABLE B-8.3: Minimum setback to street infrastructure and furniture (other)**

Location	high traffic risk*	medium traffic risk#	low traffic risk+
High pedestrian traffic	2.5m	2.0m	2.0m
Medium pedestrian traffic	2.0m	1.5m	1.5m
Low pedestrian traffic	1.5m	1.0m	1.0m

- P4 Minimum setback to intersections, public spaces and other outdoor dining or display areas is to be provided in accordance with Table B-8.4:

**TABLE B-8.4: Minimum setback requirements to street intersections / public spaces / dining areas**

Object	Setback
Street intersections, from the building corner	45° sightline angle in accordance with Figure B-8.2 below.
Dining and display areas shared with road (i.e. no kerb or street closure)	4m
Water's edge (i.e. MHWM)	2m
Clearance between adjoining dining or display areas with no separation screen	250mm



**Figure B-8.2:**  
Setbacks from street intersections.

- P5 The designated area must not obstruct any pedestrian entry or exit to any building.
- P6 Minimum setback of 3m from any construction zones occurring on adjacent land. This is a temporary requirement to ensure the safety of patrons during the course of construction works on adjoining properties.
- P7 Where possible, locate the area directly adjacent to the host premises.

**Outdoor Dining and Display of Goods on the Footpath**

- P8 Toilet facilities for patrons are to be provided in accordance with the provisions of the Building Code of Australia (Part F) within the associated premises/business for the total number of seats/patrons accommodated both internally and externally. The total number of patrons to be accommodated is calculated based on 1m<sup>2</sup>/person or available seating floor area.

### 8.5.3 Furniture and equipment

#### Objectives

- O1 To provide a consistent approach to the provision of furniture and equipment within the public domain.
- O2 To ensure the safety and amenity of both patrons using outdoor dining and goods display areas, and pedestrians and drivers passing by.
- O3 To minimise the visual impact upon the character of an area.

#### Provisions

##### General Requirements

- P1 Outdoor furniture / equipment is to be provided in accordance with that identified in Schedule 5 of the **North Sydney Outdoor Dining & Goods Display Policy**.
- P2 Outdoor furniture / equipment is to be of a commercial grade, to ensure that the safety of patrons and pedestrians.
- P3 All temporary furniture and equipment must be removed from the footpath and stored within the premises, at all times outside of the approved operating hours of the premises.
- P4 Where temporary screens or barriers are used in conjunction with planter boxes, they must uniform in appearance for the premises that they serve, but only where there is more than one screen or planter proposed.
- P5 Temporary furniture and equipment must be stable and not prone to falling over when knocked over by pedestrians or blown over in high winds.
- P6 All furniture and equipment must be strong, durable, waterproof and weather resistant.
- P7 Furniture and equipment should not contain sharp edges, hinges or other moving parts which could be hazardous to the safety of users.
- P8 Furniture and equipment must be capable of being easily moved and folded or stacked for storage.
- P9 Only purpose made structures will be permitted for the display of goods (i.e. do not use make-shift display stands such as milk crates or packing boxes).
- P10 Payment points or garbage bins must not be located in the outdoor area.
- P11 All furniture and equipment is to be constructed of materials and comprise colours appropriate to outdoor use such as powder coated or polished aluminium, brushed or stainless steel, neutral or painted timber, canvas, non-reflective materials and darker colours (white is not suitable as it deteriorates rapidly in the urban environment).
- P12 Ensure that the display of goods is neat and tidy at all times.

##### Screens or Barriers

- P13 Must not be a permanent structure. However, Council may consider approving a permanent screen or barrier, but only where the applicant can demonstrate that the structure/s:
- (a) will not reduce the safety of pedestrians using the footpath, and
  - (b) will not adversely obstruct emergency access; and



- (c) will not adversely reduce pedestrian flows; and
- (d) are required to provide added safety protection when located along busy roads, and
- (e) will not detract from the urban streetscape.

- P14 Maximum height of 900mm. Screens on sloping sites may be “levelled off” by use of an adjustable telescopic foot or the like.
- P15 Maximum individual length of 1.2m. Where more than one screen or barrier is proposed, they must be joined with a common lift-off pedestal. Screens must not be chained or roped together.
- P16 The screen or barrier must comprise a stainless steel, aluminium or painted metal frame, with a fabric or vinyl insert which is either bonded or laced to the frame. Glass or perspex inserts and plastic frames are not permitted. However, Council may consider approving glass or perspex insert screens, but only where the applicant can demonstrate that these types of screens will positively contribute to the streetscape and are consistent with other similar screens in the locality.
- P17 The screens or barriers must not contain any advertising other than a logo of the type permitted under Schedule 6 of the **North Sydney Outdoor Dining & Goods Display Policy**.

**Planter boxes**

- P18 Must not be a permanent structure. However, Council may consider approving a permanent planter box, but only where the applicant can demonstrate that the structure/s:
- (a) will not jeopardise the safety of pedestrians, and
  - (b) will not adversely obstruct emergency access; and
  - (c) will not adversely reduce pedestrian flows; and
  - (d) will not detract from the urban streetscape.
- P19 Non-permanent planter boxes must be capable of being moved from the footpath to overnight storage by a single person.
- P20 Maximum individual length 1.2m.
- P21 Maximum height 900mm (excluding plants).
- P22 Plants are to be of a hardy pot species or in season flowering species (which are changed when not in season).

**Heaters**

- P23 Heaters must not be a permanent structure. However, Council may consider approving a permanent heater/s, but only where the applicant can demonstrate that the heater:
- (a) is attached to the host building in accordance with the manufacturer’s specifications; and
  - (b) is located a minimum height of 2.7m above the footpath; and
  - (c) is located a minimum of 500mm or the manufacturer’s specified distance, whichever is the greater, above and to the side of any combustible materials; and
  - (d) is capable of being removed without detrimentally affecting the structure or appearance of the building; and
  - (e) must not be attached to a heritage item.
- P24 Must be located a minimum of 800mm from any kerb (Measured from the edge of the heater canopy reflector).

**Outdoor Dining and Display of Goods on the Footpath**

- P25 Tabletop heaters are not permitted.
- P26 Heaters must comply with the relevant gas association or electricity authority requirements.
- P27 Electric heaters must comply with the relevant Australian Standards and must be connected to a circuit fitted with an earth leakage cut off device.
- P28 Gas heaters must incorporate an integrated gas bottle and must be fitted with a compliant (in service date) gas bottle with a safety shut off valve (in case of tipping over).

**Tables and Chairs**

- P29 Chairs and tables must not comprise permanent structures.
- P30 Council may consider approving integrated bench tables and seats remaining in place overnight but they are to be fitted with an anchoring device to the building or to the ground.
- P31 Chairs must not be positioned such that a patron's back is facing the kerb, unless there is a minimum free space of 1.2m between the chair and the kerb or any safety screen/barrier located between the chair and the kerb.
- P32 Chairs and tables are to be maintained in a serviceable condition.

**Umbrellas**

- P33 Must not be a permanent structure. However, Council may consider approving a permanent umbrella, but only where the applicant can demonstrate that the structure/s:
  - (a) will not jeopardise the safety of pedestrians using the footpath, and
  - (b) are required to provide added protection along busy roads, and
  - (c) will not detract from the urban streetscape.
- P34 Minimum setback of 600mm from the kerb and the umbrellas' edges.
- P35 Must not extend beyond the extent of the designated outdoor dining area, unless it can be demonstrated that an overhang is required to provide adequate weather protection.
- P36 Removable umbrellas must be secured by a stabiliser foot or other restraining device to avoid wind instability, and be capable of being removed in thirty minutes.
- P37 Minimum UV rating of 50 and must be waterproof.
- P38 All umbrellas used by a single premise or a building are to be the same colour and type. Where a locality is predominantly characterised by umbrellas with a single colour or type, then any new umbrellas must be consistent with that characteristic colour or type.
- P39 Gutters may be installed between adjacent umbrellas to provide continuous cover.
- P40 Clear plastic roll down screens may be permitted on umbrellas, but only where they are provided in accordance with the manufacturer's specifications/instructions and are only used during inclement weather.
- P41 Umbrellas must not contain any advertising other than a logo of the type permitted under Schedule 6 of the **North Sydney Outdoor Dining & Goods Display Policy**.

**Retractable canopies**

- P42 Roll out or retractable canopies are to be fitted and operated in accordance with the manufacturer's specification and must be of commercial grade.
- P43 Any motorised canopy must be capable of being manually retracted.
- P44 Any retractable canopy must be capable of being retracted in a minimum of 10 minutes.



- P45 Council may require a wind assessment to be carried out by a suitably qualified consult if it considers that a site is unsuitable for such a structure.
- P46 Canopies are to be fully retracted at all times outside of the approved operating hours of the premises.
- P47 Canopies must not be anchored to the pavement or other structures on the footpath. However, Council may consider the anchoring of a canopy to the footpath, but only where it can be demonstrated in writing by a qualified wind consultant that such a system is required.
- P48 Minimum setback of 600mm from the kerb. Where there is no kerb, a maximum projection of 2.5m applies.
- P49 Minimum clearance of 3.2m above the pavement, or consistent with prevailing retractable blinds in the vicinity of the proposal.
- P50 Minimum UV rating of 50 and must be waterproof.
- P51 All canopies used by a single premises or building are to be the same colour and type. Where a locality is predominantly characterised by canopies with a single colour or type, then any new canopies must be consistent with that characteristic colour or type.
- P52 Clear plastic roll down screens may be permitted off the sides of a canopy (i.e. not fronting the street), but only where they are provided in accordance with the manufacturer's specifications/instructions and are only used during inclement weather.
- P53 Canopies must not contain any advertising other than a logo of the type permitted under Schedule 6 of the **North Sydney Outdoor Dining & Goods Display Policy**.

**Display stands**

- P54 Must not be a permanent structure.
- P55 Display stands are to be fitted with a stabiliser foot or locking wheels/rollers. On sloping sites a tether may be required.
- P56 Mobile trolley tables are to have at least 2 wheels which are capable of being locked to prevent movement.
- P57 Display tables must incorporate weatherproof fitted covers for protection during short periods of inclement weather. If goods are to be stored beneath the table, they are to be stored on storage shelves or drawers integrated into the table and not located on the ground. If materials are to be stored under the table on shelves, the table is to be fitted with a skirt or doors to screen the storage areas from public view.

## **8.5.4 Advertising**

**Objectives**

- O1 To minimise visual clutter on an area.

**Provisions**

- P1 Limited advertising may be displayed on furniture and equipment, with a maximum of one advertisement per item, limited in size so that it is a minor element only.
- P2 Where logos are proposed, these are to comply with Schedule 6 of the **North Sydney Outdoor Dining & Goods Display Policy**.
- P3 Do not display any general advertising.
- P4 Do not place sandwich boards on the footpath.

## **8.5.5 Shared table areas**

**Objectives**

- O1 To provide flexibility in the provision of outdoor dining.



***Outdoor Dining and Display of Goods on the Footpath***

**Provisions**

- P1 Council will accept applications for shared dining table areas from cooperative community groups and/or businesses. Careful attention must be given to location, layout, design and management of the proposed areas to be assessed by Council. Should approval be granted, a formal management agreement would be necessary to ensure the area is suitably maintained and operated.



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## SECTION 9 ADVERTISING AND SIGNAGE

### 9.1 INTRODUCTION

Advertising and signage is a prominent feature of the skyline and streetscape in North Sydney. It is an integral part of the streetscape in commercial centres, shopping villages and mixed uses areas, providing information to people on business locations, products and services. However, there is also a need to ensure that signage does not dominate or detract from the character of an area.

This Section has been formulated having regard to *Outdoor Advertising - An Urban Design-Based Approach* produced by the NSW Department of Planning and the Victorian Department of Planning and Housing. In particular, the Section aims to maintain the characteristics of buildings, streetscapes, vistas and the significance of Sydney Harbour and to encourage well designed and carefully positioned signs that contribute to the vitality and character of North Sydney, while having regard to the amenity of residents, pedestrians and the safety of motorists.

#### 9.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that signage:

- O1 is designed, sized and positioned in a consistent manner;
- O2 does not detract from significant views, vistas and sensitive streetscapes;
- O3 adds character to the streetscape and complements the architectural style and use of buildings;
- O4 minimises visual clutter or environmental degradation through proliferation;
- O5 minimises the potential for adverse impacts on sky glow from the illumination of signs;
- O6 conveys the advertiser's messages or images without causing an adverse social impact upon the community; and
- O7 Minimises impacts upon the safety of drivers and pedestrians.

#### 9.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications incorporating signage that can be seen from a public place such as a street, waterway or public reserve. Some types of signage are also permitted without development consent (refer to cl.3.1 – Exempt Development and Schedule 2 - Exempt Development to NSLEP 2013 and cl.2.72A and cl.2.72B of *SEPP (Exempt and Complying Development Codes) 2008*).

#### 9.1.3 Relationships to Other Sections

Where relevant, this Section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part C: Character Area Statements.

#### 9.1.4 Relationship to other documents and planning policies

Where relevant, this Section of the DCP needs to be read in conjunction with the following:

- (a) **SEPP No. 64 - Advertising and Signage** (SEPP 64)

The SEPP contains specific provisions relating to all forms of signage. Applications for all forms of signage, must give consideration to Parts 1 and 2 and Schedule 1 of the SEPP. Applications for signage, other than building or

business identification signs or signage which is exempt development, are also required consider the provisions of Parts 3 and 4 of the SEPP.

(b) ***Transport Corridor Outdoor Advertising and Signage Guidelines***

This Guideline is required to be considered where signage is proposed to be located on Transport Corridor land as identified under SEPP 64.

(c) ***Building Code of Australia*** (BCA)

Part B of the BCA contains provisions dealing with dead and live loads, load combinations and wind loads which may have an impact the way a proposed sign is designed and affixed to a building or site.

(d) ***NSW Roads and Traffic Authority policy for advertising on RTA infrastructure*** (1999).

Applicants proposing signage on or visible from arterial roads should consider the safety of motorists in accordance with this Policy.

(e) ***Australian Standard AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting***

This Standard contains relevant guidelines for external illumination devices providing recommended limits for the relevant lighting parameters to contain obtrusive illumination effects within tolerable levels.

## 9.2 ADVERTISING DESIGN ANALYSIS

The following advertising design analysis aims to provide guidance on desirable forms of advertising in North Sydney for different zones and areas. Advertising design should reinforce the character of advertising described in this analysis.

### 9.2.1 B1 - Neighbourhood Centre Zone

(a) ***Waverton, Cammeray, Kirribilli, Blues Point Road***

These areas consist mainly of one and two storey buildings with shops at ground floor level that serve the local needs of the community and some shop top housing above. Existing signage is limited to small scale business identification signs such as fascia, under awning (some illuminated), top hamper and window signs. There are no large scale advertisements given the limited scale of the built form. The existing character of these villages should be retained by limiting signage to small scale business identification signs in the forms previously described.

### 9.2.2 B4 - Mixed Use Zone

(a) ***Milson's Point***

Milsons Point has a diverse range of land uses including residential, commercial and retail that are mostly located in multi storey buildings that have a prominent location on the foreshores of Sydney Harbour. Signage in Milsons Point is a mixture of small business identification signs (fascia, under awning, wall, projecting wall signs). There are some larger wall and roof signs on building elevations that are quite visible from Sydney Harbour. To enhance the views of North Sydney from Sydney Harbour and the Bradfield Highway, future signage should be limited to small scale business and/or building identification signs at lower levels where commercial development is permitted under NSLEP 2013.

(b) ***Crows Nest***

Crows Nest is a lively, interesting main street shopping village that is predominately two storey with mostly retail shops and cafes at ground level. Current signage is limited to small scale business identification signs (under awning signs, fascia signs, projecting wall signs and window signs). There are, however, three large roof signs at the major intersection of Falcon Street, Shirley Road and the Pacific Highway that have an adverse impact upon the streetscape. For this reason, further large and/or roof signs are discouraged in the Crows

## Advertising and Signage

Nest area. Signage in the Crows Nest Village should remain small scale especially along Willoughby Road where there is a small scale village atmosphere and along Pacific Highway where the traditional two storey parapet shopfront is a dominate feature. Above awning signs on traditional shop frontages should be avoided to enhance the character of the Crows Nest Village Centre.

### (c) St Leonards

St Leonards has been rezoned from a former commercial and industrial area to mixed use and commercial. There are a number of large existing roof and wall signs that currently dominate the skyline so any additional signage of this type should be avoided. Signage in this area should be limited to small scale business identification advertisements at ground level (under awning, fascia, top hamper) and no new larger illuminated wall and roof signs at upper levels.

### (d) Cremorne and Neutral Bay

The built form in the Cremorne and Neutral Bay villages is generally two storeys with small shops located at ground level. Signage is limited to small scale business identification signs (under awning, fascia, top hamper sign, window, projecting wall signs). There are two undesirable forms of signage that have an adverse impact on the streetscape including a bridge sign located on the pedestrian link to SCEGS Redlands and a large wall sign on Military Road near Wycombe Road. Future signage should, therefore, be limited to small scale business identification signs at ground floor level to promote commercial activity in the area.

## 9.2.3 IN2 – Light Industrial Zone

### (a) McMahon's Point

This area is a mixture of modern two or three storey commercial buildings amidst one or two storey historic terrace houses and timber or stone cottages. Most of the non-residential uses in McMahon's Point provide support services for businesses located in the North Sydney Centre such as advertising agencies, printers, graphic designers, publishers. Existing signage is mostly small business or building identification signs including fascia and illuminated under awning signage. There are no large scale signs within the Light Industrial zone with signage limited and subdued to preserve the partially residential character of the area. Small scale business identification signage is the desired level of advertising for this area.

## 9.2.4 North Sydney Centre

North Sydney Centre is a vibrant, prosperous commercial centre consisting mainly of multi storey commercial buildings. The area is well serviced with community facilities such as North Sydney Oval, the Stanton Library and the Civic Centre Park and the Don Bank Museum. Within the North Sydney Centre are two conservation areas (McLaren Street and Walker Street) that contain significant landmarks such as St Thomas Church and the Council Chambers.

Signage within the North Sydney Centre is diverse with a number of large illuminated wall and roof business identification signs that dominate the skyline. In addition to larger advertisements, there are numerous small scale business identification signs at street level including under awning and window signs, top hamper signs, free standing signs, fascia signs and projecting wall signs.

The visual impact of the larger illuminated roof and walls signs in the North Sydney Centre is significant given their prominent location on the shores of Sydney Harbour and their close proximity to Bradfield Highway. To enhance views from Sydney Harbour, large business identification wall signs on multi storey buildings above first floor level should be limited to two per building that are incorporated into the overall design of the building. Generally, additional signage should be limited to small scale business identification signs at ground floor level to convey messages to potential customers in preference to large scale roof and/or sky signs.

### 9.3 FAÇADE GRID ANALYSIS

This is a simple technique that can be used to:

- (a) comprehensively identify sign opportunities for inclusion by the council in any more detailed development control plan for specific precincts;
- (b) identify appropriate sign opportunities for developers and occupants; and
- (c) assess specific development applications for signs.

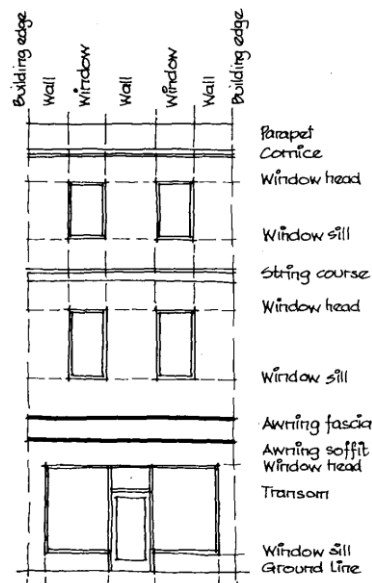
While the technique relates specifically to traditional building facades (such as those commonly found in strip- shopping centres), the principles can be applied to all building forms.

Signage does not necessarily have to be placed on a building's front facade. For example, they can be placed on side-walls provided they do not interfere with the adjoining development. In these circumstances the principles of the technique still apply.

The technique is set out in the four steps below.

#### STEP 1:

To identify sign opportunities, subdivide the building's facade along its main design lines to form a series of panels. Many traditional building designs can be easily broken into a grid based on the alignments of the parapet (skyline), cornice, verandah, window and door. An example of this procedure is shown in Figure B-9.1.



**Figure B-9.1:**

Establishing a façade-grid

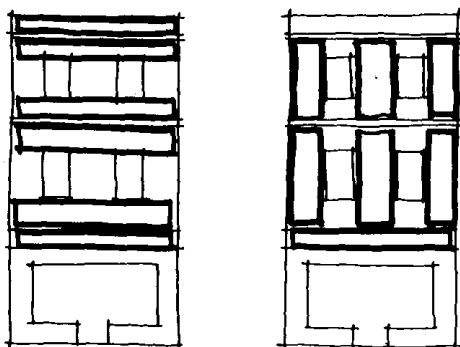
#### STEP 2:

To identify possible signage locations, the rectangles of the grid may be used separately or be joined together to form horizontal or vertical panels (refer to Figure B-9.2).

The scale of advertising signs should be compatible with the buildings they are on, as well as with nearby buildings, street widths and other existing signs. In most cases appropriate dimensions are achieved by restricting signs to grid locations or panels. This ensures that the original architectural character (set by the lines of awnings, window and door openings, parapet lines and setbacks) remains dominant.

On buildings with decorative facades, signs should not be placed on the decorative forms or mouldings. Instead, they should appear on the undecorated wall surfaces, unless architecturally-designed sign panels are provided.

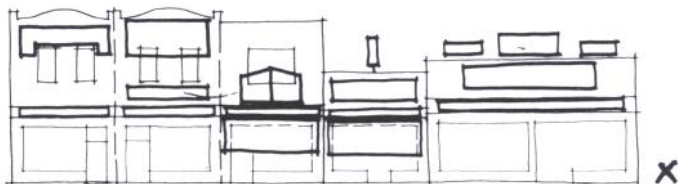
Figure 2 also shows that a building may be given a horizontal or vertical appearance simply by the way in which the sign panels are arranged across or down a building.



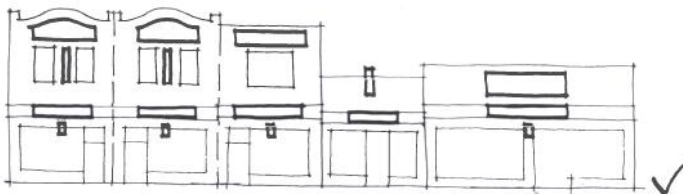
**Figure B-9.2:**  
Horizontal or vertical panels

**STEP 3:**

Applying the technique to a series of buildings also illustrates the possible panels for the streetscape and provides the basis for developing patterns and themes for a group of buildings and or tenancies.



**Figure B-9.3:**  
Developing patterns and themes



**Figure B-9.4:**  
Improving discontinuities in streetscapes

Figure B-9.3 shows how the technique produces a uniform and clean series of sign possibilities instead of a haphazard array. It also shows that sign panels do not have to be rectilinear in design or contained in a perimeter margin unless these impose an architectural formality or introduce a continuity with the surrounding area which is presently lacking in the building.

Figure B-9.4 shows how a variation of the technique can be used to help correct discontinuities in streetscape. The lines of adjacent buildings may be projected across the facade of the building, thereby defining horizontal panels in which signs may be located. This will achieve visual continuity with neighbouring buildings.

**STEP 4:**

Not every panel identified using this technique should be used to display a sign. The number and size of signs proposed is determined by provisions contained in the remaining parts of this Section of the DCP. In deciding which of the panels is the appropriate space for advertising, the following matters should also be considered:

- (a) the number and location of existing signs;
- (b) the quality of the streetscape; and
- (c) the objectives and provisions of this Section of the DCP.

## 9.4 GENERAL CONTROLS - DESIGN, SCALE AND SIZE

### Objectives

- O1 To ensure that signage does not detract from the architecture of existing buildings, streetscapes and vistas.

### Provisions

- P1 Signage attached to buildings is to be designed, scaled and sized having regard to a façade grid analysis.
- P2 Where practical signage not attached to buildings must be designed to have regard to the size, height and scale of nearby buildings and their elements.
- P3 Signage should be visually interesting and integrated with the architecture of the building.
- P4 Lettering, materials and colours should be used that complement the existing building or place.
- P5 Signage must not dominate the building or site to which it is attached.
- P6 Do not locate signage where it will obstruct views, vistas or cause significant overshadowing.
- P7 Signage must not dominate the skyline or protrude above any parapet or eaves.
- P8 Signage must not cover any window, other opening or significant architectural features of the building.
- P9 The proposed means of fixture to the building or any support structure for freestanding signs must be consistent with the relevant character statement in Section 9.2.
- P10 Avoid freestanding signs that dominate the skyline when viewed from the ground within one kilometre.

## 9.5 LOCATION

### Objectives

- O1 To establish a consistent approach to the positioning of signage and to enhance the streetscape.

## Advertising and Signage

### Provisions

- P1 Where relevant, signage should be located to take account a façade-grid analysis.
- P2 The preferred location for signage is identified in the relevant character statement in Section 9.2.
- P3 Signage should be located such that they do not unreasonably obstruct accessible paths of travel for pedestrians.
- P4 Signage should be located such that they do not obscure a driver's or pedestrian's sightlines, especially in the vicinity of intersections, traffic control devices or driveways.
- P5 Provide signs that respect the viewing rights of other advertisers.

## 9.6 RESTRICTIONS

### Objectives

- O1 To avoid visual clutter and the proliferation of signs.
- O2 To ensure that advertisements relate to the use of the land on which they are located.
- O3 To preserve residential character, streetscapes and vistas.

### Provisions

- P1 Signage, other than exempt development, business identification signage or building identification signage is not permitted in the following areas:
  - (a) Residential zones (R2, R3 and R4 zones),
  - (b) E2 - Environmental Conservation zone,
  - (c) RE1 - Recreational Area zone,
  - (d) RE2 - Private Recreation zone, and
  - (e) Heritage conservation areas
- P2 The following forms of advertising are not considered appropriate:
  - (a) Above awning signs,
  - (b) Flag pole signs,
  - (c) Inflatable signs,
  - (d) Moving and flashing signs,
  - (e) Sandwich boards,
  - (f) Video or variable message signs,
  - (g) Animated signs,
  - (h) Roof or sky signs, and
  - (i) Large signs (>20m<sup>2</sup> or higher than 8m), including billboards.
- P3 Must not provide more than one large building and/or business identification sign per building, allocated to a major tenant of that building.
- P4 Avoid advertising products that are not sold on the premises.
- P5 Maximum of one directory board per multiple-occupancy buildings.
- P6 Where provided, the name or logo of the person who owns or leases an advertisement must be integrated into the advertising display area and not exceed 0.25m<sup>2</sup> in area.
- P7 Any consent granted by Council for advertising signs (i.e. not building identification or business identification signs) is valid for a maximum of three (3) years.

## 9.7 CONTENT

### Objectives

- O1 To minimise the social impact of advertising in the public interest.

### Provisions

- P1 All advertising must comply with the requirements of the Australian Association of National Advertisers' *Code of Ethics* and Outdoor Media Association's *Code of Ethics*. In particular, advertisements must:
- (a) comply with any Commonwealth or State laws (i.e. the Tobacco Advertising Prohibition Act 1992);
  - (b) not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.
  - (c) not depict material contrary to Prevailing Community Standards on health and safety.
- P2 The advertising of alcohol products is not permitted, unless those products are sold on the subject premises.
- P3 Changes in content or message of any Council approved sign does not require development consent, provided the proposal meets the exempt development provisions of NSLEP 2013 (refer to Clause 3.1 and Schedule 2), Part 2 of SEPP (Exempt and Complying Development Codes) 2008 and relevant provisions of SEPP (Infrastructure) 2007.

## 9.8 PEDESTRIAN AND ROAD SAFETY

### Objectives

- O1 To ensure that signage does not adversely affect driver and pedestrian safety.

### Provisions

- P1 Signage should be designed in accordance with the provisions contained within the *NSW Roads and Traffic Authority Policy for Advertising on RTA infrastructure* (1999).
- P2 Messages and signage structures must be designed such that they do not result in a pedestrian or driver being confused with messages contained within road traffic signs, signals or other traffic information device.
- P3 The proposed sign does not obscure a road hazard, traffic warning or directional sign or signal, oncoming vehicles or pedestrians.
- P4 Avoid advertising messages, designs, or bright lighting that may distract motorists or pedestrians.
- P5 Signs must not be located where drivers and pedestrians require a higher level of concentration (e.g. major intersections).

## 9.9 SIGNS ON HERITAGE ITEMS AND IN CONSERVATION AREAS

### Objectives

- O1 To ensure signage does not impact on the ability to conserve the significance of heritage items and/or conservation areas.

### Provisions

- P1 Maximum of one sign per property, which is a minor element and restrained in design.
- P2 Despite P1, Council may consider permitting a maximum of 1 sign per non-residential tenancy, where the building contains multiple occupancies.

## Advertising and Signage

- P3 Original signs are retained and conserved at the site where possible.
- P4 Avoid new signs on side walls of buildings.
- P5 Provide a high standard of materials and graphics.
- P6 Where practical, use traditional designs, signage types, locations, colours, lettering and construction methods.
- P7 Illuminated signs on heritage items are generally not permitted.
- P8 Despite P7, Council may permit illuminated signage on a heritage item, but only if:
  - (a) The heritage significance of the item will not be unreasonably affected by the proposed illumination devices, and
  - (b) The form of illumination (i.e. externally or internally illuminated) generally reflects the period and style of the heritage item to which it is attached, and
  - (c) The illumination is required for operational purposes after dark.

## 9.10 ILLUMINATION

### Objectives

- O1 To ensure that the local amenity is preserved with appropriate levels of illumination.
- O2 To minimise increases in sky glow that can impact on astronomical observations.

### Provisions

- P1 Signs must not be illuminated between 1.00am and 7.00am.
- P2 All illuminated signs are to be fitted with automated timing devices to ensure compliance with operating hours to P1.
- P3 Provide levels of illumination that do not cause light spillage for nearby properties.
- P4 Avoid positioning illuminated signs on properties fronting laneways between residential and commercial areas.
- P5 Must comply with the relevant requirements of *AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting*.

## 9.11 CONTROLS FOR SPECIFIC SIGN TYPES

### Objectives

- O1 To minimise the visual impacts on the quality of vistas, streetscapes and skylines.
- O2 To permit building wrap advertisements in limited circumstances to improve the LGA's visual appearance during the construction of new building works and to permit limited third party advertising to assist in the cost of providing such advertisements.
- O3 To provide limited opportunities to permit large scale temporary advertisements that relate to regional, state or national events of social, historical, cultural or sporting interest that are to occur within the Sydney Metropolitan Region.

### Provisions

#### Roof or sky signs

- P1 Roof or sky signs are generally not permitted. However, Council may consider new roof or sky signage, but only where:
  - (a) the new signs replace one or more existing roof or sky signs and improve the visual amenity of the locality; or
  - (b) the new signs improve the finish and appearance of the building and the streetscape.



- P2 Roof or sky signs will only be permitted if they are associated with a non-residential use in the B3 – Commercial Core or B4 – Mixed Use zones.
- P3 Roof or sky signs must not be positioned higher than the highest point of any part of the building, including lift overruns or air conditioning plants but excluding flag poles, aerials, masts and the like.
- P4 Roof or sky signs must not be wider than any part of the building and also in accordance with the relevant desired character statement in Section 9.2.

**Wall signs**

- P5 Only one wall sign per building elevation.
- P6 Integrate wall signs into the overall design of the building.
- P7 Avoid signs that have an area greater than:
- (a) 10% of the area of the wall if the elevation is  $> 200\text{m}^2$
  - (b)  $20\text{m}^2$  if the elevation is greater than  $100\text{m}^2$  but  $< 200\text{m}^2$
  - (c) 20% for elevations of  $< 100\text{m}^2$
- P8 Wall signs should not protrude more than 300mm from the wall to which it is attached.
- P9 Avoid locating a wall sign on a building elevation if there is an existing building or business identification sign.

**Under awning signs**

- P10 Under awning signs must be located 2.6m above natural ground level, not exceed 2.5m in length or 500mm in height.

**Bus shelters**

- P11 Third party advertising is permissible on bus shelters, but only if it meets a public benefit test to ensure that the advertising will result in a positive gain or benefit for the community.

**Multi-function poles**

- P12 The message of the advertisement must be limited to community and civic events

**Note:** A civic event comprises any event that is endorsed by Council.

A cultural event comprises an event relating to sport, theatre, art, cinema, religious events, community festivals and the like.

- P13 Advertisements are not to comprise more than 1 message per multi-function pole and not comprise more than 4 different messages for all multi-function poles within a particular commercial or village centre.

**Free standing advertising panels**

- P14 Limited to land within the North Sydney Centre as identified by NSLEP 2013.
- P15 Minimum setback of 600mm from the kerb line of any road or laneway.
- P16 Must maintain a minimum unobstructed width of 2m across any footpath along the Pacific Highway and Miller Street and 1.5m on any other street or laneway.
- P17 Not located:
- (a) on kerb blisters;
  - (b) Within 10m of an unsignalised intersection, of the departure side of a marked pedestrian crossing or pedestrian refuge; and
  - (c) Within 20m of a signalised intersection, the approach to a marked pedestrian crossing or pedestrian refuge, a bus zone, the entrance of a railway station, reported pedestrian accident.



**Advertising and Signage**

- P18 A minimum clearance of 900mm is maintained between any freestanding advertising structure and trees and garden plots, public seating, rubbish bins, bicycle hoops, parking signs, parking meters and power poles.
- P19 Freestanding advertising structures are not be located in front of any ground floor business premises tenancy capable of being used for a food and drink establishment with any associated outdoor dining area.
- P20 Freestanding advertising structures are not permitted to be located directly on that part of a footpath located directly adjacent to a heritage item.
- P21 Any advertising structures are located such that they are clearly visible, well lit and colour contrasted where appropriate to assist people with vision impairments.
- P22 Discouragement of signs supported on poles, which may be problematic for users of sight-canes.
- P23 Whether hazard warnings, such as tactile indicators, are needed to indicate possible dangers for people with vision impairments.
- P24 Any such advertising on publicly owned land must meet a public benefit test to ensure that the advertising will result in a positive gain or benefit for the community.
- P25 The display area of a message on a freestanding advertising panel is limited 1.2m wide x 2.0m in height.
- P26 Freestanding advertising structures are not to exceed any overall height of 2.6m above existing ground level.
- P27 Any cumulative impacts or visual clutter created by the proposed signage.

**Building wrap advertisements on scaffolding / hoardings**

- P28 Building wrap advertisements which form part of scaffolding on development sites will only be permitted in the following zones under NSLEP 2013:
  - (a) B1 - Neighbourhood Centre;
  - (b) B3 - Commercial Core;
  - (c) B4 - Mixed Use; and
  - (d) IN2 - Light Industrial.
- P29 An advertisement will only be permitted where the scaffolding is in association with the construction of an approved new building or related work, and that such scaffolding must cover an entire elevation of that building subject to the approved works.
- P30 Scaffolded elevations shall have the whole elevation covered by mesh to a good quality of workmanship and shall have any commercial element sitting within and framed by the mesh.
- P31 The content of the advertisement or image is not permitted to change over the life of the scaffolding.
- P32 The scaffold and any associated advertisement(s) must be removed as soon as the relevant building works have been completed. The consent will last no longer than the agreed building programme or one year, whichever is the shorter. Any application for renewal of consent will be considered by Council and consent for continued display in accordance with this policy may not be unreasonably withheld.
- P33 Within sensitive areas such as heritage conservation areas or on or adjacent to a heritage listed building, the entire scaffolding mesh must be covered by a 1:1 scale image of the building being constructed / refurbished, or other similar appropriate image to the satisfaction of Council. Any commercial advertising must not occupy more than 5% of the extent of the scaffolded elevation and is limited to the ground floor storey elevation only.



- P34 A commercial advertisement element will only be permitted if a community message is provided and must not occupy more than 20% of the extent of the scaffolded elevation.
- P35 The advertisements may be illuminated, but only by projecting lamps from above the sign.
- P36 Council may consider the approval of a public artwork as the message to the advertisement.

***Building wrap advertisements on completed buildings***

- P37 Building wrap advertisements which are to be attached to completed buildings will only be permitted in the following zones under NSLEP 2013:
- (a) B3 -Commercial Core; and
  - (b) B4 - Mixed Use.
- P38 Where applied to a mixed use building, the advertisement is to be limited to commercial component of a building only.
- P39 Must not obscure any architectural features of the building.
- P40 Must be mounted flush with the external façade of the building.
- P41 Prior to the lodgement of any DA, discussions are to be made with Council's Public Art Officer.
- P42 The advertisement must not cover more than two adjacent façade(s) of the building.
- P43 The message of the advertisement must be limited to community and civic events.
- P44 The advertisement must not be erected more than 1 month before the commencement of the event and must be removed within 2 weeks of the conclusion of the event.
- P45 The consent will last no longer than the above period or one year, whichever is the lesser.
- P46 Advertisements are not permitted on buildings which are located within a heritage conservation area or be located on land or adjacent to land containing an item of heritage significance as listed in Schedule 5 of NSLEP 2013.
- P47 The advertisements must not be illuminated.
- P48 No more than 1 building wrap advertisement may be permitted to be erected on a building at any one time.
- P49 Council may choose to further limit the number, duration and timing of approvals to be granted under this subsection in the interest of maintaining the image of the LGA as one of high environmental quality.
- P50 All signage application under this subsection must be determined by the consent authority and may not be delegated by staff for determination.

## **9.12 SIGNAGE STRATEGIES**

### **Objective**

- O1 To ensure that signage on new mixed use or non-residential developments or on a heritage item, is consistent and complimentary in form, design and scale.

### **Control**

- P1 A signage strategy must be submitted with a development application involving signage for all new buildings for mixed use or non-residential purposes or for signage on a heritage item.
- P2 The signage strategy must indicate the location, type, size, and number of signs and any associated type and form of illumination that is appropriate for the building or site.

## Advertising and Signage

In addition, signage strategies relating to heritage items are also to indicate appropriate types of materials, colours and fonts where applicable.

- P3 All signs on a building or site are to be consistent with the approved signage strategy applying to that building or site.
- P4 The signage strategy is to comply with the requirements of this Section of the DCP.

### 9.13 DISPLAY OF ADVERTISEMENTS ON BUS SHELTERS

#### Objective

- O1 To provide limited opportunities to generate income to improve the public domain.
- O2 To minimise the impact on the users of bus shelters
- O3 To minimise the impact of the signage on residential amenity.

#### Control

- P1 Must be limited to a single elevation of the bus shelter.
- P2 Must be limited to the departure side of the bus shelter.
- P3 Must not be located such that it faces directly towards a residentially zoned property (for instance the advertisement must be located perpendicular to the direction of the road).
- P4 Illumination of signage does not result in adverse impacts upon nearby residents.
- P5 Ensure that the proposed signage does not adversely restrict pedestrian movement to and around the bus shelter.

### 9.14 SPECIAL PROMOTIONAL ADVERTISEMENTS

This clause primarily relates to the erection of signage on Council's multi-function poles.

#### Objective

- O1 To allow the temporary erection of promotional advertisements in limited circumstances.

#### Control

- P1 To ensure impacts are minimised, signage for this purpose is confined to land zoned:
  - (a) B3 – Commercial Core;
  - (b) B4 – Mixed Use;
  - (c) SP2 – Infrastructure (and labelled "Classified Road" on the Zoning Map), but only where it is located adjacent to a zone listed in subclause (a) or (b) above.
- P2 Design special promotional advertising in accordance with the relevant character statement.
- P3 Special promotional advertisements must be consistent with Section 2.7 to Part B of this DCP.
- P4 Must not advertise for more than a three month period in any 12 month period.
- P5 Avoid product images or corporate branding that exceeds 5% of the sign's display area.

### 9.15 SIGNAGE TO ASSIST DISABLED ACCESS

#### Objectives

- O1 To ensure that signage is capable of being interpreted regardless of visual ability.



**Provisions**

- P1 All signs and symbols including their location, size, and illumination should be designed to be understood by all users, including those with sensory disabilities in accordance with AS 1428 (*Building Code of Australia*).
- P2 Display disabled access signs where they can be easily seen. Hearing loop logos should be provided if required.
- P3 Include tactile communication methods in addition to visual methods to assist people with various disabilities.
- P4 Provide international symbols with specifications relating to signs, symbols and size of lettering complying with AS 1428.2.
- P5 Use letter height that complies with Clause 14 to AS 1428.1.
- P6 Provide specification for visual communication systems relating to height of letters, illumination, location and background contrast in accordance with AS 1428.2.

**9.16 NEW TECHNOLOGIES**

**Objective**

- O1 To provide some flexibility in Council's controls where new signage technologies become available.

**Control**

- P1 Future advertising generated by new technologies will be considered on their merits.
- P2 Proposals involving animation, video screens and other forms of movement are considered inappropriate.
- P3 Advertisements that cover glass facades (for example, coloured film) are generally discouraged unless they are limited in size and period of use.



## SECTION 10 CAR PARKING AND TRANSPORT

### 10.1 INTRODUCTION

Due to its geographical location within Metropolitan Sydney, North Sydney's transport infrastructure not only accommodates the travel demands of its residents and workers, it also caters to needs of a significant level of cross regional trips. Increased parking provision directly results in increases in traffic flow and congestion, which subsequently reduces levels of service for all modes of transport.

This increase in traffic generation can also lead to loss in residential, pedestrian and cyclist amenity, safety of all transport modes and further lead to increased use of private vehicles as alternative transport modes become less attractive.

The *North Sydney Transport Strategy* seeks to manage these issues by outlining Council's transport vision and priorities for the LGA. The vision focuses on issues of safety, transport security, social well being, active health, fair access to parking, environmental sustainability, local environments, transport affordability, congestion and business activity.

In particular, it seeks to prioritise the efficient movement of people and goods by walking, cycling, and public transport with lower levels of priority given to private vehicular transport.

#### 10.1.1 General objectives

The objectives of this Section of the DCP are to ensure that:

- O1 the objectives, strategies, planning priorities and actions of the [Greater Sydney Region Plan – A Metropolis of Three Cities](#) and the *North District Plan* are implemented;
- O2 the objectives, strategies, planning priorities and actions of the *North Sydney Local Strategic Planning Statement* are implemented;
- O3 the vision and priorities of the *North Sydney Transport Strategy* are achieved;
- O4 existing levels of traffic generation are contained and reduced;
- O5 public transport, including walking and cycling, is the main form of travel mode;
- O6 parking is adequate and managed in a way that maintains pedestrian safety and the quality of the public domain whilst minimising traffic generation;
- O7 parking is limited to minimise impacts on surrounding areas;
- O8 parking is accessible to all user groups;
- O9 minimal impacts occur on the provision of on-street parking;
- O10 ensure consideration is given to the provision of bicycle parking and facilities; and
- O11 a development's transport demand is effectively managed through its lifetime.

#### 10.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications.

#### 10.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development; and
- (d) Part B: Section 3 – Non-residential development in residential zones;



- (e) Part B: Section 5 – Child Care Facilities;
- (f) Part B: Section 4 – Boarding houses; and
- (g) Part B: Section 6 – Sex services and restricted premises.

### 10.1.4 Relationship to other documents

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

- (a) *North Sydney Local Strategic Planning Statement*;
- (b) *North Sydney Transport Strategy*;
- (c) [\*SEPP \(Infrastructure\) 2007\*](#);  
The Infrastructure SEPP lists the types of developments which are required to obtain the RMS's concurrence prior to the issuing of development consent
- (d) The Road and Maritime Service's [\*Guide For Traffic Generating Developments\*](#);
- (e) *Planning Guidelines for Walking and Cycling* (2004) prepared by NSW Department of Infrastructure, Planning and Natural Resources and the NSW Roads and Traffic Authority.
- (f) ***Performance Guide***  
The Guide will direct you to the references, which have been adopted by Council for designing traffic facilities associated with the development of private property.
- (g) *North Sydney Council Resident Parking Permit Policy*.

## 10.2 PARKING PROVISION

### 10.2.1 Quantity Requirements

#### Objectives

- O1 To facilitate an increase in the use of public and alternative transport modes including walking and cycling.
- O2 To minimise the reliance on private car usage.
- O3 To ensure that an appropriate level of on-site car parking is provided to cater for the users of the development, with regard to a site's proximity and access to other sustainable transport modes.

#### Provisions

##### ***Residential Development***

- P1 Provide on-site car parking, not exceeding the maximum rates stated in Table B-10.1.

TABLE B-10.1 – Residential Parking Rates				
Development Type	Zone	Location	Maximum Parking Rate	
<ul style="list-style-type: none"> <li>• dual occupancies</li> <li>• dwelling houses</li> <li>• semi-detached dwellings</li> </ul>	All	All	1-2 bedrooms	1 space / dw*
			3 or more bedrooms	2 spaces /dw

**Car Parking and Transport****TABLE B-10.1 – Residential Parking Rates**

Development Type	Zone	Location	Maximum Parking Rate	
<ul style="list-style-type: none"> <li>attached dwellings</li> <li>multi-dwelling housing</li> </ul>	All	All	Studio, 1-2 bedrooms	1 space / dw
			3 or more bedrooms	1.5 spaces / dw
			Visitor	0.25 space / dw (min of 1 space)
<ul style="list-style-type: none"> <li>residential flat buildings</li> <li>shop top housing</li> </ul>	B4 – Mixed Use	All- except in St Leonards Precincts 2 & 3**	Studio, 1 bedroom	0.5 space / dw
			2 or more bedrooms	1 space / dw
			Motorcycle parking	1 space / 10 car spaces
		St Leonards Precincts 2 & 3**	Studio, 1 bedroom	0.25 space / dw
			2 or more bedrooms	0.5 space / dw
			Motorcycle parking	1 space / 10 car spaces
	All zones other than B4 – Mixed Use	All	Studio, 1-2 bedrooms	1 space / dw
			3 or more bedrooms	1.5 spaces / dw
			Visitor	0.25 space / dw (min of 1 space)
boarding houses	All	All	1 / 12 beds	
seniors housing	All	All	1 / 5 dw	

\* dw = Dwelling

\*\* For the purposes of applying parking rates, St Leonards Precincts 2&3 relates to all sites within the area bounded by Chandos Street, Oxley Street, Albany Street, the Pacific Highway and the northern railway line

- P2 For residential flat buildings, shop-top housing and attached dwellings, on-site car parking provision below maximum rates specified in Table B-10.1 is encouraged where the proposed development has good access to public transport.
- P3 For residential developments containing 4 or more dwellings, a car wash bay is to be provided within the visitor parking area. The car wash bay may comprise a visitor car space. The wash bay is to be adequately drained and connected to the sewer line.
- P4 The use of car spaces is restricted to the occupiers(s) of a development.
- P5 Designate visitor car parking spaces as common property.
- P6 Developments containing adaptable housing must allocate at least one accessible parking space to each adaptable dwelling.

**Non-Residential Development**

- P7 Provide on-site car parking not exceeding the maximum rates specified in Table B-10.2.

**TABLE B-10.2: Non-residential Parking Rates in Specific Locations**

Development Type	Zone	Location	Maximum Parking Rate
All uses	B3 – Commercial Core	North Sydney Centre	1 space / 400m <sup>2</sup> GFA*
All uses not listed in Table B-10.3 - Specific Uses	B1 – Neighbourhood Centre	All	1 space / 100m <sup>2</sup> non-residential GFA
	B3 – Commercial Core	All locations except North Sydney Centre	1 space / 400m <sup>2</sup> non-residential GFA
	B4 – Mixed Use	North Sydney Centre Milsons Point St Leonards	1 space / 400m <sup>2</sup> non-residential GFA
		Crows Nest Neutral Bay Cremorne	1 space / 60m <sup>2</sup> non-residential GFA
	IN2 – Light Industrial	All	1 space / 100m <sup>2</sup> non-residential GFA

\* GFA = gross floor area

- P8 For specific non-residential uses, provide on-site car parking not exceeding the maximum rates specified in Table B-10.3.

**TABLE B-10.3 – Parking rates for specific non-residential uses**

Development Type	Maximum Parking Rate
Boat repair facilities	<ul style="list-style-type: none"> <li>1 space / 200m<sup>2</sup></li> <li>Appropriate loading facilities</li> </ul>
Child care centres	<ul style="list-style-type: none"> <li>Staff 1 space / 2 employees with a max. of 3 spaces</li> <li>Parents &lt; 24 places - 2 spaces ≥ 24 places - 3 spaces</li> </ul>
Educational establishments	<ul style="list-style-type: none"> <li>1 space / 6 staff</li> </ul>
Entertainment facilities	<ul style="list-style-type: none"> <li>1 space / 100m<sup>2</sup></li> </ul>
Food and drink premises (excluding Pubs)	<ul style="list-style-type: none"> <li>1 space / 50m<sup>2</sup></li> </ul>
Funeral chapels Funeral homes	<ul style="list-style-type: none"> <li>1 space/ 5 seats</li> </ul>
Hospitals	<ul style="list-style-type: none"> <li>1 space / 6 beds</li> <li>+ 1 space / 4 staff</li> </ul>
Hotel and motel accommodation Pubs Registered clubs (excluding residential)	<ul style="list-style-type: none"> <li>1 space / 100m<sup>2</sup> (licensed floor area),</li> <li>1 space / 5 bedrooms</li> </ul>
Light industries	<ul style="list-style-type: none"> <li>1 space / 200m<sup>2</sup></li> <li>Appropriate loading facilities</li> </ul>

**Car Parking and Transport****TABLE B-10.3 – Parking rates for specific non-residential uses**

Development Type	Maximum Parking Rate	
Medical centres	North Sydney Centre Milsons Point St Leonards	• 1 space / 400m <sup>2</sup>
	All other areas	• 4 spaces / 100m <sup>2</sup>
	• Proposals for medical centres must include traffic report accurately predicting traffic generation based on similar sized medical centres	
Places of public worship	• 1 space / 100m <sup>2</sup>	
Recreational facilities	• 1 space / 100m <sup>2</sup>	
Restricted premises Sex service premises	• 1 space / 205m <sup>2</sup>	
Serviced apartments	• 1 space / 5 apartments	
Service stations Vehicular repair stations	• 2 spaces / workshop bay	
Supermarkets	North Sydney Centre Milsons Point St Leonards	• 1 space / 400m <sup>2</sup> of GFA
	All other areas	• 4 spaces / 100m <sup>2</sup> of GFA
Vehicular sales or hire establishment	• 1 space / 100m <sup>2</sup>	

P9 On-site car parking provision below maximum rates specified in Tables B-10.2 and B-10.3 is encouraged where the proposed development has good access to public transport.

P10 Council must not grant consent for car parking spaces for entertainment facilities unless the location and availability of existing public car parking in the vicinity of the proposed entertainment facility has been considered. Any car parking allowed specifically for the entertainment facility may, with consent, also be available only for short-stay parking during the hours of 9.30am to 6pm, but for no other purpose.

P11 In addition to P7 and P8 above, parking for motorcycles must be provided at the minimum rate of 1 space per 10 cars or part thereof.

**Note:** Submit a Traffic and Transport Study prepared by an appropriately qualified person, if required.

**10.2.2 Car Share Schemes**

Car share schemes support sustainable transport modes, such as walking, cycling and public transport by filling a “mobility gap” – that is providing access to a vehicle on an “as needs” basis, without the high cost of ownership or private parking space provision.

**Objectives**

O1 To minimise the negative impacts of vehicular traffic associated with new development on the safety and efficiency of existing roads and the amenity of the North Sydney community.

**Provisions**

P1 Council supports the provision of car share parking in residential, mixed use and commercial developments. Where a car share scheme is to be provided:

- (a) The number of car share parking spaces provided does not replace more than 25% of the maximum off-street parking requirement if those car share spaces had not been provided, excluding any residential visitor parking spaces; and
  - (b) Each car share space does not replace less than 3 or more than 4 of the maximum residential and/or non-residential parking space requirements.
- P2 Where car share spaces are to be provided on private land, they must be:
- (a) Publicly accessible 24 hours a day, 7 days a week;
  - (b) Located as close as practical to site's entry to the public road;
  - (c) Where more than one space is to be provided, located adjacent to one another;
  - (d) Clearly marked for use by car share scheme vehicles only; and
  - (e) Identified as common property on any registered title of land and not sold or leased to an individual.

## **10.3 DESIGN AND LAYOUT**

### **10.3.1 General**

#### **Objectives**

- O1 To ensure that the parking area is adequately designed to enable the manoeuvring and accommodation of the types of vehicles likely to use the site.
- O2 To ensure that parking areas are adequately designed for mobility impaired persons.
- O3 To ensure that the servicing of the site is adequately accommodated for on site.

#### **Provisions**

- P1 The size and design of all parking spaces, loading facilities and any associated manoeuvring areas must be in accordance with AS2890.
- P2 1-2% of all non-residential parking spaces are to be designated for use by the disabled.
- P3 Car parking spaces for people with disabilities or their associates are provided adjacent or close to the principal public entrance in accordance with AS 1428.2.
- P4 Motorcycle parking must have a minimum dimension of 1.2m x 3m.
- P5 Council does not support the use of use of turntables for vehicular manoeuvring unless there is no feasible alternative.
- P6 Where security doors/gates are proposed, an intercom system is to be provided to facilitate visitor/service access to underground parking areas.
- P7 Where resident parking and non-resident parking is to be provided within the same development, vehicular access to the private residential areas of the parking area is to be restricted through appropriate security measures.

### **10.3.2 Stacking of parking spaces**

#### **Objective**

- O1 To minimise the impact on existing vegetation and landscape features and to prevent adverse safety impacts for drivers and pedestrians.
- O2 To minimise inconvenience to all users of the parking spaces.
- O3 To minimise impacts on the surrounding road system.



**Car Parking and Transport**

**Provisions**

- P1 Council does not support the stacking of parking spaces in the non-residential component of developments. However, Council may permit the stacking of spaces, but only where:
- (a) the number of stacked spaces does not exceed 25% of the total number of non-residential spaces; or
  - (b) where the parking spaces are in the same ownership or strata lot.
- P2 Council does not support the use of mechanical car stacker systems for the provision of car parking. However, Council may consent to the use of a mechanical car stacker, but only where it can be demonstrated:
- (a) That the use of the mechanical stacker will enable a reduced level of excavation to preserve existing significant tree(s) and or natural landscape features on the site;
  - (b) That the site's shape is physically constrained, such that conventional parking arrangements would not enable compliance with the parking provision requirements of this DCP;
  - (c) Where a single car stacker system accommodates more than 10 vehicles within a multi-dwelling housing development, a residential flat building, a mixed use or commercial premises, that a car waiting space is provided entirely on the site and adjacent to the mechanical stacker to enable a vehicle to wait while the stacker is in use. The waiting area must be located such that it does not interfere with the ability for a vehicle to enter and leave the stacker, while a car is occupying the waiting area.

**Note:** A car stacker system referred to in P2(c) refers to a system which uses a lift and/or horizontal moving platforms.

## 10.4 LOADING AND SERVICING FACILITIES

**Objectives**

- O1 To ensure that adequate off street loading, delivery and servicing facilities are provided.
- O2 To minimise the impacts of loading, deliveries and servicing operations on the safety and efficiency of the surrounding road system.

**Provisions**

- P1 Off-street loading and unloading facilities should be provided for all commercial and industrial premises as required by Council. The requirement for, number and size of loading bays will be determined by Council having regard to the:
- (a) Intended use of the premises;
  - (b) Frequency of deliveries / collections;
  - (c) Size and bulk of goods to be delivered / collected;
  - (d) Size of vehicles to be used;
  - (e) Practicality of accommodating delivery and service vehicles on site; and
  - (f) Likely impacts on traffic safety and efficiency on adjoining roads.
- P2 Developments containing more than 30 dwellings but less than 60 must provide at least 1 service delivery space, capable of accommodating at least 1 Medium Rigid Vehicle.
- P3 Developments containing more than 60 dwellings must provide at least 1 service delivery space, capable of accommodating at least:
- (a) 1 Heavy Rigid Vehicle; or



- (b) 2 Medium Rigid Vehicles.

**Note:** For the purposes of P2 and P3 above, Medium Rigid Vehicles and Heavy Rigid Vehicles are deemed to be same as that described in Section 2 of Australian Standard AS 2890.2 - Parking facilities - Part 2: Off-street commercial vehicle facilities.

- P4 Provide loading spaces and courier parking spaces near vehicle entry points to a site and lifts.
- P5 Height clearances, including access routes to the required loading spaces must comply with Australian Standard AS 2890.2.

## 10.5 BICYCLE PARKING AND ASSOCIATED FACILITIES

### Objective

- O1 To encourage the use of bicycles as an environmentally beneficial form of transport and an alternative to the use of private motor vehicles.

### Provisions

#### Number

- P1 All new development is to provide on-site, secure bicycle parking spaces and storage for residential accommodation in accordance with the minimum rates specified in Table B-10.4 with the following exceptions:
- (a) where an apartment in a residential building has a basement storage area on title that is large enough to accommodate a bike and being no smaller than a Security Level A bike locker, then additional bike parking for that apartment is not required; and
  - (b) where a proposed use is not included below, bicycle parking and storage rates will be considered on merit taking into consideration rates for similar uses in Table B-10.4 as well as those contained in the *NSW Planning Guidelines for Walking and Cycling* (2004).

TABLE B-10.4: Minimum Bicycle Parking Rates		
Development Type	Rate	
	Occupants	Visitor / Customer
<b>Residential</b>		
Residential accommodation	1 / 1 dwelling	1 / 10 dwellings
<b>Tourist and Visitor Accommodation</b>		
Serviced apartments, Hotels and motels	1 / 4 staff	1 / 20 rooms
Backpackers accommodation	1 / 4 staff	1 / 10 beds
<b>Commercial Premises</b>		
Office premises, Business premises	1 / 150m <sup>2</sup> GFA	1 / 400m <sup>2</sup> GFA
Bulky goods premises	1 / 600m <sup>2</sup> GFA	1 / 1000m <sup>2</sup> GFA
Shop, Restaurant or cafe	1 / 250m <sup>2</sup> GFA	2 + 1 / 100m <sup>2</sup> over 100m <sup>2</sup> GFA
Shopping centre	1 / 200m <sup>2</sup> GFA	1 / 300m <sup>2</sup> sales GFA
Pub	1 / 100m <sup>2</sup> GFA	1 / 100m <sup>2</sup> GFA
Entertainment facility	-	Greater of 1 / 15 seats or 1 / 40m <sup>2</sup> GFA

**Car Parking and Transport****TABLE B-10.4: Minimum Bicycle Parking Rates**

Development Type	Rate	
	Occupants	Visitor / Customer
Place of public worship	-	Greater of 1 / 15 seats or 1 / 40m <sup>2</sup> GFA
<b>Industry</b>		
Industry, Warehouse or Distribution centre	1 / 10 staff	-
<b>Community</b>		
Child care centre	1 / 10 staff	2 / centre
Medical centre, Health consulting rooms	1 / 5 practitioners	1 / 200m <sup>2</sup> GFA
Tertiary educational institution	1 / 10 staff	1 / 10 students
Swimming pool	1 / 10 staff	2 / 20m <sup>2</sup> of pool area
Library	1 / 10 staff	2 + 1 / 200m <sup>2</sup> GFA
Art gallery or museum	1 / 1000m <sup>2</sup> GFA	1 / 200m <sup>2</sup> GFA
<b>Other</b>		
	On merit. Council will give consideration to the rates contained within the <i>Planning guidelines for walking and cycling 2004</i> .	

P2 Bicycle parking facilities are to be additional to other parking requirements.

P3 The minimum number of bicycle parking spaces is to be rounded up to the nearest whole number if it is not a whole number.

**Type**

P4 Secure bicycle parking facilities are to be provided in accordance with the following:

- (a) Security Level A or B facilities for occupants of residential dwellings (Security Level A is preferred);
- (b) Security Level B facilities for staff/employees of any land use; and
- (c) Security Level C facilities for visitors of any land use.

**Note:** The security level of facilities are described in detail within AS 2890.3.

**Design**

P5 Design bicycle parking and storage facilities in accordance with the relevant Australian Standards that apply at the time.

**Location**

P6 Locate private bicycle storage facilities within basement parking levels of the building where provided.

P7 If private storage facilities are located in a basement, they are to be located:

- (a) on the uppermost level of the basement; and
- (b) as close to the primary entry point as possible; and
- (c) subject to security camera surveillance where such security systems exist.



**Access**

- P8 A safe path of travel from Security Class A and B facilities to entry/exit points is to be clearly marked.
- P9 Access to Security Class A and B facilities areas are to be:
- (a) a minimum of 1.8m wide to allow passage of a pedestrians and bikes to pass each other (access ways can be shared with vehicles within buildings and at entries to buildings);
  - (b) accessible via a ramp;
  - (c) clearly identified by signage; and
  - (d) accessible via appropriate security/intercom systems.
- P10 Locate Security Level 3 facilities in an accessible at-grade location near a major public entrance to the development, preferably undercover, is able to be passively surveyed from the public domain and/or the proposed or adjoining developments, is well lit to enable adequate night time use and is to be signposted.

**Changing / shower facilities**

- P11 For non-residential uses, the following facilities for bike parking are to be provided at the following rates:
- (a) 1 personal locker for each bike parking space;
  - (b) 1 shower and change cubicle for up to 10 bike parking spaces;
  - (c) 2 shower and change cubicles for 11 to 20 or more bike parking spaces are provided;
  - (d) 2 additional shower and change cubicles for each additional 20 bike parking spaces or part thereof;
  - (e) Showers and change facilities may be provided in the form of shower and change cubicles in a unisex area or in both female and male change rooms; and
  - (f) Locker, change room and shower facilities are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance where there are such building security systems.

## 10.6 TRAVEL PLANS

Travel Plans identify typical travel demand and mode share for a proposed development based on empirical analysis of similar developments, then identify what actions will be delivered to increase walking, cycling, public transport and ride sharing mode share, thereby reducing the negative impacts of the traffic generated by the development on the North Sydney community. Travel Plans encourages people to consider alternate means to accessing a site rather than by private motor vehicle and may also be known as:

- (a) Workplace Travel Plan (e.g. for commercial premises and industry and the like);
- (b) Education Travel Plans (e.g. educational establishments);
- (c) Residential Travel Plans (e.g. residential accommodation); and
- (d) Visitor and Leisure Travel Plans plus others (e.g. Tourist and visitor accommodation and recreational facilities)

**Objectives**

- O1 To encourage employees, residents and visitors to make greater use of public transport, cycling, walking and car sharing for commuting, visiting and work related journeys.



**Car Parking and Transport**

**Provisions**

- P1 A Travel Plan must be submitted with all development applications that involve:
- (a) New, or redevelopment of, educational establishments which result in the total number of students exceeding 100 persons.
  - (b) New, or redevelopment of, non-residential developments which result in the total floor space of the development exceeding 2,000m<sup>2</sup> (approximately 100 employees in an office development).
  - (c) The provision of 50 or more dwellings.
- P2 Components of a Travel Plan should include:
- (a) empirical analysis of typical travel demand and mode share outcomes for walking, cycling, public transport and private vehicular use for similar developments (base case scenario);
  - (b) a vision and objectives for the Travel Plan that are consistent with the community's vision for transport as detailed in the North Sydney Transport Strategy;
  - (c) specific, measurable, ambitious and realistic targets, including time-frames for achieving them;
  - (d) an action plan, with links to identified targets, that demonstrates how these actions will deliver the Travel Plan vision, reduce travel demand and/or increase walking, cycling, public transport and ride sharing for trips to and from the site. This could include:
    - (i) Identification and promotion of public transport options to access the site (for example, on a website and /or business cards);
    - (ii) Preparation of a Transport Access Guide (TAG) for the site.

**Note:** *Transport Access Guides (TAGs) provide information to staff and clients on how to reach places via public transport, walking or cycling.*

    - (iii) Implementation of a car pool system for employees;
    - (iv) Introduce staff car sharing scheme for fleet vehicles;
    - (v) Use taxis or public transport for work related journeys;
    - (vi) Provide priority parking for staff who car pool with more than 2 passengers;
    - (vii) Encouragement of cycling and walking to the site through generous provision of bicycle parking, showers and lockers;
    - (viii) Incentive schemes to encourage employees to commute using sustainable transport modes (such as the provisions of public transport vouchers/subsidised public transport tickets);
    - (ix) Allocation of designated parking spaces for a car sharing scheme;
    - (x) Prominent display of a large map of cycling routes (i.e. in the foyer of a residential, educational or business complex);
    - (xi) Provide staff with cycling allowances, loans and insurance together with bicycle storage and showering and changing facilities; and
    - (xii) Provision of a bus to pick up and drop off staff to the nearest railway station.

**Note:** *The strategies listed in P2 above do not comprise an exhaustive list and Council will consider alternative strategies that reduce the reliance on the use of private motor vehicles.*
  - (e) undertakings to regularly evaluate and review the Travel Plan, including a submission to Council, to ensure that proposed travel demand management and



walking, cycling, public transport, ride share and private vehicle mode share outcomes for the development are achieved.

- P3 The maximum parking requirements for on-site car parking may be reduced on the basis of a written agreement between Council and the owner/occupiers for the implementation of a Travel Plan.
- P4 The undertakings made in a Travel Plan submitted with a development application may be included as conditions to any development consent.

## 10.7 TRAFFIC & PARKING IMPACT ASSESSMENT

### 10.7.1 Objectives

- O1 To ensure that a proposed development's impact on the surrounding arterial and local road network, identification of transport infrastructure requirements and cost implications are adequately considered prior to issuing of development consent.

### 10.7.2 Provisions

- P1 A Traffic & Parking Impact Assessment must be submitted with all development applications that are also required to be referred to the Roads and Maritime Services under cl.104 and Schedule 3 of the [Infrastructure SEPP](#), and for all applications which are classified as designated development pursuant to s.4.10 of the [EP&A Act 1979](#).
- P2 Council may require a Traffic & Parking Impact Assessment to be submitted with a development application for one or more of the following types of new developments, regardless of whether they are captured by cl.104 and Schedule 3 to the [Infrastructure SEPP](#):
- (a) Child care centres
  - (b) Drive-in take-away food outlets
  - (c) Education facilities
  - (d) Entertainment facilities
  - (e) Health care facilities
  - (f) Hotel and motel accommodation
  - (g) Industrial premises
  - (h) Public car parks
  - (i) Places of public worship
  - (j) Pubs
  - (k) Recreation and tourist facilities
  - (l) Registered clubs
  - (m) Retail premises comprising supermarkets and/or shopping centres
  - (n) Service stations
  - (o) Other developments. Generally, if there is a significant expansion or modification to an existing development type, as outlined in the list above, then a Traffic & Parking Impact Assessment must be submitted with the development application. Seek Council Officer advice for further information.
- P3 The following issues are to be considered when preparing a Traffic & Parking Impact Assessment for Council to adequately assess the traffic impacts of a proposed development:
- (a) Existing traffic generation
  - (b) Proposed traffic generation



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- (c) Capacity of road network
- (d) Environmental capacity of the road network
- (e) Traffic safety
- (f) Traffic amelioration
- (g) Off-street parking
- (h) On-street parking
- (i) On-street metered parking
- (j) Vehicle access
- (k) Public & active transport
- (l) Street lighting
- (m) Construction Management Plan
- (n) Work zones
- (o) Partial road closure (temporary)
- (p) Full road closure (temporary)
- (q) Cyclists and cycle paths

**Note.** Refer to the Performance Guide for more details.



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## SECTION 11 CONSTRUCTION MANAGEMENT

### 11.1 INTRODUCTION

Construction activities, which includes demolition, earthworks, underpinning, construction or remediation activities have the ability to adversely affect the amenity of existing residents and workers of North Sydney through temporary increases in noise, vibration, airborne pollution and/or transport movements. These issues can sometimes be compounded when multiple sites in close proximity to one another are undergoing construction at the same time. Council is obliged to manage these temporary site issues for the benefit of the wider community.

In some instances, Council will require the preparation of a detailed Construction Management Plan (CMP). The need for a CMP depends upon the nature of work, likelihood of disruptions, impacts on local amenity, dangers or risks involved, traffic management or any other relevant issue that may cause adverse impacts on the wider community as a result of a development's construction.

The requirement for a CMP typically arises from the imposition of a specific condition/s on a development consent. Council recognises the high costs associated with the preparation of a detailed CMP and that contractors to construct a proposed development are typically not appointed until after a development consent has been issued and that the request for detailed CMP's may not be appropriate as part of the development application process. However, indicative CMP's maybe request depending on site circumstance. This Section of the DCP outlines the minimum requirements that need to be addressed in preparing a CMP. A development consent may also require additional matters over and above that contained within this Section of the DCP to be addressed.

#### 11.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 Establish suitable time periods within which demolition, earthworks, construction or remediation activities can be undertaken;
- O2 Establish a framework for the approval of out of hours permits for development works;
- O3 Establish circumstances where a modification to the consent may be required to allow out of hours works;
- O4 Establish the instances when a Construction Management Plan is required;
- O5 Outline the matters for consideration in the preparation of Construction Management Plans.

#### 11.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development that involve physical works to a site.

This Section also contains detailed heads of consideration for when a CMP is required to be prepared in accordance with a condition/s imposed on a development consent. A CMP may be required if a proposed development includes:

- (a) Basement excavation;
- (b) External works exceeding \$1million;
- (c) Demolition within 2m of a street alignment;
- (d) Demolition of 2 or more storeys;
- (e) Where traffic management measures are required for a period of two or more weeks; or



- (f) Any other case where the consent authority considers that a CMP should be provided due to the nature of the work or locality or potential disruption to amenity, public safety, on street parking provision or traffic safety.

### 11.1.3 Relationship to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 14 – Contamination and Hazardous Building Materials;
- (c) Part B: Section 17 – Erosion and Sediment Control;
- (d) Part B: Section 19 – Waste Minimisation and Management; and
- (e) Part B: Section 20 – Public Infrastructure.

### 11.1.4 Relationship to Other Documents

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) [Environmental Planning and Assessment Act 1979](#) (EP&A Act);
- (b) [Environmental Planning and Assessment Regulation 2000](#) (EP&A Regulations);
- (c) [Protection of the Environment Operations Act 1997](#) (PoEO Act);
- (d) North Sydney Construction Works Management Strategy;
- (e) North Sydney Enforcement and Compliance Policy

## 11.2 OPERATING HOURS, NOISE AND VIBRATION

### 11.2.1 Objectives

- O1 To minimise the impact of noise and vibration on the immediate neighbourhood.
- O2 To provide a framework to plan and cater for construction activities outside normal hours.
- O3 To minimise the likelihood of damage to adjacent buildings and structures.
- O4 To manage general community and developer expectations.

### 11.2.2 Provisions

#### **Primary Construction Hours**

- P1 Building works must not occur outside the time periods outlined in Table B-22.1.

TABLE B-22.1 – Primary Construction Hours		
Location	Day	Hours
<b>B3 Commercial Core</b> <b>B4 Mixed Use</b>	Monday – Friday	7.00am – 7.00pm
	Saturday	8.00am – 1.00pm
	Sunday	No work permitted
	Public holiday	
<b>All other zones</b>	Monday – Friday	7.00am – 5.00pm
	Saturday	8.00am – 1.00pm
	Sunday	No work permitted
	Public holiday	



**Construction Management**

- P2 Despite P1 above, construction activities that only involve the internal fit out of a fully enclosed space may be permitted up to 9pm on a Monday – Friday inclusive in the *B3 Commercial Core* and *B4 Mixed Use* zones only and subject to the further provisions of this policy.
- P3 Extended primary construction hours may be considered beyond the hours outlined P1 either as part of the principal development application or by way of a modification application made under s.4.55 of the EP&A Act. Such requests must provide the following information:
- (a) \* a detailed management plan including the nature of the proposed works and how impacts will be mitigated;
  - (b) supporting noise and traffic reports which demonstrate that impacts on the community can be minimised;
  - (c) details of how the extended works will be of benefit to the community and the environment generally, and
  - (d) the acceptance that approval will only be granted subject to conditions that will see the withdrawal or modification of the privilege so given upon justified and unresolved complaint

**Works outside of Primary Construction Hours: Out-of-Hours Permits**

- P4 The time periods within Table B-22.1 may be extended for certain “one-off” events, but only after an Out-of-Hours Permit has first been approved and issued by Council.
- P5 In determining whether Council will approve of an out of hours permit, Council will consider the following:
- (a) Nature, location and extent of work to be undertaken to limit potential nuisance;
  - (b) Location of the site in relation to sensitive zones (e.g. residential zones);
  - (c) The urgency or emergency nature of the works;
  - (d) Safety requirements such as risk to public/workers;
  - (e) Sequential / timing issues;
  - (f) Traffic management considerations;
  - (g) Noise reduction measures;
  - (h) Measures to be taken to address any potential complaints;
  - (i) Proven track record of the site;
  - (j) Requirements of other authorities; and
  - (k) Public interest
- P6 An out of hours Permit will not be approved:
- (a) if the site is located either directly adjacent to or across the road from a site that have been issued an Out-of-Hours Permit within 3 days of the request for an Out-of-Hours Permit;
  - (b) for more than 3 consecutive nights, unless it can be adequately demonstrated that it is required for the purposes of protecting public safety;
  - (c) for concreting works, or other low impact construction works which can be carried out within the normal construction hours;
  - (d) where there is no demonstrated justification with regard to traffic or public safety or amenity impacts;
  - (e) where previous Permits have been issued and have resulted in justified complaint; and
  - (f) if the request is received less than 72 hours before the proposed date of out of hours works are to commence.



### **Noise and Vibration**

- P7 Large scale demolition and construction projects/sites will be required to incorporate a Noise and Vibration Management Plan (N&VMP) within the CMP to address construction noise which may cause nuisance or disturbance as a result of the close proximity of any noise sensitive premises and/or the particular scope of the development or the equipment being employed. A N&VMP will need to be provided for demolition work and for potentially noisy building construction activities such as piling, compacting and concrete pouring processes.
- P8 The N&VMP is to consider the time and duration of proposed activities, the nature of the activities intended at the site and the ambient background noise level in the surrounding noise sensitive uses and the actual likely impact on those sensitive uses.
- P9 To ensure that noise and nuisance complaints are managed on site in the first instance, signage specifying any security measures and key contact details must be erected on the perimeter of the site in accordance with the signage provisions under Section 11.3.2 to Part B of the DCP.

## **11.3 PUBLIC SAFETY, AMENITY AND SITE SECURITY**

### **11.3.1 Objectives**

- O1 To ensure that the general public is adequately protected from activities occurring on building sites.
- O2 To manage the protection of public assets and infrastructure.

### **11.3.2 Provisions**

#### **Fencing**

- P1 The site should be secured by a fence, hoarding or other suitable barrier.
- P2 Hoardings, perimeter fencing or other site barriers used must not be able to be climbed or allow unauthorised entry.
- P3 Before and during building work, all excavations must be fenced so they do not pose a danger to life or property to the satisfaction of the relevant certifying authority and Council.
- P4 Hoardings, barriers and other perimeter fencing must be suitably lined to limit public viewing to designated viewing areas. This will ensure pedestrian flow is not impeded and adequate site-public interaction is accommodated.
- P5 At least one viewing point per site must be provided.
- P6 All hoardings and other safety related structures must be maintained to SafeWork NSW standards.
- P7 Footpaths and roadways generally will be maintained in a fit for purpose condition at the developer's expense.

#### **Safety and Security**

- P8 Adequate lighting, safety signage and traffic controls are to be provided. Temporary lighting shall provide an even lighting level and must meet the requirement outlined in the AS/NZS 1558 Road Lighting series.
- P9 For refurbishments, renovations and additions, occupants of existing buildings must be prevented from accessing these areas of the building where works are being carried out through adequate security measures to the satisfaction of the relevant certifying authority.
- P10 Security measures must be in place at all times when building activities are not in operation. This may include perimeter barriers, locks (either mechanical or electronic), surveillance systems, security lighting and motion detectors.

**Construction Management**

- P11 Where a building site cannot be fully secured, consideration must be given to the use of a security service to prevent unauthorised access.
- P12 Security measures must be provided to prevent construction work or protective measures from facilitating unauthorised access to an adjoining building(s) and to safeguard site materials and equipment.
- P13 All dangerous chemicals need to be properly stored in secure areas located away from emergency exits, safety measures or stormwater pits. Required quantities of chemicals need to be nominated and procedures put in place for the location of storage facilities, secure access and spillage procedures. Refer to AS 1940-1993 Storage and Handling of Flammable and Combustible Liquids. Signage for dangerous goods must be in accordance with AS1216 – 1995 Class Labels For Dangerous Goods Hazardous materials must be stored in a manner approved by SafeWork NSW.
- P14 Explosives shall not be used for demolition or excavation.

**Signage**

- P15 Signage specifying any security measures and key contact details shall be erected on the perimeter of the building site (i.e. attached to the building, fence or hoarding), with one sign provided on each street frontage and plainly visible to the public domain.
- P16 At a minimum, each sign shall contain at least the following information:
  - (a) The name and contact details (including phone) of the:
    - (i) Developer;
    - (ii) Chief Contractor;
    - (iii) Principal Certifying Authority;
  - (b) A 24 hour emergency contact name and phone number;
  - (c) Website address where the community may find details of the construction activities in accordance with Part B: Section 11.8 of the DCP.
- P17 One sign per street frontage is permitted advertising the proposed development under construction on the land. Each sign should not exceed a display area of five (5) square metres or 10% of the relevant ground level fence or hoarding elevation whichever is the lessor. It must not be an animated or internally-illuminated and be removed in its entirety when the construction work is completed or the security fencing or hoarding is removed.
- P18 Any sign, road markings, street furniture, parking meters, etc, affected by the works shall be relocated or protected and, or, kept in good repair. When installing hoardings, attention shall be paid to the effects that such items may have on pedestrian and cycle travel paths at intersections. This may mean installing temporary pedestrian ramps, tactiles, etc. Approval shall be sought from Council to install temporary indents or pedestrian ramps, etc.

**Public Domain**

- P19 Any damage to the footpath, road, kerb and channel, stormwater drains and street furniture that results from excavation, demolition and building work is the responsibility of the builder or developer. Any damage which may impact on pedestrians, cyclists and motorists' safety shall be repaired immediately.
- P20 Bicycle paths must be maintained where existing bicycle access is provided adjacent to a construction site.
- P21 Developers and builders must ensure there are no tripping hazards from the hoarding or perimeter fencing on nearby footpaths. Hoardings must be maintained in such a state as to minimise the risk of damage to pedestrians, their clothing and their belongings. Electrical, plumbing and other services extending over footpaths must be covered over, and pedestrian and disability access facilitated by a ramp. Ramps must have a non-slip surface, a handrail, and a minimum gradient of 1:14 unless the existing topography of the street or road dictates some variation to this ratio.



- P22 Determine whether the street or footpath or part thereof needs to be occupied by builders, above or below the public domain. The general public must be protected from construction activities including vehicle loading and off-loading within the public domain. Precautions must be fully specified and include the following measures:
- (a) The use of spotters and traffic controllers;
  - (b) Restriction on the hours of operation of these activities (non peak hours);
  - (c) Restriction on the type of work being carried out (welding, etc.);
  - (d) Machinery to be used;
  - (e) Security mesh or barriers to separate the public from the work area.
- P23 When using skips or rubbish bins, take the following steps to prevent disruption to public areas:
- (a) Place skips or rubbish bins away from public thoroughfares, pedestrian and bicycle access areas;
  - (b) Specify times and methods for loading and unloading of bins or skips;
  - (c) Indicate location and height of chutes (if proposed);
  - (d) Protect pavements and streets and conduct dilapidation surveys before and after works have taken place.
- P24 When using cranes or mobile lifting equipment, take the following steps to prevent disruption to public areas:
- (a) Ensure equipment does not restrict public thoroughfares and pedestrian access or, where restricted access is unavoidable, use gantries or other overhead protection
  - (b) Determine lifting zones for medium to long term use of the equipment
  - (c) Protect pavements and streets and conduct dilapidation surveys before and after works have taken place
  - (d) Implement procedures and lifting techniques to ensure safety on adjoining streets and footpaths
  - (e) Use traffic management controls and signage.
- P25 Unless otherwise permitted, an obstruction must not protrude from premises causing it to interfere with pedestrians or traffic in a public place.
- P26 Unless otherwise permitted, all construction materials must be stored onsite and not in the street or public space.
- P27 When a crossover is required for vehicular access to the site, consider:
- (a) The type and size of trucks entering the site
  - (b) The loading and potential for damage to the existing crossover and footpath
  - (c) The nature of protection of crossover and pavements
  - (d) The need for a dilapidation survey of the footpath before and after works have taken place.
- P28 In the case of potential damage to assets in the public domain, a financial deposit for an amount determined by Council must be lodged in conjunction with the necessary local law permit application, along with a requirement to reinstate damaged assets at the completion of works.
- P29 In the event that works may disrupt parks and gardens managed by Council, consultation and approvals including park protection measures, ongoing maintenance requirements and reinstatement methods will be required from Council's Open Space and Environmental Services Division to ensure there is no damage to flora, fauna and services. Grass verges and medians are also to be protected.



**Construction Management**

**Street Space Occupation**

- P30 All necessary permits must be obtained from Council to occupy and use the space on the road, footpath or other public land.
- P31 Adequate barriers must be installed to prevent the public from accessing the construction area. Any occupation or activity presenting a hazard to the public must be provided with suitable barriers.
- P32 Pedestrian access areas must have a minimum width of 1.2m clear on the footpaths (1.5m preferable). Where possible, two way passing bays 1.8m wide should be provided at not more than 20m intervals.
- P33 Any permit issued by Council will be time limited. If the permit is not renewed within twenty one (21) days of its expiry orders will be issued to require the removal of any temporary structure or to restrain the use of the benefit otherwise permitted by the permit

**Excavation**

- P34 Excavations adjacent to or in close proximity to a road or pathway must be designed to support the road or pathway.
- P35 Excavations adjacent to existing adjoining buildings must be designed to support the adjoining buildings or structures.
- P36 The location and extent of excavations on a site must be specified and the means of containing sediment, especially in wet weather, must be detailed. The area of land to be cleared must also be minimised and stripping and excavating the site should be avoided until building is about to start.

**Prevent Unsightly Premises**

- P37 Raw materials stored on the site must be adequately secured to prevent unnecessary and unsightly dispersal of the materials around the site and public areas (streets and footpaths).
- P38 Trucks leaving the site must be adequately cleaned to ensure soil, mud and other site debris is prevented from spilling onto adjoining roads and footpaths. Roads and footpaths should be cleaned on a regular basis with consideration to water efficiency.
- P39 Graffiti and other posters or stickers on hoardings and fencing must be removed on at least a weekly basis, or immediately if it is offensive in nature.

**General Management**

- P40 Existing trees and vegetation not proposed to be removed as part of any development consent must be protected in accordance with Section 16 to Part B of this DCP.
- P41 If building works are for demolition only and the site is to be left vacant, it must be cleared of all unsightly debris, left in a clean state and fully fenced with solid hoarding. The owner is responsible for the site after it has been vacated by the demolisher, principal builder or contractor. Council may require a financial deposit to ensure the owner adequately accepts their responsibility.
- P42 Pedestrian signs must not be damaged, defaced, removed or altered in any way. New pedestrian signs must not be installed without Council approval.
- P43 Any precautions for public protection within the street/public domain must comply with Council's and WorkSafe requirements.

## 11.4 AIR AND DUST MANAGEMENT

### 11.4.1 Objectives

- O1 To ensure that air quality (airborne dust and pollutants) in and around a construction site is maintained at acceptable levels throughout the construction period.

### 11.4.2 Provisions

- P1 Provide details of any equipment and activities that may cause excessive dust or otherwise effect air quality. Dust suppression techniques/equipment may be required depending upon the following:
  - (a) Weather and wind conditions
  - (b) Exposure/proximity to the public and surrounding buildings
  - (c) Proximity to air intake vents on adjacent buildings. Intake from these vents must be prevented through the installation of adequate filters or other approved measures.
- P2 Minimise dumping of loose materials on a site. If dumping of loose material is unavoidable, detail methods for preventing dust and other airborne matter impacting on the surrounding area. Ensure these measures are adequate when the site is unattended.
- P3 Minimise airborne dust arising from trucks and other vehicles entering and leaving the site by providing details on the method and frequency of watering down driveways and trucks with consideration to water efficiency.
- P4 Specify materials to be stored on site and their exposure to wind and the weather elements. Detail methods for preventing loose materials from becoming airborne.
- P5 Perimeter fencing must be designed to minimise the impact of dust on the public and adjacent areas.
- P6 Equipment powered by internal combustion engines must be properly maintained and regularly serviced to prevent the discharge of excessive pollutants, including smoke and/or toxic fumes or odours, and must meet acceptable noise levels.
- P7 Exhausts and ductwork from equipment must be located away from air intakes, windows, enclosed areas and public areas.
- P8 Materials can only be cut in designated areas set away from boundaries and public areas, with adequate dust (and noise) suppression. Where cutting needs to occur in situ, localised dust suppression measures must be utilised.
- P9 The provisions of the [PoEO Act](#) and associated regulations also apply.

## 11.5 EROSION AND SEDIMENT CONTROL

### 11.5.1 Objectives

- O1 Prevent contamination of, or damage to, stormwater drains and waterways.
- O2 Ensure sediment from the building site is retained on-site during construction work.

### 11.5.2 Provisions

- P1 An Erosion and Sediment Control Plan is incorporated into the CMP and address the requirements within Section 17 – *Erosion and Sediment Control* to Part B of this DCP.
- P2 The provisions of the [PoEO Act](#) and associated regulations also apply.

## 11.6 WASTE MANAGEMENT

### 11.6.1 Objectives

- O1 Maximise the re-use and/or recycling of construction and demolition waste.
- O2 Waste material to be collected and stored on site until its removal.

**11.6.2 Provisions**

- P1 A Waste Management Plan is incorporated into the CMP and address the relevant requirements within Section 19 – *Waste Minimisation and Management* to Part B of this DCP.

**11.7 TRAFFIC MANAGEMENT****11.7.1 Objectives**

- O1 Minimise disruption to traffic (vehicles, pedestrians and cyclists) caused by construction activities to ensure the safety of all road users.

**11.7.2 Provisions**

- P1 A Traffic Management Plan is incorporated into a CMP, where the proposed development will have an impact upon vehicle, waste collection, cyclist and/or pedestrian flows.
- P2 The following issues must be considered in a Traffic Management Plan:
- (a) The proposed method of access to and egress from the site for construction vehicles.
  - (b) Disruption to vehicular, pedestrian and cyclist traffic flows.
  - (c) Preferred construction access.
  - (d) Vehicles leaving the construction site in a forward direction.
  - (e) Through traffic is to be maintained at all times.
  - (f) Maintaining access to all neighbouring properties at all times.
  - (g) Proposed method of traffic control; controllers must be qualified.
  - (h) Proposed method of pedestrian management.
  - (i) Access routes through the Council area.
  - (j) Method of loading and unloading materials and equipment.
  - (k) Location of any cranes.
  - (l) Location of any Work Zones (approval of the construction management plan does not imply that the proposed Work Zone will be approved, that is still subject to Traffic Committee approval).
  - (m) Temporary, full or partial road closures.
  - (n) Information to local residents and advertising as required.
  - (o) Method of demolition and construction.
  - (p) Areas used for storage of demolition materials, construction materials and waste containers.
  - (q) Method/device to remove loose material from all vehicles and/or machinery.
  - (r) Method of support to any adjoining properties
  - (s) Protection for Council and adjoining properties.
  - (t) Other site-specific considerations (as applicable).
  - (u) Safe Work Method Statement.
- P3 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to



development consent or a complying development certificate. Consult with Council to determine if a permit is required.

**Monitoring and maintenance**

- P4 All traffic control work identified in a Traffic Management Plan, must be carried out in strict accordance with that Plan. Council is authorised to undertake any work for the purpose of making the site safe in event of an emergency and all cost incurred will be borne by the developer.
- P5 If a bond applies, Council must inspect the completed work for any damage to Council's infrastructure before returning the bond.
- P6 Traffic works must be completed as soon as possible to minimise disruption to vehicular and pedestrian traffic.

Erosion and sedimentation controls must be in place before starting any excavation works. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.

## **11.8 COMMUNITY INFORMATION**

### **11.8.1 Objectives**

- O1 To keep the community informed as to the types and extent of construction activities occurring on construction sites, so that they may better plan their days around intrusive activities.

### **11.8.2 Provisions**

- P1 A website is to be established which outlines the staging of the proposed construction activities, types of noises to be anticipated and the length of time that such activities are to be undertake during the day and during each stage.
- P2 Details of the website is to be provided on any security notice attached to the boundary of the site.
- P3 At a minimum, the website is to be updated on a weekly basis if required to take into account any potential variations to the initial timeframes for works being undertaken.

## SECTION 12 ACCESS

### 12.1 INTRODUCTION

North Sydney Council is committed to the creation of a community focused upon endless opportunities, fundamental human rights and social justice. In this manner, the DCP aims to provide provisions for the promotion and acceptance of people as individuals and their access to a fair and equal opportunity to participate in community life. The Australian Government's [Disability Discrimination Act 1992](#) (DDA) prohibits discrimination against people with a disability or their associates in a range of areas including transport, education, employment, accommodation and premises to which the public is entitled to enter or use. The [DDA](#) states that failure to provide equal access is unlawful, unless to do so would impose an unjustifiable hardship.

The built environment should adequately reflect the diversity and needs of the community by allowing the free movement and function of individuals throughout the Council area independently and with dignity. North Sydney Council is seeking to promote an independent and safe lifestyle for the whole of its community through the provision of dignified access. Dignified access means a design or process:

- (a) Enables independent access to premises, good and services, without assuming assistance is required;
- (b) Is equitable and fair; it does not take longer or force people to travel further;
- (c) Facilitates the participation and inclusion of people experiencing a disability; and
- (d) Creates places where people feel at-ease, safe and connected.

Dignified access encompasses the ways in which people get to and from places, how people navigate a space or building, and how people access its facilities and services. Provisions for dignified access and mobility benefit not only people with disabilities, but the community at large.

North Sydney Council is committed to the broadening of opportunities for people who work, play and live in the Local Government Area (LGA). This section of the DCP aims to improve mobility, encourage universal design and provide safe, equitable and dignified access for all people regardless of disability.

#### 12.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 To ensure that the public domain and design of new development provides permeability, legibility, flexibility, consistency, integration and clarity to allow for the access needs of all members of the community.
- O2 To provide safe, equitable and dignified access and encourage universal design in new developments, upgrades to existing buildings, public buildings and public open space.
- O3 To provide safe, equitable and dignified access within all new developments and ensure that substantial building work carried out on or intensified use of existing buildings provides upgraded levels of access and facilities for all people.
- O4 To encourage opportunities for people with disabilities to participate in the design process to foster inclusive design outcomes.
- O5 To increase community awareness of disability affecting certain sections of the community through continued investigation and design best practice and further encourage the educational and promotional awareness of access and mobility issues.
- O6 To introduce standards for adaptable housing and universal design to recognise the more diverse accommodation needs of the community, particularly people with disabilities and older people and allow for flexibility in modification to cater for occupants with existing disabilities or progressive disabilities.

- 07 To provide an adequate supply of car parking facilities for use by people with disabilities.

### 12.1.2 When does this section of the DCP apply?

This Section of the DCP applies to:

- (a) all development applications for new development or alterations and additions to existing non-residential development under NSLEP 2013 (e.g. those buildings generally comprising Classes 3, 5, 6, 7, 8 and 9 buildings as classified under the Building Code of Australia (BCA));
- (b) all development applications required to provide adaptable housing under Part B: Section 1 – *Residential Development* to this DCP (refer to subsection 1.2.1);
- (c) All development applications for new or alterations and additions to a boarding house or a group home; and
- (d) All development applications for new or alterations and additions to child care centres.

However, this Section of the DCP does not apply to:

- (e) Work that merely preserves the value or use of an existing asset (e.g. work maintaining, repairing and replacing - unless the maintenance involves works on an existing access barrier which can be easily modified to provide equitable access);
- (f) Works to a component of a building that does not effect access (e.g. installation of a ventilation system);
- (g) Development that does not require building work and is not a significant public use that involves a public authority, service or function such as a health service facility, public administration building, retail premises, place of public worship, restaurant or hotel (e.g. a small change of use with no associated construction works);
- (h) Development that does not require a development application and which BCA approval is not required;
- (i) Class 1 and Class 4 buildings classified under the BCA.

### 12.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 4 – Boarding Houses;
- (f) Part B: Section 5 – Child Care Facilities;
- (g) Part B: Section 6 – Sex Services and Restricted Premises;
- (h) Part B: Section 8 – Outdoor Dining and Display of Goods on the Footpath;
- (i) Part B: Section 10 – Car Parking and Transport;
- (j) Part B: Section 13 – Heritage and Conservation; and
- (k) Part B: Section 20 – Public Infrastructure.

## 12.2 LEGISLATIVE FRAMEWORK

### 12.2.1 The Disability Discrimination Act 1992 ([DDA](#))

The DDA aims to eliminate, as far as possible, discrimination against persons on the ground of disability in areas of:

- (a) Work, accommodation, education, access to premises, clubs and sport;
- (b) The provision of goods, facilities, services and land;
- (c) Existing laws; and
- (d) The administration of Commonwealth laws and programs.

Under the [DDA](#), any area legally accessible to the public must also be accessible to people with a disability. The [DDA](#) covers both new and existing buildings as well as places under construction. Applicants proposing to undertake a development should be aware of the requirements of the [DDA](#) the [EP&A Act](#), the Disability (Access to Premises – Buildings) Standards and the BCA.

More information on the [DDA](#) can be obtained from the Human Rights and Equal Opportunity Commission website: [www.humanrights.gov.au](http://www.humanrights.gov.au)

### 12.2.2 Disability (Access to Premises – Building) Standards

On 1 May 2011 the Disability (Access to Premises – Buildings) Standards (Premises Standards) commenced operation. The Premises Standards take a fresh approach to access to premises by harmonising the requirements of the [DDA](#) and those of the Building Code of Australia. The result is that access requirements will be applied consistently to new buildings and new building work throughout Australia, and will be enforced through existing and effective State and Territory building approval processes.

Copies of the Premises Standards, an explanatory statement and frequently asked questions can be viewed and downloaded from [www.ag.gov.au/premisesstandards](http://www.ag.gov.au/premisesstandards). In addition, the Australian Human Rights Commission has produced Guidelines on the application of the Premises Standards. These guidelines are helpful in interpreting the standards and can be viewed and downloaded from [www.hreoc.gov.au/disability\\_rights/standards/PSguide.html](http://www.hreoc.gov.au/disability_rights/standards/PSguide.html).

### 12.2.3 Building Code of Australia (BCA)

The BCA and the Australian Standards are the basic tools used in respect of access.

Both prescribe the minimum standards that must be achieved in new development in order to provide equitable access for people with disabilities. However, where substantial alterations are proposed to an existing development, the consent authority has the discretion to enforce the provisions of the BCA on existing developments.

The BCA operates on a performance-based basis which allows for a broader range of solutions making it easier to deal with the specialised needs of particular buildings, such as heritage buildings. Within the BCA are “*deemed to satisfy*” provisions which provide one possible building solution that is considered to satisfy the performance based provisions. An alternative solution to the “*deemed to satisfy*” provisions of the BCA may be considered by the consent authority, but only if the applicant can adequately demonstrate that the alternative solution achieves the same outcome as a “*deemed to satisfy*” provision.

Amendments were made to the BCA in 2011 to ensure that it was consistent with the Access Code of the Premises Standards. While legally the two sets of requirements must remain separate documents, the intention is that compliance with the amended BCA and state and territory building laws and regulations will also ensure compliance with the Premises Standards.

## 12.2.4 Australian Standards

The BCA makes reference to some of the Australian Standards applicable to the design of equitable access. However, it is suggested that designers and planners consider the relevant and most up to date provisions of both the referenced Australian Standards and relevant non-referenced Australian Standards in respect to any development. The most up to date Australian Standards will be referenced during the assessment of any development proposal. At the time of the preparation of this DCP, the following standards apply:

- AS 1428 Design for Access and Mobility,
- AS 1428.1 (2009) General Requirements for Access - New Building Work,
- AS 1428.2 (1992) Enhanced and Additional Requirements - Buildings and Facilities,
- AS 1428.4.1 (2009) Means to assist the orientation of people with vision impairment – Tactile ground surface indicators,
- AS 1428.4.2 (2018) Means to assist the orientation of people with vision impairment – Wayfinding signs,
- AS 1428.5 (2010) Communication for people who are deaf or hard of hearing,
- AS 1735.12 (1999) Lifts, escalators and moving walks – Facilities for Persons with Disabilities,
- AS/NZS 2890.6 (2009) Parking facilities – Off-street parking for people with disabilities,
- AS 4586 (2013) Slip resistance classification of new pedestrian surface materials,
- AS 4663 (2013) Slip resistance measurement of existing pedestrian surfaces, and
- AS 4299 (1995) Adaptable Housing.

Copies of Australian Standards can be obtained from:

Standards Australia  
Level 10, The Exchange Centre  
20 Bridge Street  
Sydney NSW 2000  
Ph: 1800 035 822  
[www.standards.org.au](http://www.standards.org.au)

## 12.2.5 Livable Housing Design Guidelines

The *Livable Housing Design Guidelines* aim to ensure that future homes are able to meet the changing needs of a variety of occupants over the course of the home's lifetime. They were published in 2010 by Livable Housing Australia and are based on universal design principles. Although these guidelines are not statutory, they currently reflect best practice directions in this industry. Council has incorporated the Silver level performance requirements from the Livable Housing Design Guidelines into this DCP, which focuses on seven core design elements:

- (a) Dwelling access;
- (b) Dwelling entrance;
- (c) Internal doors and corridors;
- (d) Toilets;
- (e) Showers;
- (f) Reinforcement of bathroom walls; and
- (g) Internal stairways.

## Access

The Guidelines and the details of the Silver, Gold and Platinum level performance requirements can be accessed at: <http://www.livablehousingaustralia.org.au/>.

## 12.3 DEVELOPMENT ASSESSMENT

### 12.3.1 Variation of Access Provisions

If providing access is considered to cause unreasonable costs or difficulties and is proven unjustified, an exemption may be applied for. In some cases, compliance with access provisions may not be possible and an alternative solution may be considered more desirable by both the developer and Council. A partial or alternative solution will be preferred, opposed to total exemption from the policy.

Should it be the case that provision of access for people with a disability is not possible, a "statement requesting variation" must be submitted with the development application. The statement requesting variation should address at least the following:

- (a) Technical limits;
- (b) Topographic restrictions;
- (c) The effect, both positive and negative, on other people of providing the required access, for example, people delivering goods, people with prams or trolleys and the staff;
- (d) Safety, design options explored and construction issues;
- (e) Heritage issues;
- (f) The benefit for people with disabilities; and
- (g) The costs involved in providing access.

Applicants should be aware that a variation accepted in one situation may not necessarily be accepted in another. It may also be the case that a partial solution may be preferred rather than a total exception. Access should be provided to the maximum level possible without causing unjustifiable hardship.

The consent authority will consider whether or not the case provided in the statement requesting variation is reasonable and whether or not it should be supported. Each case will be assessed on a merits basis and will consider the possibility of providing partial solutions as submitted in the statement requesting variation.

Applicants should note that the granting of consent by the consent authority to a development that is non-compliant with the BCA or this DCP due to reasons such as technical limits, topographical restriction or heritage significance does not protect the applicant against a complaint being made against them under the [DDA](#).

### 12.3.2 Access to Heritage Items

North Sydney Council contains a large number of sites of historic, scientific, cultural, social, architectural, natural and/or aesthetic significance. Due to the nature of these locations and their local, regional, national and international importance, access should be available for all members of the community.

The provision of equitable access may involve the modification of significant fabric of the heritage item, which could be in direct conflict with heritage values for the site. Thus, development proposals involving heritage items will therefore be assessed on a merit basis. However, the proposal should follow these basic principles:

- (a) The provision of access for people to and within heritage items should have minimal impact on the significant fabric of the item and, as far as possible, be reversible;
- (b) Where such access is likely to have a major adverse impact on significant fabric, alternative solutions should be considered; and

- (c) Alternative solutions may include a temporary ramp, access through a side entrance or the like. However, applicants should note that these solutions will only be acceptable as a 'last resort', and that every effort should be made to ensure that equitable access is provided through the principle entrance of the building.

The alteration or removal of a highly significant fabric in order to provide access to the heritage item could constitute an argument of unjustifiable hardship. However, in doing so, it must be clearly established that there are no other suitable alternative solutions to provide access to the building. Should development be proposed in a heritage item that is currently, or proposed to be, publicly accessible, Council will require the submission of a heritage impact statement or conservation management plan which addresses access issues. Where a heritage impact statement is submitted, a separate statement requesting variation is not required.

The heritage impact statement should be prepared by a suitably experienced and qualified heritage practitioner and identify the following points as a minimum:

- (a) Assess the significance of the place;
- (b) Identify and rank the significant elements;
- (c) Determine the existing and required levels of accessibility (this will generally require the input of an access expert);
- (d) Identify the potential impacts (both positive and negative) of providing access to the item;
- (e) Identify and assess the possible design alternatives; and
- (f) Assess the heritage impact of the preferred design solution.

### 12.3.3 Public Domain and Access

Generally, North Sydney Council does not permit private development which encroaches upon the public domain as it is perceived to be alienation of public space and not in the public's best interest.

However, in some exceptional cases it may be appropriate to allow for development to encroach upon or alter the public domain so that equitable access can be provided to a building. In proposing that access be provided via a ramp or other mechanical device on the public domain or alteration of the public domain the following must be demonstrated:

- (a) Providing access by other means will result in a substantial loss of original fabric of a heritage item, thereby impacting on the significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available;
- (b) The proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available; and
- (c) The safety, accessibility, legibility and consistency of public domain will not be adversely affected.

Should an applicant propose to use the public domain to provide equitable access to a building, Council's consent as owner of the land must be obtained prior to lodgement of a development application. To obtain Council's consent the applicant must fully document all access options that have been pursued.

For further information regarding use of the public domain for equitable access, please contact the Engineering and Property Services Department.

## 12.4 DESIGN CRITERIA

### 12.4.1 Continuous Accessible Path of Travel

A continuous accessible path of travel means a clear, flat and unobstructed path of travel to or within a building providing access to all required facilities. For non-ambulatory people, this accessible path should not incorporate any step, stairway, turnstile, revolving door, escalator or other impediment which would prevent it from being safely negotiated by people with disabilities.

#### Objectives

- O1 To ensure that all public spaces are accessible to people with disabilities via a continuous accessible path of travel.
- O2 To ensure that the main path of access for people with disabilities is safe, equitable and dignified.
- O3 To encourage new development to incorporate universal design principles.

#### Provisions

- P1 Continuous accessible paths of travel are to:
  - (a) comply with the requirements under AS 1428.1 and 1428.2;
  - (b) be well lit and sheltered from the weather where possible;
  - (c) incorporate rest stations if the travel route is long;
  - (d) provide for the physical separation of pedestrian traffic from vehicular traffic;
  - (e) have the shallowest possible gradient for the distance available; and
  - (f) incorporate walkways, ramps, step ramps or lifts at changes of level along the path of travel.
- P2 The access paths and travel paths should incorporate rest stations if the travel route is long and shelter from the weather where possible.
- P3 Signage and tactile markers should be provided to direct people with disabilities to accessible locations.

### 12.4.2 Parts of a building required to be accessible

#### Objectives

- O1 To ensure that appropriate areas of a building are accessible and located along the accessible path of travel.

#### Provisions

- P1 Access to buildings and their facilities should be provided in accordance with Table D3.2 of the BCA unless it can be shown that access to an area would be inappropriate because of the particular purpose for which the area is to be used.
- P2 In addition to P1 above, developments that are required to provide adaptable housing pursuant to Part B: Section 1 – *Residential Development* and Part B: Section 2 – *Commercial and Mixed Use Development* to this DCP shall provide access to and within all common areas of the residential component of the development.
- P3 Premises providing fixed seats (e.g. entertainment facility, recreation facility), must provide a minimum of 1 wheelchair space per 100 seats or part thereof, with a minimum of 2 spaces. The positioning of spaces provides equal amenity and choice for all users.

### 12.4.3 Accessible Room Requirements

This subsection of the DCP applies to buildings containing temporary residential accommodation such as serviced apartments, hotel and motel accommodation.

#### Objectives

- O1 To ensure that temporary residential accommodation cater for mobility impaired persons.
- O2 To ensure that where than more than one bed or apartment is provided, that a range of amenity and cost of accessible accommodation is available.

#### Provisions

- P1 Accessible rooms shall be provided in the ratios outlined in Table D3.2 of the BCA for Class 3 developments.
- P2 Where accessible rooms or bedrooms are required pursuant to P1 above, they must:
  - (a) be distributed as equitably as possible amongst the different ranges of amenity provided; and.
  - (b) fully comply with the requirements of AS 1428.1 and AS 1428.2.

### 12.4.4 Walkways, Ramps and Landings

#### Objectives

- O1 To ensure that walkways, ramps and landings provide appropriate transitions between sections of different gradients allowing for safe, equitable and dignified access to public places for all members of the community.
- O2 To ensure that landings are provided in appropriate places to function as both resting points and circulation spaces.
- O3 To ensure that appropriate ancillary devices are provided with walkways, ramps and landings to maximise mobility for all people.

#### Provisions

- P1 Walkways, paths, ramps and landings must be provided in accordance with AS1428.1.
- P2 Handrails are to be provided to walkways, paths, ramps and landings in accordance with AS 1428.1.
- P3 Walkways, paths and landings shall not protrude on the public way, unless prior agreement has been reached between the applicant and North Sydney Council.
- P4 Where applicable, walkways, ramps and landings shall be 'filled in' underneath in order to avoid people with vision impairments walking into the underside.
- P5 Gradients provided between lands should be constant and the angle of approach to changes in gradient should be at or near zero degrees.
- P6 Consideration should be given to providing alternative means to providing access between levels (e.g. where appropriate, lifts should be incorporated).
- P7 At the end of walkways, paths and ramps there should be contrasting surfaces.
- P8 Walkways, paths and ramps should have a slip resistance surface, be well lit, and display tactile markers (refer to AS1428.4) and warnings to assist people with a vision impairment.
- P9 The ramp and any sloping sides should be slip resistant and of a colour that contrasts with the adjoining surfaces.
- P10 The height of the kerb shall comply with the provisions of *Disability Standards for Accessible Public Transport 2002*.

**Access**

- P11 Kerb ramps are to be provided from the footpath to the road at all intersections and through traffic islands where practicable. The kerb ramps are flush with the footpaths and roadways and avoid ridges which create barriers for wheelchairs and child strollers. Tactile surfaces indicate a kerb ramp for people with impaired vision.
- P12 Consideration should be given to providing alternative means to providing access between levels (i.e. where appropriate, lifts should be incorporated).
- P13 Kerb ramps should be free of any threshold lip.

## **12.4.5 Doorways and Doors**

### **Objectives**

- O1 To ensure doorways and doors are designed such that all members of the community can traverse the opening without hindrance.

### **Provisions**

- P1 Entrance doors must be provided in accordance with AS 1428.1.
- P2 Where double leaf doors are used, at least one leaf must be in accordance with the minimum clear opening requirements of AS1428.1.
- P3 Adequate circulation space should be provided on both sides of doorways as required by subsection 12.4.6 to this Section of the DCP.

## **12.4.6 Circulation Spaces**

### **Objectives**

- O1 To ensure that adequate circulation spaces, which allow the easy manoeuvrability of wheelchairs, and rest spaces are provided and positioned so that they do not impact on the circulation space.

### **Provisions**

- P1 Circulation spaces must comply with AS 1428.2.
- P2 All circulation areas and thoroughfares should be clear of any obstruction that will impede access by people using mobility aids or which may cause a hazard for people with a vision impairment (refer to AS1428.4).

## **12.4.7 Lifts**

### **Objectives**

- O1 To ensure that accessible lifts are installed in public buildings which have more than one level, including parking levels, and are required to be accessible.
- O2 To ensure that the accessible lift forms part of the continuous accessible path of travel.

### **Provisions**

- P1 Accessible lifts shall be installed in new commercial and residential buildings in accordance with AS 1735.12.
- P2 In an existing development, where the installation of a lift complying with AS 1735.12 would cause unjustifiable hardship, a "stairway wheelchair platform lift" complying with AS 1735.7 may be considered.
- P3 Lift lobbies shall be designed to permit the turning of wheelchairs for the purpose of entering and exiting lifts and to permit the easy passage of other persons and be provided with seating.
- P4 Lifts should be equipped with audio announcements to indicate floor level and direction of travel.
- P5 Lifts should be fire-rated to enable evacuation during emergencies.

## 12.4.8 Sanitary Facilities

### Objectives

- O1 To ensure that adequate sanitary facilities catering for people with disabilities are provided in accessible buildings.
- O2 To require the provision of unisex toilets so that a person can be assisted by an attendant of the opposite sex.

### Provisions

- P1 Where equitable access is provided to a building, sanitary facilities for people with disabilities shall be provided in accordance with requirements of AS 1428.2 and Part F2.4 of the BCA.

## 12.4.9 Car Parking Facilities

### Objectives

- O1 To ensure in providing access for people with disabilities, parking spaces designated for people with disabilities are located as near as possible to the main accessible entrance of the building, and are linked by an accessible path of travel.
- O2 To ensure that where adaptable housing is required, one accessible parking space is provided for every adaptable dwelling.

### Provisions

- P1 Designated accessible car parking facilities must be:
  - (a) be located at the closest point to each accessible public entrance;
  - (b) be linked to an accessible entrance to the building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover.
  - (c) be provided at the rates specified in Table D3.5 to the BCA;
  - (d) designed in accordance with AS 1428.1, 1428.2 and 2890.1 and 2890.6
  - (e) clearly signposted in accordance with AS 1428.2 (including both the designated parking space and the continuous accessible path of travel to that space).
- P2 One accessible car parking space must be provided and allocated to each adaptable dwelling provided within a development.

### Set Down Areas

- P3 Where set down areas (e.g. for taxis) are provided, they should be adjacent to a safe continuous path of travel to the facility to be accessed.
- P4 Set down areas should be level with a gradient less than 1:40, have adequate circulation space and be located away from traffic flow.
- P5 Kerb ramps should be provided to allow access to footpaths.
- P6 Off street set down areas should have directional signage from street entry and appropriately signed with both pavement and pillar signage.

## 12.4.10 Public Telephones on Private Property

### Objectives

- O1 To ensure that where public payphones are provided on private land, at least one accessible payphone shall be at an accessible floor level.

### Provisions

- P1 Accessible phones should be:
  - (a) located along the accessible path of travel; and

**Access**

- (b) not obstruct an accessible path of travel; and
  - (c) clearly distinguishable with designated signage.
- P2 Where provided, they must comply with the requirements of AS 1428.2.
- P3 A seat should be provided beside the payphone.
- P4 Where a telephone other than a payphone has been provided, there should be at least one that is available at an accessible floor level.

### 12.4.11 Fire Safety

**Objectives**

- O1 To ensure that consideration is given to additional needs of people with disabilities when designing egress routes and warning systems.

**Provisions**

- P1 Prior to granting consent Council must give consideration to the following:
- (a) accessible fire rated egress routes or waiting spaces for people with mobility impairments;
  - (b) warning systems have both audible and visual warnings; and
  - (c) Preparation of an emergency management plan which identifies strategies to facilitate emergency egress for people with a disability.

### 12.4.12 Temporary Structures and Events

**Objectives**

- O1 To ensure that consideration is given to additional needs for people with disabilities when planning events and festivals and when designing temporary structures.

**Provisions**

- P1 Where a temporary festival or event is proposed:
- (a) if the event is to be held in an existing building, access shall be provided to the greatest extent possible;
  - (b) accessible sanitary facilities must be made available; and
  - (c) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities.
- P2 Where a temporary structure is proposed:
- (a) The structure should not reduce the existing level of accessibility;
  - (b) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities; and
  - (c) If applicable, an accessible path of travel should be incorporated to and within the temporary structure.

### 12.4.13 Signage and Audio Cues

**Objectives**

- O1 To ensure that where information (both visual and audio) is required, the appropriate indicators are designed and provided to be understood by all users, including those with sensory disabilities (i.e. sight and sound).

**Provisions**

- P1 Signage and hearing augmentation systems must be provided in accordance with AS1428.1 and AS 1428.2.

- P2 Hearing augmentation must be provided for at least 15% of the seating capacity of an entertainment facility.

## 12.5 ADAPTABLE HOUSING

### Objectives

- O1 To ensure that accessible, continuous and safe paths of travel are provided from the property entry point to and through the entrance of adaptable dwellings.
- O2 To ensure that all new dwellings incorporate universal design elements to accommodate the changing needs of occupants over their lifetimes.

### Provisions

- P1 Adaptable housing must be provided in accordance with P1 to P5 to Part B: Section 1.2.2 – Residential Development. Adaptable housing in *B4 Mixed Use* zones must be provided in accordance with P7 to P11 of Section 2.2.3 – Commercial and Mixed Use Development.
- P2 All adaptable housing must be designed and constructed to a minimum Class C certification under AS 4299 – Adaptable Housing.

**Note:** *Class C Certification requires the provision of all "essential features" of AS 4299 to be incorporated within the development. The essential features criterion include:*

- (a) *Provision of plans showing the housing unit in its pre-adaptation and post-adaptation stages;*
- (b) *A continuous accessible path of travel;*
- (c) *Provision of accessible parking spaces;*
- (d) *Manoeuvrability both internally and externally;*
- (e) *Adjustable kitchen facilities;*
- (f) *Adjustable bathroom facilities; and*
- (g) *Adjustable laundry facilities.*

- P3 Where adaptable housing is required, access to and within all of the public areas (i.e. common areas/facilities such as entry lobbies, laundry, bbq areas, gardens and the like) must be provided in accordance with AS 1428.
- P4 Where a development requires the provision of adaptable housing, one accessible car parking space shall be provided and allocated to every adaptable unit.
- P5 Issues to be considered in the assessment of adaptable housing include:

- (a) **Compliance with AS1428.1 and AS1428.2:**

Access to and within the adaptable housing dwellings complies with the requirements of the relevant provisions of the Australian Standards. This includes access to at least one type of each common facility or service provided in the development (e.g. BBQ areas, swimming pools, common laundry facilities etc).

- (b) **Location:**

Adaptable housing units should be provided in convenient locations that are close to facilities such as public transport, community facilities and public services.

Within the development they should be located along the accessible path of travel, preferably close to the main entrance of the building.

- (c) **Bathroom Facilities:**

Bathrooms should be large allowing for wheelchair access and manoeuvring. A bath need not be provided, but the shower should allow for chair access. The hand wash basin and any shelving should be provided at a height that is accessible at both a standing or seated position.

**Access**(d) **Laundry Facilities:**

The laundry should also be large to allow for wheelchair access and circulation around the appliances. Washing machines and dryers should be front loading, a wall mounted dryer is also preferable.

(e) **Circulation Spaces:**

Bedrooms and living areas should be an adequate size to allow for ease of movement around furniture. Doorways and entrances are wide enough to facilitate wheelchair access and circulation.

(f) **Kitchen Facilities:**

The kitchen should be of a flexible design so that modifications can be made if required in the future. Cupboard and pantry shelf heights should be adjustable to make them easy to reach.

(g) **Flooring:**

Tiles or timber flooring is preferable to carpet. However, if carpet is to be provided it should be low pile with no underlay. Non-slip tiling should be provided in wet areas.

(h) **Walls:**

Walls located along main travel paths and in bedrooms and bathrooms should be reinforced to allow for installation of grab rails if necessary.

(i) **Windows:**

Windows should be operatable with one hand (preferably sliding) and located no higher than 700mm from the floor.

(j) **Landscaping:**

Outdoor areas should be designed to be low maintenance, with no lawns and a drip irrigation system. All paving should be even and be wheelchair accessible.

**Note:** *In order to grant development consent, Council will need to be satisfied that the proposal can comply with the design requirements of AS4299 without major structural or design changes. As part of the development consent, a condition will be imposed requiring the checklist of AS4299 to be completed and submitted with the subsequent construction certificate application. The principal certifying authority will then be required to check that the proposal complies with the technical components of AS4299.*

P6 Car parking must be provided in accordance with Part B: Section 10 – Car Parking and Transport.



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## SECTION 13 HERITAGE & CONSERVATION

### 13.1 INTRODUCTION

North Sydney has a rich and diverse heritage. It comprises buildings, structures, places, aboriginal and archaeological sites, lookouts, streetscapes, urban patterns, parks and reserves, all of which contribute to the area's cultural life, sense of place and identity.

North Sydney's heritage is identified through the provisions of the LEP (heritage items and heritage conservation areas) and the DCP (contributory, neutral or uncharacteristic items). Each heritage item and heritage conservation area has special qualities. These qualities are intrinsic to their value and make them significant.

The need to accommodate more residents and workers within a constrained area is placing increased pressures on the ability to retain and protect the LGA's heritage. This section of the DCP seeks to provide a balance between these conflicting issues.

#### 13.1.1 Guiding Statement

North Sydney's heritage is a tangible link between the past and present. How it is managed today will determine whether it can still be a link for present and future generations in accordance with the principles of intergenerational equity. Council's commitment to protecting North Sydney's heritage resources is expressed in the Guiding Statement.

Heritage conservation does not preclude change. The challenge is to manage pressures for increased development and contemporary living standards in ways that allow the rich tapestry of the historic environment to be retained for present and future generations.

Council will work to protect North Sydney's heritage by:

- (a) Ensuring Council decisions are consistent with policy as expressed in the LEP and the DCP;
- (b) Acknowledging the importance Aboriginal occupation and protecting sites that are important to Aboriginal culture and history;
- (c) Acknowledging and protecting North Sydney's archaeological remnants;
- (d) Committing to responsible management of Council's own heritage resources and heritage in the public domain;
- (e) Not supporting developments that remove or significantly reduce the heritage significance of any heritage item;
- (f) Striving to achieve an appropriate balance between contemporary expectations, environmental sustainability and protecting the elements that make an item significant or important to a conservation area's character;
- (g) Acknowledging and protecting the setting of heritage items;
- (h) Permitting flexible yet sensitive adaptation of heritage affected sites where appropriate. Council responds to guidance from and the planning principles of the NSW Land and Environment Court

#### Burra Charter

Council acknowledges the principles of and practices recommended by the Burra Charter in the conservation of items of cultural heritage and have informed the preparation of this section of the DCP. The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places). The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

When preparing a development application, the principles of the Burra Charter should be applied. It advocates a cautious approach to change: *do as much as necessary to care for*



*the place and to make it useable but otherwise change it as little as possible so that cultural significance is retained.* In the event of any inconsistencies between the Burra Charter and the DCP, the DCP will prevail.

### 13.1.2 General Objectives

The general objectives of this Section of the DCP are to:

- O1 establish a framework for detailed heritage and conservation planning in North Sydney;
- O2 ensure that Aboriginal heritage and archaeology are taken into consideration;
- O3 ensure that the assessment of applications for works on or in heritage items, heritage conservation areas and in the vicinity of heritage, are based on the identified heritage significance of the heritage item, conservation area, property, location or place;
- O4 ensure that supporting documentation is appropriate to the scale of the proposed works and heritage significance of the heritage item, conservation area, property, location or place;
- O5 facilitate opportunities to improve the understanding and/or appreciation of the heritage significance of any heritage item, conservation area, property, location or place; and
- O6 encourage sustainable development practices through the reuse and recycling of the existing building stock as appropriate.

### 13.1.3 When does this section of the DCP apply?

This Section of the DCP applies to:

- (a) properties that are individually listed as heritage items;
- (b) properties that form part of a group heritage item listing;
- (c) properties and structures within heritage conservation areas; and
- (d) properties within the vicinity of heritage items and heritage conservation areas.

### 13.1.4 Relationships to Other Sections

Where relevant, this Section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 9 – Advertising and Signage;
- (f) Part B: Section 12 – Access;
- (g) Part B: Section 15 – Bushland;
- (h) Part B: Section 16 – Trees and Vegetation Management;
- (i) Part B: Section 10 – Car Parking; and
- (j) Part C: Area Character Statements.

### 13.1.5 Relationship to other planning policies and requirements

Where relevant, this Section of the DCP needs to be read in conjunction with the following:

- [The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance](#) (Burra Charter); and  
***Note:** The Burra Charter was first adopted in 1979 and is periodically updated to reflect developing understanding of the theory and practice of cultural heritage management.*
- [Design In Context: Guidelines for infill development in the historic environment](#), 2005 (NSW Heritage Office).

In some instances, it may be difficult to reconcile all legislative requirements and heritage values. Council will exercise discretion where appropriate but reserves the right to refuse applications where the objectives or aims of this or other policies are not met.

Where a BASIX Certificate is required, applicants are encouraged to check compliance with BASIX well before the intended lodgement date of the development application as modifications can be required to achieve compliance.

### 13.1.6 When is development approval required?

Not all maintenance works or development to a heritage item or property within a heritage conservation area requires the lodgement of a development application or the obtaining of development approval. Table B-13.1 provides a guide to the application and approval process for works to a heritage item or to development within a heritage conservation area.

**TABLE B-13.1: Development Approval Requirements**

<b>Category 1</b> Minor routine maintenance	No application required No development approval required
<b>Category 2</b> Routine maintenance	Written request to Council required Council's authorisation required
<b>Category 3</b> Exempt development	Written request to Council may be required Council's authorisation may be required
<b>Category 4</b> Complying development	Complying development certificate required to Council or an accredited certifier Complying development certificate required
<b>Category 5</b> All other works not identified	Development application to Council required Development consent required

***Note:** If you are unsure about the notification requirements for a particular type of work or development, contact Council's Planning Advisors.*

Unless otherwise stated, Table B-13.2 applies to all heritage items, and to all properties and structures identified as contributory, neutral and uncharacteristic items within heritage conservation areas.



**TABLE B13.2: Approval requirements for various examples of development types**

Type of Work	Typical Examples
<b>Category 1 – Minor routine maintenance</b>	
<p><u>Description:</u> Work to protect and care for a building or work</p> <p><u>Approval requirements:</u> Development consent is not required for minor routine maintenance works. Such works are permitted as <i>exempt development</i> pursuant to satisfying the provisions of cl.3.1 and Schedule 2 to NSLEP 2013. In particular, refer to development type – “<i>Minor routine maintenance of buildings identified as a heritage item or within a conservation area</i>” within Schedule 2 of NSLEP 2013.</p> <p><u>Application requirements:</u> No application required</p>	<ul style="list-style-type: none"> <li>• Replacement of screws and bolts to secure fixtures.</li> <li>• Re-hinging doors and gates.</li> <li>• Replacement of plumbing and wiring which does not involve the replacement of fixed floor, wall or ceiling linings.</li> <li>• Repairing (excluding the replacement of floorboards), sanding, polishing or oiling floorboards.</li> <li>• Removal or replacement of floor coverings (excluding the removal of floorboards attached to joists or concrete slabs).</li> <li>• Maintenance or upgrade of kitchens or bathrooms (excluding the removal of walls, widening of openings, demolition of chimney breast or fireplaces).</li> <li>• Removal or replacement of built in cupboards.</li> <li>• Removal or replacement of internal light fittings.</li> <li>• Repainting internal surfaces of a building.</li> <li>• Replacement of broken glass panes within windows and does not involve a change in the opacity or colour of the glass.</li> <li>• Replacement of broken roof tiles.</li> </ul>
<b>Category 2 – Routine maintenance</b>	
<p><u>Description:</u> Work to protect and care for a building or work Work that does not alter the structure of the building.</p> <p><u>Approval requirements:</u> Written authorisation must be obtained from Council that states that the proposed works will not have an adverse impact on the heritage significance of an item or conservation area in accordance with cl.5.10(3)(a) of NSLEP 2013.</p> <p><u>Application requirements:</u> The applicant must notify Council in writing and Council must confirm or advise in writing that it is satisfied that the proposed development will not adversely affect the heritage significance of the heritage item. Refer to s.13.1.8 for the information to be included in a letter to Council requesting approval to undertake routine maintenance. If you are unsure about the notification requirement for a particular type of routine maintenance contact Council’s Planning Advisors.</p>	<ul style="list-style-type: none"> <li>• Repair, replacement, restoration or reconstruction of: <ul style="list-style-type: none"> <li>◦ front fences</li> <li>◦ paths</li> <li>◦ roofing</li> <li>◦ letter boxes</li> <li>◦ decks</li> <li>◦ damaged guttering</li> <li>◦ damaged tuck pointing or roughcast rendering</li> <li>◦ handrails</li> <li>◦ steps</li> <li>◦ timber windows, doors or joinery</li> </ul> </li> <li>• Repair or repainting of: <ul style="list-style-type: none"> <li>◦ chimneys</li> <li>◦ verandahs</li> <li>◦ balcony balustrades</li> <li>◦ valences</li> </ul> </li> <li>• Repair of existing tiling to: <ul style="list-style-type: none"> <li>◦ balconies</li> <li>◦ verandahs</li> <li>◦ front steps</li> <li>◦ pathways</li> </ul> </li> <li>• Replacing or maintaining gardens with compatible plants, trees, shrubs and lawns.</li> <li>• Removal of unsympathetic and non-original features to the building.</li> </ul>

**Heritage and Conservation****TABLE B13.2: Approval requirements for various examples of development types**

Type of Work	Typical Examples
	<ul style="list-style-type: none"> <li>Garden maintenance.</li> <li>Any other minor maintenance or restoration works not listed above that Council considers are not likely to have an adverse impact on heritage significance.</li> </ul>
<b>Category 3 – Exempt development</b>	
<p><u>Description:</u> Development that is considered minor and will have a minimal impact on the local environment.</p> <p><u>Approval requirements:</u> Development consent is not required for exempt development provided the requirements outlined in cl.3.1 and Schedule 2 of NSLEP 2013 are satisfied or the relevant provisions of above mentioned SEPPs.</p> <p><u>Application requirements:</u> Depending on the type of exempt development, the applicant may be required to notify Council in writing and Council must confirm or advise in writing that it is satisfied that the proposed development would not adversely affect the heritage significance of the item. Refer to s.13.1.8 of this DCP for the information to be included in a letter to Council requesting approval to undertake exempt development. If you are unsure about the notification requirement for a particular type of exempt development contact Council's Planning Advisors.</p>	<p>Refer to Schedule 2 of NSLEP 2013 for a complete list of exempt development applicable to heritage items or properties within a heritage conservation area.</p> <p>In addition, refer to the relevant sections of the following State Environmental Planning Policies (SEPPs) that relate to exempt development:</p> <ul style="list-style-type: none"> <li><a href="#">SEPP (Exempt and Complying Development Codes) 2008</a></li> <li><a href="#">SEPP (Infrastructure) 2007</a></li> <li><a href="#">SEPP (Temporary Structures) 2007.</a></li> </ul>
<b>Category 4 – Complying development</b>	
<p><u>Description:</u> Low impact development types that can be addressed by predetermined development standards. <i>Complying development does not apply to heritage items listed in Schedule 5 of NSLEP 2013.</i> Complying development may apply to contributory, neutral and uncharacteristic items within a heritage conservation area.</p> <p><u>Approval requirements:</u> Development consent is not required for complying development outlined in Schedule 3 of NSLEP 2013. To carry out the development you must obtain a Complying Development Certificate from an accredited certifier, or Council. If your application is successful, the council or certifier will issue a Complying Development Certificate, subject to conditions.</p> <p><u>Application requirements:</u> A Complying Development Certificate to be submitted to Council or an accredited certifier. If unsure about the notification requirement for a particular type of complying development, contact Council's Planning Advisors.</p>	<p>Refer to Schedule 3 of NSLEP 2013 for a complete list of complying development.</p> <p>In addition, refer to the relevant sections of the following State Environmental Planning Policies (SEPPs) that relate to complying development:</p> <ul style="list-style-type: none"> <li><a href="#">SEPP (Exempt and Complying Development Codes) 2008</a></li> <li><a href="#">SEPP (Infrastructure) 2007</a></li> </ul>

**TABLE B13.2: Approval requirements for various examples of development types**

Type of Work	Typical Examples
<b>Category 5 – Development consent</b>	
<p><u>Description:</u> Development not identified in Categories 1 to 4 inclusive.</p> <p><u>Approval requirements:</u> Development consent is required pursuant to Clause 5.10(2) of NSLEP 2013.</p> <p><u>Application requirements:</u> Development application to be submitted to Council.</p>	All other works not identified above.

### 13.1.7 Understanding your property's history

There are number of ways to determine the heritage significance of heritage items and conservation areas.

#### Heritage Inventory data sheets

The first source of information is to determine if a Heritage Inventory data sheet for the heritage item or conservation area. Heritage Inventory data sheets have been prepared for all heritage items and conservation areas listed in Schedule 5 to NSLEP 2013. The data sheets are available from NSW Heritage at: <https://www.heritage.nsw.gov.au/search-for-heritage/search-for-nsw-heritage/> or from the Heritage Centre at Stanton Library, 234 Miller Street, North Sydney.

It should be noted that not all data sheets are comprehensive and limited details on the data sheet does not mean that the heritage item is not significant.

#### Researching property history

Where a Heritage Inventory data sheet for a particular heritage item does not have a detailed documented history, additional research is necessary.

The purpose of undertaking research into a property's history is to assist property owners and applicant to understand the significance of the item or place which in turn should help to inform future development options. . It also assists Council in considering how a proposed development has taken into account the history and significant features of the item or place. Important or relevant information may include:

- (a) **Construction details:** date, architect/builder, period of subdivision, names of any significant owner or people who have lived at the premises, significant previous uses or associations;
- (b) **Heritage significance:** additional information to supplement details provided on heritage item or heritage conservation area listing sheets
- (c) **Intactness:** details of changes that have been made to the property over time and assessment of the intactness of the item or implications of layers of history.

#### Area Character Statements

Part C to this DCP contains the Area Character Statements for each Planning Area and Locality Area in the Local Government Area. The Locality Areas are in part based on heritage conservation areas as identified in Schedule 5 to NSLEP 2013. The Character Statements for each of the heritage conservation areas provide an explanation as to why each Area is significant and identifies those elements which positively contribute to the character of that area and those which do not.

## Heritage and Conservation

### North Sydney Heritage Centre

The North Sydney Heritage Centre in the Stanton Library has extensive information about the social and cultural heritage of the local area, with a particular focus on the built environment. The Heritage Centre collects primary and secondary material for a wide range of historical research, including family history, house histories and heritage reports. This is available for the community and is an excellent resource for applicants. Many of the Heritage Centre's resources may be accessed at:

[https://www.northsydney.nsw.gov.au/Library\\_Databases/Heritage\\_Centre/About\\_the\\_Heritage\\_Centre](https://www.northsydney.nsw.gov.au/Library_Databases/Heritage_Centre/About_the_Heritage_Centre)

### 13.1.8 Heritage Applications

#### Additional submission requirements

Where a proposal seeks to undertake works to a heritage item, on land adjacent to or in the vicinity of a heritage item, or within a heritage conservation area, specific information relating to heritage is required to be submitted to Council for consideration as part of a development application or an authorisation application. The extent of information required depends on the heritage significance of the building, property or conservation area affected, its relative contribution to a heritage conservation area (if applicable), and the scope and nature of works proposed.

#### Authorisation Applications

Authorisation applications comprise Category 2 – Routine Maintenance or Category 3 – Exempt Development works (i.e. refer to Table B-13.2 to this DCP) and require at least the following information to be provided:

- (a) Details of the site;
- (b) A description of the proposed work including details of materials, finishes and colours noting changes from existing;
- (c) Photographs; and
- (d) Where relevant, a statement confirming that all relevant criteria for exempt development have been met.

#### Development Applications

Development applications comprising Category 5 – Development consent (i.e. refer to Table B-13.2 to this DCP) are required to provide all information listed in the general submission requirements as set out in Part A: Section 3 – *Submitting an Application* of the DCP. In addition to these requirements, heritage applications for Category 5 works may also be required to provide any of the following:

- (a) For development applications for heritage items and buildings in heritage conservation areas may require:
  - (i) A **Heritage Impact Statement**;
  - (ii) All sets of plans clearly indicating, in colour, existing walls to be removed and those to remain;
  - (iii) Measured drawings of the existing building including elevations;
  - (iv) Details of external materials and finishes (including colour schemes);
  - (v) A **Conservation Management Plan**.
- (b) For development applications proposing substantial redevelopment or alterations and additions to, or demolition of heritage items may require:
  - (i) **Demolition Report**;
  - (ii) **Structural Report** prepared by a structural engineer and is to verify that the proposed works will not detrimentally affect the structural stability of the building.

- (c) For development applications for any site in the vicinity of a heritage item (Refer to the vicinity controls at Section 13.4 to this Part) that is likely to impact on the setting of the heritage item may require:

- (i) a **Heritage Impact Statement**.

**Note:** Items listed on the State Heritage Register are required to obtain separate approval from the NSW Heritage Council under Section 60 of the NSW [Heritage Act 1977](https://www.heritage.nsw.gov.au). Details for application details and exemptions under the [Heritage Act 1977](https://www.heritage.nsw.gov.au) are available at <https://www.heritage.nsw.gov.au>.

Before preparing an Authorisation Application or Development Application, it is recommended to contact Council to determine the level of additional submission requirements.

### Conservation Management Plans

Council requires a conservation management plan to be provided with applications that propose changes to a heritage item of state heritage significance. They may also be required with applications where substantial changes are proposed to large or complex heritage items of local significance, or where Council considers the significance of the heritage item and the extent of change proposed warrant more detailed and rigorous assessment.

Further details on preparing Conservation Management Plans are available at <https://www.heritage.nsw.gov.au/>.

### Heritage Impact Statements

Heritage Impact Statements are to be submitted with applications for development affecting:

- (a) Heritage items (other than where a Conservation Management Plan is required) including applications for fire upgrading; and
- (b) Properties within heritage conservation areas.

Heritage Impact Statements should address at least the following:

- (a) Historical development of the site
- (b) Description of the item and its setting (e.g. garden, fences, ancillary buildings, etc)
 

**Note:** This aspect should also include existing plans/sections and elevations to appropriately document the evolving history of the site and to assist in making a clear comparison and assessment of the impact of the new work on the cultural significance of the place
- (c) Contribution to the streetscape: height, scale, mass, setback, fenestration, architectural style and period
- (d) Heritage significance (use Heritage NSW's [Assessing Heritage Significance](https://www.heritage.nsw.gov.au) and heritage inventory data sheets)
- (e) The proposal's anticipated impact on the heritage significance of the identified heritage item or place and its setting, any identified conservation area and/or nearby heritage items
- (f) Design options and rationale for the preferred option
- (g) Relevant conservation principles in accordance with ICOMOS Burra Charter

When preparing a Heritage Impact Statement, the chronological layers of a property must be identified to establish the relative heritage significance and conservation value of various elements.

Heritage Impact Statements can be prepared by either a specialist heritage consultant or property owner. However, applicants should be advised that Council will only consider those Statements which adequately address the concerns arising from the proposed development. Guidance on preparing Heritage Impact Statements is available at [www.heritage.nsw.gov.au](https://www.heritage.nsw.gov.au). You may also consult with Council prior to lodging your application.

### Demolition and site redevelopment

Requests to demolish heritage items or contributory items within heritage conservation areas are not supported by Council. However, should an applicant insist in pursuing such a

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request, the onus is on the applicant to demonstrate why the building is not reasonably capable of retention.

Demolition of a heritage item is usually only considered where the structure is unsound. In its determination of any application to demolish a heritage item, Council will give consideration to the relevant Planning Principles established by the Land and Environment Court. The Planning Principles can be viewed on the Land and Environment Court's website ([http://www.lec.justice.nsw.gov.au/Pages/practice\\_procedure/principles/planning\\_principles.aspx](http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx)).

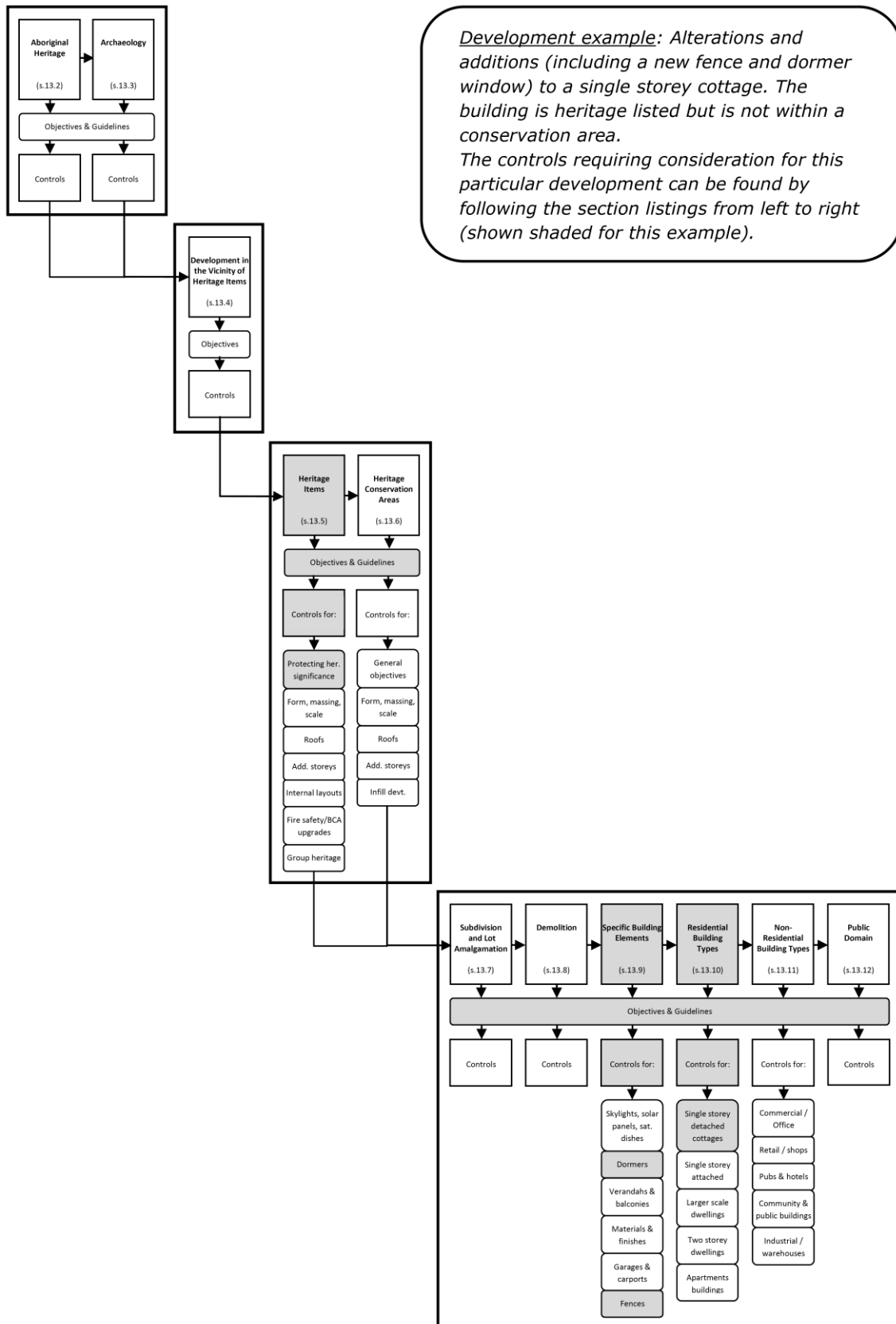
A Demolition Report is required to accompany any application for demolition of a **heritage item** or **contributory item in a heritage conservation area**. The report is to provide details of the heritage significance of the heritage item or contribution of the contributory item to the heritage conservation area, and is to address the matters at s.13.8 to this Part of the DCP.

Plans of the replacement development are to be submitted with any application for demolition. Submitting the documentation to seek approval to demolish a heritage item or contributory item does not imply that approval will be granted. Council may seek independent advice on aspects of any application for demolition.

### 13.1.9 Using this section

Heritage development applications are to be consistent with the DCP aims, objectives and controls that apply to the proposal. Notes in the right-hand column of the DCP and supporting diagrams provide additional detail to assist interpretation of the controls and links to other documents are relevant. The Guiding Statement at s.13.1.2 to this Part of the DCP is an expression of Council's intent for the decision making process for heritage development applications.

The flowchart within Figure B-13.1 illustrates the linear nature of this section and may assist in navigating through it when preparing a development application.



**Figure B-13.1:**  
Flowchart outlining process for using this Section of the DCP.



## 13.2 ABORIGINAL HERITAGE

There are a number of known Aboriginal places of heritage significance located within the North Sydney Local Government Area. The location of these known places are not readily available to the general public.

There is also potential for the existence of Aboriginal places of significance and Aboriginal objects on sites that are not currently known about. Such places generally occur:

- along the harbour foreshores and creeklines and streams;
- on sites containing sandstone outcropping (including flat surfaces above cliffs and scarps, rock shelters on slopes below ridges cliffs and scarps and beneath or part of fallen boulders)

Sites will be more common where properties adjoin bushland and where sandstone cliffs contain overhangs and less common where the land has been heavily modified. Commercial areas where land disturbance has been most intensive will have the lowest frequency of sites.

**Notes:** Refer to the [National Parks and Wildlife Act 1974](#) for requirements to protect and preserve Aboriginal objects and places of significance.

Applicants are encouraged to contact the Metropolitan Local Aboriginal Land Council officer, North Sydney Council Aboriginal Heritage Manager and/or the National Parks and Wildlife Service (which forms part of the NSW Office of Environment and Heritage) before lodging a development application.

### Objectives

- O1 Acknowledge the importance of Aboriginal heritage as part of North Sydney's heritage resources.
- O2 Protect Aboriginal objects and Aboriginal places of heritage significance by minimising the likelihood of disturbance from development.
- O3 Minimise potential for interference with archaeological objects as a result of development by encouraging relics to be preserved in-situ.

### Provisions

- P1 Obtain relevant approvals from the Aboriginal Heritage Office prior to commencing work where a site contains, or has potential for Aboriginal objects.
- P2 Building and landscaping works, including paths and driveways are not to disturb any Aboriginal objects.
- P3 Minimise disturbance and exposure of areas along the foreshore, including excavations for swimming pools, jetties and boat sheds.
- P4 Site structures away from the foreshore where possible.
- P5 Minimise disturbance to rock outcrops and overhangs.

## 13.3 ARCHAEOLOGY

This subsection of the DCP only deals with non-Aboriginal archaeology (i.e. European Heritage) and refers to sites, which are addressed in s.13.2 above. It primarily relates to sites of known or potential cultural significance, both below and above ground which have the potential to increase our knowledge of earlier human occupation, activities and events.

**Notes:** Archaeological resources are protected by the relics provisions of the NSW [Heritage Act 1977](#).

A lot of North Sydney's archaeology is related to maritime history. Old machinery and equipment can be an important link to the industrial and maritime heritage of the area.

### Objectives

- O1 Acknowledge the importance of archaeology as part of North Sydney's heritage resources.
- O2 Minimise potential for interference with archaeological heritage as a result of development by encouraging relics to be preserved in-situ.

**Provisions**

- P1 Minimise the depth and extent of any excavation and locate new work away from areas known to contain archaeological relics.
- P2 Minimise disturbance along foreshore areas where there is a high likelihood of relics. This includes excavation and exposure of subsoil areas for swimming pools, jetties or boat sheds.
- P3 Locate structures to minimise changes to the natural landform.
- P4 Minimise disturbance to below ground and sub-floor areas by careful siting of new work to conserve potential archaeology.
- P5 Ensure reversibility of changes (as relevant).

**13.4 DEVELOPMENT IN THE VICINITY OF HERITAGE ITEMS**

The setting of a heritage item often contributes to its heritage significance. With historic curtilage, the setting can extend beyond current property boundaries, and will be different for each heritage item.

Development near heritage items is required to consider the potential for new work to impact on the heritage item's setting. This requires an understanding the role of the site in the streetscape, and in relation to the heritage item.

If Council's heritage assessment staff confirm that the vicinity controls will apply to your property, then a **Heritage Impact Statement may be required** with your development application.

**Objectives**

- O1 Ensure that new work is designed and sited so as to not detrimentally impact upon the heritage significance of the heritage item and its setting.

**Provisions**

- P1 Respect and respond to the curtilage, setbacks, form, scale and style of the heritage item in the design and siting of new work.
- P2 Maintain significant public domain views to and from the heritage item.
- P3 Ensure compatibility with the orientation and alignment of the heritage item.
- P4 Provide an adequate area around the heritage item to allow for its interpretation.
- P5 Retain original or significant landscape features that are associated with the heritage item or that contribute to its setting.
- P6 Protect and allow interpretation of archaeological features (as appropriate and relevant).

**13.5 HERITAGE ITEMS**

Heritage items are listed in Schedule 5 of NSLEP 2013. Heritage items can comprise land, works, vegetation, structures, moveable objects, places, buildings, groups of buildings or combinations of some or all of these elements.

Council adopts a "whole property" approach for heritage items. This is because the heritage significance of any heritage item normally relates to more than the front or street façade of buildings.

Council will consider the analysis and weighting of significance to various elements of a property. It is important to discuss the analysis with Council's planning and heritage advisors, prior to the lodgement of any development application.

### 13.5.1 Protecting heritage significance

#### Objectives

- O1 Ensure changes to heritage items are based on an understanding of the heritage significance of the heritage item.

**Note:** Council does not support demolition of heritage items as a matter of principle.

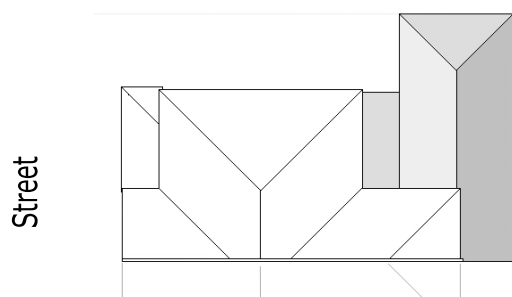
- O2 Allow change to occur to heritage items to meet amenity and contemporary safety, sustainability or technological standards, provided that those changes are sympathetic to and does not detrimentally affect the heritage significance of the heritage item.

**Note:** Development to heritage items should be sympathetic, and achieve a reasonable balance between contemporary expectations, environmental sustainability and protecting heritage significance.

- O3 Ensure significant features of heritage items are retained and that development is sympathetic to these features with particular regard to bulk, form, style, character, scale, setbacks and materials.
- O4 Acknowledge changes over time to heritage items, as subsequent layers may also be of significance.
- O5 Encourage reinstatement of missing details and the removal of past unsympathetic changes, to improve overall outcomes to the heritage significance of the heritage item.
- O6 Allow changes to the rear of heritage items where the new work does not impact the heritage significance of the heritage item.
- O7 Ensure that new uses of heritage items are compatible with the fabric and heritage significance of the item.
- O8 Encourage changes to be reversible where possible and appropriate.

#### Provisions

- P1 Retain features (including natural and cultural landscape features) that contribute to the significance of the item.
- P2 Remove unsympathetic elements, especially where substantial changes are proposed to a heritage item, and there is potential for an improved heritage outcome.
- P3 New work is to be consistent with the setback, massing, form and scale of the significant features of the heritage item.
- P4 Retain significant fabric, features or parts of the heritage item that represent key periods of the item's history or development.
- P5 Locate change away from original areas of the heritage item that are intact. For example, where a building's significance is related to the front of a building, locate new work to the rear.
- P6 All works are to be consistent with an adopted Conservation Management Plan/s where applicable.



**Figure B-13.2:**

Locate change away from the primary intact areas of the heritage item – changes to the rear are often preferable.

### 13.5.2 Form, massing, scale

#### Objectives

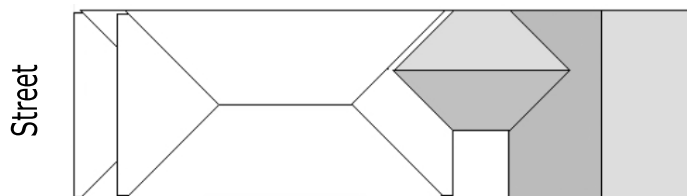
- O1 To allow alterations and additions to heritage items, where the new work does not impact on the heritage significance of the heritage item.
- O2 To maintain and promote the original built form of the heritage item as viewed from the public domain.

#### Provisions

- P1 Locate alterations and additions away from principal elevations and primary forms, and behind and below the main ridge line.

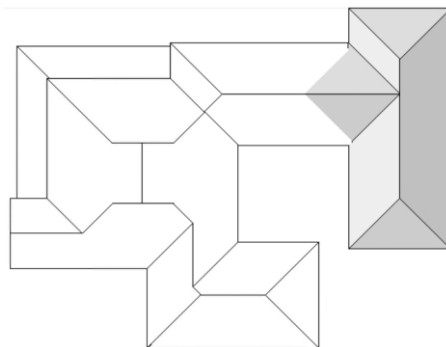
**Note:** Alterations and additions should occur to the rear of heritage items such that they are not visible from the public domain.

- P2 Ensure that alterations and additions are smaller in scale, height and massing than the existing building.
- P3 Locate additions within characteristic setbacks.



**Figure B-13.3:**

Additions should be smaller in scale and length than the existing building.



**Figure B-13.4:**

New work should maintain the integrity of the building form, allowing the original form to be discerned.

#### Integrity of building form

- P4 Maintain the integrity of the building form (including the roof form and profile) so that the original building is retained and can be clearly discerned.
- P5 Additions should be submissive in bulk and scale in comparison to the original building form (i.e. additions should generally be smaller in footprint and lessor in height than the original building form).

### 13.5.3 Additional storeys

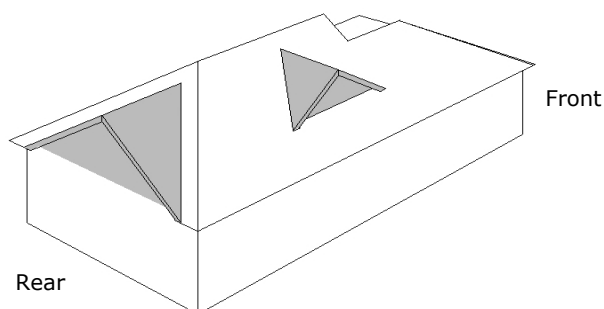
The suitability of adding additional levels to any heritage item will depend on the form, scale, architectural style and heritage significance of the heritage item. Additional storeys are not appropriate where the building is part of an intact group.

#### Objectives

- O1 To minimise the visual dominance of any new work from public places.

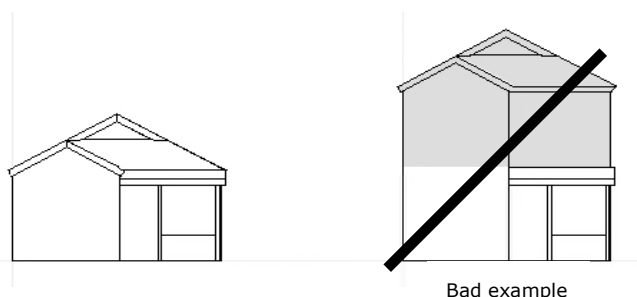
### Provisions

- P1 Additional storeys must be confined to within the existing roof space or below the gutter line of the main roof. Whole floor additions will not be supported. Refer Figure B-13.6
- P2 The consent authority may consider permitting additional levels at the rear of a building, but only where those levels are located below and behind the main ridge line.



**Figure B-13.5:**

Consider use of existing roof space at the rear of a building rather than constructing an additional storey.



**Figure B-13.6:**

Whole floor additions are generally not supported. Consider use of existing roof space with dormer windows subject to the controls in Section 13.7.3. to this Part

## 13.5.4 Roofs

Roofs are often prominent elements of heritage items in North Sydney, and combine in many heritage conservation areas to give a distinctive skyline pattern.

### Objectives

- O1 To ensure that original roofs, their hierarchy and materials are retained.

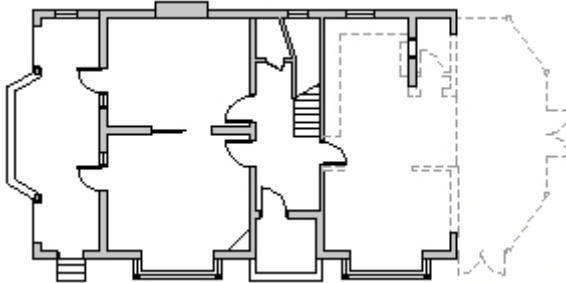
### Provisions

- P1 Retain hierarchy of roof forms, with dominant forms maintained on the primary facades.
- P2 Retain original roofing materials, such as slate or terracotta tiles.
- P3 Retain chimneys and other decorative roof elements.
- P4 Where new roof form additions are proposed, they must be set lower than the existing primary roof ridge and be designed to positively respond to the roofs prevailing character.
- P5 All new services/drains/etc to be internal and/or of suitable materials.
- P6 Original roof forms are not to be modified to accommodate decks or balconies.

## 13.5.5 Interior layouts

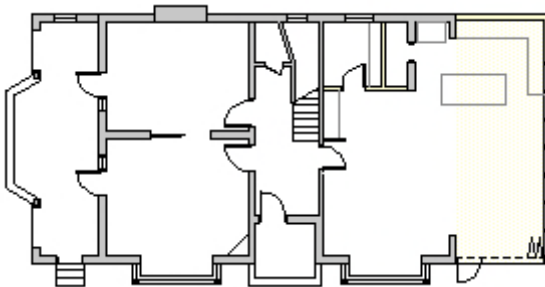
The floor plan of a heritage item is normally intrinsic to its built form. Retaining internal elements is often a good way to ensure structural security.

Council seeks the retention of significant interior elements, as a building that retains its traditional layout and features is more likely to retain its significance than a building that has been extensively changed inside.



**Figure B-13.7:**

Demolition is concentrated to the rear and original rooms of significance are left intact.



**Figure B-13.8:**

The rear section is replanned and is the focus of the new work.

### Objectives

- O1 To ensure that significant interior elements are retained and preserved.

### Provisions

- P1 Applications are to be accompanied by current photographs of interior features, including walls, floors, ceilings, windows and fireplaces etc.
- P2 Minimise change to the original or significant internal room configuration/layout (as appropriate) so that the evolution of the building remains discernable. This can be achieved by retaining wall nibs, decorative ceilings, joinery and original features such as fire places.
- P3 Kitchens or bathrooms must not be located within primary rooms of significance, unless all of the following are achieved:
- (a) all of the original interior detailing is retained;
  - (b) the volume of the room can still be appreciated;
  - (c) the original use of the room is still interpretable;
  - (d) new services do not adversely impact on significant fabric; and
  - (e) the works can be fully reversed, such that the room may reverted to its original purpose.
- P4 Retain access and relationship to original building entrances and associated hallways.
- P5 Retain significant internal original features including joinery, door sets, fire places, flooring, cornices and ceilings.
- P6 Locate alterations away from rooms that have intact or significant features.
- P7 Ensure new openings have similar dimensions or are compatible with existing openings, such as width and height of double doors.
- P8 Provide for reversibility of internal changes (where appropriate and reasonable).

### 13.5.6 Upgrading for fire safety, BCA and other matters

Older buildings do not always meet contemporary building regulations. This is particularly so with many heritage buildings. It is important that these older buildings are upgraded to ensure the safety of their occupants. Whilst some minor upgrades may constitute exempt or complying development, some will also require development consent.

#### Objectives

- O1 To ensure that buildings are constructed to an appropriate standard to ensure the safety of its occupants, whilst retaining heritage significance.

#### Provisions

- P1 Proposed fire upgrades to heritage buildings are to be accompanied by a heritage analysis carried out by a suitably qualified heritage consultant.
- P2 Fire and other upgrades are to be consistent with the heritage significance applicable to the property. Upgrades and replacement of balconies, stairs, timber windows etc are to be sensitive to that significance.
- P3 Fire and other upgrading works need to balance the fire safety and other compliance needs with protecting heritage significance. In order to achieve the most appropriate outcome, applicants may need to utilise alternate solutions to BCA compliance issues.

### 13.5.7 Group heritage items

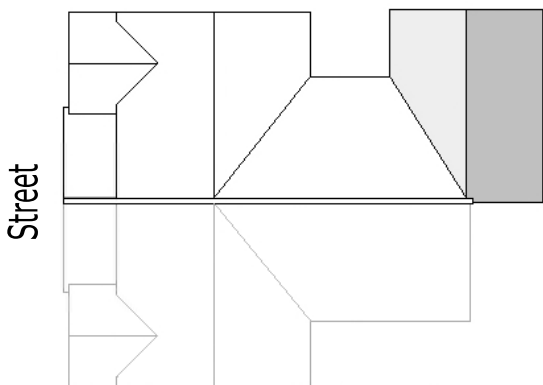
There are many examples of semi-detached dwellings and attached dwellings which have common or shared features. Alterations and additions to one building within the group can affect the heritage significance of the group as a whole.

The controls in this subsection apply to heritage items that form part of a group as identified on the relevant heritage data inventory sheet.

Where there is an inconsistency between this subsection and another subsection in this Section, this subsection will prevail.



**Figure B-13.9:**  
Example of a group heritage item.



**Figure B-13.10:**  
For group and pair items – locate new work away from the shared and/or significant elements of the group.

#### Objectives

- O1 Retain the significant features or characteristics of the group but allow flexibility for change where significance will not be affected.

## Provisions

P1 Retain significant features that are common to the group.

**Note:** Council may require reinstatement of missing details on **group heritage items** where physical or documentary evidence is available

P2 Locate new work away from the significant elements of the group.

P3 Retain significant historical boundaries.

## 13.6 HERITAGE CONSERVATION AREAS

Heritage conservation areas are listed in schedule 5 of the NSLEP 2013 and are illustrated on the Heritage Maps to the LEP. Heritage conservation areas have a cohesive sense of place. Their significance is often a function of the subdivision and street pattern, combined with buildings that share common periods of development, historical associations, materials, form and scale.

Buildings that are not heritage items are identified as contributory, neutral or uncharacteristic. The contribution of any building to the conservation area should guide the approach to development, as set out below.

**Note:** This Section should be read in tandem with the relevant Area Character Statement (refer to Part C of the DCP). Contributory and uncharacteristic items are listed in Tables App-A.1 and App-A.2 within Appendix A to this DCP. All other properties within a heritage conservation area and is not listed as a contributory or uncharacteristic item is deemed to be a neutral item.



**Contributory items** are part of the collective significance of the particular conservation area in which they are located. They are important for what they offer to the streetscape or character of the heritage conservation area. As a result, the focus for contributory items is how the building appears in the public domain, and especially from the street.

Council does not support the demolition of contributory items.



**Neutral items** are not defining, but do not detract from the overall character of a conservation area. They often represent the original era of development and may display the predominant architectural style.

The focus for neutral items is how the building appears in the street and public domain. The intention is to achieve a neutral or improved built outcome by removing previous unsympathetic alterations, or adding features that are characteristic of an area.



**Uncharacteristic items** are buildings and structures that are intrusive and detract from the character and significance of the heritage conservation area. They are not suitable benchmarks for new developments. Replacement buildings are to achieve a neutral or contributory status.

### 13.6.1 General Objectives

The objectives to section 13.6 are to:

O1 Ensure that new development is designed to retain and complement the character and significance of the conservation area (refer to Part C of this DCP for a description of the significance of the heritage conservation area).

O2 Ensure that contributory items are retained and where practical improved, with a focus to locate new work to the rear or away from publicly visible elevations of building.

- O3 Enable neutral items to be improved such that they contribute to the character of the heritage conservation area through the removal of unsympathetic and inappropriate elements, and reinstating missing details where appropriate.
- O4 Encourage change that will remove uncharacteristic items or reduce the extent of their intrusion.

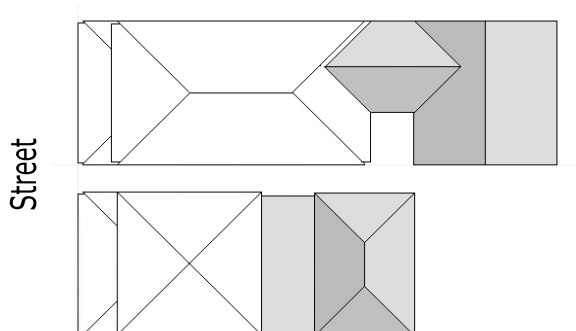
### 13.6.2 Form, massing and scale

#### Objectives

- O1 To ensure new development has a compatible and complementary building form and scale to that which characterises the conservation area.
- O2 To maintain and enhance streetscape character as identified within the Area Character Statements.

#### Provisions

- P1 Development should reflect the bulk, mass, scale, orientation, curtilage and setbacks of surrounding heritage and contributory items.
- P2 Development should recognise and complement the predominant architectural scale and form of the area.
- P3 Do not obstruct existing views in the public domain, including slot views over and between buildings as these provide connection and contribute to the context of the area's location.
- P4 Reinstall characteristic and decorative features to **contributory items** where alterations and additions are proposed. This could include reinstatement of verandahs and balconies, joinery, chimneys, fences or window detailing.
- P5 Achieve a neutral outcome to **neutral items** or improved outcome to **neutral items** which were constructed in the core period of development by:
- respecting original or characteristic building patterns in terms of bulk, form, scale and height;
  - minimising changes to original and characteristic features;
  - removing unsympathetic and uncharacteristic changes and/or;
  - reinstating characteristic details where there is physical or documentary evidence.



**Figure B-13.11:**

Minimise changes to the front elevations, consider pavilion extensions.

- P6 Achieve an improved outcome to **uncharacteristic items** by removing the uncharacteristic or intrusive element or incorporating changes to improve the contextual design and visual impact of the site.
- P7 Respond to characteristic building alignments by not building forward of the established or characteristic front setback.

- P8 Repeat any consistent pattern of side and rear setbacks of heritage and contributory items in the vicinity of the site.
- P9 New work may adopt a contemporary character, provided the development is not likely to have a detrimental impact on the characteristic built form of the area, particularly in terms of bulk, scale, height, form or materials.

### 13.6.3 Roofs

#### Objectives

- O1 To maintain the characteristic roof profiles and roofing materials within a heritage conservation area.

#### Provisions

- P1 Roof form, pitch and materials are to be compatible with heritage and contributory items in the conservation area, as identified in the relevant character area statement (refer to Part C of the DCP).



**Figure B-13.12:**

Roofs can be unifying elements of conservation areas.



**Figure B-13.13:**

Buildings from the nineteenth and early twentieth centuries often have steep pitches and formal geometry that combines to give a distinctive skyline.

### 13.6.4 Additional storeys and levels

#### Objectives

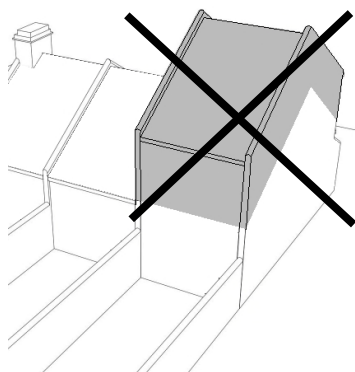
- O1 To ensure that the scale of the streetscape and context of the heritage conservation area are respected.

#### Provisions

- P1 Additional storeys or upper level additions are not supported in heritage conservation areas.
- P2 Despite P1, the consent authority may permit an additional storey or upper level addition, but only if the applicant can demonstrate:
- (a) that the resultant building will exhibit a similar scale to that in the vicinity of the site, and
  - (b) that the design respects the heritage characteristics of the area.
  - (c) that the additional storey does not alter the form or scale of any heritage or contributory items.

**Note:** Modest cottages need to retain a small form and height.

- P3 Typically, additions should be set back behind the main roof lines and should be located substantially within the existing roof.



**Figure B-13.14:**

Additional storeys are usually not appropriate, particularly where the existing building is part of an intact group or streetscape.

### 13.6.5 Internal layouts

While Council does not seek to control changes within contributory, neutral or uncharacteristic buildings in heritage conservation areas, the internal layout of a building can be indicative of its heritage significance. This significance normally only comes to light once a property owner seeks to undertake new works.

Retaining internal elements is often a good way to ensure structural soundness.

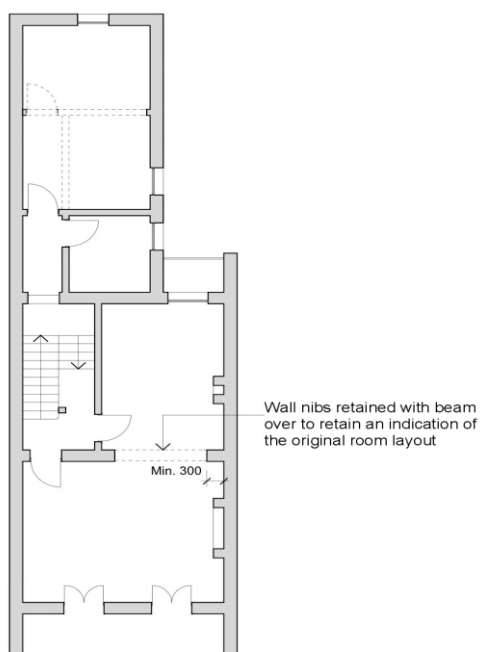
#### Objectives

O1 To ensure that significant interiors are retained.

#### Provisions

P1 Consideration is given to the internal layouts of buildings.

P2 Where interior layouts are determined to be significant, they should be retained.



**Figure B-13.16:**

Retaining wall nibs gives an indication of the original layout.

### 13.6.6 Infill development in conservation areas

Infill development refers to any new building in a heritage conservation area. Heritage items are good reference points for indicating appropriate bulk, massing, scale, and material usage.

#### Objectives

- O1 To ensure that new development is consistent in terms of materials, bulk, scale, character and setback with significant buildings in the heritage conservation area.

#### Provisions

- P1 Infill developments in heritage conservation areas need to positively respond to the setting and special character of the area, as outlined in the relevant character area statement (refer to Part C of the DCP).
- P2 Consideration be given to the NSW Heritage Office's publication *Design In Context* provides guidance for infill development, copies of which are available from their website - [https://www.heritage.nsw.gov.au/assets/Uploads/a-z-publications/d-f/Design\\_In\\_Context.pdf](https://www.heritage.nsw.gov.au/assets/Uploads/a-z-publications/d-f/Design_In_Context.pdf).



**Figure B-13.16:**

Good infill development responds to the form, scale, setbacks and modulation of characteristic adjoining developments.

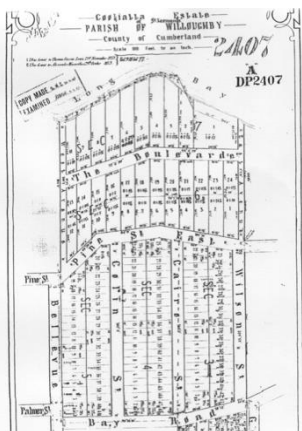


**Figure B-13.17:**

Poor infill development does not respond well to adjoining characteristic developments.

## 13.7 SUBDIVISION AND LOT AMALGAMATION

The subdivision pattern typically reflects the area's development history and underpins its significance. Unsympathetic developments often occur where there is a change to the characteristic subdivision pattern.



**Figure B-13.18**

Subdivision of the Carlotta Estate, Cammeray 1889.



**Figure B-13.19**

The subdivision created a large number of small lots that led to the construction of single storey Federation and Edwardian cottages that are distinctive of the area.

## Heritage and Conservation

Part C of the DCP contains area character statements for each heritage conservation area, which include extracts from historic maps that illustrate the subdivision of each area over time.

### Objectives

- O1 To ensure that the character of heritage conservation areas are not adversely affected from inappropriate development.
- O2 To ensure the significance of heritage items are not reduced through reduced curtilages.

### Provisions

- P3 Subdivision patterns should reflect that identified in the relevant area character statements (refer to Part C of the DCP).
- P4 Changes to property boundaries will not be permitted where it will result in the reduction of a curtilage to a heritage item, where it results in an adverse impact upon the items significance.

## 13.8 DEMOLITION

These controls apply to development applications for demolition works to heritage items and sites within heritage conservation areas.

### Objectives

- O1 To ensure that heritage items and buildings which positively contribute to the significance and character of a heritage conservation area retained.
- O2 To outline the criteria which need to be considered by Council should applicant still seek to demolish the heritage item or building which positively contributes to a heritage conservation area.

### Provisions

#### Demolition of heritage items

- P1 Heritage items must not be demolished and demolition will not be supported by Council.
- P2 Despite P1 above, Council may consider the demolition of a heritage item, but only where an applicant can satisfactorily demonstrate:
  - (a) why it is not reasonable to conserve the heritage item taking into consideration:
    - (i) The heritage significance of the property; and
    - (ii) the structural condition of the building; and
    - (iii) pest inspection reports; and
    - (iv) whether the building constitutes a danger to the public.

**Note:** A report from a qualified quantity surveyor is required where the costs of retention are part of the justification for the proposed demolition.

- (b) that alternative options to demolition have been considered with reasons provided as to why the alternatives are not acceptable.

**Note:** Plans of the replacement building are to be lodged concurrently so that the applications can be assessed concurrently.

#### Demolition of contributory items

- P3 Contributory items must not be demolished and demolition will not be supported by Council.

- P4 Despite P3 above, Council may consider the demolition of a contributory item, but only where an applicant can satisfactorily demonstrate:
- (a) that the building's contribution to the streetscape or character of the conservation area does not warrant its retention.
  - (b) that alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.
  - (c) That any replacement building is compatible with the characteristic built elements of the heritage conservation area as identified in the relevant Area Character Statement (refer to Part C of the DCP).

***Demolition of neutral items***

- P5 Neutral items should not be demolished and demolition will generally not be supported by Council.
- P6 Despite P5 above, Council may consider the demolition of a neutral item, but only where the applicant can demonstrate:
- (a) the existing building is not capable of adaptation or modification in a way that will reasonably meet contemporary amenity and living standards while also improving the appearance and contribution of the building to the area's character.
  - (b) that any replacement building improves the contribution of the site to the area's character in terms of form, setbacks, bulk, scale, materials and style.
  - (c) that sustainability outcomes of the proposed replacement development reasonably justify the change.
  - (d) that all reasonable alternatives to demolition have been considered.

***Demolition of uncharacteristic items***

- P7 Council will only consider the demolition of uncharacteristic items if the applicant can satisfactorily demonstrate:
- (a) that the replacement building will allow the site to be reclassified from at least "uncharacteristic" to "neutral".
  - (b) that sustainability outcomes of the proposed replacement development reasonably justify the change.

**13.9 CONTROLS FOR SPECIFIC BUILDING ELEMENTS**

These controls apply to development applications for works to heritage items and sites within heritage conservation areas.

Part C to this DCP contains the Area Character Statements for each Planning Area and Locality Area in the Local Government Area. These Character Statements for each of the heritage conservation areas identify characteristic elements, built form elements which positively contribute to the character of that area. The statements also identify uncharacteristic elements, which detract from the character and heritage significance of a conservation area.

It is important to note that uncharacteristic elements, whilst potentially common within a conservation area, are in fact undesirable, detract from or are simply unsympathetic to the heritage significance of the area. These uncharacteristic elements should be removed wherever possible.

**13.9.1 Skylights, solar panels and satellite dishes**

Structures placed on the roof a heritage item or building within a heritage conservation area can be intrusive.

## Heritage and Conservation

### Objectives

- O1 To ensure that skylights, solar panels and satellite dishes do not detrimentally impact upon the significance of heritage items and heritage conservation areas.

### Provisions

- P1 Locate skylights, solar panels and other roof mounted structures away from visually prominent roof planes and front elevations.



**Figure B-13.20:**

Skylights are an effective way to improve light and ventilation but need to be carefully located as they can be intrusive on front elevations.

### 13.9.2 Dormer windows

Dormers can be an effective way to make use of existing space within the home. Dormers should not appear “tacked on” and should not dominate or appear as a second storey. Design clues should be taken from the existing building.

#### Objectives

- O1 To ensure that dormer windows do not detrimentally impact upon the significance of heritage items and heritage conservation areas.

#### Provisions

- P1 Are to comply with the requirements for dormers in s.1.4.11 to Part B of the DCP.
- P2 Dormers must not be placed on the street elevation of a building.
- P3 Despite P2, Council may permit a dormer on the street elevation of a building, but only where it can be adequately demonstrated that:
- (a) it will not result in any adverse impacts to significance of any heritage item or heritage conservation area;
  - (b) it will not result in any significant impacts on privacy to adjoining properties;
  - (c) it will not detract from the coherence of the streetscape; and
  - (d) surrounding properties have dormers visible from the street.
- Note:** For the purpose of this subsection, surrounding properties are defined as those properties in the immediate vicinity which are visible when standing opposite the subject building.
- P4 New dormer windows are to be secondary in scale to the roof, and setback from the eaves and ridge line.
- P5 Dormers must not have a roof pitch exceeding 36 degrees.
- P6 Dormers on the street elevation of a building must not comprise more than  $\frac{1}{3}$  of the width of the roof plane upon which they are placed.
- P7 Dormers must not project above any part of the ridge of the roof plane to which the dormer is attached.
- P8 The design of the dormer is to complement the style and detailing of the existing building and its roof. Figures B-13.21 and B-13.24 show examples of Victorian and Edwardian dormer windows.
- P9 Dormers should be set in from any party walls.



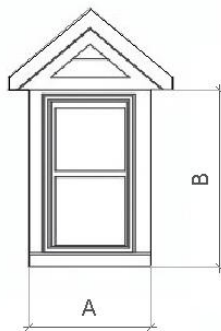
**Figure B-13.21**

Example of a Victorian dormer window



**Figure B-13.22:**

Example of a Victorian dormer window.



**Figure B-13.23:**

Suggested dimensions and proportions for a dormer window:

*Victorian dormers:*

Width (A) = 900mm (max)

Width (A):Height (B) = 0.5:1 to 0.7:1

*Federation dormers:*

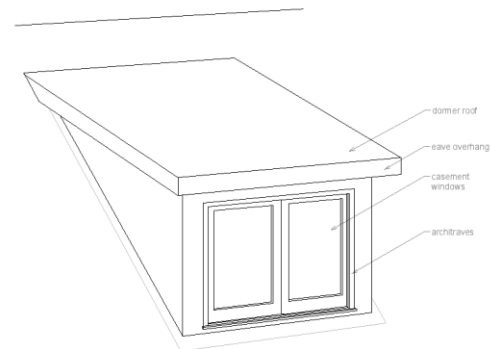
Width (A) = 1200mm (max)

Width (A):Height (B) = 1:1 to 1.2:1



**Figure B-13.24:**

The simple roof form of Federation and Interwar houses can be sympathetically altered using dormers that form gablets.

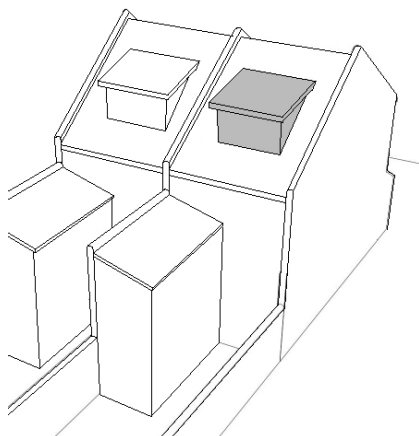


**Figure B-13.25**

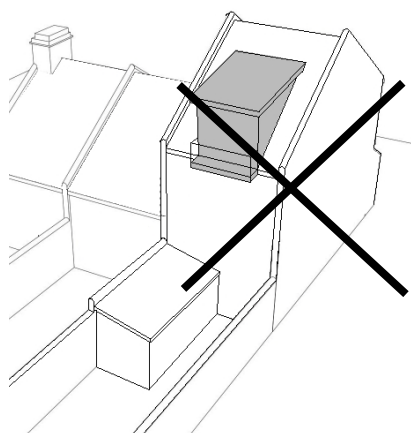
Suggested dimensions and proportions for an Edwardian Arts and Crafts eyelid dormer window:

Height = 1000mm (max)

Width:Height = 2:1 to 2.2:1

**Figure B-13.26**

Rear dormers can be larger than front dormers as they have less effect on streetscape. This does not apply where rear or side elevations are visible from the public domain.

**Figure B-13.27**

Balcony dormers are not supported.

- P10 On larger houses with hipped roofs, rear dormers are to be inset from the hips to the rear.
- P11 Balcony dormers are not supported. See Figure B-13.27.
- P12 Where side and rear elevations are visible from the street, dormers are to be similar in scale to front dormers.

### 13.9.3 Verandahs and balconies

Verandahs and balconies are characteristic elements of many housing styles in Australia. Verandahs create patterns of light and shade, and give depth to the building envelope.

Verandahs are often distinctive architectural features of a building, and can be significant to the character of many street elevations, reinforcing links between buildings. Adjoining buildings can provide clues about missing verandah details, especially in the case of semi-detached or terrace groups.

#### Objectives

- O1 To ensure that verandahs and balconies do not detrimentally impact upon the significance of heritage items and heritage conservation areas.
- O2 To encourage the retention and reinstatement of original verandahs and balconies, especially where they are significant or contributory to a individual, row or group of buildings.

#### Provisions

- P1 Retain existing significant or characteristic balconies.
- P2 Reinstall missing verandahs, balustrades or detailing.
- P3 Later and intrusive verandah and balcony enclosures should be removed.
- P4 Enclosing front balconies and verandahs is not supported.
- P5 The design, proportions and detailing of new balconies is to relate to the style, detail and period of the building, and any characteristic elements of the conservation area identified in the relevant character area statement (refer to Part C of the DCP).
- P6 Glass balustrades are not appropriate on pre-1970's buildings or where visible from the public domain.

### 13.9.4 Materials, colours and finishes

External materials and finishes contribute to the significance of many heritage items and to the characteristic qualities of heritage conservation areas. The Area Character Statements, within Part C of the DCP may contain details in relation to particular heritage conservation areas.

#### Objectives

- O1 To ensure that materials and finishes are consistent with the characteristic elements of the heritage item or heritage conservation areas.

#### Provisions

- P1 Retain external face brick or stone walls where they are significant features of a heritage item or identified as part of the characteristic built elements of a heritage conservation area. Rendering of face brickwork will not be permitted unless it comprised a construction method used on the original building.
- P2 Retain original rendering on walls and ensure that any new materials required for repairs are consistent with the original render texture.
- P3 Where new materials are required, ensure that they are easily recognised as new, but are compatible with the key elements of the heritage item.
- P4 Select materials and finishes to reflect their characteristic usage, such as stone at the building base.
- P5 Details of proposed colour scheme are to be provided with the development application.
- P13 Ensure materials, finishes and colours are compatible with the characteristic built elements of the heritage conservation area as described in the relevant Area Character Statement (refer to Part C of the DCP).

### 13.9.5 Garages and Carports

Many sites in North Sydney are unsuitable for on-site parking. Carports and garages can have a detrimental impact on heritage items and the streetscape of heritage conservation areas. The intention for these controls is to ensure that significant and contributory buildings, with their landscaped settings, remain the dominant element in the streetscape.

Garages, carports and large areas of paving located within the front setback of heritage items and buildings located within heritage conservation areas are generally considered to be uncharacteristic elements.

**Notes:** All parking structures and spaces must comply with landscaped area and site coverage requirements.



**Figure B-13.28:**

Parking spaces combined with high fencing alienates the streetscape and is intrusive.



**Figure B-13.29:**

Parking spaces located forward of the building line can be intrusive to the streetscape.

## Objectives

- O1 To ensure that vehicular accommodation does not detrimentally impact upon the significance of the heritage item or heritage conservation area.
- O2 To ensure that off-street car parking does not dominate the streetscape.

## Provisions

- P1 Must comply with the provisions contained within s.1.5.4 to Part B of this DCP.
- P2 Rooms/studios located above garages or where increased floor to ceiling heights are sought to accommodate vertical car stackers and that garage fronts a laneway will not be supported.
- P3 Do not alter or demolish any part of a building for car parking, carports and garages.
- P4 Roof form, detailing and materials are to compliment the associated building.
- P5 Retain original garages for heritage items and contributory items.
- P6 Any off street parking located within the front setback area is to remain uncovered and be constructed using minimal paving and incorporate soft landscaping.

## 13.9.6 Fences

Fences are important elements of the streetscape, defining the street line and typically complementing the setting of heritage buildings and contributing to the character of heritage conservation areas.

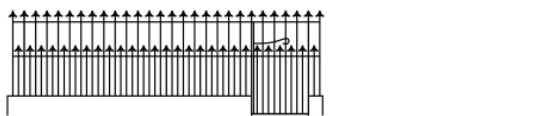
Fences were traditionally kept low in front of the building line to allow houses to be seen from the street. High fences are often intrusive in the streetscape as they interrupt views to houses.

### Fencing styles

The following list of building types indicates what styles of fences are typically associated with that building type and includes where relevant typical heights.

#### *Victorian buildings:*

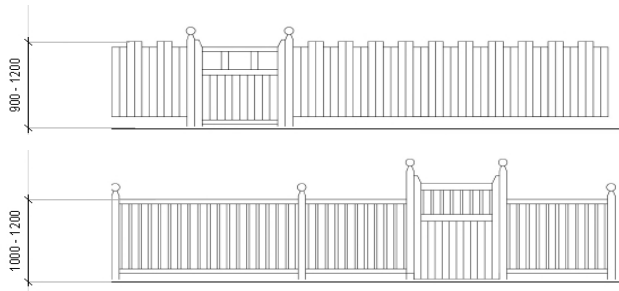
- Iron palisade or woven wire fences
- Timber picket fences in 'acorn' pattern pickets
- Vertical emphasis typically 1100 mm in height



**Figure B-13.30:**  
Victorian palisade

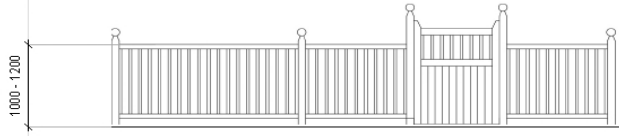
#### *Federation/Edwardian buildings:*

- Timber picket fences on a brick or sandstone base course
- Timber framed wire mesh fences
- Brick or sandstone and wrought iron fences with wrought iron infill panels (usually between 1m and 1.5m in height)
- Vertical emphasis typically 900-1200 mm in height, or up to 1500 mm for grand federation houses.



**Figure B-13.31:**

Federation timber picket on brick base course.

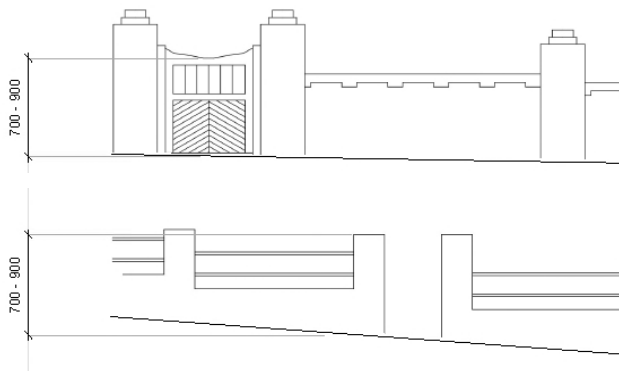


**Figure B-13.32:**

Edwardian timber fence.

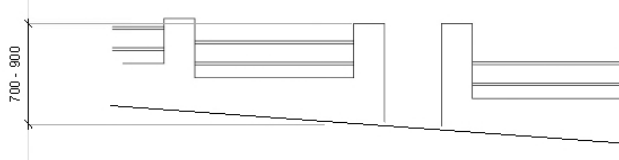
*California Bungalows:*

- Low brick fences (usually 900mm to 1m in height)
- Brickwork to match the house and some detailing such as curved bricks or corbelling.
- Horizontal emphasis
- 1930s/1940s/1950s housing
- Low brick fences either face brick or rendered (to match the building)
- Some detailing such as curved bricks or corbelling.
- Horizontal emphasis 450-900 mm in height



**Figure B-13.33:**

Inter-war brick fence.



**Figure B-13.34:**

Inter-war, 1940s and 50's low brick fence.

**Objectives**

- O1 To ensure that fences are consistent with the characteristic elements of the heritage item or heritage conservation area.

**Provisions**

- P1 Retain original fences and gates where they are characteristic elements of a conservation area or add to the significance of the building or place.
- P2 Front fences are to be of a design that is appropriate to the style and period of the building, or characteristic fences of the conservation area.
- P3 Maintain continuous fence lines and heights on streets and laneways.
- P4 The height of a new fence with a heritage conservation area is to be consistent with that identified within the relevant Area Character Statement (refer to Part C of the DCP).
- P5 Retain Depression era rusticated fences.

**13.9.7 Gardens**

Older buildings usually had a landscaped setting of some kind -even if only the small pocket front garden of a Victorian terrace. It is important to finish the conservation of a property with appropriate treatment of the garden. Original or period plantings and hard landscaping (such as paths) should be identified, retained and restored.

Where no original elements survive in the garden, then a garden appropriate to the period of the building should be planned.

**Victorian**

Paths: Brick or tessellated terracotta and/or marble tiling to match the front verandah tiling.

Garden edging: Terracotta decorative garden edging tiles, or metal hoops are both appropriate and available.

Structures: Fernery or lattice, lattice screens, rose pergola, potting shed.

**Federation**

Paths: Usually tessellated tiled to match front verandah, brick in modest (eg. weatherboard) cottages.

Garden edging: brick, with shaped bricks such as curved bricks being popular.

Structures: Fernery or bush house; pergolas.

**Objectives**

- O1 To ensure that significant landscape features and trees are retained and reflected in new development.

**Provisions**

- P1 Retain garden settings and any horticultural features which relate to the heritage significance of the heritage item or conservation area.
- P2 Do not develop front garden areas for carparking or pave extensively.
- P3 Terraced gardens are to retain strong visual relationship to topography.
- P4 Retain significant trees.
- P5 Retain original pathways which contribute to established garden settings.
- P6 Maintain traditional driveway widths and settings.
- P7 Do not fully pave side accessways.

## 13.10 GUIDELINES FOR RESIDENTIAL BUILDING TYPES

### 13.10.1 Single storey detached cottages

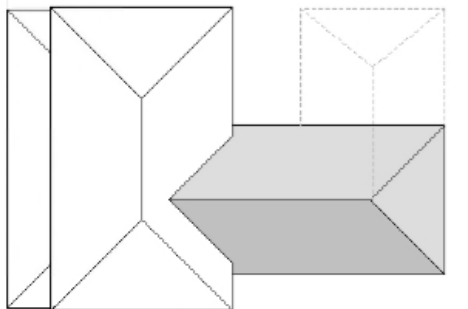
Single storey detached cottages typically constructed in the Victorian and Federation periods on varying lot size.

#### Objectives

- O1 To maintain the scale, form and integrity of the principal or main building.
- O2 To retain original significant details.

#### Provisions

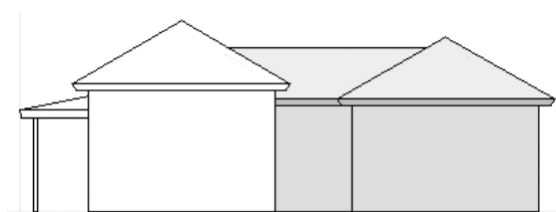
- P1 In addition to the requirements in sections s13.5-s.13.9 to this DCP, the following characteristic features should be incorporated:
  - (a) Simple floor plans
  - (b) Open verandahs to the front and skillion lean to's at the rear
  - (c) Walls - stone, brick, rendered masonry and weatherboard
  - (d) Roofs - hipped in timber shingles, slate, terra cotta tile and corrugated metal
  - (e) Timber joinery
- P2 New additions should generally comply with the examples illustrated in Figures 13.35 to 13.38.



**Figure B-13.35:**

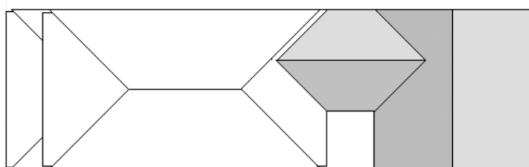
Simple rear extension replaces skillion, potential for L-shape return.

Inset side walls to clearly distinguish new work.



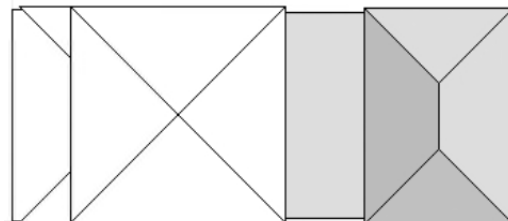
**Figure B-13.36:**

Ridge height of addition is lower than original cottage.



**Figure B-13.37:**

Pavilion addition linked to original cottage.



**Figure B-13.38:**

Pavilion addition linked to original cottage.

### 13.10.2 Single storey attached dwellings

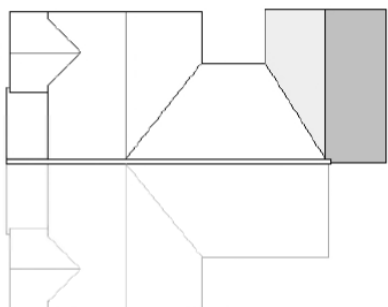
Single storey attached dwellings typically constructed in the Victorian, Federation and Edwardian periods

#### Objectives

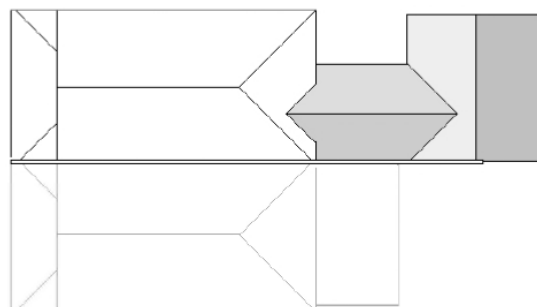
- O1 To maintain the scale, form and integrity of the original or main building.
- O2 To retain the symmetry of the building pair.

#### Provisions

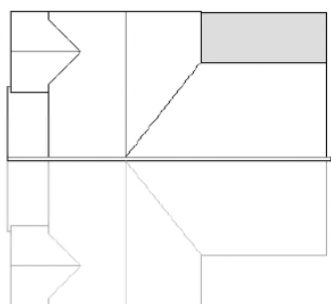
- P1 In addition to the requirements in sections s13.5-s.13.9 to this DCP, the following characteristic features should be incorporated:
- (f) Simple forms with open verandahs to the front and skillion lean to's at the rear
  - (g) Lot sizes may vary
  - (h) Walls: stone, brick, rendered masonry and weatherboard
  - (i) Roofs: hipped and gabled in slate, terra cotta tile and corrugated metal
  - (j) Timber joinery
  - (k) Cast iron lacework
- P2 New additions should generally comply with the examples illustrated in Figures 13.39 to 13.42.



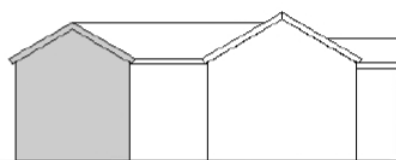
**Figure B-13.39:**  
Simple addition to the rear, repeats roof form.



**Figure B-13.40:**  
Pavilion extension retains integrity of the main building.



**Figure B-13.41:**  
Small infill addition to the rear.



**Figure B-13.42:**  
New work is subservient to the main building in terms of height, bulk and scale.

### 13.10.3 Larger scale single dwellings

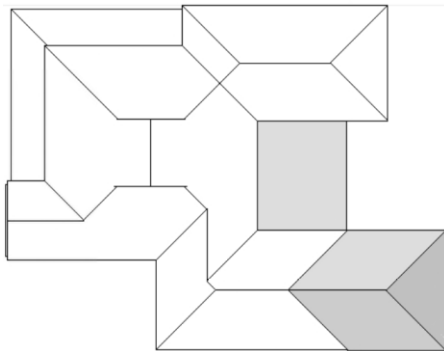
Large scale single and multi storey detached dwellings with complex plan and roof forms typically constructed in the Federation and Edwardian periods.

#### Objectives

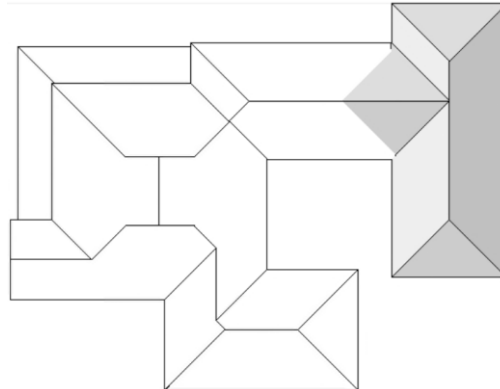
- O1 Maintain the scale, form and integrity of the original or main building.
- O2 Retain original significant details.
- O3 Retain original outbuildings.

#### Provisions

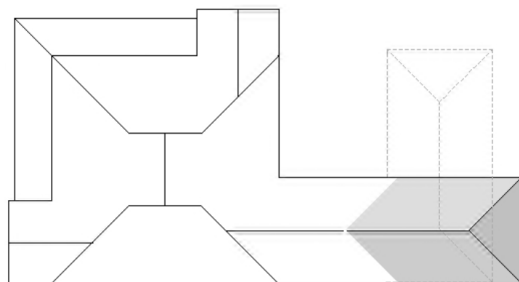
- P1 In addition to the requirements in sections s13.5-s.13.9 to this DCP, the following characteristic features should be incorporated:
  - (a) Complex forms with open verandahs to the street
  - (b) Skillion and pitched roof wings at the rear, sometimes constructed as a service wing
  - (c) Often originally sited on large lots
  - (d) Walls: stone bases, brick, rendered masonry, timber shingles, fibro and battens
  - (e) Roofs: hipped and gabled in slate, terra cotta tile and corrugated metal
  - (f) Timber joinery
- P2 New additions should generally comply with the examples illustrated in Figures 13.43 to 13.46.



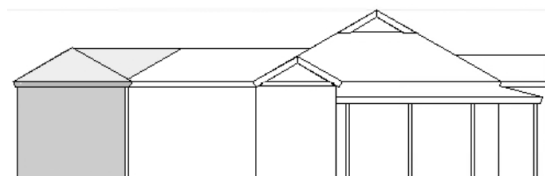
**Figure B-13.43:**  
New work extends existing roof with infill of rear section.



**Figure B-13.44:**  
Wing addition retains integrity of principal building.



**Figure B-13.45:**  
Simple rear addition extends existing roof line.



**Figure B-13.46:**  
Height, bulk and scale of addition is smaller than the main building.

### 13.10.4 Two storey detached and attached dwellings

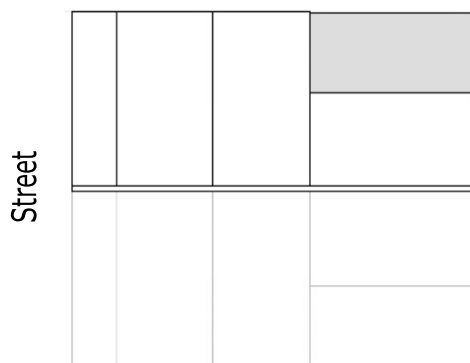
Detached and attached dwellings typically constructed in the Victorian, Federation and Edwardian periods.

#### Objectives

- O1 To retain the integrity and form of the original building.

#### Provisions

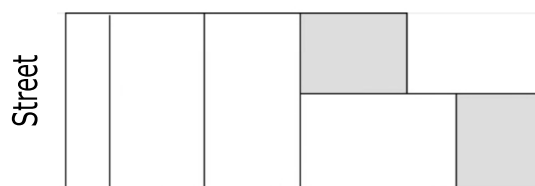
- P1 In addition to the requirements in sections s13.5-s.13.9 to this DCP, the following characteristic features should be incorporated:
- Simple forms with open verandahs to the front and skillion and pitched roof wings at the rear.
  - Lot sizes may vary.
  - Walls: stone bases, brick, rendered masonry and weatherboard
  - Roofs: hipped and gabled in slate, terra cotta tile and corrugated metal.
  - Timber joinery
  - Cast iron lace work
- P2 New additions should generally comply with the examples illustrated in Figures 13.47 to 13.49.



**Figure B-13.47:**

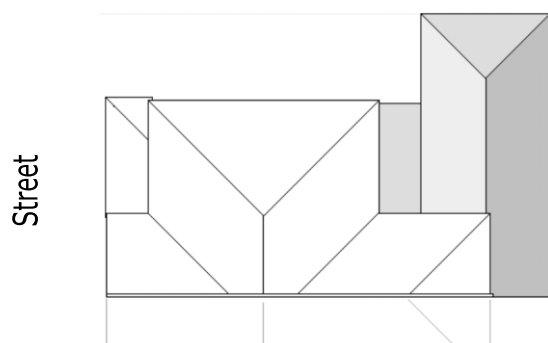
Locate changes at the rear.

Consider the impact on the attached pair, avoid changes that will affect common walls.



**Figure B-13.48:**

Side additions may also be suitable.



**Figure B-13. 49:**

Changes to the rear reduce impacts to the shared front elevation.

### 13.10.5 Apartment buildings

North Sydney contains many examples of apartment buildings from the Federation, Edwardian, Inter War and Post War periods. Some are heritage items and many are within heritage conservation areas.



**Figure B-13.55:**

Apartment buildings often exceed current floor space and height controls.

#### Objectives

- O1 Ensure that changes are sympathetic to significant fabric and building elements and do not have a detrimental impact on the heritage significance of the building.
- O2 Conserve significant building elements and features including verandahs, fenestration patterns, internal lobbies and staircases.

#### Provisions

- P1 Major changes to the scale and form of apartment buildings should not occur where the additional floor space would compromise the heritage significance of the existing building or surrounding area.
- P2 Alterations and additions are to respond to the articulation and rhythm of the existing building through the repetition of significant features that occur at regular intervals
- P3 Retain original or significant window and opening patterns. New openings are to respect this pattern and not introduce new patterns of window or door openings.
- P4 External awnings, hoods and other overhanging devices that will detract from the buildings form are not permitted.
- P5 Incorporation of lifts should be designed to minimise impacts on significant spaces and fabric within the building.
- P6 Upgrading for compliance with the BCA, fire egress, disable access or service installations or structural upgrade should comply with Section 13.5.6 to this Part of the DCP.
- P7 Refer to section 13.5, 13.6 and 13.9 to this Part of the DCP for other applicable controls.



## 13.11 GUIDELINES FOR NON-RESIDENTIAL BUILDING TYPES

### 13.11.1 Commercial and office buildings

North Sydney contains many examples of office buildings from the Inter War and Post War periods. Some are heritage items or may be located in heritage conservation areas. Some contemporary buildings are also listed.

#### Objectives

- O1 Retain significant fabric and building elements and ensure new work does not compromise the building's significance.
- O2 Conserve important building elements and features including significant facades, fenestration patterns, decorative details, external materials and internal lobbies.
- O3 Ensure new work respects the original style of the building.

#### Provisions

- P1 Major changes to the scale and form of commercial buildings should not occur where the additional floor space would have a detrimental impact on the heritage significance of the existing building or surrounding area.
- P2 Additional storeys or roof additions which require the removal of significant roof forms should not occur.
- P3 Where a roof addition is proposed the new work is to be recessive in colour and distinguishable as new.
- P4 Alterations and additions are to complement the form of the existing building and be setback from the predominant building envelope (including front and rear building lines) to allow the form of the existing building to remain distinguishable.
- P5 Alterations and additions are to respond to the articulation and rhythm of the existing building through the repetition of significant features that occur at regular intervals.
- P6 Retain original, internal and external significant fabric, building elements and features.
- P7 Original significant elements are not to be removed from a façade.
- P8 Retain original or significant window and opening patterns. New openings are to reflect this pattern and not introduce new patterns of window or door openings.
- P9 External awnings, hoods and other overhanging devices that will detract from the building form are not to be attached to the façade.
- P10 Face brick and sandstone are not to be rendered, painted or coated.
- P11 Original wall finishes and claddings that are integral to the original design of the building are not to be removed or over-clad.
- P12 New colour schemes are to be appropriate to the period and style of the building and character of the area. Corporate colours should not be used.
- P13 Retain original hard and soft landscaping, finishes and sculptures.
- P14 Original open forecourts and landscaped areas that contribute to the setting of the building are not to be enclosed or covered over.  
*Note: Commercial buildings sometimes incorporate forecourts, landscaping and sculptures that form part of the original design intent. These elements are part of the significance and setting of the place and should be conserved*
- P15 Reinstating original hard and soft landscaping, finishes and sculptures is encouraged.
- P16 Upgrading for compliance with the BCA, fire egress, disable access or service installations or structural upgrade should comply with s.13.5.6 to Part B of this DCP.

### 13.11.2 Retail buildings and shops

Many of the North Sydney's commercial areas are characterised by their significant retail shopfronts and facades that can date from the Victorian period to post war development. As well as being important individually, such shopfronts often contribute to the streetscape. It is particularly important to understand the style and period of the shopfront, particularly where this forms part of a significant row or streetscape.

Materials and detailing should be appropriate to the predominant style and period, and avoid the use of materials that were unavailable during the significant period of development.

#### Objectives

- O1 Retain significant and contributory shopfronts.
- O2 Promote the reinstatement of original and characteristic shopfront elements.
- O3 Encourage the design of shopfronts to adopt a contemporary interpretation of traditional forms when a part of infill development.
- O4 Ensure that alterations and additions do not compromise the integrity and consistency of heritage conservation areas.
- O5 Retain original interior decorative features.

#### Provisions

- P1 Original shopfronts, and original building elements and materials of existing shopfronts are to be retained.
- P2 Original shopfronts or significant characteristic elements are to be reinstated or reconstructed where there is evidence of the original style or detailing on the building or within the row or group.
- P3 Solid non-transparent shutters are not supported. Where required, open lattice type security grilles may be installed behind the glazing.
- P4 Shopfronts in new buildings may be contemporary in style, but are to be based on the characteristic elements of traditional and significant shopfronts of adjoining or nearby sites.
- P5 Reinstating previously removed awnings is encouraged, and should be based on historical or physical evidence or typical styles from the period of the building.
- P6 Where additional storeys are contextually appropriate, the new work is to respect the form, scale and detailing of the existing building and not interrupt the parapet line or other significant characteristics of the streetscape.

### 13.11.3 Pubs and hotels

Pubs and hotels often date from several periods of construction. As a result, significant elements are often associated with different periods of a building's history. A number of pubs and hotels in North Sydney were designed by prominent architects in high quality, contemporary styles.



**Figure B-13.56:**

North Sydney has a number of hotels that are heritage items.  
Refer to s.13.9.3 for controls relating to verandahs and balconies.

**Heritage and Conservation**

**Objectives**

- O1 Retain significant fabric and building elements from all significant periods of construction, including interior features.
- O2 Maintain the ongoing use as public houses and hotels.

**Provisions**

- P1 Refer to sections 13.5 and 13.9 to this Part of the DCP for controls on heritage items and specific development types.

**13.11.4 Community and public buildings**

Public and community buildings include churches, schools, hospitals and community halls. These buildings often provide a landmark within an area or streetscape, and may have social significance in addition to the significance of the built fabric.

A Conservation Management Plan is required for applications that propose substantial changes to large or complex heritage items, or substantial changes to internal layouts of heritage items.

**Objectives**

- O1 Ensure changes are sympathetic to the significance of the building and do not compromise the heritage significance from all periods of construction.
- O2 Allow for, and encourage, the ongoing use of community and public buildings for the purpose for which they were constructed.
- O3 Retain significant fabric and building elements.
- O4 Retain significant internal features, including internal open volumes such as large halls.

**Provisions**

- P1 Refer to sections 13.5 and 13.9 to this Part of the DCP for controls on heritage items and specific development types.

**13.11.5 Warehouses and industrial buildings**

North Sydney has representative examples of industrial, maritime and workshop buildings. Some are heritage items or within heritage conservation areas. These controls relate to applications for adaptive reuse of changes to such buildings.

**Note:** Retaining original and significant fenestration patterns, finishes and decorative details should be a primary aim of adaptive reuse projects.

**Objectives**

- O1 Ensure changes are sympathetic to significant fabric and building elements, and do not compromise heritage significance.
- O2 Allow for the interpretation of the significant original form and use of industrial buildings and places.
- O3 Conserve important built elements and equipment including catheads, loading bays, structural systems, flooring, hoists and machinery, piers and wharves.

**Provisions**

- P1 Refer to sections 13.5 and 13.9 to this Part of the DCP for controls on heritage items and specific development types.

## 13.12 HERITAGE IN THE PUBLIC DOMAIN

The roads, footpaths, verges and land owned or managed by Council include important elements of North Sydney's heritage. These elements are identified within the relevant character area statement (refer to Part C of the DCP).

### Objectives

- O1 To ensure development does not adversely impact upon the significance of heritage items and places in the public domain.

### Provisions

- P1 Proposed developments must give due consideration to the retention and enhancement of heritage items in the public domain.
- P2 The following built form elements should be retained:
- (a) Sewer vents;
  - (b) Street cobbles, stone kerbs and guttering;
  - (c) Depression era rusticated fencing and signage.



**Figure B-13.57:**

There are many heritage items in public areas around North Sydney.



## SECTION 14 CONTAMINATION AND HAZARDOUS BUILDING MATERIALS

### 14.1 INTRODUCTION

This Section forms the basis for the management of land contamination and hazardous building materials within the LGA. In addition, it comprises Council's policy for dealing with land contamination under the Department of Planning's (DoP) [Managing Land Contamination: Planning Guidelines](#) and [State Environmental Planning Policy No.55 - Remediation of Land](#) (SEPP 55). [SEPP 55](#) and the Guidelines are proposed to be replaced with SEPP (Remediation of Land) and Contaminated Land Planning Guidelines, however were yet to be finalised at the time of finalising this version of the DCP, once adopted, the new SEPP and Guidelines will need to be referred to.

#### 14.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 Provide a framework for the integration of land contamination management into the planning and development process with the specific aim to:
  - (a) provide for the appropriate investigation and remediation of contaminated land;
  - (b) ensure that changes of land use will not increase the risk to health or the environment;
  - (c) avoid inappropriate restrictions on land use; and
  - (d) provide information to support decision making and to inform the community about land contamination.
- O2 Provide a framework for the investigation, reporting and removal of hazardous building materials from a site to ensure that risk to the health of the community or environment is not adversely affected.

#### 14.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications involving land which is known or has potential to be contaminated or affects buildings or works constructed and or improved with hazardous building materials.

#### 14.1.3 Relationships to Other Sections

Where relevant, this Section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones; and
- (e) Part B: Section 5 – Child Care Facilities.

#### 14.1.4 Relationship to other Documents

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) [Environmental Planning and Assessment Act 1979](#) (EP&A Act 1979);
- (b) [Environmental Planning and Assessment Regulation 2000](#) (EP&A Regulation 2000);



- (c) [Contaminated Land Management Act 1997](#) (CLM Act 1997);
- (d) [Contaminated Land Management Regulation 2013](#);
- (e) [State Environmental Planning Policy No.55 - Remediation of Land](#) (SEPP 55);
- (f) Draft State Environmental Planning Policy (Remediation of Land);
- (g) DoP's [Managing Land Contamination - Planning Guidelines](#) (to be used in association with SEPP 55);
- (h) DoP's Draft Contaminated Land Planning Guidelines; and
- (i) NSW EPA's [Guidelines for the Assessment and Management of Sites Impacted by Hazardous Ground Gases](#).

This package of legislation and guidelines is cross-referenced and the documents work in conjunction with each other. If, when using the DCP, clarification of any matter is required, refer to the above primary legislative documentation.

## 14.2 CONTAMINATED LAND

### 14.2.1 Decision Making Process

In determining all Planning Proposals and development applications, Council will consider the possibility of land contamination and the implications it has for any proposed or permissible future uses of the land. A precautionary approach will be adopted to ensure that any land contamination or hazardous materials issues are identified and dealt with early in the planning process.

Council is required to assess and determine all Planning Proposals and development applications in accordance with the relevant provisions contained within SEPP 55.

#### Initial Evaluation

As part of every Planning Proposal and development application, Council will conduct an initial evaluation to determine whether contamination is an issue, and whether sufficient information is available for Council to appropriately carry out its planning functions. The initial evaluation checklist is to be addressed on the basis of readily available information held by the Council or provided by the applicant (Also refer to section 3.2.1 of *Managing Land Contamination: Planning Guidelines*).

#### **Initial Evaluation checklist –**

- (a) Is the Council aware of any previous investigations about contamination on the land? What were the results, including any previous initial evaluations?
- (b) Do existing Council records show that an activity listed in Appendix 2 has ever been approved on the land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)
- (c) Was the subject land at any time zoned for industrial, agricultural, or defence purposes?
- (d) Is the land currently used for an activity listed in Appendix 2?
- (e) To the Council's knowledge, has the land ever been regulated through licensing or other mechanisms in relation to any activity listed in Appendix 2?
- (f) Are there any land use restrictions on the land relating to possible contamination, such as notices issued by the NSW Environment Protection Authority or other regulatory authority?
- (g) Does a site inspection conducted by the Council (optional) suggest that the site may have been associated with any activities listed in Appendix 2?
- (h) Is the Council aware of information concerning contamination impacts on land immediately adjacent to the subject land which could affect the subject land?

## Contamination and Hazardous Building Materials

If none of the answers suggest that the land might be contaminated or that further enquiry is warranted, the planning process should proceed in the normal way. Further reference to this Section of the DCP will only be necessary if contamination is identified on site during development.

If the initial evaluation indicates that contamination is or may be present, or the Council has insufficient information on which to make a planning decision, then the applicant will be required to engage a suitably qualified consultant to undertake further investigations, as indicated below. The appropriate level of investigation will depend on the circumstances and may involve one or more of the following stages:

- Stage 1 - Preliminary Investigation
- Stage 2 - Detailed Investigation
- Stage 3 - Remedial Action Plan
- Stage 4 - Validation and Monitoring

These four stages are described in further detail in the following subsection of the DCP.

### Procedures for Planning Proposals

Council must consider contamination issues in accordance with Clause 6 of SEPP 55 when determining a Planning Proposal.

In addition to these requirements, if Council has reasonable grounds to suspect that the land may be contaminated because of the land's history, condition or other information known to Council, Council will require the submission of:

- (a) a *Preliminary Investigation*; or
- (b) a combined *Preliminary Investigation* and *Detailed Investigation* for a site specific Planning Proposal.

Where a Planning Proposal involves the rezoning of land that covers a large area (e.g. precinct or LGA based) Council may include provisions in an LEP or DCP to ensure that the potential for contamination and the suitability of the land for any proposed use is further addressed prior to the redevelopment of the land.

Subsection 14.2.2 to this Part of the DCP outlines when and what information Council will require relating to site contamination issues to be submitted with a Planning Proposal.

### Procedures for Development Applications

Council must consider contamination issues in accordance with Clause 7 of SEPP 55 when determining a development application.

Contamination issues may be addressed by refusing consent, or by issuing consent subject to conditions. In appropriate cases, deferred commencement consent might be issued, requiring remediation and validation to be undertaken prior to other work commencing. Modifications of development applications will be considered under this DCP in the same way as new development applications.

All land affected by a planning decision will be considered under this Section of the DCP. For example, where a development application proposes to dedicate land for open space, the suitability of that land for open space will be considered under this DCP. The Council may require a *Preliminary Investigation* or *Detailed Investigation* and a deed of indemnity in these cases.

Subsection 14.2.2 to this Part of the DCP outlines when and what information Council will require relating to site contamination issues to be submitted with a development application.

## 14.2.2 Contamination Investigation and Reporting

Due to the technical nature, specialised issues and potential risks to life from contamination, the investigation and reporting requirements set out in the following four stages must be undertaken by a suitably qualified consultant and all associated costs must be borne by the applicant. EPA accredited auditors will be accepted as being suitably qualified consultants.



### Stage 1 - Preliminary Investigation

Stage 1 involves identifying past or present potentially contaminating activities. The purpose of the investigation is to determine whether further detailed investigation is warranted due to the likelihood or evidence of contamination.

**Note:** Information sources that may be useful in understanding the history of a site include the following:

- Past aerial photographs
- Council records - town planning, scheme maps, development and building applications, complaints, pollution incident reports
- Local Historical Publications - documents particularly relevant to North Sydney are listed in a Council document "SEPP Research Documents" (1 June 1999.)
- Current and previous site owners and occupiers
- Current and previous site workers
- Long-term residents
- Past and Present Telephone Books
- Noxious Trades register formerly kept pursuant to the Noxious Trades Act 1902 (repealed 18 November 1991)
- Sands Sydney and New South Wales Directory 1858-1932/3
- NSW Environment Protection Authority Section 35 Notices, past and present scheduled premises.
- Sydney Water Corporation Trade Waste Agreements
- Work Cover Authority Dangerous Goods Branch
- Power sites containing present and past electrical substations

The level of investigation must be appropriate to the potential risk from contamination. An investigation is not necessary at the rezoning stage if there is no reason to suspect contamination.

P1 A Preliminary Investigation is required to be submitted to Council in accordance with Clause 6 or 7 of [SEPP 55](#) and the DoP's [Managing Land Contamination: Planning Guidelines](#).

P2 Council may also require a Preliminary Investigation to be submitted when:

- (a) Council has reasonable grounds to believe the land is contaminated because of the land history, condition, or other information known to Council;
- (b) The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or the circumstances have changed;
- (c) There are restrictions on, or conditions attached to, the use of the site by a regulatory or planning authority that are, or may be, related to contamination, but there is insufficient information available about the nature and extent of contamination;
- (d) Council records indicate that the site is or may be associated with pollution incidents or dumping of wastes;
- (e) The site adjoins land that has been associated with activities that may cause contamination listed in Appendix 2 and it is possible that contamination may have migrated to the subject site; or
- (f) A spot rezoning is proposed to allow a specific development or land use. In these cases a preliminary and detailed investigation may be required to prove the land is suitable for the development or can and will be made suitable.
- (g) The site history is unclear and the site is proposed to be used for residential, educational, recreational, medical or child care uses.

P3 Preliminary Investigations and Detailed Investigations may be combined into a single report where land is known to contain or have contained a potentially contaminating activity.

## Contamination and Hazardous Building Materials

If the results of the preliminary investigation conclusively demonstrate that there is no potential for, or existence of, contamination that makes the land unsuitable for the proposed use, then Council will not require any further investigations to be conducted.

### Stage 2 – Detailed Investigation

The purpose of Stage 2 is to determine the nature, extent and degree of contamination existing on a site and to assess the risk posed by contaminants to human health and the environment. This information is then used to prepare a *Remedial Action Plan*, if necessary.

- P1 A *Detailed Investigation* is required to be undertaken when the results of the *Preliminary Investigation* demonstrate the potential for or existence of contamination that may affect the proposed use of the land.
- P2 The *Detailed Investigation* must be undertaken and reported in accordance with the DoP's [Managing Land Contamination: Planning Guidelines](#).
- P3 The *Detailed Investigation* must include a statement outlining whether the site is suitable for the proposed use in its current state, or if remediation is necessary to make the site suitable for the proposed use. If remediation is required, the report should also list the feasible remediation options available to remediate the site (refer to section 14.2.5 - Site Audit).

### Stage 3 – Remedial Action Plan

The purpose of Stage 3 is to identify and establish remediation objectives, clean up criteria and a strategy for remediation. The *Remedial Action Plan* is also to identify any approvals that need to be obtained from regulatory authorities (refer to the provisions of SEPP 55).

Prior to determining a development application, Council must be satisfied that remedial measures have been, or will be, undertaken in accordance with the submitted *Remedial Action Plan*, to make the site suitable for the proposed use.

Remedial works may require separate development consent (refer to section 14.2.3 - Control of remediation work). If development consent is required for remediation of contaminated land, a *Remedial Action Plan* must be submitted with the development application for approval.

- P1 A *Remedial Action Plan* must:
  - (a) be submitted to Council in accordance with the DoP's [Managing Land Contamination: Planning Guidelines](#) if the detailed investigation concludes that the land is not suitable for the proposed use in its present state;
  - (b) demonstrate how the applicant or their consultant proposes to reduce risks to acceptable levels and achieve the clean up objectives for the site;
  - (c) document remedial works to be undertaken at the site and address the matters covered in subsection 14.2.4;
- P2 A *Remedial Action Plan* should include an *Environmental Management Plan*.
- P3 Council may require site auditor comment on the proposed remediation objectives, and clean up criteria, prior to the *Remedial Action Plan* being finalised (refer to subsection 14.2.5 - Site Audit.)

Depending upon the level of information available at the time of assessing a Development Application, the requirement for a *Remedial Action Plan* may be imposed as a condition of consent.

### Stage 4 – Validation and Monitoring Report

The purpose of Stage 4 is to confirm that the objectives stated in the *Remedial Action Plan* have been achieved and that any relevant conditions of development consent have been complied with.

- P1 A *Validation and Monitoring Report* is required to be submitted to Council in accordance with the DoP's *Managing Land Contamination: Planning Guidelines* after



remediation works have been completed, and prior to the commencement of new building construction works approved in an associated development consent.

- P2 Applicants are encouraged to use the same consultant who conducted the Preliminary Investigation, Detail Investigation and remediation works to prepare the Validation and Monitoring Report.
- P3 Council will need to be satisfied that the site is suitable for the proposed use when considering any subsequent development applications for the subject site. Hence it is recommended that comprehensive records are maintained during the remediation and validation works for all sites (See subsection 14.2.5 - Site audit.).

Usually Council will place a condition on any development consent granted requiring the submission of a *Validation and Monitoring Report* prior to the issuing of a Construction Certificate. Alternatively, Council may issue a deferred commencement consent for the proposed use, requiring that remediation and validation is undertaken prior to other work commencing.

### 14.2.3 Control of Remediation Work

Remediation comprises work carried out for the purpose of removing, dispersing, destroying, reducing, mitigating or containing the contamination of any land, or eliminating or reducing any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on the land).

Remediation work is regulated by [SEPP 55](#) (refer to clause 8-18 of the SEPP) and the DoP's [Managing Land Contamination: Planning Guidelines](#).

Remediation work typically falls into either Category 1 or Category 2 works. Development consent is required to undertake Category 1 remediation works, but not for Category 2 works. Broadly speaking, Category 2 remediation work is all remediation work that is not Category 1. The full definition of Category 1 remediation work is contained with clauses 9 and 14 of SEPP 55.

- P1 Remediation work must be undertaken in accordance with the relevant provisions of SEPP 55 and the DoP's [Managing Land Contamination: Planning Guidelines](#).
- P2 In addition to P1, Category 2 remediation must comply with the site management requirements set out in subsection 14.2.4 of this Part of the DCP. Category 2 remediation work that does not comply with Subsection 14.2.4 of this Part of the DCP will be classified as Category 1 remediation work and will require development consent.
- P3 Comprehensive records should be maintained during the undertaking of remediation and validation works for all sites to demonstrate that the site will be suitable for the proposed use.

### 14.2.4 Site Management Requirements

All Category 2 remediation work must be carried out in accordance with the following site management requirements. These requirements apply to the whole of the North Sydney LGA and have been formulated to ensure that Category 2 remediation work does not adversely impact upon the environment and public amenity.

Category 2 remediation work that does not comply with these requirements will be classified as Category 1 remediation work and will require development consent.

Development applications lodged for Category 1 remediation work should identify any departures from these requirements and any alternative site management measures to be implemented.

**Note:** Refer to parts 4.4-4.6 of the [Managing Land Contamination: Planning Guidelines](#) in regard to assessment of development applications.

**Contamination and Hazardous Building Materials**

**Remediation Work**

- P1 All remediation work must be carried out in accordance with:
- (a) the [Managing Land Contamination: Planning Guidelines](#); and
  - (b) the standards contained within the NSW Environment Protection Authority guidelines made under the [CLM Act 1997](#).

**Notification**

- P2 Notice of proposed work must be given to the Council in accordance with SEPP 55, clause 16.

**Note:** Clause 16 to SEPP 55 requires that the notice to Council must:

- (a) be in writing, and
- (b) provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given, and
- (c) briefly describe the remediation work, and
- (d) show why the person considers that the work is category 2 remediation work by reference to clauses 9, 14 and (if it applies) 15 (1) of SEPP 55, and
- (e) specify, by reference to its property description and street address (if any), the land on which the work is to be carried out, and
- (f) provide a map of the location of the land, and
- (g) provide estimates of the dates for the commencement and completion of the work.

At least 30 days notice is also required, except in the case of work required to be carried out immediately under the terms of a remediation order (in which case, at least 1 day's notice is required).

- P3 The following additional information must be submitted with the notice to the Council:
- (a) copies of any Preliminary Investigation, Detailed Investigation and Remedial Action Plan for the site, and
  - (b) contact details for the remediation contractor and any other party responsible for ensuring compliance of remediation work with regulatory requirements.

**Hours of Operation**

- P4 All remediation work shall be conducted within the following hours (unless consent conditions provide otherwise):

Monday – Friday: 7am - 5pm

Saturday: 8am - 1pm

Sundays or Public Holidays: No work is permitted

**Health and safety**

- P5 The work must satisfy applicable occupational health and safety and construction safety regulations, including any Work Cover Authority requirements to prepare a health and safety plan. Site fencing must be installed to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site, and a contact telephone number provided for enquiries.

**Noise**

- P6 Noise emissions must comply with relevant standards under the [Protection of the Environment Operations Act 1997](#). Vibration from the works must not be felt on any adjoining property.

**Air quality**

- P7 Materials must not be burnt on the site.
- P8 Vehicles entering and leaving the site with soil or fill material must be covered.
- P9 Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines *Managing Urban*



*Stormwater: Soils and Construction.* Odour suppression measures must be carried out to avoid effects on adjoining properties.

**Water quality**

- P10 Runoff must be drained to an adequately bunded central collection sump and treated, if necessary, to meet NSW Environment Protection Authority discharge criteria.

**Erosion and sediment control**

- P11 Erosion and sediment control techniques are to be in accordance with North Sydney Council guidelines on Erosion and Sediment Control. All remediation works shall be conducted in accordance with an erosion and sediment control plan that follows the brochure *Preparing an Erosion and Sediment Control Plan* published by the Department of Conservation & Land Management. The plan must be kept on-site and made available to Council officers on request. (See also Council's leaflet *Erosion and sediment control for urban development*.)
- P12 Erosion and sediment control measures must be established prior to commencement of work. All erosion and sediment measures must be maintained throughout the remediation works.
- P13 Temporary stockpiles of contaminated materials must be kept in a secure area. Facilities must be installed for cleaning vehicles prior to leaving the site. Detailed designs for any pollution control system, including leachate collection and disposal, must be provided to the Council with notice of proposed work required pursuant to clause 16 of [SEPP 55](#).

**Waste**

- P14 Any removal of contaminated solids from the site must comply with relevant laws for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed of on land without:
- (a) permission of the land owner; and
  - (b) development consent from the relevant local council (if required); and
  - (c) an environment protection licence from the NSW Environment Protection Authority.

**Landscaping and rehabilitation**

- P15 Disturbed areas must be progressively stabilised and revegetated in accordance with a landscape plan.

**Remedial Action Plan**

- P16 The remediation work must be carried out in accordance with a Remedial Action Plan prepared in accordance with SEPP 55, the DoP's *Managing Land Contamination: Planning Guidelines*, this DCP and any relevant guidelines issued under the [CLM Act 1997](#).

**Validation**

- P17 A validation and site monitoring report prepared in accordance with relevant guidelines issued under the [CLM Act 1997](#) must be submitted to the Council within one month from completion of the remediation work.
- P18 All validation and site monitoring reports must be completed by a suitably qualified environmental consultant.
- P19 A detailed survey of all sites used for landfill disposal must be prepared within one month from completion of the remediation work, and submitted to Council. The plan must identify the extent and depth of all fill material in relation to existing roadways and buildings. The survey must also include a detailed survey of all sites used as landfill disposal pits, identifying boundaries and depth of disposal pits in relation to existing roadways and buildings.

### Community information

P20 Reasonable measures must be undertaken by the applicant to keep nearby residents informed about the proposed work, such as signs, leaflets, public meetings, and telephone contact numbers.

### Compliance with legislation

P21 Compliance with relevant environmental legislation and planning guidelines is required in addition to the provisions in this section.

### Post remediation works

P22 Following validation of the site, notice of completion must be submitted to Council in accordance with clauses 17 and 18 of SEPP 55 and within 30 days of completion of the work.

P23 A copy of the validation report must also be submitted to Council with the notice of completion.

## 14.2.5 Site Audit

A site audit comprises an investigation to determine one or more of the following:

- (a) the nature and extent of contamination of land
- (b) the nature and extent of the investigation or remediation
- (c) what investigation or remediation is necessary before land is suitable for any specified use or range of uses

Council may request a site audit to be undertaken at any or all stages in the site investigation or remediation process. In accordance with the *Managing Land Contamination Planning Guidelines*, Council will require a site audit prepared by an Environment Protection Authority accredited auditor for contaminated land if Council:

- believes on reasonable grounds that the information provided by the applicant is incorrect or incomplete;
- wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines; or
- does not have the internal resources to conduct its own technical review.

A site audit will be required in most cases, as the Council will usually want to verify whether the information provided by the applicant has followed appropriate standards, procedures and guidelines. The Council will not usually have the internal resources to conduct its own technical review. The applicant is responsible for engaging an accredited auditor to perform a site audit and to pay the costs involved.

When Council requests a site audit, it will also specify any issues to be included in the audit, as well as requiring a site audit to address any issues raised in s.47(1)(b) [CLM Act 1997](#).

### Requirements

P1 The following are examples of issues that Council may request a NSW EPA accredited auditor for contaminated land to address when conducting a site audit:

- (a) Has the contaminated land consultant complied with all appropriate standards, procedures and relevant NSW EPA guidelines?
- (b) What further investigation or remediation is required before the land is suitable for any specified use or range of uses?
- (c) Whether the auditor considers that the proposed remediation is adequate, and if undertaken, will render the site to be suitable for the proposed use?
- (d) Whether it can be concluded that there is no unacceptable off-site migration of contaminants?



- (e) Whether the contamination conditions at the site are suitable for in-ground absorption of stormwater?

- P2 Either the applicant or the appointed auditor shall liaise with Council during the preparation of the site audit to ensure that the scope of the site audit addresses the concerns raised by Council.
- P3 For sites that raise complex issues, the site auditor should be engaged during the investigation processes and planning of remedial action, liaising with the consultant and the Council to streamline these processes. The following steps may then be undertaken:
- P4 The auditor may provide a statement to Council indicating that remediation of the site is feasible and environmentally justifiable, and that following remediation, the site is likely to be suitable for its intended use;
- P5 The auditor can review the remedial action plan prepared by the consultant and be satisfied that issues relating to remediation policy, scheduled waste management and off site disposal consents are properly addressed;
- P6 The auditor can review the validation report prepared by the consultant and decide if the site is suitable for its intended purpose and that issues such as groundwater contamination, and contaminant migration have been adequately addressed.

#### Site Audit Statements

The NSW Environment Protection Authority Guidelines for the NSW Site Auditor Scheme indicate the content and format of site audit statements (see also s.47 of the [CLM Act 1997](#), and Schedule 1 of the [CLM Regulation 2013](#) schedule 1.)

Before issuing a site audit statement, the site auditor must prepare and finalise a summary site audit report. The EPA Guidelines for the NSW Site Auditor Scheme outlines what must be included in a site audit report.

#### 14.2.6 Council records and community information

Council has an important role in supplying the community with information regarding land use history, land contamination and remediation. Council also has a statutory responsibility under s.59 of the [CLM Act 1997](#) to include information provided to Council by either the EPA or accredited auditors on Certificates issued under s.10.7 of the [EP&A Act 1979](#).

The process of information collection about land contamination is an ongoing process. Information concerning contaminated land will be added to Council's property information system when development applications are processed or when information is provided to the consent authority via other sources.

#### Information Management

The Council does not hold comprehensive information about land contamination. In the past, little information was kept about contaminated land. The information that Council does have on record relating to contamination generally relates to only a very small number of sites. Council is aware of some land where potentially contaminating land uses have taken place. It is possible that some of these sites are contaminated and that others are not, but can not be determined until further detailed investigations have been undertaken. It is also possible that there are some parcels of land which are contaminated in the local government area that is not known to the Council.

Land contamination is dynamic and no information system can record the nature of all contamination within the local government area at any one time. Council records will change over time as information comes to light. Specifically, the following information will be added to the record for individual parcels of land from time to time:

- Information contained in development applications, indicating use for a potentially contaminating activity listed in Appendix 2.

## Contamination and Hazardous Building Materials

- Reports submitted to Council, including preliminary investigation, detailed investigation, remedial action plans, validation and monitoring reports, and site audit statements.
- NSW Environment Protection Authority declarations and orders issued under the [CLM Act 1997](#) (including voluntary investigation and remediation proposals agreed by the NSW Environment Protection Authority).
- Prior notification of Category 2 remediation works.
- Notification of completion of Category 1 and Category 2 remediation work.

Information about land contamination held within the Council's records will be supplied to the public by the following means (subject to payment of any prescribed fees):

- By issuing Planning Certificates (s.10.7 Certificates) on application to Council.
- By providing access to documents in accordance with the [Government Information \(Public Access\) Act 2009](#) and other legislation.

Information relating to land contamination or the likelihood of land contamination is gathered, kept and disseminated, so as to:

- Provide a basis for informed planning decisions that consider land use history
- Provide reliable information to the community
- Minimise risk to health and the environment
- Avoid unnecessary restrictions on development
- Acknowledge any limitations on information, such as its degree of uncertainty or accuracy, and the purpose and time it was collected

### Planning Certificates

All Planning Certificates issued under s.10.7(2) of the [EP&A Act 1979](#) will state that Council has adopted this development control plan, as well as the information required under s.59(2) of the [CLM Act 1997](#), where the land is:

- significantly contaminated land;
- subject to a management order;
- subject of an approved voluntary management proposal;
- subject to an ongoing maintenance order; or
- subject of a site audit statement.

In addition, a Planning Certificate issued under s.10.7(2) will indicate, pursuant to Clause 7 of Part 3 of the [EP&A Regulation 2000](#), whether the land has been identified by Council as having the potential to be contaminated due to previous activities carried out on the site.

When a Planning Certificate is requested under s.10.7(5) of the [EP&A Act 1979](#), Council will provide additional information known to Council about site contamination issues, including that the site may be contaminated because of past zonings or uses, the existence of reports on past site investigations, notifications of remediation, site audit statements, and the like.

## 14.3 HAZARDOUS BUILDING MATERIALS

There are some instances where buildings have been constructed with or fitted with hazardous building materials. These materials are often inert when left in situ, however can become hazardous to a person's health when disturbed. The following subsection sets out the investigations, reporting requirements and removal and disposal methods required to be provided or carried out.



### 14.3.1 Initial Investigation

Council will conduct an initial evaluation as part of every development assessment to determine whether hazardous building materials are an issue, and whether sufficient information is available for Council to appropriately carry out its planning functions. The initial evaluation checklist is to be addressed on the basis of readily available information held by the Council or provided by the applicant. In completing the checklist, the following questions are to be considered:

- (a) Is the Council aware of any previous investigations about hazardous building materials on the land? What were the results, including any previous initial evaluations?
- (b) Was the subject land at any time used for commercial premises, industrial premises, telecommunication facilities, transport facilities, electrical facilities, water supply facilities, sewerage facilities, agricultural purposes or defence purposes?
- (c) Was the affected building(s) constructed prior to 1970?

If none of the answers suggest that the land might contain hazardous building materials or that further enquiry is warranted, the planning process should proceed in the normal way. However, if the initial evaluation indicates that hazardous building materials may be present, or the Council has insufficient information on which to make a planning decision, then the applicant will be required to undertake further investigations. In particular, the applicant will be required to submit a Hazardous Building Materials Survey Report.

### 14.3.2 Hazardous Building Materials Survey Report

P1 A Hazardous Building Material Survey Report is required to be submitted with the lodgement of all Development Applications involving demolition of the following:

- (a) Commercial, industrial and retail buildings with a gross floor area of greater than 500m<sup>2</sup>;
- (b) Transport, telecommunications, electrical, water or sewerage facilities or structures; or
- (c) Any building on a site, where it is proposed to be used for child care purposes.

Based on its initial assessment of a Development Application, Council may impose a condition on a development consent for other types of development requiring the submission of a Hazardous Building Material Survey Report to Council prior to the issue of a Construction Certificate.

P2 The associated investigations are required to be carried out in accordance with the requirements of the relevant NSW Environment Protection Authority guidelines.

P3 The associated investigations and report must be completed by a suitably qualified consultant to undertake the preliminary investigation and to pay all the costs involved. (EPA accredited auditors will be accepted as being suitably qualified consultants.)

P4 The investigations should involve at least a visual inspection of accessible and representative construction materials and the collection and analysis of materials suspected of containing hazardous materials.

P5 The inspection should identify the presence of any of the following materials:

- (a) **Asbestos:** The assessment must be carried out in accordance with the guidelines documented in the Asbestos Code of Practice for the Management and control of Asbestos in Workplaces [NOHSC:2018 (2005)] and the [\*Protection of the Environment Operations \(Waste\) Regulation 2014\*](#).
- (b) **Synthetic Mineral Fibres (SMF):** Investigations should be made of electrical insulation, plumbing materials, heat insulation, acoustic insulation and fire insulation. The materials should be broken down into their main groupings consisting of:

- (i) Continuous Glass Filaments;
  - (ii) Fibreglass, glass fibre or glasswool;
  - (iii) Rockwool; and
  - (iv) Ceramic Fibres
- (c) **Polychlorinated Biphenyls (PCBs):** All light fittings should be inspected for the presence of PCB containing capacitors. The capacitors are to be cross referenced with the ANZECC Identification of PCB Containing capacitors database -1997.
- (d) **Lead-containing Paint:** Representative painted surfaces are to be tested. Investigations should be focused on areas where lead based paint would have been traditionally used such as (exterior gloss paints, window and door architraves, skirting boards).
- (e) **Ozone depleting substances:** Inspection of refrigerant gas labels on representative refrigeration and or air conditioning plants are to be noted and documented. Where there are no labels, assessment is to be based on the age and condition of the plant.
- P6 The Report is also to provide general recommendations for the removal, of the hazardous materials, including the preparation of detailed document such as a Management Plan, Technical Scope of Works, SafeWork, Method Statements and Risk Assessments to appropriately address health and safety issues associated with the specific work and site conditions. The recommended conditions contained in any of the above reports may be included as conditions to a development consent.

### 14.3.3 Removal of Hazardous Building Materials

The removing, dispersing, destroying, reducing, mitigating or containing of hazardous building materials on any land, or eliminating or reducing any hazard arising from its removal must be undertaken in accordance with the following documents or legislation:

- [Work Health and Safety Act 2011,](#)
- [Work Health and Safety Regulation 2017,](#)
- The NSW WorkCover Code of Practice for the Safe Use of Synthetic Mineral Fibres,
- National Occupational Health and Safety Commission's National Code of Practice for the Safe Use of Synthetic Mineral Fibres,
- Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1988)].

Council may impose a condition on a development consent requiring the applicant to comply with these documents and legislation.



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## SECTION 15 BUSHLAND

### 15.1 INTRODUCTION

North Sydney's bushland contributes to an attractive environment in which to live and:

- (a) is a popular recreational resource, playing an important role in wildlife conservation;
- (b) is an integral part of the harbour foreshore scenery; and
- (c) contributes to the enjoyment of adjoining properties.

There are approximately 49 hectares of bushland in North Sydney with 47 hectares contained within public reservations. While bushland is typically located in narrow strips bordering urban development, there are some significant larger areas such as Balls Head.

Bushland is under pressure from both within and outside the bushland reserve system. Without significant commitment to the management of bushland degradation, biodiversity loss will continue to occur, resulting ultimately in increased costs for rehabilitation and maintenance and loss of ecosystem services. The high population density of North Sydney and limited opportunities for future open space reservations increase the need to effectively manage precious remnant bushland. As such, a holistic approach to bushland management needs to be taken.

Studies have found higher levels of bushland degradation occur along a bushland's boundary with residential properties. This is associated with excess runoff, dumping of imported fill soil and vegetation, siltation, leaching of fertilisers, infestation of introduced plant species, vegetation clearance and tree vandalism, unnatural fire regimes and inappropriately managed domestic animals.

Residents with properties adjoining bushland are encouraged to maintain their property in a way which complements the values and condition of adjoining bushland through providing additional habitat for indigenous flora and fauna. Volunteer Bushcare groups and Council staff undertake significant bushland rehabilitation activities within public reserves.

Council offers support to residents through the Bushcare Program that includes expert technical advice and training in bush rehabilitation, habitat creation, fauna management and home native gardening.

For further detailed information on this assistance, please contact Council's Bushland Management Co-ordinator or visit Council's [website](#).

Whilst bushland can contribute to a pleasant visual outlook, it can also pose a risk to the loss of life or property in the event of a bush fire. Careful planning of development and regular vegetation maintenance is required to ensure this risk is minimised.

The provisions in this section of the DCP aim to assist in the appropriate design and management of land adjoining bushland.

The provisions in this section complement the management of bushland areas by Council and the community. The provisions are compatible with the long term conservation and management of remnant bushland in accordance with Council's *Bushland Plan of Management* (under the [Local Government Act 1993](#)) and the principles and objectives of [State Environmental Planning Policy No. 19 - Bushland in Urban Areas](#) (SEPP 19).

#### 15.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 preserve, manage and rehabilitate bushland for its ecological, cultural, historical, scientific, educational, archaeological, geological, recreational, scenic and visual values;
- O2 protect and enhance viable native fauna populations and their habitats;

- O3 preserve remnant bushland on private properties;
- O4 avoid and mitigate adverse affects on bushland associated with urban development;
- O5 ensure that private landscaped areas compliment bushland by providing food and habitats for fauna, reducing water and fertilizer requirements and maximising the use of locally indigenous vegetation species;
- O6 ensure that vegetation is managed and maintained to reduce potential bush fire attack to residential dwellings.

### 15.1.2 When does this section of the DCP apply?

This Section of the DCP applies to development on land within the North Sydney LGA which is identified as *E2 Environmental Conservation*, Area A or Area B on the Bushland Buffer Map located at Appendix 4 to the DCP.

### 15.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 3 – Non-residential Development in Residential Zones;
- (d) Part B: Section 5 – Child Care Centres;
- (e) Part B: Section 13 – Heritage & Conservation;
- (f) Part B: Section 16 – Tree & Vegetation Management;
- (g) Part B: Section 17 – Erosion and Sediment Control;
- (h) Part B: Section 18 – Stormwater Management;
- (i) Part B: Section 19 – Waste management;

### 15.1.4 Relationships to other policies and documents

Where relevant this section of the DCP should be read in conjunction with the following:

- (a) Commonwealth Environmental Protection & Biodiversity Conservation Act, 1999 ([EP&BC Act](#));
- (b) NSW Environmental Planning and Assessment Act, 1979 ([EP&A Act 1979](#));
- (c) NSW Environmental Planning and Assessment Regulation 2000 ([EP&A Regulation 2000](#));
- (d) NSW Biodiversity Conservation Act ([BC Act 2016](#));
- (e) NSW [National Parks and Wildlife Act 1974](#);
- (f) NSW [Rural Fires Act 1997](#);
- (g) NSW Rural Fire Service's *Planning for Bush Fire Protection* (as amended);
- (h) NSW [Biosecurity Act 2015](#);
- (i) NSW [Companion Animals Act 1998](#);
- (j) Protection of the Environment Operations Act 1997 ([POEO Act](#));
- (k) [State Environmental Planning Policy No. 19 - Bushland in Urban Areas](#);
- (l) North Sydney Council's *Bushland Plan of Management*; and
- (m) North Sydney Council's *Bushland & Fauna Rehabilitation Plans*.

## 15.2 BUILDING DESIGN AND SITING

Each property has a different relationship with the adjoining bushland in terms of the size of a property's boundary with the bushland, the extent of existing development, the available landscaped area and the topography. In site planning and building design these differences need to be taken into consideration to ensure that development complements the bushland character and is appropriately set back from the boundary with the bushland.

### 15.2.1 Siting and design

#### Objectives

- O1 To minimise any impacts of development on nearby bushland.
- O2 To ensure landscaping protects and enhances North Sydney's urban biodiversity.
- O3 To minimise the risk of loss of life or property in the event of a bush fire.

#### Provisions

- P1 Development located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that adjoins or is adjacent to (i.e. includes land that is located on the opposite side of a road) land zoned *E2 Environmental Conservation* must be setback a minimum of 10m from all bushland boundaries.
- P2 Buildings and structures should be sited and designed to minimise any negative impacts on, and be complementary to, nearby bushland.
- P3 Landscaped areas, as required under this DCP, should be predominantly concentrated at the boundary with bushland in order to create a buffer between the bushland and development.
- P4 Sites with one or more boundaries adjoining bushland will be given special consideration, in terms of setbacks and location of landscaped area.
- P5 Buildings and other structures, such as swimming pools and decks, should not be located directly adjacent to bushland. However, minor works relating to landscaping and stormwater containment may be appropriate adjacent to bushland, providing the initial and ongoing impacts on bushland are considered negligible by the Council.
- P6 Buildings and structures must be designed to respect the topographical features of the site (e.g. buildings should not be cantilevered, but step down with the topography).
- P7 Fencing should not incorporate a continuous foundation at its base along the boundary of a site adjacent to bushland, in order to reduce the impact of construction and improve visual aesthetics on the adjoining bushland.
- P8 Do not excavate, fill, level or retain land adjacent to bushland.
- P9 Access to proposed developments through or across land zoned *E2 Environmental Conservation* will not be permitted under any circumstances.

### 15.2.2 Bushland and Bushfire Hazard Management

#### Objectives

- O1 To minimise the risk of loss of property and life through a bushfire.
- O2 To maintain the landscape and environmental qualities of a locality.

#### Provisions

- P1 Development of bushfire prone land as identified on Council's Bush Fire Prone Land Map must conform to the specifications and requirements of *Planning for Bush Fire Protection* (as amended) produced by the Rural Fire Service.

**Note:** Not all properties located adjacent to land zoned *E2 Environmental Conservation* are Bush Fire Prone Land. Bush fire protection measures such as asset protection zones, must be contained within the private property boundary and not encroach upon public land.

- P2 Landscape design at the bushland interface should seek to achieve the dual objectives of bushfire mitigation and biodiversity conservation by protecting remnant vegetation and enhancing habitat opportunities.
- P3 Bushfire mitigation controls must be integrated wholly within the boundaries of the land being developed. Asset Protection Zones or other mitigation controls must not be placed on Council land.
- P4 Properties adjoining bushland not designated as 'bushfire prone' should consider bushfire threat mitigation in regard to building location and landscaping design/species selection.
- P5 Sites are to be maintained where possible to minimise bushfire hazard without unduly altering the natural qualities of the area.
- P6 Unencumbered access to bushfire prone properties is to be provided to assist in mitigating bushfire hazards.

### 15.2.3 Materials and colours

#### Objectives

- O1 To minimise the visual impact of development upon bushland settings.

#### Provisions

- P1 Materials should complement the bushland setting.
- P2 Use colours and materials that are non-reflective and earth toned or selected to blend with the colours of the bushland.

## 15.3 LANDSCAPING AND STORMWATER MANAGEMENT

The character of the bushland adjoining a residential property can be reflected in landscaping on that property through the compatibility of plant species, the preservation of existing trees and remnant bushland on the property and by limiting the amount of levelling, cutting and filling.

Local indigenous plants require much less fertiliser and water than exotic plants and provide food and habitat for local fauna species. The regular use of fertiliser will contaminate nearby bushland and water courses.

The potential for excessive storm water run-off and soil erosion occurs when vegetation cover is removed especially during urban construction or land development, and in the subsequent earth movement and land shaping that follows. Sediment moved in this way can destroy bushland and encourage the spread of weeds and exotic plants. For those properties with a boundary to bushland, effective stormwater management and sediment control can reduce the spread of introduced species both within the bushland and on properties with a bushland boundary.

Appropriate species selection will also assist in the uptake of water from any absorption pits and may reduce erosion during prolonged wet periods when absorption trenches overflow.

### 15.3.1 Weeds

#### Objectives

- O2 To ensure that environmental and biosecurity weeds do not spread into bushland areas.

#### Provisions

- P1 Environmental and biosecurity weeds (as listed on Council's website – [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)) must be eradicated from the property before the commencement of works.

## Bushland

- P2 Locally indigenous vegetation species should not be removed from the boundary of a site.
- P3 Land adjoining bushland should not remain un-vegetated for any period of time.
- P4 All weeds must be fully and continuously suppressed for the duration of the development.
- P5 Weed control must not adversely affect existing native vegetation on the site (or on adjoining land).

### 15.3.2 Landscaping design

#### Objectives

- O1 Ensure that landscaping complements the adjoining bushland character and species.
- O2 To ensure that landscaping on properties directly adjoining or opposite bushland not designated as bushfire prone meets the dual objectives of bushfire hazard mitigation and biodiversity conservation.

#### Provisions

- P1 Development located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that adjoins or is adjacent to (i.e. includes land that is located on the opposite side of a road) land zoned *E2 Environmental Conservation* must be setback a minimum of 10m from all bushland boundaries.
- P2 Retain any bush-rock in-situ or if removed re-use on-site.
- P3 Retain the natural soil profile as much as possible.
- P4 Use landscaping that will reduce potential fire hazards such as a disconnection between vegetation layers (i.e. ground covers, shrubs and canopy).
- P5 Trees are planted in clumps, not with a continuous canopy between the bushland interface and the building line.
- P6 Landscaping is maintained through fuel reduction, overhangs on roofs clipped, mulch minimised and garden well watered.
- P7 Landscape design on properties adjoining non-bushfire prone bushland should achieve biodiversity objectives without exposing the property to increased bushfire risk. Guidance for achieving this provision can be found in the RFS's *Planning for Bush Fire Protection* (as amended).

### 15.3.3 Indigenous vegetation

#### Objectives

- O1 To enhance the habitat of local flora and fauna species.
- O2 Indigenous trees and plants are preserved.

#### Provisions

- P1 Developments located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that are required to incorporate a 10m wide vegetated buffer to bushland boundaries must submit a landscape plan to Council showing that the buffer will be vegetated using 100% local native species (as listed on Council's website). Landscape plan design should be species diverse and incorporate a range of vegetative layers that enhance the habitat value of the landscaped area for local wildlife.
- P2 Developments located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that will significantly alter existing vegetation, ground levels, or drainage conditions must submit a landscape plan to Council with at least 80% of the overall number of trees, shrubs and groundcovers being locally occurring native species (as listed on Council's website). The landscape plan design should be species diverse and incorporate a range of vegetative layers that enhance the habitat value of the

landscaped area for local wildlife. Exemptions may apply for heritage properties or properties within a heritage conservation area.

- P3 Developments located within Area B as shown on the Bushland Buffer Map (refer to Appendix 4) that will significantly alter existing vegetation, ground levels, or drainage conditions must submit a landscape plan to Council with at least 50% of the overall number of trees, shrubs and groundcovers being locally occurring native species (as listed on Council's website). The landscape plan design should be species diverse and incorporate a range of vegetative layers that enhance the habitat value of the landscaped area for local wildlife. Exemptions may apply for heritage properties or properties within a heritage conservation area.
- P4 Sites containing remnant bushland greater than 500m<sup>2</sup> must submit a Bushland Rehabilitation Plan prepared by a suitably qualified ecological consultant specialising in bushland regeneration.
- P5 Retain all remnant bushland on the site undisturbed and protected during any construction or works undertaken.
- P6 Do not disturb remnant bushland.
- P7 Give consideration to soil depth, underground water flow, natural drainage, the understorey canopy and sufficient space around trees to ensure the long term conservation and health of indigenous trees and plants.

#### 15.3.4 Stormwater run-off and soil erosion

##### Objectives

- O1 To minimise the negative impacts of stormwater runoff and soil erosion on bushland vegetation, soil biota and catchment health.

##### Provisions

- P1 Development within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) must submit a *Drainage Plan* to Council addressing the requirements of Part B: Section 18 – *Stormwater Management* in addition to the provisions of this Section.
- P2 Development should not result in any increase in volume, concentration or rate of stormwater run-off to those which existed prior to development.
- P3 Development should seek to improve the condition and function of stormwater management infrastructure from the pre-existing level.
- P4 Existing site contours, topography and soil levels should be maintained.
- P5 Stormwater collected from roofs, driveways and other impervious paved areas should be retained on site and discharged into the Council's stormwater system.
- P6 Excavation for stormwater retention tanks should be minimised.

### 15.4 CULTURAL RESOURCES

There is potential that any undiscovered archaeological sites or Aboriginal sites or relics, would be found in the undisturbed areas of bushland within North Sydney. Therefore, care needs to be taken when undertaking works on properties adjoining bushland.

The preservation and documentation of any archaeological sites or Aboriginal relics found ensures evidence of previous settlement patterns of the local area can be maintained for future generations.

##### Objectives

- O1 To protect, record and maintain archaeological sites and Aboriginal sites and relics.

##### Provisions

- P1 Consideration is given to the objectives and requirements of cl.5.10 of NSLEP 2013 and Part B: Section 13 – *Heritage and Conservation* of the DCP where archaeological

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sites and Aboriginal sites and relics are discovered before, during or after work is to be undertaken.

**15.5 THREATENED SPECIES**

The protection of threatened fauna and flora species is a legal requirement that must be considered to ensure that works not only complement the bushland setting but reinforce and conserve the natural habitat for flora and fauna species. Lists of threatened species are available on the NSW Department of Environment, Energy and Science's website - [www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species](http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species). Information pertaining to known threatened species and endangered ecological communities present within North Sydney is available on Council's website [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au) or by contacting the Bushland Management Coordinator.

**Objectives**

- O1 That development is undertaken in an environmentally sensitive manner with appropriate measures undertaken to minimise any adverse effects on threatened flora and fauna species, populations or ecological communities.

**Provisions**

- P1 All development must be undertaken in accordance with the requirements of the NSW [BC Act 2016](#) and the Commonwealth's [EPBC Act 1999](#).

**15.6 WETLAND AREAS**

Wetlands in the form of Coastal Saltmarsh occur in certain locations around the North Sydney foreshore. It is important to note that Coastal Saltmarsh is listed as an Endangered Ecological Community under the NSW [BC Act 2016](#) and therefore requires special consideration where development activities may directly or indirectly impact on the community or its habitat. Whilst most of these wetlands are situated within designated bushland conservation reserves, some impacts related to urban development such as stormwater pollution, erosion, sedimentation and unauthorised access can cause negative impacts. Coastal Saltmarsh is known to occur on the foreshores of Gore Cove, Lavender Bay and Willoughby Bay. Current mapping of this community may uncover further locations on both Council and private land where this community occurs. Please contact Council's Bushland Management Coordinator for the most up-to-date mapping information for Coastal Saltmarsh in North Sydney.

Wetland environments provide habitat for important flora and fauna. In addition, surrounding vegetation can assist in lowering flood water velocities, intercept silt and aid in the uptake of nutrients to improve water quality.

**Objectives**

- O1 To preserve the aesthetic, social and economic values of wetland areas.
- O2 To ensure water entering into natural wetlands is of sufficient quality to ensure that wetland conservation values and functions are not compromised.
- O3 To maintain or restore the physical, chemical and biological processes existing in wetlands by minimising changes to wetland hydrology from land uses in wetland catchments.

**Provisions**

- P1 Maintain existing wildlife corridors and provide habitat links between isolated areas.
- P2 Provide landscaping and planting of locally occurring species, at the site's boundary with the wetland in order to create a buffer between wetlands and development. This will provide additional protection and habitat.
- P3 Wetland vegetation must not be removed.



- P4 Development must not result in alteration of local surface runoff and groundwater flows to the wetland and ensure appropriate water flow regimes are maintained to the wetland.
- P5 Development must not result in major changes to water flow processes including changes to current and wave patterns and tidal regimes.
- P6 All stormwater runoff should be detained on site before draining to Council's stormwater system.
- P7 Despite P6, if stormwater cannot be contained on site ensure a dispersed pattern of stormwater flow into the wetland as opposed to a concentrated flow.
- P8 Ensure the quality of stormwater flowing into wetlands is maintained or improved through the use of WSUD on-site (refer to Part B: Section 17 - *Erosion and Sediment Control* of the DCP).
- P9 Where nutrient control devices and other pre-treatment measures are proposed, ensure that they are located away from wetland areas.
- P10 Avoid sewage overflows in catchments upstream of wetlands.
- P11 Minimise visual impacts on wetland through use of natural and non-reflective materials, muted colours and landscaped screens.
- P12 Enhance and maintain social, educational and recreational values of wetland areas through appropriately sited boardwalks, information signs, collection of background information and consideration of European and aboriginal heritage. (Refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).
- P13 Submit a Wetland Effects Statement if the proposed development may impact on the ecology and habitat, hydrology and/or water quality of the wetland. The Wetland Effects Statement must address the assessment criteria set out in the Model DCP for *Protecting Sydney's Wetlands* published by the Sydney Coastal Council Group (2001).
- P14 Only plant species which occur locally should be used for landscaping and revegetation near wetlands.



## SECTION 16 TREE & VEGETATION MANAGEMENT

### 16.1 INTRODUCTION

Vegetation, particularly mature trees, can contribute significantly to an area's character. In particular, they have exceptional value visually, culturally, economically and intrinsically. North Sydney has a leafy character, established through the interconnection of many canopy trees distributed across road reserves, parks, bushland areas and private property.

The quality of the vegetation has an enormous impact on the quality of life of all those who live or work in North Sydney. The obvious aspects of aesthetics, oxygen production and pollution reduction are supported by many other more subtle functions, such as traffic calming, privacy, reduced energy consumption, recreation, habitat and shade.

New development provides opportunities to reinforce this leafy character and embellish North Sydney's strong "sense of place" by planting appropriate trees as part of a development. It is the responsibility of the developer to provide appropriate landscaping to achieve these objectives.

This section of the DCP also identifies those instances where a permit is required to remove or prune trees and vegetation. Council also enforces a long established policy regarding the unlawful damage to or removal of existing trees and vegetation within the LGA, regardless of whether they are located on public or private land.

#### 16.1.1 General objectives

The objectives of this Section of the DCP are to:

- O1 Declare trees and vegetation for the purposes of Part 3 of [\*SEPP \(Vegetation in Non-Rural Areas\) 2017\*](#).
- O2 Maintain the visual, social and environmental amenity of the area through the preservation of trees and other vegetation.
- O3 Maintain and increase the totality of trees and vegetation across the North Sydney area by embracing the principles of Urban Forest Management, green (habitat) corridors and Continuous Cover Arboriculture.
- O4 Ensure the planting of adequate numbers of appropriate trees in association with new development in the North Sydney area.
- O5 Promote the value of and the need for the protection of trees and vegetation to the community, developers and Council staff and encourage the reporting of tree vandalism.
- O6 Protect existing trees and vegetation during construction of development.
- O7 Minimise the risk of injury to people or damage to property from trees and vegetation.
- O8 To recognise the financial value of trees and vegetation.
- O9 Ensure that vegetation does not result in the unreasonable reduction in amenity of adjoining properties in terms of access to sunlight and views.

#### 16.1.2 When does this section of the DCP apply?

This Section of the DCP applies when intending to prune, remove or replace trees or vegetation on their own or as part of undertaking a development or action that will impact on trees and vegetation, when Development Consent or a Tree Management Permit is required. These controls apply to trees and vegetation on all land within the LGA whether it is in public or private ownership.

This Section also provides advice with respect to maintaining of vegetation on adjoining properties where existing vegetation may be impacted upon by development or has



unreasonably reduced the amenity of a property through the reduction of access to sunlight or views.

### 16.1.3 Relationships to other sections

This section of the DCP needs to be read in conjunction the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 4 – Child Care Facilities; and
- (f) Part B: Section 15 – Bushland Areas.

### 16.1.4 Relationship to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following:

(a) ***SEPP (Vegetation in Non-Rural Areas) 2017***

In particular, consideration should be given to *Part 2 – Authority to clear vegetation in non-rural areas* and *Part 3- Council permits for clearing of vegetation in non-rural areas*. <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2017-0454>

(b) ***North Sydney Council Street Tree Strategy***

A management document that provides the framework and guidelines to ensure that all street trees are managed in accordance with industry best practice, such that they maximise their benefits to the North Sydney community.

(c) ***Council's Infrastructure Specification Manual for Roadworks, Drainage & Miscellaneous Works***

This document provides technical specifications regarding the supply, installation and establishment of trees and vegetation in the North Sydney Council area.

(d) ***North Sydney Council Urban Forest Strategy***

A strategic document developed to maintain and increase the level of canopy cover across the North Sydney area to maximise all of the known benefits that trees provide to the wider community.

(e) ***North Sydney Tree Vandalism Policy***

A policy document that sets out the procedures to be followed when an instance of tree vandalism is identified, including such things as investigations, letterbox drops, signage, rehabilitation and prosecutions.

(f) ***North Sydney Natural Area Survey***

A survey undertaken to identify all significant vegetation types located on public and private land throughout the LGA and their quality. The survey data has been subsequently mapped and is available on Council's website ([www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)). This survey gets updated from time to time.

(g) ***Australian Standard AS4373-2007 - Pruning of amenity trees***

This Standard provides arborists, tree workers, government departments, property owners, and contractors with a guide defining uniform tree pruning procedures and practices in order to minimize the adverse or negative impact of pruning on trees.

(h) ***Australian Standard AS4970-2009 – Protection of trees on development sites***

This Standard provides guidance for arborists, architects, builders, engineers, land managers, landscape architects and contractors, planners, building surveyors, those concerned with the care and protection of trees, and all others interested in integration

between trees and construction. It describes the best practices for the planning and protection of trees on development sites. The procedures described are based on plant biology and current best practices as covered in recently published literature.

### 16.1.5 Additional permits

Where an applicant seeks to plant trees on public property, they may also be required to obtain additional permits under s.68 of the [Local Government Act 1993](#) and/or s.138 of the [Roads Act 1993](#). Inquire with Council to ascertain if the permits are required.

Council does not encourage the ad-hoc planting of trees on public land by individuals however a "Streets Alive" community greening program is in place. This program allows residents to plant and maintain vegetation on public land under the approval and guidance of specialist Council officers. The residents are provided free of charge with horticultural expertise, plants, soils, mulch and any other necessary materials in return for their labour to install and maintain the vegetation. Planting of shrubs and trees in and around public bushland areas is a regular activity under Council's "Bushcare" program, where over 50Ha of remnant bushland and buffering habitat is under active rehabilitation.

## 16.2 CONTROLS FOR THE MANAGEMENT OF TREES AND VEGETATION

North Sydney Council has adopted a tree and vegetation management policy which aims to prevent the unlawful removal, pruning or destruction of trees and vegetation in the North Sydney LGA. This policy is enforced through *Part 2 – Authority to clear vegetation in non-rural areas* and *Part 3- Council permits for clearing of vegetation in non-rural areas* of [SEPP \(Vegetation in Non-Rural Areas\) 2017](#) and this section of the DCP.

The policy requires a property owner to first obtain *Development Consent* or a *Tree Management Permit* prior to the removal or pruning of declared trees or vegetation. However, the requirement to obtain Development Consent will normally only be required where the proposed works are not limited to only the removal or pruning of declared trees or vegetation (e.g. construction works). Some trees and vegetation may be removed or pruned without the need for Development Consent or a Tree Management Permit (i.e. those works permitted by [SEPP \(Vegetation in Non-Rural Areas\) 2017](#) and this DCP).

Before removing, pruning or proposing development within 5m of a tree in North Sydney, residents and/or contractors are advised to contact Council to determine whether they need to obtain a Tree Management Permit or Development Consent.

Where a Tree Management Permit is required, once Council has received a completed application form an appointment will be made for an on-site tree inspection of the relevant tree(s) or vegetation by one of Council's Tree Preservation Officers. If the application is approved a Tree Management Permit will be sent to the applicant.

Where a Development Consent is required, the applicant will be advised by one of Council's Planning Officers as to what information will be required.

### 16.2.1 Objectives

- O1 To maintain the visual, social and environmental amenity of the area through the preservation of trees and other vegetation.
- O2 To identify when Council approval is required under the provisions of [SEPP \(Vegetation in Non-Rural Areas\) 2017](#) to prune, remove or replace trees or vegetation.
- O3 To identify declared trees and vegetation for the purposes of *Part 3- Council permits for clearing of vegetation in non-rural areas* under [SEPP \(Vegetation in Non-Rural Areas\) 2017](#).
- O4 To make the community aware of the implications for the unlawful removal, pruning or wilful destruction of trees and vegetation within the LGA.

## 16.2.2 Provisions

### Approvals General

P1 Pursuant to *Part 2 Authority to clear vegetation in non-rural areas* and *Part 3- Council permits for clearing of vegetation in non-rural areas* under [SEPP \(Vegetation in Non-Rural Areas\) 2017](#), Development Consent or a Tree Management Permit **is not required** for removal or pruning any of the following:

- (a) non-declared trees or vegetation;
- (b) trees or vegetation that are adequately justified to be dead as confirmed in writing by a qualified arborist (minimum AQF level 3) or qualified Horticulturalist (minimum AQF Certificate 3) and where the tree or vegetation is not required as the habitat for native animals;
- (c) pruning of deadwood from a tree or vegetation, including dead palm fronds;
- (d) maintenance pruning of trees whereby:
  - (i) no more than 10% of the existing crown volume is removed; and
  - (ii) branches no more than 100mm in diameter are removed and those branches are:
    - a. not located more than 2.4m above ground level where they adjoin the trunk of the tree, or
    - b. located within 1m of existing buildings (including eaves and gutters); and
  - (iii) all work is undertaken in accordance with the Australian Standard for Pruning of Amenity Trees (AS 4373).
- (e) maintenance pruning of hedges:
  - (i) where the hedge is less than 5m in height; or
  - (ii) where the hedge is 5m or greater in height, but only where all work is undertaken in accordance with the Australian Standard for Pruning of Amenity Trees (AS 4373) and must be conducted by a qualified Arborist (minimum AQF Level 3);
- (f) trees or vegetation identified as a biosecurity risk (formerly known as noxious weeds) under the [Biosecurity Act, 2015](#), except where that tree or vegetation is greater than 10m in height;
- (g) trees or vegetation that are being maintained or removed by North Sydney Council staff (or their sub-contractors) on land under Council's ownership or care and control;
- (h) trees or vegetation that have been authorised to be removed or pruned pursuant to a Development Consent issued under the [EP&A Act](#), but not prior to the issue of a Construction Certificate relating to that Development Consent;
- (i) trees or vegetation that are growing inside a building, where there is a roof over the tree (e.g. within an atrium or internal garden bed);
- (j) the following tree and vegetation species:
  - (i) African Olive Trees (*Olea Africana*);
  - (ii) Bamboo (*Bambusa* species);
  - (iii) Box Elder (*Acer negundo*);
  - (iv) China Doll (*Radermachia sinica*);
  - (v) Cocos Palms (*Syagrus romanzoffiana*);
  - (vi) European Nettle or Hackberry (*Celtis* sp) – except on land identified as a heritage item under cl.5.10 of NSLEP 2013;

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- (vii) Indian Coral Tree (*Erythrina x sykesii*) – except on land identified as a heritage item under cl.5.10 of NSLEP 2013;
  - (viii) Privet species (*Ligustrum* sp) – except on land identified as a heritage item under cl.5.10 of NSLEP 2013;
  - (ix) Rubber Trees (*Ficus elastica*);
  - (x) Tree of Heaven (*Ailanthus* sp);
  - (xi) Umbrella Trees (*Schefflera* sp); or
  - (xii) Willow Trees (*Salix* spp) – except on land identified as a heritage item under cl.5.10 of NSLEP 2013.
- P2 Development Consent or a Tree Management Permit **is required** in accordance with [SEPP \(Vegetation in Non-Rural Areas\) 2017](#) for the removal or pruning of a declared tree or vegetation. The **following trees and vegetation are declared for the purposes of this DCP**:
- (a) Any tree or vegetation on public land, regardless of size;
  - (b) Any tree or vegetation with a height of 5m or more, or a crown width of 5m or more, or a trunk circumference of 500mm or more measured at ground level (existing); or
  - (c) Any tree that is identified as a biosecurity risk under the [Biosecurity Act, 2015](#) and is greater than 10m in height;
  - (d) Any of the following species of trees or vegetation on land identified as a heritage item under cl.5.10 of NSLEP 2013 regardless of size:
    - (i) Bangalow Palms (*Archontophoenix cunninghamiana* sp);
    - (ii) European Nettle or Hackberry (*Celtis* sp);
    - (iii) Indian Coral Tree (*Erythrina x sykesii*);
    - (iv) Kentia Palms (*Howea forsteriana* sp);
    - (v) Privet species (*Ligustrum* sp);
    - (vi) Willow Trees (*Salix* spp).
- P3 Council, in determining an application for development consent or a Tree Management Permit under [SEPP \(Vegetation in Non-Rural Areas\) 2017](#), must have regard to:
- (a) the health or condition of the tree or trees, whether the tree is dead or dangerous, proximity to existing or proposed structures, interference with utility services, interference the amenity of any person or property;
  - (b) necessity for action in order to construct improvements to the property the subject of the application to achieve reasonable development;
  - (c) effects in the nature of erosion, soil retention or diversion or increases to overland flow;
  - (d) the number of trees in the surrounding area and the effect on the amenity of that area;
  - (e) the number of healthy trees that a given parcel of land will support;
  - (f) whether the trees or vegetation in question provide habitat for fauna and/or canopy connectivity; and
  - (g) any potential impacts to heritage items and or heritage conservation areas.
- P4 In determining its approval under P2 and P3 Council may request the applicant to submit additional supporting documentation (e.g. an arborist or engineering report) to justify the removal of the tree or vegetation.



- P5 Council does not support the removal of trees or vegetation as a result of:
- (a) leaf, fruit, flower, bark, cone or twig drop; or
  - (b) blocked water, sewer or stormwater drainage pipes;
  - (c) cracking of driveways, footpaths, paving or fences; or
  - (d) issues arising from roosting, nesting or browsing fauna.
- P6 Despite P5 above, Council may consider on merit the removal of trees or vegetation which result in the blocking of water, sewer or stormwater pipes or the cracking of driveways, footpaths and paving if there are no permanent repair solutions available (e.g. where tunnelling or re-sleeving of pipes, or removal of roots is not feasible). Council must not determine an application to which this clause applies, unless it has considered additional supporting documentation (e.g. an arborist or engineering report) supplied by the applicant to justify the removal of the tree or vegetation.
- P7 Branches of trees and vegetation located on private property that overhang public footpaths and roadways should be pruned back to the property boundary to a height of 2.4m (8ft) above ground level (existing). Pruning of these trees is the responsibility of the property owner. Where the tree or vegetation to be pruned comprises a declared tree or vegetation, Council consent must be obtained prior to pruning.
- P8 Where Council approves a development application or a Tree Management Permit in accordance with this Section and [\*SEPP \(Vegetation in Non-Rural Areas\) 2017\*](#), Council may impose a condition which requires:
- (a) the replanting of replacement trees or vegetation on the land the subject of the application; or
  - (b) where there is insufficient space on the development site:
    - (i) the replanting of replacement trees or vegetation in a specified location on public land; or
    - (ii) payment of a fee from the applicant to fund Council's planting of such trees on public land.
- Replacement tree species will be specified by Council and will be of a type suitable for the site.
- Fees associated with planting trees on public land shall be calculated based on the industry accepted average price to supply, install, and maintain for 13 weeks a containerised tree of the size specified by the assessing officer but that size shall be not less than 45 litres. Council's Infrastructure Specifications for Miscellaneous works contains Council contractor schedule of rates. The average price from the schedule will be used.
- P9 All work must be carried out in accordance with Australian Standard *AS4373-2007: Pruning of Amenity Trees* and Council may condition that the work be carried out by a qualified arborist (minimum AQF Level 3).
- P10 Any development consent or approval issued by Council will be valid for the described work only, provided it is carried out within a 12 month period from the date of issue and may be subject to such conditions as required by Council.
- P11 Where a development application is lodged after a Tree Maintenance Permit has been issued but prior to approved tree work taking place, that Permit becomes null and void and application for pruning/removal of the tree(s) or vegetation must be made through the development assessment process.
- Approvals for non-essential pruning work**
- P12 Council may approve a request from the public to prune trees located on public land in the immediate surrounds of the property upon which the applicant resides for 'cosmetic' or non-essential pruning for such purposes as aesthetics, increased sunlight or views, but only where such pruning:

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- (a) will not affect the health or integrity of the tree;
  - (b) will not have an adverse impact on the streetscape;
  - (c) will not have an adverse impact on general safety of the public;
  - (d) is carried out in accordance with AS 4373 and carried out by a qualified arborist (minimum AQF level 3);
  - (e) is done under the supervision of a council officer if deemed necessary by Council (minimum 5 days notice required).
- P13 Non-essential pruning work will not be permitted on any vegetation growing on land zoned *E2 Environmental Conservation* or other public land managed by Council as bushland.
- P14 Council will not support applications for tree or vegetation removal for the sole purpose of facilitating solar access to new solar photovoltaic or hot water systems. However, Council may consider applications for pruning trees or vegetation to enable solar access to existing solar photovoltaic or hot water systems to be maintained on a case by case basis, provided the proposed works are carried out in accordance with Australian Standard *AS4373-2007 - Pruning of Amenity Trees*.

### Penalties

- P15 Pursuant to s.629 of the [Local Government Act 1993](#), an on-the-spot fine may be imposed for the injury or unnecessary disturbance of trees and vegetation on public land including road reserves without a lawful Development Consent or Tree Management Permit. This specifically relates to street trees, foreshore reserves, bushland and public open spaces.
- P16 Pursuant to s.9.37 and Division 9.6 of the [EP&A Act](#), an on-the-spot fine or court proceedings may be imposed for the injury, unnecessary disturbance or removal of trees and vegetation on private land without a lawful Development Consent or Tree Management Permit.
- P17 Breaches of the requirements to P15 and P16 above, may result in prosecution with maximum penalties of \$1.1million. Fines may be imposed on the resident, property owner, anyone ordering the work and/or contractors employed to undertake the works if they do not have a lawful Development Consent or Tree Management Permit.
- P18 The resident, applicant, property owner and any contractor involved in the cutting down or pruning of any tree protected by this DCP, must have a copy of the current and valid Tree Management Permit or Development Consent displayed in a publicly accessible location of the site during the undertaking of those works.
- P19 Rehabilitation and maintenance of tree vandalism sites is to be carried out in accordance with Council's Tree Vandalism Policy.

**Note:** The extent of the penalty that may be imposed is set out within Council's Tree Vandalism Policy.

## 16.3 MANAGEMENT OF TREES AND VEGETATION ON ADJOINING PROPERTIES

Property owners generally have the ability to plant any type of trees or vegetation they like upon their property. Most species of trees and vegetation can be planted without development consent.

Whilst this is not normally a problem in itself, trees and vegetation on adjoining properties have the ability to result in damage to property or have the potential to cause damage to property or injury of persons utilising adjoining land. In addition, some property owners have been known to plant trees or vegetation to purposely obstruct sunlight or views to adjacent properties, often known as "hedge rage" or "spite hedges".

Provisions under the [Tree \(Disputes Between Neighbours\) Act 2006](#) provide adjoining land owners in certain circumstances the ability to commence proceedings at the Land and



Environment Court to have the subject trees or vegetations removed or lopped, amongst other remedies.

Affected persons are advised to consult the [Tree \(Disputes Between Neighbours\) Act 2006](#) to determine the most current criteria as to when proceedings can be commenced or what matters need to be considered.

### 16.3.1 Trees that cause or are likely to cause damage or injury

Part 2 of the [Tree \(Disputes Between Neighbours\) Act 2006](#) generally enables proceedings to commence. The Court must be satisfied that the subject tree has caused, is causing, or is likely in the near future to cause, damage to the applicant's property, or is likely to cause injury to any person.

Prior to the Court determining whether to issue orders or not, it must consider:

- If the applicant has made a "reasonable effort" to reach agreement with the owner of the land on which the trees are situated; and
- 13 individual matters for consideration under s.12 of the [Tree \(Disputes Between Neighbours\) Act 2006](#), including but not limited to issues pertaining to location, biodiversity, heritage, social value, impacts from pruning and contribution to amenity.

The Court has broad remedial powers ranging from remedying any damage, payment of compensation for damage or injury, requiring actions to prevent injury to persons, requiring the tree (or parts of it) to be removed entirely, to having it lopped and maintained, to replacement of the tree/s, and includes the payment of costs for carrying out such works.

### 16.3.2 High hedges that obstruct sunlight or views (spite hedges)

Part 2B of the [Tree \(Disputes Between Neighbours\) Act 2006](#) generally enables proceedings to commence, but only where:

- It applies to two or more trees that are planted so as to form a hedge (i.e. does not apply to a single tree);
- The hedge has a minimum height of 2.5 metres above ground level (existing);
- The hedge does or will result in a "severe obstruction" of:
  - o sunlight to a window of a dwelling situated on adjoining land, or
  - o any view from a dwelling situated on adjoining land,

Prior to the Court determining whether to issue orders or not it must consider:

- If the applicant has made a "reasonable effort" to reach agreement with the owner of the land on which the trees are situated; and
- 19 individual matters for consideration under s.14F of the [Tree \(Disputes Between Neighbours\) Act 2006](#), including issues pertaining to biodiversity, heritage, sunlight, views, privacy, location and length of time the hedge has existed.

The Court has broad remedial powers ranging from requiring the hedge (or parts of it) to be removed entirely, to having it lopped and maintained at a certain height, to replacement of the trees with another specified species, and includes the payment of costs for carrying out such works. These potential solutions should be kept in mind when making "a reasonable effort" to reach agreement with a neighbour, because in some instances it may not be "reasonable" to insist on full removal of trees/hedges if other solutions are available which are more appropriate and equally effective.



## 16.4 PROTECTION OF TREES DURING CONSTRUCTION

### 16.4.1 Objective

- O1 To ensure that all trees in the public domain and on private property (both the site of development and neighbouring properties) are adequately protected during construction of developments.

### 16.4.2 Provisions

Where applicable, development applications are required to detail the location and type of any tree or vegetation to be removed and any effect on the landscape and streetscape the development may have. Refer to the development application form for further information.

#### General

- P1 Existing trees should be retained and incorporated into proposed developments wherever the existing trees are of appropriate species and have an adequate life expectancy.
- P2 Where trees are identified to be retained, they must be protected during construction in accordance with Australian Standard *AS4970 - Protection of trees on development sites* and best practice.
- P3 An arborists report is required to be submitted with any development application where works are proposed within the Tree Protection Zone of a tree or where Council deems the vegetation on site is significant enough to warrant such a report.
- P4 Where an existing tree(s) are approved for removal as part of a development, adequate space in the landscaped area is to be provided for an equivalent replacement canopy tree(s) appropriate to the site and scale of development.
- Aerial photos shall be used to calculate the existing canopy cover on site prior to development. The number and mature size of replacement trees must equal the total pre-development canopy cover. Where this cannot be achieved on site, P5 to this Section shall be applied.
- P5 Where insufficient space is available on the development site and significant canopy has been removed as part of the development, Council may require the planting of equivalent canopy replacement trees on public land or require payment of a fee to enable Council to undertake equivalent canopy replacement planting on public land.
- That fee will be calculated based on the industry average cost to supply and install equivalent size replacement tree(s) plus 13 weeks maintenance. Refer to P8 to s.16.2.2.

#### Bonds

- P6 A tree bond may be required if trees are located in close proximity to a proposed development.
- P7 The bond shall be lodged with the Council for each tree likely to be affected by the development, the bond amount to be forfeited if the identified tree is removed, destroyed or damaged. A minimum bond of \$1,000.00 per tree will be applicable.
- P8 Bonds must be lodged prior to any work commencing on site and will generally be held for a period of 12 months after completion of the development.
- P9 Bonds will be refunded upon receipt of a tree condition report from a suitably qualified arborist confirming that the tree is in good health, prior to issuing an Occupation Certificate.
- P10 The maximum bond amount will be the value of each tree calculated using an industry accepted Valuation Method.



### Construction Hoardings

- P11 When giving consideration to the issue of a Permit for the erection of a hoarding on Council property, Council will consider the likelihood of damage to trees, both on public and private property.
- P12 Hoarding applications are to be accompanied by a plan(s) accurately locating any adjacent trees within 10m of the proposed hoarding.
- P13 A tree bond may be required, if a tree(s) is located in close proximity of a proposed hoarding, the bond amount to be forfeited if the tree is removed, destroyed or damaged.
- P14 Hoardings should be designed and erected to protect existing trees to clearances approved by Council and/or any conditions imposed by Council.

### Works in Association

- P15 Works in association are Council funded tree works on public property that may be combined with developer funded tree works for the purpose of integrating the streetscape. Council may contribute money to the developer to build works in association subject to it being in the public interest.
- P16 Where two or more adjoining developments are under construction simultaneously, Council may offer to plant trees and/or install protection works for all developments in the interests of achieving an integrated and coordinated streetscape subject to the developer contributing money to Council to build these works. This is seen as adding value to the community dollars spent.

## 16.5 NEW TREE PLANTING

### 16.5.1 Objectives

- O1 To ensure that the current level of canopy cover in North Sydney is maintained and enhanced over the long term.
- O2 To ensure that sustained amenity is achieved by establishing a range of age classes within the urban tree population.
- O3 To ensure a species diversity that maintains or enhances the current urban character of North Sydney.
- O4 To enhance biodiversity through the strategic connectivity of canopy and habitat plantings between areas of bushland remnants (i.e. wildlife corridor creation).

### 16.5.2 Provisions

#### Species Selection

- P1 Species should be chosen after carefully evaluating the site constraints and the desired function of the tree (e.g. habitat, shade, safety, privacy or aesthetics).
- P2 When planting is to take place on public land, Council's arborists will advise the appropriate species in accordance with the **North Sydney Street Tree Strategy**.
- P3 When planting is to take place in bushland or bushland habitat areas, Council's Bushland Management Staff will determine appropriate species in accordance with the *North Sydney Natural Area Survey 2010* and relevant Bushland Rehabilitation Plans.
- P4 When planting on private property Council strongly recommends the use of a qualified arborist when selecting species.
- P5 When selecting a species, the physical, ecological and horticultural characteristics should be considered.
  - (a) Physical characteristics include: mature dimensions (height, spread, trunk diameter) foliage density, evergreen or deciduous, tree shape or form.

## Tree & Vegetation Management

- (b) Ecological characteristics include: climatic durability, water efficiency, fauna habitat, invasivity in bushland.
- (c) Horticultural considerations include: fruit/flower/seed drop, suitability to the site growing conditions, poisonous or allergic qualities, weed potential, suckering, root vigour, structural soundness, and longevity in the urban environment.

### Planting Locations

- P6 New trees should be located where there is adequate space for the chosen species to grow to its natural mature dimensions, survive in the long term and make a positive contribution to the amenity of an area.
- P7 Any new street trees should be located in accordance with the *North Sydney Council Street Tree Strategy*.
- P8 Any new trees on private property should be located in accordance with the objectives of the landscaping provisions throughout this DCP and the *North Sydney Urban Forest Strategy*.

### Planting techniques

- P9 All planting must be carried out in accordance with the detailed specifications appropriate to the site as set out in Council's *Infrastructure Specification Manual for Roadworks, Drainage & Miscellaneous Works*.
- P10 Planting trees in footpaths adjacent to heavily trafficked streets may need:
  - (a) To be undertaken outside of peak hour traffic times.
  - (b) The approval of the RMS if it involves a state or arterial road.
  - (c) A Traffic Management Plan and/ traffic control depending on the road.

### Plant Establishment and Maintenance

To ensure the long term survival of any new vegetation a condition may be imposed on a Development Consent outlining a minimum landscape maintenance period. The length of the landscape maintenance period shall vary according to the specific works carried out and will be generally a minimum of 13 weeks.

- P11 Erosion and sedimentation controls may need to be provided subject to the scale of the planting work proposed and the potential of causing pollution. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.
- P12 It is the responsibility of the developer/applicant to comply with the terms of any Development Consent issued by the Council in respect of maintenance requirements of trees or vegetation within the time stated in the consent.



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## SECTION 17 EROSION AND SEDIMENT CONTROL

### 17.1 INTRODUCTION

The potential for soil erosion occurs when vegetation cover is removed during the demolition or construction of buildings and structures, or where it is proposed to recontour the existing landform. As a result, sediment can enter the natural and stormwater drainage systems, and can potentially block their flow, reduce their capacity and eventually be deposited in receiving waters. Sediment reduces water depth, causes turbidity, reduces recreational amenity and damages aquatic systems. Sediment can also have a destructive impact on the quality of urban bushland.

Sedimentation represents a considerable cost to the community in cleaning and maintenance of stormwater infrastructure. Costs arise from increased flooding due to reduced capacity of drainage systems, cleaning of drains and dredging of receiving waters. Efficient sediment control techniques have benefits to the builder as well as the community, in improved access and site conditions and less time lost due to water logged sites.

#### 17.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 To provide a consistent approach to erosion and sediment control, with a view to achieving best practice.
- O2 Establish principles for the control and management of erosion and sediment risks.
- O3 To ensure that the Sydney and Middle Harbours water catchments are clean, productive and healthy.
- O4 To minimise soil erosion and siltation resulting from building and excavation works.
- O5 To ensure applicants submit sufficient information on proposed erosion and sediment control measures with development applications such that Council can make an informed decision.
- O6 To ensure that consent conditions and *Erosion and Sediment Control Plans* are fully implemented through monitoring and maintenance protocols.

#### 17.1.2 When does this section of the DCP apply?

This section of the DCP applies to all development applications that involve:

- (a) the removal of vegetation from a site;
- (b) excavation, such that the land form of the site is altered; and
- (c) placement of any type of fill material on a site.

#### 17.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 13 – Heritage and Conservation;
- (e) Part B: Section 15 – Bushland;
- (f) Part B: Section 16 – Tree and Vegetation Management;



- (g) Part B: Section 18 – Stormwater Drainage; and
- (h) Part B: Section 20 – Public Infrastructure.

#### **17.1.4 Further Information**

For more information about erosion and sediment control, consult with Council and refer to:

- (a) North Sydney Council *Performance Guide*;
- (b) North Sydney Council *Infrastructure Specification Manual*;
- (c) NSW Department of Housing *Managing Urban Stormwater Soils and Construction* (4th edition, 2004);
- (d) Selected techniques described in pamphlets available from the Council Customer Service Centre;
- (e) Department of Land and Water Conservation pamphlet *Preparing an Erosion and Sediment Control Plan* (1997); and
- (f) Hawkesbury-Nepean Catchment Management Trust 2001 *Guidelines for Erosion and Sediment Control on Building Sites* (2001).

### **17.2 REQUIREMENTS**

#### **17.2.1 Objectives**

- O1 Identify all areas likely to cause pollution of waterways from the transport of stormwater run-off containing sediment and silt and implement appropriate devices to stop the risk of pollution.

#### **17.2.2 Provisions**

- P1 Divert clean water around the construction site to prevent contamination.
- P2 Retain as much natural vegetation as possible and limit site disturbance to minimise the risk of pollution.
- P3 Control stormwater that enters the construction site from upstream.
- P4 Divert stormwater from undisturbed upper slopes onto stable areas.
- P5 Retain and stockpile all excavated topsoil on site for future landscaping where feasible.
- P6 Prevent sediment/silt from entering adjoining public or private property (especially drains) by installing sediment control devices at the low side of sites and wash down areas.
- P7 Provide a single, stabilised entry/exit point to the site. Sediment or building materials should be prevented from reaching the road or Council's stormwater system. Sediment shall be removed by sweeping, shovelling or sponging. Under no circumstances shall sediment be hosed.
- P8 Where a *work zone permit* over public property is applicable, ensure that appropriate debris control devices are implemented to prevent spillage of building materials into stormwater drains.
- P9 Compact all drainage lines when backfilling.
- P10 Revegetate all disturbed areas, after on-site works are completed, in order to stabilise surface.
- P11 Maintain all sediment control devices during construction and earthworks to standards acceptable to Council.



## 17.3 MAINTENANCE AND MONITORING

### 17.3.1 Objectives

- O1 To ensure that erosion and sediment impacts are minimised during the entire construction period of the development.

### 17.3.2 Provisions

- P1 The consent holder, property owner, contractor, builder and all persons on site during construction are responsible for controlling soil erosion and preventing the discharge of sediments from the building site entering into Councils stormwater system.
- P2 A condition may be imposed on a development consent requiring the payment of an environmental bond/security to cover the costs of making good any damage from pollution that a proposed development has the potential of causing.
- P3 Erosion and sediment control measures will be inspected in the course of Council site inspections following issue of a construction certificate.
- P4 Where non-compliance with the DCP occurs, Council may charge a reinspection fee, claim the environmental bond, issue a Clean Up Notice, Prevention Notice or Penalty Infringement Notice if a pollution incident has occurred or has the potential to occur.
- P5 In more serious cases, legal action may be considered under legislation dealing with environmental protection.
- P6 [Protection of the Environment Operations Act 1997](#) constitutes an act of pollution as being a criminal offence.

## 17.4 PROCEDURES

### 17.4.1 Objectives

- O1 To outline the requirements and procedures for addressing soil erosion and sediment control.

### 17.4.2 Provisions

- P1 A *Statement of Intent* must be supplied with all development applications. The Statement must outline the sedimentation and erosion control measures to be utilised and a simple erosion control site diagram demonstrating how the proposal will achieve the general objectives of the DCP.
- P2 An *Erosion/Sediment Control Plan* may also be required to be submitted with the Development Application for a development involving excavation or that is likely to pose a significant environmental risk. The plan should include diagrams showing the erosion and sediment control measures, their location and type. A detailed *Erosion/Sediment Control Plan* may also be required to obtain a Construction Certificate.
- P3 Erosion and sediment control site signs must be displayed on the site during building works, and provide advice to protect the environment from sedimentation and erosion from building sites. These signs are available from the Council Customer Service Centre.
- P4 Work must not be carried out in a public road or footpath unless a permit has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#), and/or s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a Complying Development Certificate. Consult with Council to determine if a permit is required.



## **17.5 STANDARDS FOR EROSION AND SEDIMENT CONTROL PLANS**

An Erosion and Sediment Control Plan can vary from a simple statement for minor proposals to complex engineering plans and associated documentation for major proposals, including all details of erosion and sediment control measures to be utilised.

### **17.5.1 Objectives**

- O1 To ensure that soil erosion and sedimentation is considered at the design stage of the development.

### **17.5.2 Provisions**

P1 *Erosion and Sediment Control Plans* should:

- (a) Consider a range of erosion and sediment control measures, including (where relevant) runoff diversion techniques, sediment trapping devices, construction of exits and entrances, revegetation techniques, site management, and controls for stormwater removal and pump-out.
- (b) Be part of a soil and water management plan that addresses erosion and sediment control and additional water quality and/or water quantity issues during both the construction and operational stages. This can include identifying concrete delivery locations, service trenches, waste management and chemical storage.
- (c) Demonstrate that appropriate controls have been planned, and that when implemented will minimise erosion and sedimentation. The Erosion and Sediment Control Plan should also demonstrate that its design life exceeds the anticipated life of the project or stage for which it has been designed, to allow for unforeseen delays or contingencies.
- (d) Adequately cover the contingency of, and change or delays to the project, activity or scope of works.

## **17.6 EROSION AND SEDIMENT CONTROL MATRIX**

Table B-17.1 comprises an Erosion and Sediment Control Matrix which describes the process, pre-requisites, references for addressing soil erosion and sediment control.



TABLE B-17.1: Erosion and Sediment Control Matrix						
This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Preventing pollution of waterways & bushland from the effects of erosion and sediment	<ul style="list-style-type: none"><li>Any work that is likely to cause pollution from erosion and sediment</li><li>Maintaining erosion and sediment control devices as part of development activities</li></ul>	1. Lodge a Development Application	<ul style="list-style-type: none"><li>Survey details</li><li>Statement of Environmental Impact</li><li>Erosion Control Plan showing how to minimise impact of pollution</li></ul>	<ul style="list-style-type: none"><li>This section of the DCP</li><li>Development Application Guides</li></ul>	<ul style="list-style-type: none"><li>NSC Performance Guide</li><li>NSC Infrastructure Specification Manual</li></ul>	<ul style="list-style-type: none"><li>Provide enough information to allow Council to assess the merit of the proposal</li><li>The Statement of Environmental Impact must address the issues raised in the checklist within the EP&amp;A Act</li></ul>
		2. Obtain development consent	<ul style="list-style-type: none"><li>Council assesses development application based on the risk of pollution and the merit of information presented.</li></ul>	<ul style="list-style-type: none"><li>EP&amp;A Act 1979</li></ul>		<ul style="list-style-type: none"><li>In order to minimise delay the applicant should ensure that the Information provided in the application is relevant, accurate and fit-for-purpose</li></ul>
		3. Lodge a Construction Certificate Application	<ul style="list-style-type: none"><li>Detailed construction drawings must include Erosion Control Plan</li><li>Section 138 Permit</li><li>Pay all fees and bonds</li></ul>	<ul style="list-style-type: none"><li>This section of the DCP</li><li>Development consent</li><li>s.138 of Roads Act 1993 (if Applicable)</li></ul>	<ul style="list-style-type: none"><li>NSC Performance Guide</li><li>NSC Infrastructure Specification Manual</li></ul>	<ul style="list-style-type: none"><li>Provide enough detailed design information to show that work can be built as per development consent conditions</li><li>No work is permitted on public property without a s.138 Permit</li><li>Bonds are a security against damage to Council Infrastructure</li></ul>
		4. Obtain a Construction Certificate	<ul style="list-style-type: none"><li>PCA assesses docs for compliance with development consent</li></ul>	<ul style="list-style-type: none"><li>Development Consent</li></ul>		<ul style="list-style-type: none"><li>Principal Certifying Authority issues Construction Certificate</li></ul>
		5. Start Construction	<ul style="list-style-type: none"><li>Install erosion and sedimentation control measures</li><li>Give Council Notice</li></ul>	<ul style="list-style-type: none"><li>This section of the DCP</li><li>Construction Certificate</li></ul>	<ul style="list-style-type: none"><li>NSC Performance Guide</li><li>NSC Infrastructure Specification Manual</li></ul>	<ul style="list-style-type: none"><li>A Construction Certificate must be obtained before construction may commence.</li></ul>
		6. Apply for Occupation Certificate	<ul style="list-style-type: none"><li>As built drawings</li><li>Video of drain pipes</li><li>Certifications as required</li><li>Council approval</li></ul>	<ul style="list-style-type: none"><li>BCA</li><li>This section of the DCP</li><li>Construction Certificate</li></ul>		



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## SECTION 18 STORMWATER MANAGEMENT

### 18.1 INTRODUCTION

Stormwater drainage refers to systems from private developments such as;

- Inter-allotment stormwater draining through adjoining private property that remain in private ownership,
- Stormwater draining to a public road that reverts to Council's ownership.

Nuisance drainage problems resulting from developments are one of the most commonly reported complaints received by many Councils. Therefore disposal of stormwater drainage requires special attention.

Since private development is a primary contributor to stormwater entering Council's drainage system, the cost of providing a new drainage system from private development that is to revert to Council's ownership, must be borne by the developer.

Inter-allotment stormwater drains through private property remain forever the responsibility of the owner of the property. This includes inter-allotment easements that drain stormwater unless Council is mentioned in the Title Deeds as being responsible for maintenance of the easement.

Many drainage structures are required to be upgraded to meet current standards as a result of new development. Generally the developer is responsible for the cost of up-grading these structures in the vicinity of the development, where it can be demonstrated that the proposed development further overloads the existing drainage system.

North Sydney has many areas of kerb having heritage and conservation significance. Heritage kerb must be reconstructed where it is impacted by drainage systems from private development at no cost to Council.

Most development requires a drainage connection to a Council gutter or stormwater pipe located in an adjoining public road. Consequently, most development involves the carrying out of excavation or other work within the footpath or carriageway of a public road.

#### 18.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 To establish a long term drainage strategy for affected land, that will control stormwater run off from development and minimise nuisance flow onto adjacent land.
- O2 To mimic pre-development or natural drainage systems as much as is possible.
- O3 To improve Council stormwater drainage systems by achieving a high level of compliance with Council's design and construction standards.
- O4 To minimise the impact of new development on the existing stormwater system.
- O5 To minimise the risk of injury to people and damage to private and public property from the effects of stormwater disposal.
- O6 To preserve, conserve and reinstate of heritage kerbs.

#### 18.1.2 When does this section of the DCP apply?

This section of the DCP applies to all development applications that involve:

- (a) An increase in hard surface areas on a site; or
- (b) Any change to the existing stormwater drainage requirements of the site.

### 18.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 13 – Heritage and Conservation;
- (e) Part B: Section 15 – Bushland;
- (f) Part B: Section 16 – Tree and Vegetation Management;
- (g) Part B: Section 17 – Erosion and Sediment Control; and
- (h) Part B: Section 20 – Public Infrastructure.

### 18.1.4 Further Information

For more information about stormwater design and construction and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) North Sydney Council *Performance Guide*; and
- (b) North Sydney Council *Infrastructure Specification Manual*.

## 18.2 REQUIREMENTS

### 18.2.1 Objectives

- O1 To ensure that stormwater drainage systems are satisfactorily designed to minimise impacts to neighbouring properties.
- O2 To reduce stormwater discharge and improve stormwater quality through the incorporation of WSUD on-site.

### 18.2.2 Provisions

- P1 A *Stormwater Management Plan* is required for all developments and must demonstrate compliance with this section as well as the relevant stormwater management provisions contained in Part B: Section 1 – *Residential Development*, Part B: Section 2 – *Commercial and Mixed Use Development* or Part B: Section 3 – *Non-residential Development in Residential Zones* to the DCP.
- P2 New and reconstructed stormwater drainage systems should be designed and constructed to a minimum standard that complies with the technical requirements of the North Sydney Council *Performance Guide* and *Infrastructure Specification Manual*.
- P3 Stormwater drainage disposal from private property should not cause nuisance drainage problems to any other property. Nuisance drainage is any damage to other property from stormwater caused by the development of property.
- P4 Where stormwater drainage from private property cannot drain directly to a road without first draining through adjoining private property, an inter-allotment stormwater drainage easement is required. This easement should be sought by negotiation, mediation or by using mechanisms of s.88 of the *Conveyancing Act, 1919*.
- P5 Easement widths are governed by requirements for access and maintenance of pipes by appropriate machinery.
- P6 Zone of influence of stormwater pipes should not affect the structural stability of any structure, building or utility service.

## Stormwater Management

- P7 Stormwater should not be diverted into an adjoining catchment unless it can be demonstrated that the diversion will not cause detriment to any property or structures.
- P8 Where an inter-allotment drainage easement cannot be obtained, Council may consider alternative proposals based on their merit.
- P9 Minimum permissible pipe size leading from down pipes to primary inter-allotment drainage pipes is 100mm internal diameter sewer grade pipe or greater as required to meet drainage design criteria. Minimum permissible pipe size for primary inter-allotment drainage systems is 150mm diameter sewer grade pipe.
- P10 Stormwater drains may not be constructed on public property without holding a *Street Opening Permit*, a Construction Certificate and design approved by Council.
- P11 Stormwater drainage systems through adjoining private property should be designed and constructed to allow for an emergency overflow path to be located within the inter-allotment drainage easement.
- P12 Pipes within an easement are permitted to carry only the amount of stormwater for which they are designed. Damage caused to property by unapproved works may be subject to legal action and a claim for damages.
- P13 Physical obstructions should not be placed within an easement or emergency overflow path that may block the flow of surface run-off.
- P14 Sandstone kerb and gutter with heritage significance is to be retained and not replaced with concrete.
- P15 The stormwater drainage is designed to ensure existing downstream systems are not adversely affected. It should:
- (a) 'fit' as much as possible, within the hydrology of the natural system;
  - (b) emphasise stormwater detention, vegetated overflow lines, sensitive location of discharge points and quality of receiving waters;
  - (c) minimise non-porous surfaces to reduce stormwater run-off;
  - (d) store water for re-use (such as in rainwater tanks);
  - (e) retain existing trees and;
  - (f) exclude land needed for natural or modified drainage, floodplains, remnant vegetation, environmental values;
  - (g) ensure stormwater drains are designed to accept rainwater only excluding other pollutants from the City's waterways.
- P16 On -site detention, preferably on unpaved or grass surfaces, is used to trap and remove contaminants from stormwater and increase infiltration into the ground. Where technically possible, on-site gravel filled retention pits are incorporated.

## 18.3 MAINTENANCE AND MONITORING

### 18.3.1 Objectives

- O1 To ensure that erosion and sediment impacts are minimised during both the construction and post-construction period and that drainage systems are monitored and maintained.

### 18.3.2 Provisions

#### During Construction

The consent holder has an ongoing responsibility to maintain all sediment control devices during construction as required by the Erosion and Sediment Control Plan and as directed by Council. Stormwater drainage and erosion/sediment control devices will be inspected in the course of Council site inspections following issue of a construction certificate.



Where non-compliance with the approved construction drawings or Erosion and Sediment Control Plans occurs, Council may charge a reinspection fee, claim the environmental bond, and issue a stop work notice or infringement notice

**General Maintenance**

- P1 The owners of the properties affected by stormwater drainage easements are required to:
- (a) Permit stormwater to be drained via the stormwater drainage system;
  - (b) Keep the stormwater system clean and free from silt, rubbish and debris;
  - (c) Maintain and repair the stormwater system so that it functions in a safe and efficient manner;
  - (d) Replace, repair, alter and renew the whole or parts of the stormwater system within the time and in the manner specified in a written notice issued by the Council;
  - (e) Not make any alterations to the stormwater system or elements thereof without prior consent in writing from the Council;
  - (f) Permit the Council, or its authorised agent, from time to time upon giving reasonable notice to enter and inspect the land for compliance with the requirements of this clause;
  - (g) Permit the Council, or its authorised agent, at any time and without notice in the case of an emergency to enter and inspect the land for compliance with the requirements of this clause; and
  - (h) Comply with the terms of any written notice issued by the Council in respect to maintenance requirements within the time stated in the notice.
- P2 Where non-compliance occurs legal action may be considered under legislation dealing with environmental protection.

**18.4 PROCEDURES****18.4.1 Objectives**

- O1 To provide a framework which outlines the procedures to be followed when proposing and undertaking stormwater drainage works.

**18.4.2 Provisions**

- P1 When lodging a development application the applicant should provide:
- (a) Conceptual stormwater design plans; and
  - (b) Conceptual stormwater drainage easement details.
- P2 Before starting stormwater drainage construction work, obtain:
- (a) Street Opening Permit;
  - (b) Construction Certificate; and
  - (c) Copy of design plans approved with the construction certificate
- P3 With an application for a Construction Certificate the applicant should provide:
- (a) Evidence of an inter-allotment stormwater drainage easement having been created (if applicable);
  - (b) Detailed stormwater drainage design complying with the conditions of the Development Consent, this DCP, the Performance Guide and references for design and construction of infrastructure in North Sydney;
  - (c) Evidence of having paid all contributions, bonds and securities to Council; and

## Stormwater Management

- (d) Dilapidation report showing the pre-development condition of private and public property, utility services and heritage items.
- P4 A qualified Hydraulics engineer should prepare Stormwater designs. Designs should incorporate hydraulic grade line analysis and demonstrate that WSUD has been incorporated to the maximum extent practicable and that the capacity of the existing downstream drainage system is sufficient to carry any additional flow from a development.
- P5 Before applying for a refund of bonds and/or security, applicants are required to obtain approval from Council for completion of the stormwater drainage works.
- P6 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.
- P7 Where stormwater from development contributes to the overload of existing drainage systems at some distance downstream of the development site, Council may consider carrying out *works in association* with works required by the developer.

## 18.5 STORMWATER DRAINAGE MATRIX

Table B-18.1 comprises a Stormwater Drainage Matrix which describes the process, prerequisites and references for addressing stormwater drainage.



TBAL B18.1: Stormwater Drainage Matrix						
This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Stormwater Drainage	<ul style="list-style-type: none"> <li>Drainage from private property that is to revert to Council's ownership</li> </ul>	1. Lodge a Development Application	<ul style="list-style-type: none"> <li>Survey details</li> <li>Concept stormwater design</li> <li>Statement of Impact of stormwater</li> <li>Dilapidation report</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Development Application Guides</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough information to allow Council to assess the merit of the proposal</li> <li>The Statement of Environmental Impact must address the issues raised in the checklist within the EP&amp;A Act</li> </ul>
		2. Obtain development consent	<ul style="list-style-type: none"> <li>Council considers impact of stormwater from new development on capacity of existing infrastructure and adjoining property</li> </ul>	<ul style="list-style-type: none"> <li>EP&amp;A Act 1979</li> </ul>		<ul style="list-style-type: none"> <li>In order to minimise delay the applicant should ensure that the Information provided in the application is relevant, accurate and fit-for-purpose</li> </ul>
		3. Lodge a Construction Certificate Application	<ul style="list-style-type: none"> <li>Detailed stormwater design</li> <li>Erosion Control Plan</li> <li>Section 138 Permit</li> <li>Pay all fees and bonds</li> <li>Certifications as required</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Development consent</li> <li>s.138 of Roads Act 1993 (if Applicable)</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough detailed design information to show that work can be built as per development consent conditions</li> <li>No work is permitted on public property without a 138 Permit</li> <li>Bonds are a security against damage to Council Infrastructure</li> </ul>
		4. Obtain a Construction Certificate	<ul style="list-style-type: none"> <li>PCA assesses docs for compliance with development consent</li> </ul>	<ul style="list-style-type: none"> <li>Development Consent</li> </ul>		
		5. Start Construction	<ul style="list-style-type: none"> <li>Install erosion and sedimentation control measures</li> <li>Given Council Notice</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>A Construction Certificate must be obtained before construction may commence.</li> </ul>
		6. Apply for Occupation Certificate	<ul style="list-style-type: none"> <li>As built drawings</li> <li>Video of drain pipes</li> <li>Certifications as required</li> <li>Council approval</li> </ul>	<ul style="list-style-type: none"> <li>BCA</li> <li>This section of the DCP</li> <li>Construction Certificate</li> </ul>		<ul style="list-style-type: none"> <li>Video must show drainage pipes to be clean</li> <li>Any unclean pipes must be cleaned before Council approves works</li> </ul>



## SECTION 19 WASTE MINIMISATION & MANAGEMENT

### 19.1 INTRODUCTION

Waste and sustainable resource consumption is a major environmental issue and a priority for all levels of government within Australia. This is particularly the case as landfill disposal capacity become scarce and the environmental and economic costs of waste generation and disposal rise.

North Sydney Council has traditionally adopted a sustainability approach to the way waste is managed and diverted from landfill. Council has been at the forefront of waste processing and has consistently been rated highly in striving to meet the NSW EPA's landfill diversion targets (currently, 70% diversion by 2021/22). In order to maximise landfill diversion, Council has successfully implemented education programs and strategic collection and disposal contracts. Whilst a large proportion of waste is currently being redirected for recycling purposes, the amount of average waste generated per person is also increasing.

There are a number of problems associated with waste generation, including:

- environmental management problems associated with the use of landfills and other disposal methods;
- sustainability of using land fill sites for disposal;
- increasing difficulty in finding new landfill sites in highly urbanised areas;
- loss of resources that could be reused or recycled.

As levels of waste in a community increase the amenity (or liveability) of that community declines. Waste therefore needs to be disposed of in ways which minimise its negative impacts. In addition to waste generated by residents and businesses, which often result in their own localised problems, significant volumes of waste are also generated in the course of demolition and construction of buildings. This section of the DCP provides mechanisms to encourage the minimisation of waste being sent to landfill sites and ensuring that sufficient on-site facilities are provided.

#### 19.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 Reduce the demand for waste disposal.
- O2 Maximise reuse and recycling of building and construction materials, as well as household, industrial and commercial waste.
- O3 Assist in achieving Federal and State Government waste minimisation targets.
- O4 To meet the waste management needs of the residential and wider community.
- O5 Minimise the overall environmental impacts of waste.
- O6 Require source separation, design and location standards which complement waste collection and management services offered by Council and private providers.
- O7 Encourage building design and construction techniques which will minimise future waste generation.

#### 19.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications that involve demolition, construction activities or a change in use.

Where a Waste Management Plan is required to be submitted with a development application, a standardised form can be found on Council's [website](#).

### 19.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-Residential Development in Residential Zones;
- (e) Part B: Section 4 – Boarding Houses;
- (f) Part B: Section 5 – Child Care Facilities; and
- (g) Part B: Section 6 – Sex Service and Restricted Premises.

## 19.2 DEMOLITION WASTE

Demolition waste is estimated to contribute 30% of the total waste stream sent to landfill. With careful onsite sorting and storage and by staging work programs it is possible to reuse many materials, either on-site or off-site. This could require the use of colour-coded or clearly labelled bins on-site and education of staff and contractors.

### 19.2.1 Objectives

- O1 To ensure that the reuse and recycling of demolition materials is maximised.

### 19.2.2 Provisions

- P1 A Waste Management Plan must accompany all development applications involving demolition. The Waste Management Plan must provide details of all on-site sorting areas, storage areas and vehicular access.
- P2 Section 2 of the Waste Management Plan must be completed providing the following details:
  - (a) the volume and type of waste to be generated, including excavation materials, green waste, brick, concrete, timber, plasterboard, and metals;
  - (b) how waste is to be stored and treated on site;
  - (c) how residual waste is to be disposed of.

Table B-19.1 gives examples of uses for recyclable demolition materials.

TABLE B-19.1: Examples of recyclable materials	
Materials On-site	Reuse and Recycling
Concrete/fill material	Filling, levelling materials, road base.
Bricks	Cleaned and/or rendered over for reuse on-site and off-site.
Roof-tile	Crushed, as landscaping, and driveways for reuse on-site or off-site.
Hardwood beams	Floorboards, fencing, furniture for reuse on-site or off-site.
Other timber	Form work, bridging, blocking and propping.
Doors, windows, fittings	Second hand building material.
Glass	Aggregate for concrete production.
Synthetic and recycled (e.g.; under carpets)	Used for safety barriers, speed humps, rubber
Substantial trees, planting	Relocated on-site or sold for use off-site.

TABLE B-19.1: Examples of recyclable materials

Materials On-site	Reuse and Recycling
Green waste	Mulching, composting, for reuse as landscaping/fertiliser

### 19.3 CONSTRUCTION WASTE

Construction also generates considerable volumes of materials that are often wasted. Much of this waste can be avoided, reused or recycled with better project management.

#### 19.3.1 Objectives

- O1 Waste generation is minimised and reuse and recycling of construction materials is maximised in construction projects.

#### 19.3.2 Provisions

- P1 A Waste Management Plan must accompany all development applications involving construction. The Waste Management Plan must provide details of all on-site sorting areas, storage areas and vehicular access.
- P2 Section 3 of the Waste Management Plan must be completed providing the following details:
- (a) the volume and type of waste to be generated, including excavation materials, green waste, brick, concrete, timber, plasterboard, and metals;
  - (b) how waste is to be stored and treated on site; and
  - (c) how residual waste is to be disposed of.
- Table B-19.1 gives examples of uses for recyclable construction materials.
- P3 To ensure that construction waste is minimised consideration should be given to the following matters:
- (a) Order the right quantities of materials;
  - (b) Prefabricate materials where possible;
  - (c) Reuse formwork;
  - (d) Use modular construction and basic designs to reduce the need for off-cuts;
  - (e) Separate off-cuts to facilitate reuse, resale or efficient recycling;
  - (f) Minimise site disturbance, limit unnecessary excavation;
  - (g) Reuse or recycle materials from demolished buildings;
  - (h) Choose landscaping which reduces green waste; and
  - (i) Coordinate and sequence trades people to minimise waste.

### 19.4 WASTE FACILITIES AND MANAGEMENT

Onsite collection and storage of waste pending collection can cause smells, attract vermin and be unsightly. Space must be allocated at the design stage for garbage and recycling areas. In low-density residential development, such as semi or detached dwellings and dual occupancies, self-management by residents is generally successful. In higher density residential developments and all non-residential developments, ongoing waste management needs to be carefully considered at the time of development. The Council's Waste Management Guide (refer Appendix 3) provides additional detail on design of garbage and recycling storage and collection areas.



### **19.4.1 Objectives**

- O1 Design buildings to encourage waste minimisation (source separation, reuse and recycling).

### **19.4.2 Provisions**

#### **Building Design**

- P1 Must comply with the relevant requirements for waste management under sections 1.5.13, 1.6.9, 2.5.9, 2.6.6, 3.4.9 and 3.5.6 to Part B of this DCP.
- P2 Provide an appropriate level of space on each property that is capable of accommodating the temporary storage of recyclables, garbage, general household clean up bulky waste and green waste likely to be generated by the proposed development.
- P3 Ensure space is easily accessible from each part of the building and from the collection point.
- P4 Include adequate access and manoeuvring space, at least an area equivalent to the combined footprint of the bins.
- P5 Provide administrative arrangements for ongoing waste management, including signs.
- P6 Locate and design waste storage and recycling areas to complement the streetscape.

#### **Waste Management**

- P7 All applications must be accompanied by a Waste Management Plan which illustrates the location and associated circulation to and from the following:
- (a) a waste and recycling cupboard space per dwelling / or non-residential tenancy;
  - (b) any waste storage and recycling areas;
  - (c) any collection areas;
  - (d) access for collection vehicles;
  - (e) location and design of all communal facilities where relevant;
  - (f) management of e-waste where appropriate; and
  - (g) management of hazardous waste where appropriate.
- P8 Sections 4 and 5 of the Waste Management Plan, must be completed for all developments incorporating one or more of the following uses:
- (a) Attached dwellings;
  - (b) Multi unit housing;
  - (c) Residential flat buildings;
  - (d) Shop top housing;
  - (e) Commercial premises;
  - (f) Industrial premises; and
  - (g) Other non-residential premises.
- P9 Section 4 of the Waste Management Plan must describe the type of waste to be generated at the premises, expected volume per week, proposed on-site storage and treatments facilities, and destination of waste materials.
- P10 Section 5 of the Waste Management Plan must describe the proposed on-going management of waste and recycling.



**Waste Minimisation and Management**

**Waste and recycling condition in DAs**

P11 Council may impose conditions on a development consent to encourage waste minimisation and recycling as follows:

- (a) Separate waste and recycling services should be engaged/contracted by business operating from premises;
- (b) Consider providing alternatives to plastic bags for the purposes of carrying items purchased from the premises; and
- (c) Do not provide prepared food/drinks to customers in any non-recyclable or non-biodegradable plastic or form.



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## SECTION 20 PUBLIC INFRASTRUCTURE

### 20.1 INTRODUCTION

The integration of engineering considerations with planning, architecture and landscaping is important for the purpose of servicing the future infrastructure needs of the North Sydney local government area.

This section provides information for property owners and developers about Council's objectives and provisions when required to create and/or rehabilitate the following types of infrastructure:

- Roads
- Vehicle crossings and driveways
- Footpaths
- Permitted encroachments
- Boundary alignment levels

Council may require developers to contribute to the renewal and or maintenance of public infrastructure by placing appropriate consent conditions on development applications. These consent conditions are for works on public property as a consequence of the impact of a development.

#### 20.1.1 General Objectives

The general objectives of this Section of the DCP are:

- O1 To ensure that an appropriate level of public infrastructure is provided to service the future growth expectations of Council and the North Sydney community.
- O2 To ensure that public infrastructure achieves a high level of compliance with Council's design and construction standards.
- O3 To ensure that existing public infrastructure, damaged by construction works is re-instated to an acceptable condition.
- O4 To ensure minimal risk of injury to people and damage to private property and existing public infrastructure and utility services.

#### 20.1.2 When does this section of the DCP apply?

This section of the DCP applies to all developments that have a direct impact upon the public domain.

#### 20.1.3 Relationships to Other Sections

Where relevant, this Section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-Residential Development in Residential Zones;
- (e) Part B: Section 4 – Boarding Houses;
- (f) Part B: Section 5 – Child Care Centres;
- (g) Part B: Section 8 – Outdoor Dining and display of Goods on the Footpath;

- (h) Part B: Section 13 – Heritage and Conservation;
- (i) Part B: Section 9 – Advertising and Signage;
- (j) Part B: Section 15 – Bushland;
- (k) Part B: Section 16 – Tress and Vegetation Management;
- (l) Part B: Section 17 – Erosion and Sediment Control;
- (m) Part B: Section 18 – Stormwater Drainage; and
- (n) Part B: Section 21 – Telecommunication Facilities.

#### 20.1.4 How to use this section of the DCP

When submitting a development application or construction certificate, for the type of works outlined in this section of the DCP:

- (a) Be aware of how to meet the objectives, controls, maintenance and monitoring requirements.
- (b) Follow the prescribed procedures and refer to the additional information sources recommended.
- (c) Use the *Matrix table* - The Matrix Table is located on the North Sydney Council website and provides summary information regarding the issues, processes, pre-requisites, statutory law and compliance requirements associated with lodging a development application or construction certificate.
- (d) Refer to sub-section 20.2 for additional information on:
  - (i) Reference documents
  - (ii) Permits and approvals required
  - (iii) Deed and lease agreements
  - (iv) Bonds and securities
  - (v) Works in association
  - (vi) Defects liability period
  - (vii) Dilapidation reports

## 20.2 ADDITIONAL INFORMATION

### 20.2.1 Reference Documents

This section of the DCP is to be used in conjunction with a range of other documents including:

**(a) State Environmental Planning Policy (Infrastructure) 2007**

The Infrastructure SEPP provides the basic planning objectives and development controls for works in and adjacent to road reserves and states whether development consent is required for particular kinds of development.

**(b) North Sydney Local Environmental Plan 2013**

NSLEP 2013 provides the basic planning objectives and development controls for new buildings and other developments and states whether development consent is required for particular kinds of development.

**(c) North Sydney Council Performance Guide**

The Performance Guide is a separate infrastructure guideline providing more information about Council's performance expectations and other relevant information. The Performance Guide also provides a matrix of key relationships and typical drawing(s) where applicable. The Performance Guide is not intended to be a design

and construction guide but directs the reader to other references to fulfil this objective. Copies of the performance Guide are available over the counter at Council's Customer Service Centre and from the web via [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

**(d) North Sydney Council Infrastructure Specification Manual for Roadworks, Drainage and Miscellaneous Works**

Contains detailed infrastructure specifications for the works described within this section of the DCP. Copies are available over the counter at Council's Customer Service Centre and from the web via [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

**(e) Road and Maritime Service's Technical Direction GTD 2012/001**

Contains detailed directions to consider where excavation is undertaken on land adjacent to a public road. A copy of the Technical Direction is available on the Roads and Maritime Services website via [www.rta.nsw.gov.au/cgi-bin/doingbusinesswithus/engineeringpolicies/index.cgi?gtd\\_2012-01.pdf](http://www.rta.nsw.gov.au/cgi-bin/doingbusinesswithus/engineeringpolicies/index.cgi?gtd_2012-01.pdf)

## 20.2.2 Permits and Approvals

To carry out works on public property the applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre.

Permits issued by Council relate to works associated with:

- Hoardings;
- Standing plant;
- Storing building materials;
- Containers for building waste (skips);
- Work zones;
- Working out-of-hours;
- Street Opening;
- Approvals under Section 138 of the [Roads Act 1993](#);
- Approvals under Section 68 of the [Local Government Act 1993](#);

Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

Permits are issued for a specific time period requested by the developer in the application. Fees and charges are levied based on the agreed time period of the permit. Permit times may be extended subject to Council approval and payment of additional fees and charges. Extension of time may not be possible in some cases.

Refer to the Council's Performance Guide and consult with Council for specific details regarding permits, fees and charges.

## 20.2.3 Deed of Agreement and Leases

Council may also require an applicant to enter into a *deed of agreement* or *lease* for temporary occupation of public property with the payment of rent and holding insurances to indemnify Council against all risks associated with the proposed Work.

## 20.2.4 Bonds and Security

Where a developer is required to construct works on public property as part of an overall development, Council may require bonds to be paid as a security against any damage caused to road infrastructure or the environment arising from construction. After completion of development, bond moneys may be returned subject to satisfactory completion of the work.

### 20.2.5 Works in Association

*Works in association* are Council funded construction works on public property that may be joined with Developer funded works for the purpose of integrating the streetscape. **Council may contribute money to the Developer** to build works in association with the developer's works subject to it being in the public interest.

Where two or more adjoining developments are under construction simultaneously, Council may offer to build infrastructure works for all developments in the interests of achieving an integrated and coordinated streetscape, subject to the **developer contributing money to Council** to build these works. This is seen as adding value to the community dollars spent. Proposals will be considered based on individual merit.

### 20.2.6 Defects Liability Period

The *defects liability period* refers to a period of generally 12 months after *practical completion* of the development whereby the repair of any defects arising from construction in public property is the responsibility of the developer/owner. Practical completion is the date when the works have reached the stage of being able to function in an operational manner.

A defects liability period is particularly relevant wherever any defects of construction are not easily detectable at the time that the construction work is practically completed. Typical work meeting these criteria is underground drainage construction and the structural stability of road pavements.

Where Council holds a bond or security for work that is subject to a defects liability period, the bond or security may be returned on completion of the defects liability period subject to all defects being repaired or evidence based on the dilapidation report confirming that no damage has been caused to public infrastructure.

### 20.2.7 Dilapidation Report

A dilapidation report is a written statement prepared by an appropriately qualified engineer giving an opinion of the pre-development condition of public infrastructure that may be at risk of damage as a consequence of works associated with a private development.

A dilapidation report may be required, as a condition of development consent, to be lodged with an application for a construction certificate. The applicant should seek Council's approval-in-principle regarding the adequacy of the dilapidation report prior to the applicant lodging it with the application for a construction certificate.

The findings of the report should be based on visual and structural condition of public infrastructure and supported by photographic and structural testing data. For example, the pre-development condition of stormwater drainage systems should be inspected by video, and the strength of road pavements may need to be confirmed by structural testing.

### 20.2.8 Engineering Assessment Process

Below is a useful guide of the development process to be followed when intending to undertake the type of works outlined in this section of the DCP.

#### For a Development Consent

- Conceptual engineering documentation is prepared (including designs),
- Applicant lodges a DA with conceptual documents and pays the fees.
- Development Engineer inspects site, prepares engineering conditions, determines amount of bonds and security payable.
- Council issues Development Consent.

#### For a Construction Certificate

- Applicant pays Council all fees, contributions, bonds or security owing, applies for any permits required for construction and obtains receipts.



**Public Infrastructure**

- Applicant applies for a Construction Certificate from a Principal Certifier. A Construction Certificate must be obtained before starting Construction.
- Before issuing a Construction Certificate, the Principal Certifier must sight certified detailed design/construction drawings, copies of receipts for payments of contributions, bonds and permits and any other documents required by the DA.
- Principal Certifying Authority issues a Construction Certificate.

**For an Occupation Certificate**

- Construction work commences
- On completion of construction, "as built drawings" are certified by an accredited engineer and referred to the Principal Certifier for an Occupation Certificate.
- Before issuing an Occupation Certificate, Principal Certifier seeks Council's approval for any works constructed on public property.
- Developer applies to Council for release of any bonds & security held.
- Council inspects the work and if satisfactory, returns bonds or security at the appropriate time. Any bond & security that is subject to a defects liability period is released after 12 months subject to relevant construction work being satisfactory to Council.
- If work is unsatisfactory, Council either requests work to be rectified or uses the bond money to rectify the work. On satisfactory completion of the work, Council advises the Principal Certifier & returns balance of outstanding bonds.
- Principal Certifying Authority issues the Occupation Certificate.

## 20.3 ROADS

North Sydney Council's role is to provide a level of road infrastructure capable of servicing the future growth expectations of a thriving commercial and diverse multi-cultural residential community.

Road infrastructure refers to kerb and gutter, road pavements for traffic lanes and car-parks, medians, retaining walls where supporting the road, easements for road stability, line-marking, street-signs, street-lighting and the like. For the purpose of sub-section 20.3, road infrastructure does not include road drainage, footpaths and vehicular crossings as these are covered elsewhere in Section 20 to this Part of the DCP.

Existing road infrastructure in most cases is old and the condition poor due to wear over time, from growth in vehicle and pedestrian traffic as a consequence of increased development. Existing infrastructure in some cases will not sustain future development, hence new road infrastructure may need to be provided with new development at no cost to the Council.

North Sydney has many areas of heritage and conservation significance. Construction of new road infrastructure should not cause damage to items of heritage and conservation significance. If such damage occurs, this must be reconstructed as near to original condition as possible

This sub-section of the DCP provides the objectives and provisions to be addressed when designing and constructing appropriate road infrastructure in front of developments. It also identifies matters that should be considered where excavation is undertaken on land adjacent to a public road. Refer to these when intending to prepare information for lodging a development application or construction certificate.

### 20.3.1 Objectives

- O1 To ensure that an appropriate level of road infrastructure is provided to service the future growth expectations of Council and the North Sydney community.
- O2 To improve and maintain road infrastructure by achieving a high level of compliance with Council's design and construction standards.
- O3 To ensure that existing road infrastructure, damaged by the construction of buildings, is re-instated to an acceptable condition.
- O4 To ensure minimal risk of injury to people and damage to vehicles, existing road infrastructure and public utility services resulting from new development.

### 20.3.2 Provisions

#### General

- P1 New and reconstructed road/s should be designed and constructed to a minimum standard that complies with the technical requirements of the North Sydney Council *Performance Guide* and *Infrastructure Specification Manual*.
- P2 New road infrastructure should have a design service life of 25 years before requiring replacement and 8 years before first requiring maintenance.
- P3 New road infrastructure should be safe for pedestrians, cyclists and vehicles. Council supports the concept of shared zones where appropriate (Special design criteria and RMS approval applies in these cases).
- P4 Existing public utility services should be protected during construction of road infrastructure. The location of all public utility services is to be shown on design plans that are to be submitted with the application for the construction certificate.
- P5 Kerb and gutter should be constructed with an absolute minimum longitudinal slope of 1% (1 vertical unit : 100 horizontal units).
- P6 Road line markings should be visible at night by using reflective paint.

**Public Infrastructure**

- P7 Sandstone kerb and gutter with heritage significance is to be retained and not replaced with concrete.

**Excavation adjoining active road reserves**

- P8 Where excavation is proposed on land with a frontage to an active road reserve, consideration must be given to the Directions contained within the Roads and Maritime Service's Technical Direction GTD 2012/001.

**20.3.3 Monitoring and Maintenance**

- P1 Construction work on private and public property is checked for compliance by an accredited engineer. Certifications are issued if all works meet Council requirements. If work is deficient, defects orders are issued accordingly.
- P2 Construction work on public property that is to revert to Council's ownership must be checked by Council for compliance with its standards.
- P3 Council is authorised to use bonds and security to rectify any defective work not undertaken in a reasonable time. The developer is responsible for work carried out on public property by a building contractor.

**20.3.4 Procedures**

- P1 Prior to road construction the applicant should provide:
- (a) Conceptual road design plans with the development application where applicable. Conceptual design plans must address the requirements of this DCP and Council's *Performance Guide* to enable satisfactory works to be constructed
  - (b) A statement detailing the environmental impacts of the roadworks when lodging the development application.
  - (c) Detailed road design plans (where applicable) with the application for a construction certificate together with any certification by an accredited engineer.
  - (d) Final design plans for approval of construction certificate with sufficient specifications to ensure that the construction works can be built according to Council's requirements.
  - (e) Payment of bonds and securities where applicable.

On completion *As Built Drawings* of completed construction work should be lodged to verify that construction works have been built in accordance with the development consent. *As Built Drawings* should be certified by an accredited engineer. Council approval is required of all construction work completed on public property.

Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

Where developer funded roadworks require substantial adjustments of Councils road infrastructure, Council may consider carrying out *works in association* with works required by the developer.

Council may require a *dilapidation report* to identify any defects present prior to development commencing and may also impose a bond on road work as a security against damage occurring to Council infrastructure. Any breach of consent conditions may result in Council revoking the consent and using the bond and security to restore the works and make the site safe.

**20.3.5 Further information**

For more information about design and construction of road infrastructure and associated details regarding permits, fees and charges consult with Council and refer to:



- (a) North Sydney Council *Performance Guide*;
- (b) North Sydney Council *Infrastructure Specification Manual*

### **20.3.6 Road Infrastructure Matrix**

Table B-20.1 comprises a Road Infrastructure Matrix which describes the process, pre-requisites and references relating to the provision of road infrastructure.



TABLE B-20.1: Road Infrastructure Matrix

This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Road infrastructure works that are to revert to Council's ownership	<ul style="list-style-type: none"> <li>Work required to construct a private development such as kerb and gutter, road pavement, car-parks, retaining walls, line marking, street signs, street lighting, and the like located on public property</li> <li>Does not include road drainage, footpaths and vehicular crossings or heritage items</li> </ul>	1. Lodge a Development Application	<ul style="list-style-type: none"> <li>Survey details</li> <li>Concept stormwater</li> <li>Statement of Impact of proposed works</li> <li>Erosion Control Plan</li> <li>Dilapidation Report</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Development Application Guides</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough information to allow Council to assess the merit of the proposal</li> <li>The Statement of Environmental Impact must address the issues raised in the checklist within the EP&amp;A Act</li> </ul>
		2. Obtain development consent	<ul style="list-style-type: none"> <li>Council considers impact of road works from new development on capacity of existing infrastructure and adjoining property</li> </ul>	<ul style="list-style-type: none"> <li>EP&amp;A Act 1979</li> </ul>		<ul style="list-style-type: none"> <li>In order to minimise delay the applicant should ensure that the information provided in the application is relevant, accurate and fit-for-purpose</li> </ul>
		3. Lodge a Construction Certificate Application	<ul style="list-style-type: none"> <li>Detailed design of road infrastructure</li> <li>Erosion Control Plan</li> <li>Section 138 Permit</li> <li>Pay all fees and bonds</li> <li>Certifications as required</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Development consent</li> <li>s.138 of Roads Act 1993 (if Applicable)</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough detailed design information to show that work can be built as per development consent conditions</li> <li>No work is permitted on public property without a 138 Permit</li> <li>Bonds are a security against damage to Council Infrastructure</li> </ul>
		4. Obtain a Construction Certificate	<ul style="list-style-type: none"> <li>PCA ensures that all consent conditions are met before Issuing Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>Development Consent</li> </ul>		
		5. Start Construction	<ul style="list-style-type: none"> <li>Give Council Notice</li> <li>Install erosion and sedimentation control measures</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>A Construction Certificate must be obtained before construction may commence.</li> </ul>
		6. Lodge an Occupation Certificate Application	<ul style="list-style-type: none"> <li>As built drawings</li> <li>Certifications as required</li> <li>Council approval of works on public property</li> </ul>	<ul style="list-style-type: none"> <li>BCA</li> <li>This section of the DCP</li> <li>Construction Certificate</li> </ul>		<ul style="list-style-type: none"> <li>Council must first approve any work on public property before certificate provided</li> </ul>

## 20.4 VEHICULAR ACCESS

### 20.4.1 Introduction

Vehicular access consists of both the crossing (as known as the *layback*) and driveway. The Vehicular crossing is the section adjoining the driveway located on the kerb-line whilst the driveway is the section of access between the kerb-line and the property boundary. This section refers to the provision and maintenance of vehicle access from public roads into private property.

A *Vehicular Access Application* must be made prior to the provision of any crossing and driveway in association with a development approval, or prior to the replacement or improvement of an existing vehicular crossing. Similar application must be made prior to the opening of any road, footpath, grass verge or the like. Attached to the application are Council's *Vehicular Access Guidelines and Specifications*, which provide further information to applicants of requirements in connection with the provision of vehicular access.

It is the responsibility of the developer of property to establish suitable access facilities taking into account road levels, drainage requirements and current vehicle access requirements, at no cost to Council.

### 20.4.2 How this subsection is used

This sub-section of the DCP provides the objectives and provisions to be addressed when providing vehicular access to and from development. Use this sub-section in conjunction with Council's *Vehicular Access Guidelines and Specifications* when intending to prepare information for lodging a vehicular access application, development application or construction certificate.

### 20.4.3 Objectives

- O1 To ensure that vehicular access to and from development is simple, safe, direct and enhances visual amenity.
- O2 To ensure that vehicular access is designed and constructed in accordance with Council standards.
- O3 To ensure minimal impact on existing street parking.
- O4 To ensure minimal disturbance to existing road infrastructure, public utility services and adjoining property.

### 20.4.4 Provisions

- P1 Vehicular access provision (design and construction) should conform to the requirements of Council's *Vehicular Access Guidelines and Specifications*.
- P2 All existing gutter bridges are removed. Council may consider the retention of a gutter bridge, but only if the following criteria are met:
  - (a) The value of the proposed works does not exceed \$200,000; or
  - (b) The proposed development does not result in any increase in vehicular traffic across the gutter bridge; or
  - (c) The proposed development involves the demolition of or alteration and addition to more than 50% of the existing building on the site.
- P3 For the purpose of P2, an increase in vehicular traffic refers to any:
  - (a) increase to the number of parking spaces on the site,
  - (b) increase in the number of bedrooms within a residential dwelling by 2 or more bedrooms, but only where additional cars can be accommodate on the site under its current or proposed form, or



- (c) any other development in the opinion of Council that may result in an increase in vehicular traffic crossing the gutter bridge.

#### 20.4.5 Monitoring and Maintenance

- P1 The applicant should give Council 24 hours notice to inspect the formwork before constructing the access.
- P2 Erosion and sedimentation controls should be in place before starting any excavation works. These devices should be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.
- P3 If a bond applies, Council inspects the completed work for any damage to Council's infrastructure before returning the bond.
- P4 Roadworks should be completed as soon as possible after constructing the vehicle crossing and driveway to minimise disruption to traffic.

#### 20.4.6 Procedures

- P1 Prior to commencement of footpath construction applicant should:
  - (a) Apply to Council for boundary alignment levels.
  - (b) Lodge a *Vehicle Access Application* and refer to the accompanying *Vehicular Access Guidelines and Specifications* for further information.
  - (c) Obtain a *Street Opening Permit* before starting work if required.
  - (d) Pay a *bond* if applicable.
  - (e) Obtain a construction certificate before constructing the works if the footpath is part of an application for a larger development.
- P2 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.
- P3 In special cases where the vehicular access requires substantial adjustments of Councils road infrastructure, Council may consider carrying out *works in association* with works required by the developer.
- P4 Council may require a *dilapidation report* to identify any defects present prior to development commencing and may also impose a bond on drainage work as a security against damage occurring to Council infrastructure. Any breach of consent conditions may result in Council revoking the consent and using the bond and security to restore the works and make the site safe

#### 20.4.7 Further Information

For more information about design and construction of vehicular access and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) North Sydney Council *Vehicle Access Application* and accompanying *Vehicular Access Guidelines and Specifications*.
- (b) North Sydney Council *Performance Guide*.
- (c) North Sydney Council *Infrastructure Specification Manual*.

#### 20.4.8 Vehicular Crossings Matrix

Table B-20.2 comprises a Vehicular Crossings Matrix which describes the process, pre-requisites and references relating to the provision of vehicular crossings.

TABLE B-20.2: Vehicular Crossings Matrix

This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Vehicular Crossings and Driveways	<ul style="list-style-type: none"> <li>Vehicular access between the public road and private property</li> <li>Also includes any adjustments to public infrastructure required to provide suitable access</li> </ul>	1. Lodge a Vehicular Access Application	<ul style="list-style-type: none"> <li>Provide information as required by the application such as design information, indemnity, Certificate of Insurance</li> <li>Current application fees</li> <li>Approval to adjust existing infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>This Section of the DCP</li> <li>NSC Performance Guide</li> </ul>	<ul style="list-style-type: none"> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>The vehicular access application must relate to the provision of vehicular access to an approved car stand within private property</li> <li>Adjustment of existing infrastructure must be approved by council before submitting design plans</li> </ul>
		2. Obtain approval of Vehicular Access Application	<ul style="list-style-type: none"> <li>Council assesses application based on the reliability of the information provided</li> </ul>	<ul style="list-style-type: none"> <li>s.138 of Roads Act 1993 (if applicable)</li> <li>s.68 Local Government Act (if applicable)</li> </ul>		
		3. Constructing the vehicular access	<ul style="list-style-type: none"> <li>Approval of Vehicular Access Application</li> <li>Street Opening Permit</li> <li>48 hrs notice for inspecting formwork by Council</li> </ul>	<ul style="list-style-type: none"> <li>Development consent (if applicable)</li> <li>Plans approved by Council</li> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>		<ul style="list-style-type: none"> <li>Any adjustment required to existing infrastructure such as footpaths, kerb and gutter or road levels must be approved by Council</li> </ul>
		4. Return of the Bond	<ul style="list-style-type: none"> <li>Final approval of the completed vehicular crossing by Council</li> </ul>			<ul style="list-style-type: none"> <li>Ensure that no damage has been caused to Council's infrastructure</li> </ul>



## 20.5 FOOTPATHS

### 20.5.1 Introduction

Footpath infrastructure includes surface materials, landscaping, drainage, and provisions for the disabled. This section applies to the provision and maintenance of footpaths throughout North Sydney. Footpaths separate pedestrians from vehicular traffic and provide suitable all weather surface, safe and convenient for public use. Like Council's road network, footpaths provide a slightly varying function depending upon the location, the abutting development, location of shops, schools, community and service areas, as well as having a relationship with vehicular traffic volume.

New development generally creates the need to upgrade the standard of the footpath. Although Council maintains footpaths that have reverted to Council's ownership, new developments are responsible for constructing the footpath according to Council's specifications and at no cost to Council. Council has adopted a policy specifying types of footpaths for selected areas of North Sydney. Maps are available at Council showing these details.

### 20.5.2 How is this section used

This sub-section of the DCP provides the objectives and provisions to be addressed when constructing or reconstructing footpaths. Use this sub-section in conjunction with Council's *Infrastructure Specification Manual* when lodging a development application or construction certificate.

### 20.5.3 Objectives

- O1 To ensure that footpaths are designed and constructed in accordance with Council standards, compliments surrounding streetscape and reflects heritage and conservation values.
- O2 Ensure that footpaths provide a safe walking environment for all pedestrians and enhance visual amenity.
- O3 Provide equal access opportunity that does not discriminate against the disabled.
- O4 Minimise disturbance to existing road infrastructure, public utility services and adjoining property from provision of footpath.

### 20.5.4 Provisions

- P1 Where appropriate, new and reconstructed footpaths should be designed and constructed to a minimum standard that complies with the technical requirements of the North Sydney Council *Infrastructure Specification Manual*.
- P2 Footpath work adjoining areas of heritage and conservation significance should be designed and constructed to complement the heritage and conservation character. Damaged heritage elements should be reinstated as near as possible to original condition at no cost to Council.
- P3 Footpath design should:
  - (a) Show suitable profiles between kerb and floor levels at all doorways to a development.
  - (b) Allow for the planting of street trees in accordance with the *North Sydney Street Tree Strategy* and Part B: Section 16 – *Tree and Vegetation Management* of the DCP.
  - (c) Cater for the disposal of roof water piped beneath the footpath to the kerb (particularly for paved footpaths).
  - (d) Not contain steps where these did not previously exist.

- (e) Not have obviously visible dips and humps adjoining driveways or doorways.
- P4 Disabled access is to be accommodated within private property where footpaths have longitudinal slope at doorways.

### 20.5.5 Monitoring and Maintenance

- P1 The applicant should give Council 24 hours notice to inspect the prepared base of the footpath.
- P2 Erosion and sedimentation controls must be in place before starting any excavation works. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.
- P3 If a bond applies, Council will inspect the completed work for damage to Council infrastructure before returning the bond.

### 20.5.6 Procedures

- P1 Prior to commencement of footpath construction applicant should:
- (a) Apply to Council for alignment levels (prior to undertaking design).
  - (b) Lodge footpath design for approval with an application for Construction Certificate.
  - (c) Lodge footpath design to the Principal Certifying Authority (PCA) for the issue of a Construction Certificate.
  - (d) Obtain approval of public utility authorities where relevant services affected.
  - (e) Obtain a *Street Opening Permit* from Council.
  - (f) Pay bond if applicable.
  - (g) Submit to Council a work *as executed plan*, prepared by a surveyor or civil engineer if required.
  - (h) Obtain a construction certificate before constructing the works if the footpath is part of an application for a larger development.
- P2 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.
- P3 Where a development's footpath works require substantial adjustments of Councils infrastructure, Council may consider carrying out *works in association* with works required by the developer, subject to conditions.
- P4 Council may require a *dilapidation report* to identify any defects present prior to development commencing and may also impose a bond on drainage work as a security against damage occurring to Council infrastructure. Any breach of consent conditions may result in Council revoking the consent and using the bond and security to restore the works and make the site safe.

### 20.5.7 Further Information

For more information about design and construction of vehicular access and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) North Sydney Council *Performance Guide*.
- (b) North Sydney Council *Infrastructure Specification Manual*.



20.5.8 Matrix

Table B-20.3 comprises a Footpath Matrix which describes the process, pre-requisites and references relating to the provision of footpaths.

**TABLE B-20.3: Footpaths Matrix**

This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Public Footpaths in commercial, mixed use and residential areas	<ul style="list-style-type: none"> <li>Pedestrian access between the kerb and the boundary</li> <li>Applies also to footpaths in pedestrian malls built on public property and the like</li> </ul>	1. Lodge a Development Application showing footpath details as part of the larger development proposal	<ul style="list-style-type: none"> <li>Prepare survey details</li> <li>Refer to Council's footpath standards regarding surface finish, planters etc</li> <li>Prepare detailed design of footpath</li> </ul>	<ul style="list-style-type: none"> <li>Development Consent</li> <li>NSC Performance guide</li> </ul>	<ul style="list-style-type: none"> <li>Guidelines for Vehicular Access Application</li> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough concept design details to demonstrate that the footpath concept complies with Council's standards and is fit-for-purpose.</li> </ul>
		2. Obtain development consent	<ul style="list-style-type: none"> <li>Council assesses DA based on details of the footpath designs submitted</li> </ul>	<ul style="list-style-type: none"> <li>EP&amp;A Act 1979</li> </ul>		
		3. Obtain Construction Certificate	<ul style="list-style-type: none"> <li>Lodge final designs of the footpath with the s.138 Permit and pay contributions, fees, bonds</li> </ul>	<ul style="list-style-type: none"> <li>Street Opening Permit</li> <li>Guide for applying for Construction Certificate</li> </ul>		<ul style="list-style-type: none"> <li>Application is lodged with the Principal Certifying Authority who approves work for construction</li> </ul>
		4. Construct footpath as part of the main project	<ul style="list-style-type: none"> <li>Obtain the Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>Development Consent</li> <li>Council's corporate standards</li> <li>NSC Infrastructure Specification manual</li> </ul>	<ul style="list-style-type: none"> <li>NSC Infrastructure Specification Manual</li> <li>Plans approved in accordance with Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>Council is authorised to issue a stop work order, if the work is not in accordance with approvals or is considered unsafe.</li> </ul>
		5. Apply for release of bond	<ul style="list-style-type: none"> <li>Demonstrate by "As built drawings" that all work has been built in accordance with Council's requirements</li> <li>Obtain Council approval of the work</li> </ul>	<ul style="list-style-type: none"> <li>Development consent conditions</li> </ul>		<ul style="list-style-type: none"> <li>Since the footpath work will revert to Council's ownership, Council requires all works to be constructed to Council's specifications.</li> </ul>
		6. Obtain Occupation Certificate	<ul style="list-style-type: none"> <li>Satisfy all requirements for construction</li> </ul>	<ul style="list-style-type: none"> <li>Development consent</li> <li>Construction Certificate</li> </ul>		<ul style="list-style-type: none"> <li>Bonds may be held until expiry of defects period.</li> </ul>



## 20.6 PERMITTED ENCROACHMENTS

### 20.6.1 Introduction

Permitted encroachments refer to structures that are permitted to encroach from private property onto the public property such as, but not limited to;

- Awnings
- Balconies
- Sunblinds
- Building signs
- Decorative structures
- Private security lighting
- CCTV cameras
- Special drainage structures

Elements encroaching within the public road reserve from private property may present a potential risk of safety to the public and therefore a potential risk of legal claims to Council if left unmanaged. Council has a duty to manage the risk and this is done by ensuring that the applicant, proposing the encroachments, remains responsible for identifying the risks, assessing the extent of the risks and undertakes to carry out all measures necessary to mitigate the risk to an acceptable level as determined by a Risk Management Study.

### 20.6.2 How this sub-section is used

This sub-section of the DCP provides objectives and provisions to be applied when proposing to apply for approval to install encroachments within public property. Refer to these when intending to prepare information for lodging a development application or construction certificate.

### 20.6.3 Objectives

- O5 The objectives of this sub-section are to ensure encroachments from private property onto the public property are safe for pedestrians and vehicular traffic, designed and constructed to Council's expectations and conserve the desirable characteristics of an area.

### 20.6.4 Provisions

- P1 Encroachments from private property onto the public property should not:
- (a) Intrude into the amenity of the area by blocking access (both pedestrian and vehicular).
  - (b) Visually intrude or pollute a public area.
  - (c) Be positioned dangerously.
  - (d) Negatively impact on accessibility for disabled and visually impaired persons.
  - (e) Compromise local character, conservation and heritage values of an area.
- P2 Design, location and construction encroachments should be to Councils expectations.

### 20.6.5 Monitoring and Maintenance

- P1 Council may monitor encroachments to ensure that the public interest is maintained.
- P2 It is the responsibility of the private property owner to maintain the encroachments in a fit-for-purpose condition.



- P3 The private property owner may be required to hold and maintain professional indemnity and public liability insurance noting Council's interest, for the service-life of objects encroaching on public property.

- P4 Approvals for encroachments may be for a specific time period.

### 20.6.6 Procedures

#### Specific Requirements

- P1 Approval to install encroachments on public property shall be by development consent. Circumstances regarding encroachment from private property onto the public property are site specific. Enquire with Council prior to making an application to determine specific requirements.

#### General Requirements

- P1 Council may require a *dilapidation report* to identify any defects present prior to development commencing. Any defects found to exist on completion of development that have not been identified in the dilapidation report, will be deemed to have occurred as a consequence of development work and therefore, will be the liability of the developer to re-instate at no cost to Council.
- P2 Any breach of consent conditions may result in Council revoking the consent and use any developer bond and security to restore the works and make the site safe.
- P3 Private property owners should be aware of the possible need to enter a *Deed of Agreement* or *Lease* with Council including indemnifying Council against relevant risks.
- P4 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under section 138 of the [Roads Act 1993](#) and section 68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

### 20.6.7 Further Information

Contact Council's Planning and Development Advisor for more information on 9936 8100.

### 20.6.8 Matrix

Table B-20.4 comprises a Permitted Encroachments Matrix which describes the process, pre-requisites and references relating to permitted encroachments.



TABLE B-20.4: Permitted Encroachments Matrix

This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Permitted encroachments	<ul style="list-style-type: none"> <li>• Awnings</li> <li>• Balconies</li> <li>• Sunblinds</li> <li>• Building signs</li> <li>• Decorative structures</li> <li>• Private security lighting</li> <li>• CCTV cameras</li> <li>• Special drainage structures</li> <li>• Installation of electrical fittings within private property walls for public use</li> <li>• Installation of electrical fittings within public walls for private property use</li> </ul>	1. Lodge a Development Application	<ul style="list-style-type: none"> <li>• Survey details</li> <li>• Concept Design</li> <li>• Statement of Impact of Stormwater</li> </ul>	<ul style="list-style-type: none"> <li>• This section of the DCP</li> <li>• Development Application Guides</li> </ul>	<ul style="list-style-type: none"> <li>• NSC Performance Guide</li> <li>• NSC Infrastructure Specification Manual</li> <li>• Industry Codes for design and construction</li> </ul>	<ul style="list-style-type: none"> <li>• Provide enough information to allow Council to assess the merit of the proposal</li> <li>• The Statement of Environmental Impact must address the issues raised in the checklist within the EP&amp;A Act</li> </ul>
		2. Obtain development consent	<ul style="list-style-type: none"> <li>• Council assesses DA based on details of the encroachment submitted</li> </ul>	<ul style="list-style-type: none"> <li>• EP&amp;A Act 1979</li> <li>• Conditions of any Deed of Agreement</li> </ul>		<ul style="list-style-type: none"> <li>• In order to minimise delay the applicant should ensure that the Information provided in the application is relevant, accurate and fit-for-purpose and meets Council's performance expectations</li> </ul>
		3. Lodge a Construction Certificate application	<ul style="list-style-type: none"> <li>• Detailed design</li> <li>• S.138 approval</li> <li>• Pay all fees and bonds</li> <li>• Certification as required</li> </ul>	<ul style="list-style-type: none"> <li>• This section of the DCP</li> <li>• Development consent</li> <li>• s.138 of Roads Act 1993 (if Applicable)</li> <li>• BCA</li> </ul>	<ul style="list-style-type: none"> <li>• NSC Performance Guide</li> <li>• NSC Infrastructure Specification Manual</li> <li>• Conditions of any Deed of Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• IN order to minimise delay, ensure that design information provided in the application complies with the development consent.</li> <li>• No work is permitted on public property without a s.138 Permit</li> <li>• Bonds are a security against damage to Council Infrastructure</li> </ul>
		4. Obtain Construction Certificate	<ul style="list-style-type: none"> <li>• PCA Ensures all conditions of consent are met</li> </ul>	<ul style="list-style-type: none"> <li>• Development Consent</li> <li>• BCA</li> </ul>		
		5. Start construction	<ul style="list-style-type: none"> <li>• Give Council Notice</li> </ul>	<ul style="list-style-type: none"> <li>• This section of the DCP</li> <li>• Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>• NSC Performance Guide</li> <li>• NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>• A Construction Certificate must be obtained before construction may commence.</li> </ul>

## 20.7 BOUNDARY ALIGNMENT LEVELS

### 20.7.1 Introduction

Boundary alignment level (called alignment level) refers to the finished surface level at the frontage of private property to a public road. Council provides alignment levels and the applicant must include alignment levels with the information presented to Council in a Development Application.

Council sets alignment levels to assist the property owner (developer) to establish:

- Suitable vehicle access from a public road into private property.
- Appropriate floor levels for a garage, carport or car-stand area.
- Foundations for a front fence to development.
- Service installation requirements.
- Appropriate matching footpath levels.
- Suitable roof water disposal from private development.
- To suit access for the disabled and visually impaired.

Failing to comply with Council's alignment levels may result in:

- Unsatisfactory vehicle access to private property.
- Floor level of car-stand area in private property being unsatisfactory.
- Services to a development being laid at a level that may result in damage.
- Level of boundary fences not complying with Council's requirements.
- Difficulty in providing access for the disabled and visually impaired.
- Difficulty in draining roof water from a development.
- Stormwater from the street or footpath entering private property.
- Council issuing an order to rectify any unauthorised works, or in the case of emergency works, to carry out rectification works at no cost to Council.

Conditions of the development consent and the approved construction certificate plans establish the construction requirements of works associated with alignment levels. Non-compliance with the consent or the construction certificate may result in difficulty in obtaining an occupation certificate. Rectification works required to gain compliance may be expensive.

Where difficulty is experienced in providing vehicle access to private property, the designer should arrange a meeting with Council to discuss the preferred design strategy.

On roads having a steep longitudinal fall along the footpath, difficulty may be encountered in designing floor levels at doorways and entrances to car parks. This may particularly apply to disabled access. If unsure of how to interpret alignment levels to meet Council's objectives, consult with Council before proceeding with design.

Council is not responsible for any damage caused to utility services that may be damaged by the applicant or its workers in meeting Council's alignment levels objectives. The applicant should obtain approval from the relevant utility service authority before doing any work likely to damage the service.

Council may require a *Dilapidation Report* to identify any defects present prior to development commencing. Any defects found to exist on completion of development that have not been identified in the Dilapidation Report, will be deemed to have occurred as a consequence of development work and therefore, will be the liability of the developer to re-instate at no cost to Council.



## 20.7.2 How this sub-section is used

This sub-section of the DCP provides objectives and provisions to be applied when intending to use alignment levels for a proposed development. Refer to these when intending to prepare information for lodging a development application or construction certificate.

## 20.7.3 Objectives

- O1 To provide safe and fit-for-purpose finished surface levels at any boundary of private development, which have a road with kerb and gutter, able to meet Council's objectives by specifying a consistent standard of design.
- O2 To ensure minimal risk of injury to people and damage to property.
- O3 To provide a uniform standard of construction for vehicular access to private property.
- O4 To provide an awareness of alignment levels when determining appropriate floor levels for car-stand areas within private property.
- O5 To protect public utility services by providing appropriate alignment levels.
- O6 To protect property located on the low side of roads from the effects of stormwater run-off.

## 20.7.4 Provisions

- P1 Alignment levels are based on Council's standard footpath gradients, vehicle access limitations and footpath levels at adjoining properties.
- P2 Residential floor levels and car-stand floor levels within buildings and private property should be designed to alignment levels provided by Council.
- P3 Alignment levels should:
  - (a) Determine footpath shape.
  - (b) Govern floor level at door entrances.
  - (c) Provide access for vehicles and pedestrians without the risk of damage to vehicles and property and injury to people.
  - (d) Provide suitable access for disabled and visually impaired pedestrians.
  - (e) Enable roof water from private property to be piped under the footpath to the street.
  - (f) Be uniform with front boundary levels of existing adjoining properties and with existing footpath levels in the public road (where applicable).
- P4 Property located on the corner of two intersecting public roads may require alignment levels for both frontages of the property.
- P5 Council is authorised to fix the levels of a public road or vary the existing levels of a public road (including at the alignment with the boundary of private property) subject to meeting particular requirements. Council is also authorised to regulate the levels within private property for the purpose of meeting the above described objectives.

## 20.7.5 Monitoring and Maintenance

- P1 Applicant is required to give Council 48 hours notice prior to carrying out works that are impacted by alignment levels.
- P2 If a bond applies, Council must inspect the completed work for compliance with the alignment levels before returning any bond.
- P3 Construction work in private and public property is checked for compliance by an accredited engineer. Compliance is issued subject to all works meeting the conditions of consent and the construction certificate. Any defective work must be made good before for compliance is issued.

- P4 Council or its agent is authorised under the provisions of the [Local Government Act 1993](#), after giving reasonable notice (or without notice in the case of an emergency), to inspect the work for the purpose of compliance and rectify any work found to pose a risk of injury to persons(s) or damage to property.
- P5 The owner of the subject property is responsible for any inconvenience or damage caused to any other property or injury to people resulting from a failure to observe the alignment level requirements.

#### 20.7.6 Procedures

- P1 Council issues alignment levels. An application for alignment levels can be made at Council's Customer Service Centre.
- P2 Council issues a development consent subject to information contained in the application complying with the requirements of the alignment levels.
- P3 The principal certifying authority (PCA) issues a construction certificate subject to the information contained in the application complying with the requirements of the development consent.
- P4 Prior to issuing a construction certificate all fees, bonds, securities must be paid and a Street Opening Permit obtained (if applicable).
- P5 On completion of construction, the applicant may apply for a refund of any outstanding bond (if applicable).
- P6 An occupation certificate is issued after completion of construction subject to the applicant demonstrating by survey that all work relevant to alignment levels has been completed in accordance with the development consent. An "as built drawing" may be required to be supplied by the applicant to confirm the adequacy of relevant work.
- P7 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

#### 20.7.7 Further Information

For more information about design and construction of vehicular access and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) North Sydney Council *Performance Guide*.
- (b) North Sydney Council *Infrastructure Specification Manual*.

#### 20.7.8 Matrix

Table B-20.5 comprises a Boundary Alignment Levels Matrix which describes the process, pre-requisites and references relating to boundary alignment levels.



TABLE B-20.5: Boundary Alignment Levels Matrix

This is About	Main activities	The Process	Pre-requisite	Compliance with	References	Comments
Boundary alignment levels	<ul style="list-style-type: none"> <li>Boundary alignment levels are used to establish: <ul style="list-style-type: none"> <li>Vehicular access</li> <li>Floor level for a garage, carport, or car-stand area</li> <li>Boundary fence</li> <li>Footpath levels</li> <li>Roof water disposal under footpath</li> <li>Disabled access</li> </ul> </li> </ul>	1. Lodge a Development Application	<ul style="list-style-type: none"> <li>Application for alignment levels</li> <li>Survey details</li> <li>Consider boundary alignment levels when preparing the concept design</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Development Application Guides</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> <li>Industry Codes for design and construction</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough information to allow Council to assess the merit of the proposal</li> <li>The Statement of Environmental Impact must address the issues raised in the checklist within the EP&amp;A Act</li> </ul>
		2. Obtain development consent	<ul style="list-style-type: none"> <li>Council assesses DA based on details of the alignment levels</li> </ul>	<ul style="list-style-type: none"> <li>EP&amp;A Act 1979</li> </ul>		<ul style="list-style-type: none"> <li>In order to minimise delay the applicant should ensure that the information provided in the application is relevant, accurate and fit-for-purpose and meets Council's DCP objectives and controls</li> </ul>
		3. Lodge a Construction Certificate application	<ul style="list-style-type: none"> <li>Detailed design</li> <li>S.138 approval</li> <li>Pay all fees and bonds</li> <li>Certification as required</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Development consent</li> <li>s.138 of Roads Act 1993</li> <li>BCA</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>Provide enough detailed design information to show that work can be built as per development consent conditions</li> <li>No work is permitted on public property without a 138 Permit</li> <li>Bonds are a security against damage to Council Infrastructure</li> </ul>
		4. Obtain Construction Certificate	<ul style="list-style-type: none"> <li>Submit information required by the development consent</li> </ul>	<ul style="list-style-type: none"> <li>Development Consent</li> <li>BCA</li> </ul>		<ul style="list-style-type: none"> <li>PCA ensures that all consent conditions are met</li> </ul>
		5. Start construction	<ul style="list-style-type: none"> <li>Give Council Notice</li> </ul>	<ul style="list-style-type: none"> <li>This section of the DCP</li> <li>Construction Certificate</li> </ul>	<ul style="list-style-type: none"> <li>NSC Performance Guide</li> <li>NSC Infrastructure Specification Manual</li> </ul>	<ul style="list-style-type: none"> <li>A Construction Certificate must be obtained before construction may commence.</li> </ul>



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## SECTION 21 TELECOMMUNICATIONS

### 21.1 INTRODUCTION

Telecommunications facilities can have a substantial impact on the physical environment as well as the health and well being of the community. A sensitive approach to the location and design of these facilities can reduce these impacts to some extent.

The provisions in this section aim to reduce the likelihood of harm associated with telecommunications facilities to the community and to regulate their presence in the built environment. These facilities can have significant impacts on the streetscape of residential neighbourhoods through visual clutter.

#### 21.1.1 General Objectives

The general objectives of this Section of the DCP are:

- O1 To ensure that telecommunication facilities are appropriately designed and located such that they have minimal impacts on:
- (a) The visual amenity of a locality;
  - (b) The health and safety of the community; and
  - (c) The significance of heritage items and heritage conservation areas.

#### 21.1.2 When does this section of the DCP apply?

This section of the DCP applies to all telecommunications facilities for which either development consent is required or for which the Council is to be notified. It applies to facilities to be installed by carriers who are licensed under the [Telecommunications Act 1997](#). For example, the siting of micro cells for mobile phone use serving a small area, as part of a telecommunications network operated by the carrier. It also applies to telecommunications facilities installed by or on behalf of non-carriers. For example, a satellite dish installed on a residential building or a commercial building for use by the occupants of that building, work that would normally be considered as ancillary to the primary use of the building.

This section should also be read in conjunction with the following:

- (a) [Telecommunications Act 1997](#);
- (b) [Telecommunications \(Low- Impact Facilities\) Determination 2018](#);
- (c) [Telecommunications Code of Practice 2018](#);
- (d) [State Environmental Planning Policy \(Infrastructure\) 2007](#);
- (e) *NSW Telecommunications Facilities Guidelines - Including Broadband (July 2010)*; and
- (f) North Sydney Council's *Public Telephones on Footpaths Policy*.

#### 21.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application.

### 21.2 LOCATION

#### Objectives

- O1 To encourage the use of a precautionary approach to site selection, design and operation of telecommunications infrastructure.



- O2 To minimise the possible adverse public health effects of electromagnetic radiation emitted from telecommunications facilities.
- O3 To encourage the separation of transmitters emitting electromagnetic radiation from concentrations of possible at-risk populations, such as hospitals, retirement villages, schools, childcare centres, children's playgrounds as well as residential land uses where practicable and reasonable.
- O4 To minimise the visibility and visual impact of telecommunications infrastructure and to ensure the character of a locality is considered by telecommunication carriers in selecting sites.
- O5 To provide guidance to telecommunication carriers about the requirements for site selection to ensure reasonable and equitable access to telecommunication technology.

**Provisions**

- P1 Telecommunication facilities are to be located in accordance with the *NSW Telecommunications Facilities Guideline including Broadband*.
- P2 Public telephones are to be located in accordance with Council's *Public Telephones on Footpaths Policy*.
- P3 Telecommunications facilities should be separated from sensitive activities such as hospitals, retirement villages, schools, childcare centres, children's playgrounds as well as residential land uses.
- P4 Telecommunications facilities are to be located on land within the B1 – Neighbourhood business, B3 – Commercial Core, B4 – Mixed Use, IN2 – Light Industrial or IN4 – Working Waterfront zones in preference to residential zones (R2, R3 and R4).
- P5 Telecommunications facilities and associated equipment boxes are to be located underground wherever possible.
- P6 Avoid locating equipment boxes on rooftops and power poles.
- P7 Telecommunication facilities should be sited to avoid interruption to views.
- P8 Telecommunication facilities must not be located where they interrupt pedestrian or vehicular movement.

## 21.3 DESIGN

**Objectives**

- O1 To minimise the visual impacts of telecommunication facilities and associated infrastructure on streetscapes.

**Provisions**

- P1 Telecommunication facilities are to be designed in accordance with the *NSW Telecommunications Facilities Guideline including Broadband*.
- P2 Where telecommunication facilities are to be provided underground:
  - (a) All surface openings and access covers must match existing pavement finishes and materials (For instance, either with Council's specified brick pavers, sandstone blocks or concrete); and
  - (b) Associated air vents are to be located such that they are not visually intrusive (For instance, located under seats or within bus shelters).
- P3 Use building features, such as false panels, clock towers and disused chimneys, to conceal telecommunications facilities, but avoid use of fake trees and other novelty effects.
- P4 Where surface mounted facilities are proposed, they must be integrated with the building or structure to which they are attached, such that the facility:
  - (a) colour matches the background material;



**Telecommunications**

- (b) has non-reflective surface materials and finishes;
- (c) has minimal horizontal or vertical protrusion when mounted flush with wall; and
- (d) is positioned high on the wall or structure to which the facility is attached.

## **21.4 CONSTRUCTION IMPACTS OF WORKS**

### **Objectives**

- O1 To minimise damage and inconvenience caused by telecommunications facilities or activities.

### **Provisions**

- P1 Telecommunication facilities are to be constructed in accordance with Principle 4 under section 2.2 of the *NSW Telecommunications Facilities Guideline including Broadband*.



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## SECTION 1 AREA CHARACTER STATEMENTS

### 1.1 INTRODUCTION

This Part of the DCP contains a suite of Area Character Statements applying to each neighbourhood within the Local Government Area.

These Statements have been derived from the *Area Character Study* that was originally undertaken by Council in 1998. The purpose of the Study originated from the addressing an objective to the North Sydney Strategy (1996) – “to use the desired future character of areas as the basis for urban design planning and implementation”. The Study represented the introduction of “place management” as a means of planning the urban environment. Under place management, the focus of planning moves away from controls which apply to particular zones or land uses across a whole Council area to tailored controls which aim to achieve a particular character for each unique place.

The place management approach used by Council differs from that which has been or is being introduced by other councils. Whilst place management elsewhere has been linked to pursuing a desired future character in terms of built environment through planning controls, the Study also considered character in a wider context to include the natural environment, quality of life and function.

The Statements are also informed by Council’s Residential Development Strategy, which aims to accommodate growth in an appropriate manner in terms of local characters, access to facilities and services, employment and transport opportunities and environmental impact. The basic principals of the Strategy are to:

- Concentrate new dwellings in centres within walking distance of shops, jobs, public transport, facilities and services;
- Minimise the impact of new development on local character, amenity, environment and heritage;
- Preserve existing and potential commercial floor space in the commercial core of the North Sydney CBD;
- Maintain existing mixed use areas as village centres for the local community;
- Discourage intensification and inappropriate redevelopment in sensitive areas, the foreshores or adjoining bushland, or where traffic access is limited, by maintaining existing lower density zones;
- Maintain housing choice by retaining intact areas of detached and semi detached housing and allowing for further development of apartments and attached dwellings only in appropriate locations; and
- Discourage further intensification in the areas of Kirribilli, McMahon’s Point, Waverton, Wollstonecraft and Cremorne Point which are considered fully developed in terms of the impacts of existing development on parking, traffic, heritage and infrastructure.

The Local Government Area has been divided into 9 Planning Areas, which are further subdivided into 61 Locality Areas. A Character Statement has been provided for each Planning Area and Locality Area.

#### 1.1.1 When does this Part of the DCP apply?

This Part of the DCP applies to all development applications.

### 1.1.2 Relationships to Other Documents

This Part of the DCP needs to be read in conjunction with the following:

- (a) North Sydney LEP 2013;
- (b) North Sydney DCP 2013: Part A – General Requirements; and
- (c) North Sydney DCP 2013: Part B – Development Controls.

Where there is an inconsistency between this Part (C) and Part B of the DCP, the provisions within this Part of the DCP prevail.

Applicants need to refer to both the Area Character Statements for the Planning Area and Locality Area relevant to their property, as matters covered for a Planning Area are not necessarily covered in a Locality Area.

### 1.1.3 Planning Areas

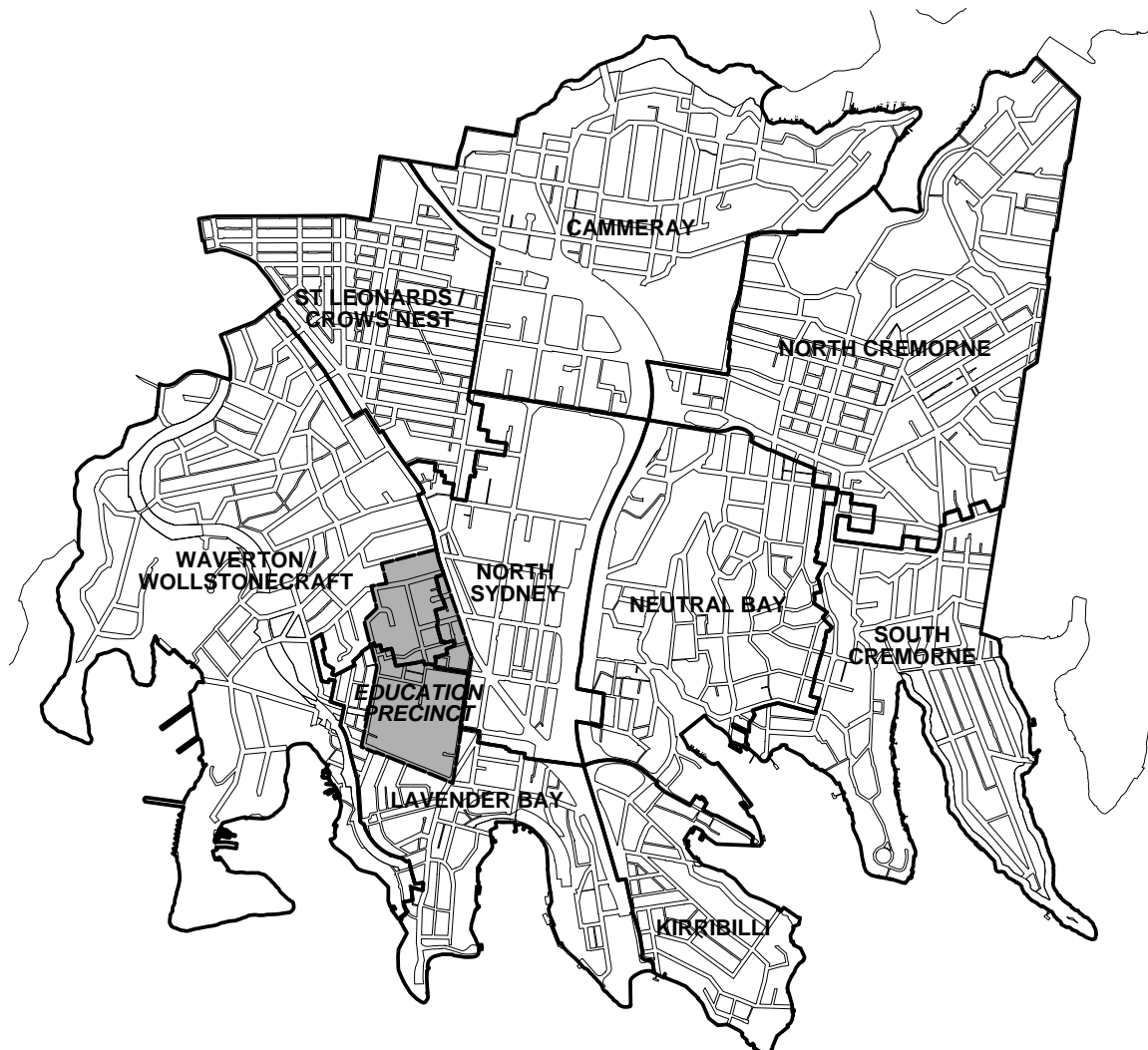


Figure C-1.1: Planning Areas

## Area Character Statements

The LGA is divided into 9 Planning Areas (refer to Figure C-1.1) and generally reflects the extent of each official suburb within the LGA. These Planning Areas are addressed in the following Sections of this Part of the DCP:

- Section 2: North Sydney Planning Area
- Section 3: St Leonards / Crows Nest Planning Area
- Section 4: Cammeray Planning Area
- Section 5: North Cremorne Planning Area
- Section 6: South Cremorne Planning Area
- Section 7: Neutral Bay Planning Area
- Section 8: Kirribilli Planning Area
- Section 9: Lavender Bay Planning Area
- Section 10: Waverton / Wollstonecraft Planning Area

The opening sub-section of Sections 2 to 10 of this Part of the DCP comprises a Character Statement for the Planning Area which outlines the broad desired character sought for that Area.

### 1.1.4 Locality Areas

Each Planning Area is further subdivided into a number of Locality Areas, which generally reflects the following hierarchy where applicable:

- Central Business District
- Town Centres
- Village Centres
- Neighbourhoods
- Conservation Areas

The extent of these areas generally reflects one of the following:

- (b) a heritage conservation area,
- (c) common land uses under the LEP, or
- (d) an area exhibiting a generally consistent character.

Figures C-2.1, C-3.1, C-4.1, C-5.1, C-6.1, C-7.1, C-8.1, C-9.1 and C-10.1 located in the opening sub-section to each Planning Area identifies the physical extent of each Locality Area.

Each Locality Area outlines the desired future outcomes and does not necessarily describe the existing character or existing features of any of those neighbourhoods unless those features are to be retained. They also contain a suite of development controls to ensure that those outcomes can be met.

In some instances, site specific controls are identified within the Area Character Statement. These additional controls have been incorporated to ensure that specific developments have a minimal impact on the wider locality. These controls are contained within a sub-section to each Locality Area. Where there is an inconsistency between the site specific controls and those within the relevant Locality Area, the site specific controls will prevail.

### 1.1.5 Education Precinct

The Education Precinct accommodates close to one third of North Sydney's student population and supports a strong workforce of teaching and support staff. It provides significant social and economic benefits to the local government area and contributes to the vibrancy and local economy of the North Sydney Centre.

The Education Precinct straddles across 3 Planning Areas and 7 Locality Areas (refer to Figure C-1.2), including:

Section 2: North Sydney Planning Area

Section 2.1: Central Business District

Section 9: Lavender Bay Planning Area

Section 9.4: Graythwaite Shore & St Josephs Neighbourhood

Section: 9.5: Lavender Bay Neighbourhood

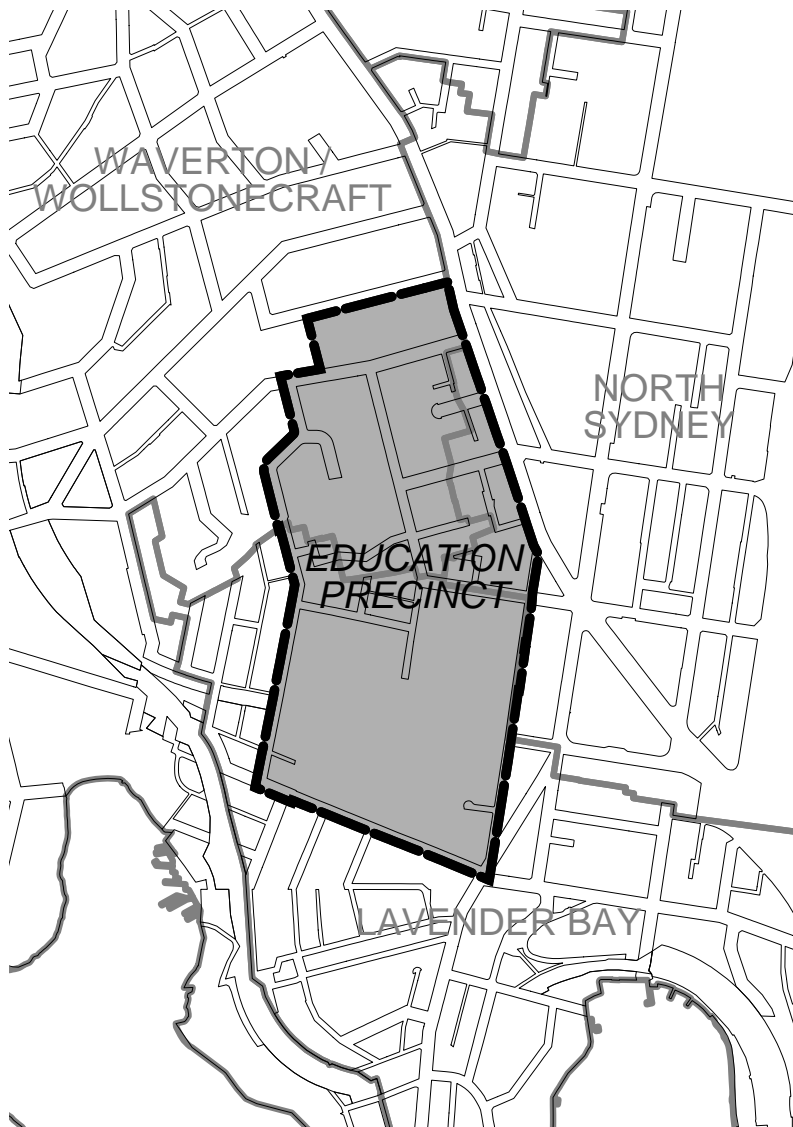
Section 9.10: Union, Bank, Thomas Street Conservation Area

Section 10: Waverton/Wollstonecraft Planning Area:

Section 10.2: The Upper Slopes

Section 10.12: Edward Street Conservation Area

Section 10.13: Priority Road Conservation Area



**Figure C-1.2: Education Precinct**

## SECTION 2 NORTH SYDNEY PLANNING AREA

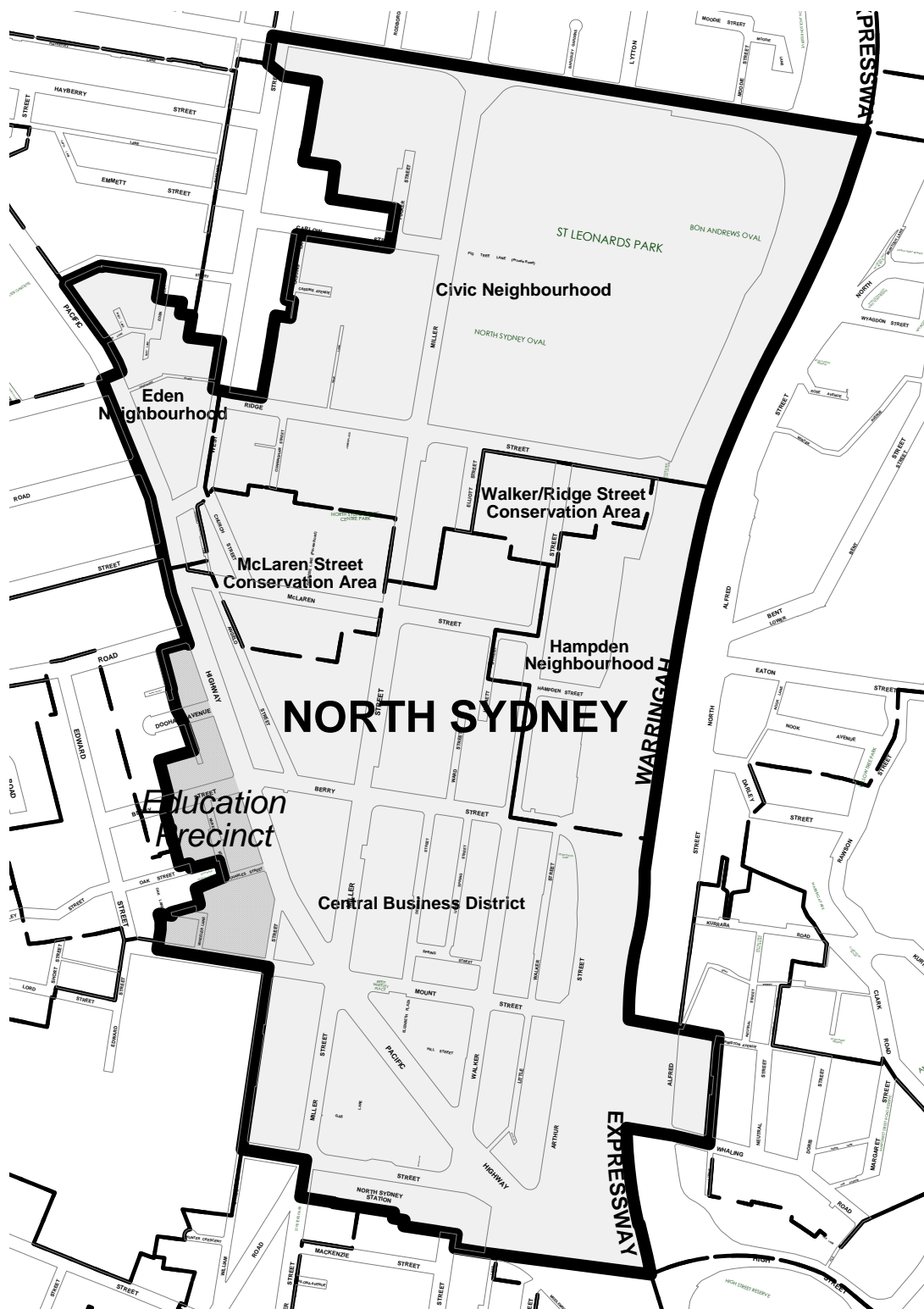
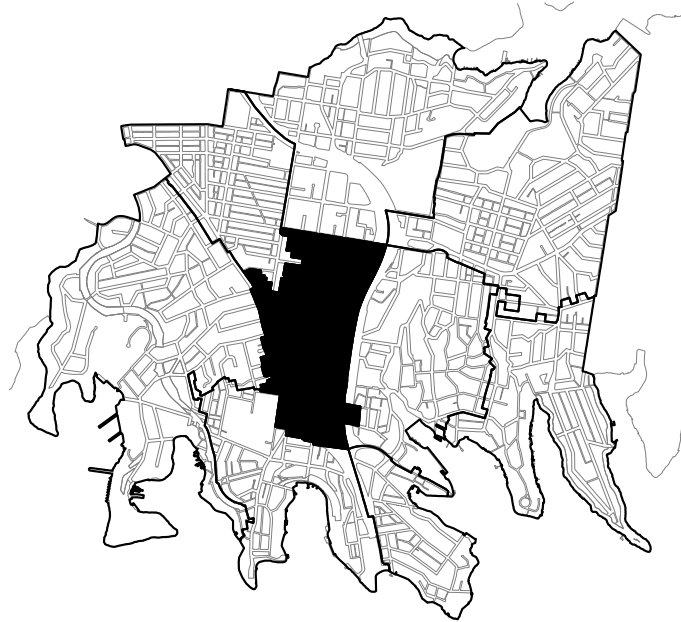


Figure C-2.1: North Sydney Planning Area and associated Locality Areas

## 2.0 NORTH SYDNEY PLANNING AREA CHARACTER STATEMENT



The North Sydney Planning Area is an iconic, attractive, and sustainable area, with the focus on the North Sydney CBD, which is identified under the Metropolitan Strategy 2036 as a global commercial centre. A portion of the Education Precinct is located within the Planning Area on the western edge of the North Sydney CBD and the Ward Street Precinct is located within the northern portion of the Planning Area.

New development within the Planning Area should result in:

- a viable and attractive employment centre
- a diverse range of living, employment, recreation and social opportunities being provided that attract both local and regional populations which contribute to the vibrancy of the North Sydney CBD
- a vibrant and engaging Education Precinct with safe pedestrian networks and a range of formal and informal public spaces for students to study, socialise and engage with the local community
- the creation of a new vibrant public meeting place within the Ward Street Precinct for workers, residents and visitors which has high levels of amenity and is activated in the daytime, evenings and weekends
- a high level of amenity for residents, workers, students and visitors to enjoy
- a high quality built form
- a high level of public transport patronage which is easily accessible to residents, workers, students and visitors
- the area being linked to the Sydney CBD, other suburban centres and many parts of the Sydney Region by rail and bus as well as by road and is a place of interchange between the various modes

**Area Character Statements - North Sydney Planning Area**

and where:

**Function**

- The North Sydney CBD comprises one of Australia's largest commercial centres serving the local population and that of the Sydney region
- There is a mix of uses and activities to meet the demands of the residents, workforce, students and visitors
- There is a civic focus supported by community facilities such as North Sydney Oval, the Stanton Library and the Independent Theatre
- There is an education focus in the Education Precinct, supported by educational establishments such as the Australian Catholic University (ACU), the Sydney Church of England Grammar School (Shore) and North Sydney Demonstration School
- Creation of a new pedestrian focal point centrally within the Ward Street Precinct, through the provision of new public squares which integrate with a highly permeable pedestrian network and is activated by commercial and community frontages
- Community facilities meet the needs of the CBD's working and resident population, students, visitors, and residents of nearby neighbourhoods, in terms of wellbeing, culture and recreation, and add to the diversity and activity of the CBD
- Various grades and sizes of commercial floorspace accommodate a mix of small and larger business, services and retail
- New residential development will not occur in the commercial core, with further high density housing to be concentrated in the areas zoned mixed-use
- There is housing choice in the mix of dwelling sizes and in the range of affordability
- There are active uses outside of standard business hours
- Parks and public spaces are well used and provide for a range of social and recreational activities

**Environmental Criteria**

- The extremes of sun, wind and rain are mitigated by good building design
- Buildings, public places and streets all receive good access to natural light
- Mechanical noise and other commercial noise is controlled, to protect residential amenity
- Use of local flora extends habitats for native birds and other fauna
- Solar access to special areas and open spaces is maintained and contributes to the enjoyment of those spaces for use by the public
- There is an opportunity to enjoy the views from and within the area towards the Sydney CBD, Sydney Harbour, heritage items and surrounding areas
- Additional public open space is provided for increased worker and residential populations

**Built Form**

- There is a pleasant, well designed and well-lit series of easily accessible and connected urban plazas and gardens.
- The setback on the eastern edge of Miller Street between McLaren Street and Mount Street is maintained and incorporates landscaped areas and actively utilised open space



**Area Character Statements - North Sydney Planning Area**

- Physical breaks are provided between tall commercial towers to afford occupants of commercial buildings reasonable levels amenity in terms of ventilation, daylight access, solar access and views
- Physical breaks are provided between tall commercial towers to afford users of the public domain reasonable levels of amenity in terms of daylight access, solar access, sky views and reduction in adverse wind impacts
- Avoiding continuous, uninterrupted walls of towers to reinforce a human scale when read from the public domain
- The significance of heritage items is retained, and promotes the rich development history and provides interest in the physical fabric of the area
- Heritage items are protected, and significant streetscape elements are conserved in the Walker and McLaren Street Conservation Areas
- Predominant early 20th Century character of the McLaren Street Conservation Area is maintained and protected
- Victorian and Federation character of streets in the Walker Street Conservation Area is maintained and protected
- Pedestrian connections provide alternate east/west and north/south routes through the CBD to promote pedestrian movement

**Quality Urban Environment**

- There are links to the Sydney CBD, other suburban centres and many parts of the Sydney region by ferry, rail, bus and road and the CBD is a place of interchange between the various transport modes
- Public transport, including walking and cycling, is the main form of access to the North Sydney CBD and the Education Precinct
- Traffic is managed so that pedestrians can move within the area freely and safely, and amenity is maintained
- Parking is managed in a way that maintains pedestrian safety and the quality of the public realm and minimises traffic generation
- The cumulative desired future built form outcome within the Ward Street Precinct does not result in a nett increase in traffic generation for the Precinct
- Rear lanes allow for the primary vehicular access to properties
- Limited increase to the capacity of private parking
- Pedestrians are assisted to safely cross barriers such as the Pacific Highway
- Educational establishments are oriented to the public domain to provide increased surveillance and activation
- Loading and delivery facilities should be located away from the street and where possible be located underground

**Efficient Use of Resources**

- Energy efficient design and life cycle assessment of buildings enables the conservation of natural resources and minimisation of use of non-renewable energy resources
- Stormwater runoff is minimised, and recycled on-site where possible

**Public Domain**

- Additional open space is provided to service the increased residential, working and student population of the North Sydney CBD and the Education Precinct
- A new public square/s be provided centrally within the Ward Street Precinct which is integrated with a highly permeable pedestrian network



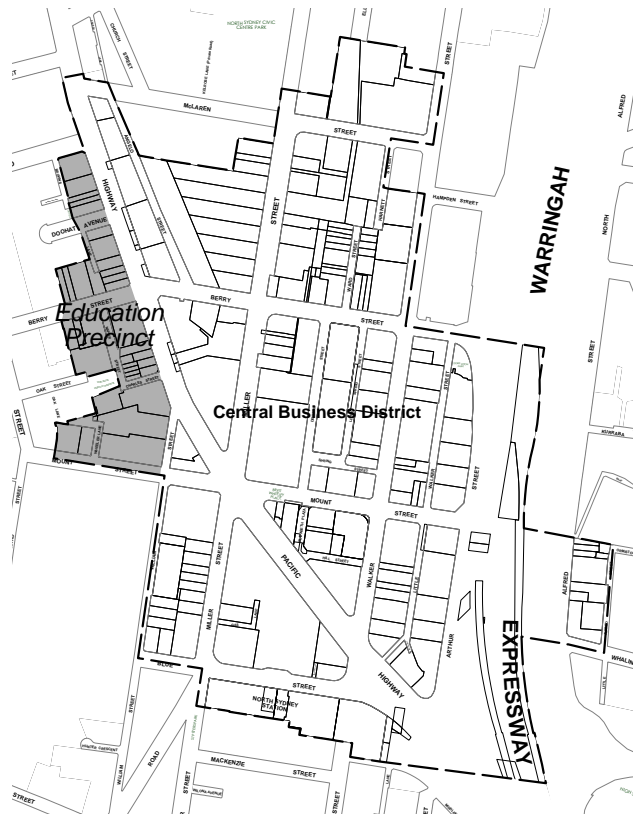
**Area Character Statements - North Sydney Planning Area**

- Streetscape improvements occur in accordance with the *North Sydney Centre Public Domain Strategy* and *Education Precinct Public Domain Masterplan*

In addition to the above character statement for the Planning Area, the relevant character statement for the following Locality Areas also requires consideration:

- Section 2.1: Central Business District
- Section 2.2: Civic Neighbourhood
- Section 2.3: Eden Neighbourhood
- Section 2.4: Hampden Neighbourhood
  - Section 2.4.4 East Walker Street Precinct
- Section 2.5: Walker/Ridge Street Conservation Area
- Section 2.6: McLaren Street Conservation Area

## 2.1 CENTRAL BUSINESS DISTRICT



### 2.1.1 Significant Elements

#### Land Use

- P1 Predominantly high-rise commercial development.
- P2 Medium to high rise mixed commercial and residential development at the fringes.
- P3 Educational facilities.
- P4 Regional rail and road infrastructure.

#### Topography

- P5 Typically falling from the north to the south towards Sydney Harbour.

#### Natural Features

- P6 Natural rock outcrops at 136 Walker Street.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) From the plaza at No.5 Blue Street and located over North Sydney Rail Station to the Sydney Harbour Bridge.
  - (b) From Doris Fitton Park (160-166 Arthur Street) to Sydney Harbour and Neutral Bay district.
  - (c) Views along the Pacific Highway to the Post Office on Mount Street from the south-east.
  - (d) Views along the Pacific Highway to Sydney Harbour from the intersection with Mount Street.

### Identity / Icons

- P8 Brett Whiteley Place.
- P9 Greenwood.
- P10 Post Office and Court House.
- P11 MLC Building.
- P12 Don Bank Museum.

### Subdivision

- P13 Predominantly large consolidated allotments within a rigid grid pattern.
- P14 Smaller allotments generally along the Pacific Highway north of Berry Street.

### Streetscape

- P15 Wide fully paved footpaths, promoting heavy pedestrian use.
- P16 Active street frontages provided with a variety of shops, cafes and other commercial uses.
- P17 Buildings generally built to the boundary, with entry at street level.
- P18 Continuous awnings provided on commercial buildings.
- P19 Street trees.

### Public transport

- P20 Development is to take advantage of the accessibility provided by existing and planned public transport infrastructure.

## 2.1.2 Desired Future Character

### Diversity of activities, facilities, opportunities and services

- P1 High rise and medium density, commercial and mixed use developments.
- P2 Provision of a variety of different sized office, retail, community and entertainment spaces.
- P3 Provision of a variety of outdoor and indoor community spaces (e.g. urban plazas, gymnasium; gardens; outdoor and indoor dining areas and food courts).
- P4 The commercial focus of the CBD is to be enhanced by preventing any further residential development from occurring in its core (i.e. the *B3 Commercial Core* zone).
- P5 Development above the Victoria Cross metro station will provide significant commercial floorspace, as well as retail, dining and community uses that will contribute to the overall amenity and vitality of the CBD.
- P6 Council will pursue its vision for Miller Street as the civic heart of North Sydney. This will involve significant interventions and public domain improvements aimed at creating a vibrant place for people, with vehicle movements removed or minimised as much as practicable and both sides of Miller Street activated.
- P7 Creation of a substantial new public space within the middle of the street block bound by McLaren, Walker, Berry and Miller Streets, activated by surrounding buildings and new community facilities consistent with the *Ward Street Precinct Masterplan*. This space is to be designed to be highly adaptable for events and prominent activities and form a spill over space for other community events associated with community facilities to be located in adjacent buildings.
- P8 Brett Whiteley Place is a key public space for the North Sydney CBD which will incorporate an expanded Elizabeth Plaza, as well as portions of Denison Street and Mount Street. This expanded plaza will provide dedicated space for outdoor dining, large and small events, and other activities.



- P9 Consideration be given to expanding Berrys Square to the northern side of Berry Street.
- P10 The Central Laneways Precinct will become a major focal point of pedestrian activity and amenity.
- P11 Active frontages to the Metro site, 1 Denison Street and the MLC building will contribute to the activation of the public domain in the Central Laneways Precinct.
- P12 A new laneway is provided across the redevelopment of 1 Denison Street to link the Metro site, Denison Street, Little Spring Street and Walker Street.
- P13 Alternatives to the current entry of the commercial car park entry at 100 Miller Street (Northpoint) will be pursued to reduce or remove traffic on Miller Street and improve pedestrian amenity.
- P14 Provide roof top gardens and/or public facilities that allow the public and/or residents to access district views.
- P15 Development should maximise opportunities to incorporate retail, restaurant, bar facilities and other non-residential floor space at ground level to promote street level activation, amenity, diversity and place making objectives.
- P16 Provide a diverse mix of higher density, non-residential land uses in the *B4 Mixed Use* zone of the Education Precinct, including education, shops, cafes, gyms, entertainment and small businesses.
- P17 Provide continuous active uses such as shops and cafes at the ground level of all buildings along Pacific Highway, Berry Street and Napier Street, especially within the Education Precinct.
- P18 Consideration should be given to the inclusion of educational or community-related purposes in the redevelopment of 110, 112, 116 and 120 Pacific Highway and 9 Napier Street.
- P19 Community facilities that are of a type that support the creation of a cultural destination which is activated in the daytime, evenings and weekends are to be incorporated into the lower levels of the redevelopment of 56-66 Berry Street and the Ward Street Carpark site and these facilities are to front onto a new public square/s consistent with the *Ward Street Precinct Masterplan*.

**Accessibility and permeability**

- P20 Victoria Cross metro station is designed to enhance the North Sydney CBD as a major commercial centre and further encourage the use of public transport. Pedestrians are prioritised throughout the CBD with a number of interconnected pedestrian routes that facilitates all direction movement and encourages fine grain retail and dining uses.
- P21 Consideration be given to providing a direct vertical pedestrian connection between the new public open space located centrally within the Ward Street Precinct and the Victoria Cross Metro Station concourse.
- P22 Barriers to pedestrian movement, particularly within the Ward Street Precinct, Miller Street, Berry Street and the Pacific Highway, will be reimagined such that their function and treatment favour pedestrian movement and amenity.
- P23 New development focuses on the use of public transport, cycling and walking.
- P24 Pick up and drop off points for public transport and taxi ranks are located as close as possible to public spaces and activities, and main building entries.
- P25 Loading and delivery facilities should be located away from the street and where possible be located underground.
- P26 The following through site links are to be provided, retained and enhanced:
- (a) A north - south pedestrian link from McLaren Street to Elliot Street across 52 and 54 McLaren Street.

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- (b) A north - south pedestrian link from McLaren Street to Ward Street across the vehicle access of 221 Miller Street.
  - (c) An east-west pedestrian link of at least 3m in width is provided from Miller Street to the future public open space off Ward Street along the northern boundary of 201 Miller Street.
  - (d) An east-west pedestrian link of at least 6m in width is provided from Miller Street to the future public open space off Ward Street along the southern boundary of 213-219 Miller Street.
  - (e) An east - west pedestrian link from Miller Street to Ward Street across 221 Miller Street.
  - (f) A north - south pedestrian link from Charles Street to Wheeler Lane across 100 Pacific Highway and 16 Mount Street.
  - (g) An east - west pedestrian link from Harnett Street to Walker Street across 142 Walker Street.
  - (h) An east - west pedestrian link from Harnett Street to Walker Street across 144-150 Walker Street.
  - (i) An east - west pedestrian link from Walker Street to Little Walker Street across 81-83 Walker Street.
  - (j) An east - west pedestrian link from Little Walker Street to Arthur Street across 100 Arthur Street.
  - (k) An east - west pedestrian link from Napier Street to Oak Street across the southern side of 8-20 Napier Street.
  - (l) A north - south pedestrian link from the green space of 100 Pacific Highway to Wheeler Lane across the western side of 1 Wheeler Lane. The pedestrian link may be made through the building envelope or an alternative architectural treatment that gradually 'reveals' the establishments on either side.
  - (m) An east - west pedestrian link through the Victoria Cross metro station linking Miller Street and Denison Street.
  - (n) A new laneway is provided across the redevelopment of 1 Denison Street to link the Metro site, Denison Street, Little Spring Street and Walker Street.
  - (o) A widened and improved pedestrian link from Little Spring Street and Walker Street across 102 Walker and 110 Walker Street.
- P27 Consideration should be given to the provision of an east - west pedestrian link from the Pacific Highway to Napier Street across either the northern side of 120 Pacific Highway or the southern side of 33 Berry Street.
- P28 Consideration should be given to the demolition of the single storey structure at the northern end of 105 Miller Street (MLC Building) to improve accessibility and permeability to Miller Street and the Victoria Cross metro station.

## 2.1.3 Desired Built Form

### Subdivision

- P1 Development sites should be of a size which enable:
- (a) the creation of large high quality floor plates which helps to reinforce the Centre's role as a Global City as identified within the Metropolitan Strategy; and
  - (b) the incorporation of adequate setbacks and breaks between tall commercial towers above the podium level to maintain reasonable access to sky views and daylight to the public domain.
- P2 Development on small sites should not detrimentally impact on the long-term ability of the amalgamation of sites for significant commercial development.



- P3 Site amalgamation should occur generally in accordance with that identified within the Ward Street Precinct Masterplan to maximise the delivery of the desired outcomes of the Masterplan.

**Form, massing and scale**

- P4 Buildings should be carefully designed to minimise the impact of their height and bulk on surrounding residential areas.
- P5 Roof design contributes to building's appearance from a regional view catchment.
- P6 Buildings on 116 and 120 Pacific Highway and 9 Napier Street should be designed such that their bulk steps down from the Pacific Highway to Napier Street to protect sunlight access to the Don Bank Museum and enhance pedestrian amenity to Napier Street.
- P7 No part of a building located above the podium and which exceeds 45m in height may have a horizontal width of more than 60m.
- P8 Development is to be designed to maximise year round solar access to the new public squares to be created centrally within the Ward Street Precinct.
- P9 Development must not result in a nett increase in overshadowing to the main southern square to be created centrally within the Ward Street Precinct between 9am and 4pm from the March equinox to the September equinox (inclusive).

**Setbacks**

**Note.** Additional setbacks may be required for any part of the building located above the podium level.

- P10 Buildings are to provide a zero metre setback to all street frontages and adjacent to heritage items, with the following exceptions:
- (a) In accordance with cl.6.4 of the LEP for all properties on the eastern side of Miller Street, north of the Pacific Highway.
  - (b) 5m from the western side of Walker Street, north of 76 Berry Street.
  - (c) 5.4m from the southern side of Berry Street, between Pacific Highway and Miller Street.
  - (d) 14.5m from the western side of Miller Street, at No.60 Miller Street.
  - (e) 15m from the southern side of Mount Street, at No.60 Miller Street.
  - (f) Maintaining the setback of existing buildings to all properties comprising Monte St Angelo Convent and Girls School.
  - (g) Maintaining the setback of existing buildings to all properties on the northern side of McLaren Street.
  - (h) 1.5m whole of building setback from the eastern side of Napier Street, at No. 1-9 Napier Street and No.120 Pacific Highway.
  - (i) 2m setback to the ground level of buildings fronting Arthur Street.
- P11 Buildings must be setback to conserve views to, and the setbacks and settings of, heritage items at 86 and 144 - 150 Walker Street, 94 Pacific Highway (Post Office), 36 Blue Street (Greenwood), 153 Miller Street (MLC Building), 168 - 172 Pacific Highway and 1-7 Napier Street.
- P12 The setback of new buildings or alterations and additions to existing buildings on land fronting McLaren Street between Miller and Walker Streets are to match that existing to protect the existing fig trees. Encroachments will only be permitted where the development does not cover the drip line of any of the existing trees.

**Podium Heights**

- P13 Podiums are to be provided in accordance with the Podium Heights Map (refer to Figure C-2.2).

**Area Character Statements - North Sydney Planning Area**

- P14 Despite P13, a podium of between 3 and 5 storeys above the finished level of the new public squares to be created centrally within the Ward Street Precinct, where buildings front onto those squares, maintaining a human scale to the squares.
- P15 The entirety of a podium must be setback from any street frontage if required under Provisions P10 – P12 to s.2.1.3 to this Part of the DCP.
- P16 Podiums are to be built to all side and rear boundaries that do not have a street frontage, except where the site directly adjoins residentially zoned land (i.e. *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential*) or requires a through site link as required under P23 to s.2.1.2 to this Part of the DCP.
- P17 Podium heights should match or provide a transition in height between immediately adjacent buildings.
- P18 Podium heights should match the height of adjacent heritage items.
- P19 Podium height may be reduced to that part of the building devoted to commercial use in mixed-use buildings.

**Above Podium Setbacks**

- P20 All parts of a building located above the podium are to be setback from the podium's frontage to a street or laneway in accordance with the Above Podium Setbacks Map (refer to Figure C-2.3). Setbacks are to be measured from the outer wall of the podium. Where a weighted setback is required, it applies to the width of the building's façade located above the podium.
- P21 Despite P20, no part of any building may be located within 3m of the outer wall of the podium level fronting a street or laneway.
- P22 Despite P20 and P21, for buildings fronting Ward Street and the new public squares to be created within the Ward Street Precinct, that part of the building located above the podium is to be setback a sufficient distance to ensure the minimising of potential wind impacts and maintaining a human scale to the squares.
- P23 Where a building is to be erected on land zoned *B3 Commercial Core* or on any other land and the building will not contain residential accommodation, all parts of the building located above the podium must be setback a minimum of 6m from any side boundary, unless:
- (a) the area of the site is less than 1,000sqm; and
  - (b) the building does not exceed 45m in height.
- P24 Despite P23, no setback is required above the podium level to:
- (a) the southern boundaries of 122 Arthur Street (SP 57439) or 100 Walker Street (Lots 1 and 2, DP 542915), if developed in isolation from sites to their north;
  - (b) the southern boundary of 90 Arthur Street (Lot 1, DP 738262), if developed in isolation from the site to the south;
  - (c) the northern boundary of 20 Berry Street (Lot 1, DP 550167) if developed in isolation from the site to the north;
  - (d) the eastern boundary of 80 Mount Street (Lot 1, DP 566189) if developed in isolation from the site to the east; and
  - (e) the southern boundary of 1 Wheeler Lane (Lot 101, DP 1076397) if developed in isolation from the site to the south.
- P25 Where a building does not contain residential accommodation, all parts of the building located above the podium must be setback a minimum of 6m from any rear boundary that does not have a street or laneway frontage.
- P26 Despite P25, no setback is required above the podium level to the western boundary of 65 Berry Street (Lot 2, DP 1230458) if developed in isolation from the site to the west.

- P27 Where there is more than one tower located above the podium level on land zoned *B3 Commercial Core* or on any other land and the building will not contain residential accommodation, the towers must maintain a minimum 12m separation from one another.



Figure C-2.2: Podium Heights Map



Figure C-2.3: Above Podium Setbacks Map

### Building design

- P28 Provide architectural detailing, high quality materials and ornamentation provide a rich visual texture and a symbolic/decorative reference to the history of the place, the building's use or occupant.
- P29 Provide a visually rich intimate pedestrian environment with active street frontages at ground level.



- P30 The natural rock outcrop at 136 Walker Street should be incorporated into the design of any redevelopment proposal for the site.

**Awnings**

- P31 Continuous awnings must be provided to all commercial buildings, except on the eastern side of Miller Street between the Pacific Highway and McLaren Street.
- P32 Consideration should be given to the provision of weather protection at the pedestrian entrances or over outdoor seating areas for buildings fronting Miller Street between the Pacific Highway and McLaren Street.

**Streetscape**

- P33 A 'sense of arrival' is established at North Sydney Station with strong linkage to the north to connect with the pedestrian bridge over Pacific Highway and Denison Street.
- P34 The Greenwood historic school building and large Moreton Bay Figs are retained and incorporated as the southern pedestrian gateway to the North Sydney CBD.
- P35 The intersection of Miller Street and Pacific Highway forms an important focal point of the North Sydney Centre with a distinctive character reinforced by the Post Office and the MLC building.
- P36 Improve amenity and safety by installing lighting, public art and/or landscape along the eastern facade of 12-14 Mount Street.
- P37 Provide a consolidated green space over the Don Bank Museum and 100 Pacific Highway. Consideration should be given to extending this green space over the western side of 1 Wheeler Lane to allow for a more direct north – south pedestrian link from Charles/Napier Street to Wheeler Lane.
- P38 33 Berry Street should be designed such that Napier Street is activated by non-residential tenancies such as commercial or educational facilities (At least 50% of its frontage should comprise of non-residential tenancies at the ground level).

**Public Domain**

- P39 Have regard to Public Domain designed in accordance with the *North Sydney Centre Public Domain Strategy* and *North Sydney Council Infrastructure Manual*.
- P40 A new multi-purpose public square with a minimum dimension of 52m by 40m is to be created in the centre of the Ward Street Precinct and integrated with a secondary public square of minimum dimension 35m by 33m consistent with the *Ward Street Precinct Masterplan*. The squares are to be designed to maximise the flexibility of uses.
- P41 Consideration be given to activating the secondary northern square within the Ward Street Precinct with a café, public facilities or other active and community uses.
- P42 Consideration be given to expanding Berry Square across to the northern side of Berry Street.

**Landscaping**

- P43 Continued use of tree planting and use of native vegetation to enhance the urban environment and attract birdlife.
- P44 Choice of trees and vegetation in accordance with *North Sydney Centre Public Domain Strategy*, *Street Tree Strategy* and *North Sydney Council Infrastructure Manual*.

**Car accommodation**

- P45 Short stay parking spaces should be located within or as close as possible to meeting places.
- P46 Reduce the amount of long stay commuter parking on site.
- P47 Reduce the amount of non-residential parking on site.



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**Vehicle Servicing**

- P48 Consideration to be given to providing all vehicular access to 213-219 Miller Street, 56-66 Berry Street and the Ward Street Carpark site from Harnett Lane and underneath the proposed new public squares, to maximise pedestrian amenity within the Ward Street Precinct.
- P49 Vehicular access to 76 Berry Street is to be provided from Walker Street.

## 2.2 CIVIC NEIGHBOURHOOD



### 2.2.1 Significant elements

#### Land Use

- P1 Predominantly community based facilities such as educational establishments, places of public worship and public administration buildings.
- P2 Mixed commercial and residential development.
- P3 Passive and active recreational spaces.

#### Topography

- P4 Generally flat forming the top of the ridgeline, with a fall from the north to the south along Miller Street south of McLaren Street

#### Views

- P5 The following views and vistas are to be preserved and where possible enhanced:
  - (a) To Kirribilli and Sydney Harbour from St Leonards Park.

#### Identity / Icons

- P6 Stanton Library
- P7 St Leonards Park & North Sydney Oval
- P8 North Sydney Council Chambers
- P9 Independent Theatre
- P10 Civic Centre and Park
- P11 Warringah Freeway a major arterial thoroughfare.
- P12 Miller and Falcon Streets a major sub-arterial thoroughfare.

#### Subdivision

- P13 Regular grid pattern with rectangular lots of varying sizes.

#### Streetscape

- P14 Wide fully paved footpaths.

**Area Character Statements - North Sydney Planning Area**

- P15 Buildings are aligned to the street.
- P16 Awnings generally provided for shops, cafes and other commercial uses on Miller Street.
- P17 A variety of street trees and shrubs.

**Public transport**

- P18 Development is to take advantage of high accessibility to high frequency public bus services along Miller and Falcon Streets.
- P19 Public transport, cycling and walking are the main forms of public transport.
- P20 Traffic calming measures along Miller Street, Falcon Street, and Ridge Street.

## 2.2.2 Desired Future Character

**Diversity of activities, facilities, opportunities and services**

- P1 A variety of specialty uses including education, public services, community facilities and recreational parks.
- P2 Active street frontages from such activities as cafes and shops at ground level on both Miller and Ridge Streets.
- P3 Limited residential development in the form of dwelling houses, semi detached dwellings, multi dwelling housing and residential flat buildings according to zone.
- P4 Open space used by local residents, students and the wider regional population for social and recreational purposes.

**Accessibility and permeability**

- P5 Pedestrian connections are to be provided to Stanton Library from Ridge and Miller Streets.
- P6 Pedestrian connections through Civic Park and St Leonards Park.
- P7 Pedestrian routes are as direct as possible with direct through views from adjacent streets or public domain.

**Public spaces and facilities**

- P8 Cohesiveness throughout the area is achieved through landscaping and tree planting.
- P9 Safe pedestrian links with improved lighting and passive surveillance.

**Junction and termination of streets**

- P10 Junction at Miller and Falcon Streets provides a gateway to North Sydney Centre.

## 2.2.3 Desired Built Form

**Form, scale and massing**

- P1 Generally 1-3 storeys in height with a strong relationship with adjacent building heights.
- P2 Development is to be designed to maximise solar access year round to the new public squares to be created within the Ward Street Precinct.
- P3 Development must not result in a nett increase in overshadowing to the main southern square to be created within the Ward Street Precinct between 9am and 4pm from the March equinox to the September equinox (inclusive).

**Setbacks**

- P4 Minimum front setback of 3m for residentially zoned land with landscaping, including trees and shrubs provided at street frontage.



**Fences**

P5 Front fences no higher than 800mm.

**Gardens**

P6 Substantial planting including trees in front gardens to complement street trees.

**Car accommodation**

P7 Short stay metered car parking for visitors on-street.

P8 Retention and enhancement of off-street public car parking at the Ridge Street car park.

**Streetscape**

P9 Avenue of trees to line roads provides attractive streetscape and provides borders to the road.

P10 Encourage open street frontages with low fences or no fences, landscaping to complement street planting.

## 2.3 EDEN NEIGHBOURHOOD



### 2.3.1 Significant elements

#### Land Use

P1 Predominantly commercial and mixed commercial and residential development.

#### Topography

P2 Slight falls to the south west from West and Myrtle Streets.

#### Views

P3 The following views and vistas are to be preserved and where possible enhanced:

(a) Views to the North Sydney CBD along the Pacific Highway.

#### Identity / Icons

P4 Union Hotel

P5 Freemasons Hall (Wellbeing Centre)

P6 Pacific Highway, a major sub regional thoroughfare.

#### Subdivision

P7 Irregular grid pattern, due to the streets aligning with the topography.

#### Streetscape

P8 Wide fully paved footpaths.

P9 Buildings built to street along the Pacific Highway.

P10 Awnings provided along the Pacific Highway

P11 Irregular planting of street trees and shrubs.



### Public transport

- P12 Development to take advantage of high levels of accessibility to high frequency bus services along the Pacific Highway.

## 2.3.2 Desired Future Character

### Diversity

- P1 Diverse range of activities including residential, public services (including the postal service and police) commercial and retail.
- P2 A variety of different sized non-residential spaces (e.g. smaller showrooms, small offices).
- P3 Pick up and drop off points for public transport and taxi ranks are located close to public spaces and activities, and main building entrances.

### Accessibility and permeability

- P4 The following through site links are to be provided, retained and enhanced:
- (a) An east-west pedestrian link along Hazelbank Place from West Street to Pacific Highway, with good lighting and paving.
  - (b) New pedestrian links which encourage access along Eden Lane to Myrtle Street, West Street and Pacific Highway.
  - (c) New pedestrian links which encourage access to and from Pacific Highway, West Street and Ridge Street.
- P5 Through site links are made safe through adequate lighting and passive surveillance.

## 2.3.3 Desired Built Form

### Form, massing and scale

- P1 A variety of building heights in the mixed use area with the average height being 4 storeys.
- P2 Buildings adjacent to conservation areas transition in height to match building height in conservation areas.

### Podiums

- P3 A podium of 4 storeys to all streets, with a weighted setback of 3m above the podium with the following exceptions:
- (a) A podium of 4 storeys to Eden Street, Eden Lane and Myrtle Street, with a setback of 1.5m above the podium.
  - (b) A podium of 3 storeys to Hazelbank Lane and Church Lane, with a setback of 1.5m above the podium.

### Building Design

- P4 Building form differs throughout the area, with an emphasis on quality mixed use design to complement heritage items.
- P5 Form, scale and massing reflects surrounding development to provide visual interest through a range of detailing such as recesses, balconies and a variety of materials.
- P6 Ground floor commercial/retail uses to provide activity and interest along Pacific Highway, Eden Street and Eden Lane.
- P7 Active uses along Eden Street and Eden Lane such as outdoor dining to encourage activity outside standard business hours.
- P8 Mixed use development complements lower scale residential development in adjoining conservation areas.



**Area Character Statements - North Sydney Planning Area**

**Noise**

- P9 Elevations of buildings fronting the Pacific Highway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

**Awnings**

- P10 Consistent awnings along Pacific Highway to provide shelter from weather conditions.

**Car accommodation**

- P11 Short stay metered on-street parking for visitors.
- P12 Access to underground car parking should be provided through a single combined entry and exit.

**Public Spaces and facilities**

- P13 Footpath paving along property frontages in accordance with Council's specifications.
- P14 Roof top gardens and public facilities that allow public access to district views from higher floors.
- P15 Encourage active uses outside standard business hours to encourage active streets and street surveillance.
- P16 Locate any outdoor dining within clearly defined areas located away from main roads; provide weather protection providing equal and unobstructed pedestrian movement.

**Streetscape**

- P17 Streetscape to provide consistency with surround areas with street tree planting and use of street furniture.
- P18 Tree lined streets encourage birdlife and lessen impact to traffic noise.

## 2.4 HAMPDEN NEIGHBOURHOOD



### 2.4.1 Significant elements

#### Land Use

- P1 Residential accommodation.
- P2 Educational establishments.

#### Topography

- P3 Moderate falls to the south from Ridge Street and steep falls to the east from Walker Street to the Warringah Expressway.

#### Views

- P4 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Maintain views of Kirribilli and the Harbour from Walker Street.
  - (b) Strong vista along Walker Street to southern part of CBD.

#### Identity / Icons

- P5 North Sydney Club
- P6 Warringah Expressway, a major arterial thoroughfare.
- P7 Sandstone wall in the middle of Walker Street

#### Streetscape

- P8 Tree lined streets with grassed verges and concrete footpaths.
- P9 Split level streets to Hampden Street.
- P10 Landscaped medians on Hampden Street.
- P11 Double rail timber fences on Hampden Street.

**Area Character Statements - North Sydney Planning Area**

- P12 Low front fences of brick or masonry on Walker Street.
- P13 Residential flat buildings are setback from the boundary and aligned with the street frontage.

**Public transport**

- P14 Development to take advantage of reasonable proximity to high levels of public bus and train services.
- P15 Public transport, cycling and walking are the main forms of public transport.

## 2.4.2 Desired Future Character

**Diversity**

- P1 A mixture of modern multi-level residential flat buildings with older low rise residential flat buildings.
- P2 Retention of the 2-3 storey original attached dwelling houses on Hampden Street.

**Accessibility and permeability**

- P3 Pedestrian walk along the western side of Warringah Expressway accessed from Hampden Street.

## 2.4.3 Desired Built Form

**Form, scale and massing**

- P1 Early and original residential buildings complement the topography to maintain views and easy access.
- P2 Ground floors may not relate to street level due to topography of the area, with high sandstone retaining walls at ground level.
- P3 Generally a maximum of 2 storeys on Hampden Street.
- P4 Development is to be designed to maximise solar access year round to the new public squares to be created within the Ward Street Precinct.
- P5 Development must not result in a net increase in overshadowing to the main southern square to be created within the Ward Street Precinct between 9am and 4pm from the March equinox to the September equinox (inclusive).

**Setbacks**

- P6 Maintain existing setbacks from property boundary along the eastern side of Walker Street and the northern side of Berry Street.

**Fences**

- P7 Low fences (max 800mm)
- P8 Small picket fences above sandstone bases

**Car parking**

- P9 Located off-street and below ground for all residential flat buildings and multi dwelling housing.
- P10 Located on-street parking for all heritage listed attached dwellings.
- P11 Short term on-street meter parking.
- P12 Existing sandstone retaining walls on street frontages must not be breached to accommodate garages or car parking spaces.

**Streetscape**

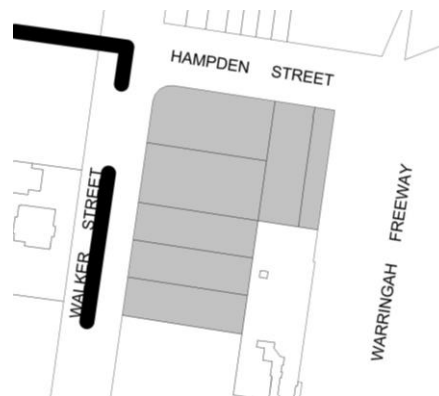
- P13 Heritage features such as Walker Street and Hampden Street sandstone walls.

- P14 Substantial gardens within front setback area.
- P15 Steps and pathways along Walker and Hampden Streets are maintained.
- P16 Landscaping in front gardens/private open space.
- P17 Tree lined streets and mature vegetation on median enhances area.

#### Noise

- P18 Elevations of buildings fronting the Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

### 2.4.4 East Walker Street Precinct



Where there is an inconsistency between the East Walker Street Precinct Controls and the Hampden Neighbourhood Controls, the East Walker Street Precinct Controls prevail.

#### Building Setbacks

##### Front setbacks

- P1 2m landscaped setback to Walker Street
- P2 2m landscaped setback to Hampden Street

##### Side setbacks

- P3 Nil side setbacks to the eastern side property boundary of 17 Hampden Street

##### Rear setbacks

- P4 12m for Walker Street properties (173-179 Walker Street)
- P5 12m for Hampden Street properties (15-17 Hampden Street)

#### Street wall height (podium)

- P6 2 storey street wall height for Walker Street
- P7 2-3 storey street wall height for Hampden Street
- P8 The Hampden Street podium is to respond to the rhythm and grain of the adjacent heritage properties through the incorporation of vertical proportions.

#### Upper level Setbacks

- P9 3m upper level podium setback

#### Building separation

- P10 12m separation distance above the podium base, is to be provided between the two building forms
- P11 The building separation is to provide a view corridor through the site.

## 2.5 WALKER/RIDGE STREET CONSERVATION AREA



### 2.5.1 History

The Walker/Ridge Streets Conservation Area was subdivided as part of the Town Plan for North Sydney, known at the time as St Leonards, but remained largely undeveloped until the 1880s. Some of the first buildings were "Lamona", built by Dr Kelynack in 1883, "Park House" built by Francis Punch in 1886, followed by "St Helens" 1889.

Land on the western side of Walker Street was owned by Francis Lord as part of an estate surrounding his house "The Lodge". A smaller block was owned by William Tucker. Subdivision and development on the western side of Walker Street occurred in the late 19<sup>th</sup> century, mostly for private homes. The area was once comprised part of "the Macquarie Street of the north" due to the number of doctors surgeries and cottage hospitals. A portion of the area is now occupied by Wenona School.

The main building period is 1880-1900.

### 2.5.2 Description

The Walker/Ridge Streets Conservation Area includes the eastern end of Ridge Street and the sloping, northern portion of Walker Street. It is bounded St Leonards Park to the north, Elliot Street to the west and the Warringah Expressway to the east.

The landform falls to the south. Subdivision is determined by the grid pattern of the streets and lot sizes are irregular and many are developed for attached housing.

The area is characterised by intact groups of single and two storey detached and attached dwelling houses in a mix of Victorian Italianate and Federation styles with St. Helens being a remnant of the Victorian Georgian. The main buildings at the northern end of Walker Street are substantial residences in the Federation Arts and Crafts and Queen Anne styles. There is some modern residential infill and educational buildings associated with Wenona.

Street verges are 3.5 metres wide with concrete footpaths and lined with regularly spaced street trees.

The vista towards the War Memorial in St Leonards Park up Walker Street is a significant feature of the Conservation Area and there are views from the eastern edge to Sydney Harbour. Original fencing and retaining walls are important unifying elements in the streetscape.

Mature landscaping is a unifying and significant feature of the Conservation Area and the gardens to Walker Street contribute to this. There are street trees to Walker Street.

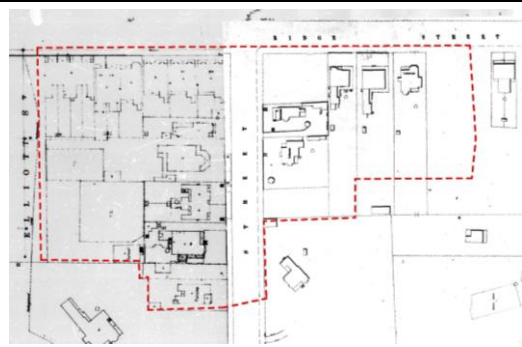
Uncharacteristic elements include contemporary multi-storey buildings; over-scaled, two storey additions; over-scaled and poorly detailed carports and garages; front and side

dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

### 2.5.3 Statement of Significance

The Walker/Ridge Streets Conservation Area is significant:

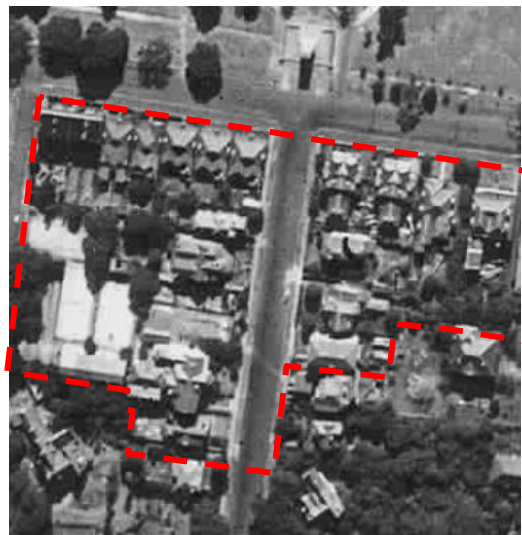
- (a) For its late 19<sup>th</sup> and early 20<sup>th</sup> century character defined by the number of intact heritage items in the area.



**Figure C-2.5.1 (left):**  
Circa 1890

**Figure C-2.5.2 (below left):**  
Circa 1943

**Figure C-2.5.3 (below):**  
Circa 2008



### 2.5.4 Significant elements

#### Topography

- P1 Steeply sloping to the south along Walker Street from Ridge Street.

#### Subdivision

- P2 Lot sizes – 700m<sup>2</sup> to 1250m<sup>2</sup>.
- P3 Rectilinear with narrow boundary to street.

#### Streetscape

- P4 Continuity of fences and landscaping.

#### Views

- P5 Warringah Expressway Lookout at the end of Ridge Street. Towards St Leonards Park War Memorial along Walker Street.

## 2.5.5 Characteristic buildings

- P1 Detached and attached Victorian Italianate dwelling houses.
- P2 Detached Federation Queen Anne and Arts and Crafts style dwelling houses.

## 2.5.6 Characteristic built elements

### Siting

- P1 Dwellings are oriented to face the street, parallel to the street alignment.
- P2 Dwellings are sited forward and middle of lot.

### Form, massing and height

- P3 Single storey and two storey dwelling houses with hipped and gabled roofs with skillion rear wings.
- P4 Reduced height and scale to rear.
- P5 Open verandahs to front.
- P6 Projecting front gables beside recessed verandahs.
- P7 Detached and semi-detached dwelling houses of identical design often have continuous front verandahs.
- P8 Strong skyline of simple pitched roofs and chimneys visible from street and St Leonards Park.
- P9 Front setbacks generally between 4-5m.
- P10 Side setbacks of 1.5m.

### Roofs

- P11 Pitched between 30 and 45 degrees without dormers or openings that can be seen from the street.
- P12 Hipped roofs with some gabled elements.
- P13 Gabled ends for projecting bays to the street.
- P14 Skillion roofs to rear extensions.
- P15 Brick and rendered chimneys with terracotta chimney pots.

### External Materials

- P16 Face brick on Federation buildings with sandstone foundations.
- P17 Original rendered walls on Victorian buildings.
- P18 Slate, corrugated metal and terracotta tiled roofs.
- P19 Timber windows, doors and joinery.
- P20 Original front garden landscaping.

### Windows, doors and joinery

- P21 Consistent with building period and style. Timber

### Fences and kerbing

- P22 Original front fences less than 800 mm height with views to the garden.
- P23 Timber fences to rear and side.
- P24 Sandstone plinths, sandstone piers, metal palisade and gates, timber pickets, timber rails and mesh, pipe and mesh gates, original face brick with piers.
- P25 Sandstone kerbing.



**Car accommodation**

P26 No garages or carports located in front of building line.

**2.5.7 Desired built form**

- P1 Views to the war memorial in St Leonards Park should not be obstructed and opportunities to improve the vistas to and from the park along Walker Street should be sought.
- P2 Improve the interface of the Walker/Ridge Street conservation area boundary with St Leonards Park.

**2.5.8 Uncharacteristic elements**

- P3 Modern infill development, loss of original detailing and materials on elevations visible from the public domain, dormers and skylights on front or side elevations, modified roof planes, glazed roofing, new balconies and decks above street level, infilled verandas and balconies, roof cut-outs for decks and terraces, full width roof additions, glazed balustrades, metal wall cladding, extensive glazing, infill of breezeways, paved gardens, lack of landscape setting including trees, high solid walls and fences to the street, parking except at the rear, concrete kerbing.

## 2.6 McLAREN STREET CONSERVATION AREA



### 2.6.1 History

The McLaren Street Conservation Area was subdivided as part of the Town Plan for North Sydney, known at the time as St Leonards.

The land for St Thomas' Church was allocated in 1842 and the first church erected in 1843. Further land was purchased by the Church and a schoolhouse was erected in 1848. The original Church was replaced by a larger Church erected around it between 1877 and 1884 to a design by Edmund Blacket.

A rectory, designed by E. Jeaffreson Jackson, was built to the east of the Church in 1900, and a memorial hall was added to the site in 1922. The earliest recorded occupant of adjacent land was James Husband, and plans from 1892 show "St Thomas' Terrace" fronting Miller Street.

During the 1890's a large residence and doctor's surgery, designed by E. Jeaffreson Jackson, was erected for Dr Capper at the corner of Miller and McLaren Streets. The building was acquired in 1926 and remodelled as Council Chambers for North Sydney Council.

At the turn of the 20th century Miller Street was known as the "Macquarie Street of the North Shore" because of the concentration of doctors, dentists and hospitals.

### 2.6.2 Description

The McLaren Street Conservation Area is made up of two areas either side of McLaren Street and Church Street including the park to the north of the North Sydney Council Chambers.

The topography slopes down from Ridge Street towards McLaren Street with Church Street following the slope. The park is modelled with small rises and a terraced area towards Miller Street. The subdivision pattern relates only to McLaren Street and Church Street and the Victorian pattern has been lost in the Civic precinct.

The characteristic buildings in the area are typically Federation and Edwardian Queen Anne with pockets of Victorian dwelling houses along Church Street. The area contains several public buildings including St Thomas's Church and Hall and the North Sydney Council Chambers, a Federation building with modern extension. The buildings are typically:

- (a) single and two storey, freestanding buildings with materials relating to the age of construction,
- (b) Victorian rendered dwelling houses with verandahs and slate and corrugated metal roofs, and
- (c) Federation face brick dwelling houses with verandahs and terracotta tile roofs.

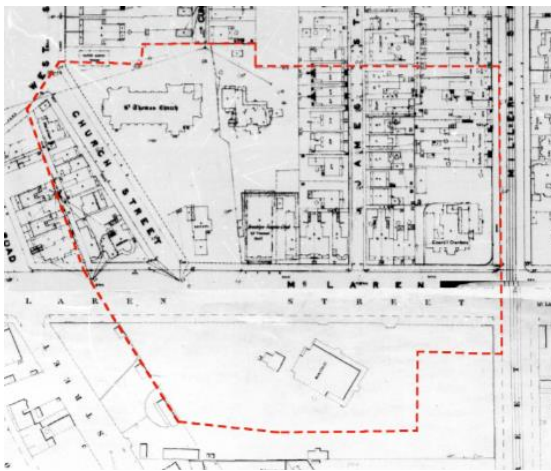
The church is a prominent, stone building with associated vestry building and halls.

There are street plantings along each of the streets and plantings in the park.

### 2.6.3 Statement of Significance

The McLaren Street Conservation Area is significant:

- (a) As an area that is close to the centre of North Sydney that retains representative details from its development from the late 19th and early 20th centuries, including street formation, buildings, gardens and fencing.
- (b) For its landmark qualities and associations with St Thomas' Church, North Sydney Council buildings, park and public court



**Figure C-2.6.1 (left):**

Circa 1890

**Figure C-2.6.2 (below left):**

Circa 1943

**Figure C-2.6.3 (below):**

Circa 2008



### 2.6.4 Significant elements

#### Topography

P1 Sloping to the south from Ridge Street

### Subdivision

- P2 Variety of lot sizes related to land use and building/dwelling type. Generally rectilinear with narrowest frontage to street for perimeter development.

### Streetscape

- P3 Buildings at street level or raised above it.  
 P4 Varying scale of housing facing the street in garden settings located forward on the lot.  
 P5 Public buildings in landscaped setting.  
 P6 Concrete and stone kerbs, sandstone walls, palisade fences, street gardens.  
 P7 Street trees and Stanton Park.

### Views

- P8 Views within area along Miller and McLaren Streets to St Thomas' Church and the Council buildings.

## 2.6.5 Characteristic buildings

- P1 Victorian and Federation.

## 2.6.6 Characteristic elements

### Siting

- P1 Dwellings are oriented to face the street, parallel to the street alignment, forward on lots.  
 P2 Front setback 6-8m and side setbacks of 1.5-2m.

### Form, massing and height

- P3 Single and two storey, detached dwelling houses.  
 P4 Simple forms articulated with verandahs to front.  
 P5 Reduced bulk and scale to the rear.  
 P6 Multi-storey public buildings.  
 P7 Mainly gabled and hipped roofs pitched between 30 and 45 degrees.

### Materials

- P8 Walls: render, stone and face brick on sandstone foundations.  
 P9 Roofs: slate, terracotta and corrugated metal on rear extensions.  
 P10 Windows and doors: Timber.  
 P11 Tall chimneys with chimney pots, stucco and face brick.  
 P12 Tessellated tiles to verandahs.

### Windows and doors

- P13 Consistent with building period and style. Timber

### Fences

- P14 Brick or sandstone piers and base with metal palisade and timber panels.  
 P15 Stone boundary wall to Church.

### Car accommodation

- P16 Locate garages and carports to rear of the property.  
 P17 No garages or carports located in front of building line.



P18 Single driveways.

### **2.6.7 Uncharacteristic elements**

P1 Modern additions and buildings; painting and rendering of face brick; high fences to street; excessive paved areas for parking; buildings built to the front boundary.

P2 Modern shopfront to 5-7 McLaren St.

## SECTION 3 ST LEONARDS / CROWS NEST PLANNING AREA

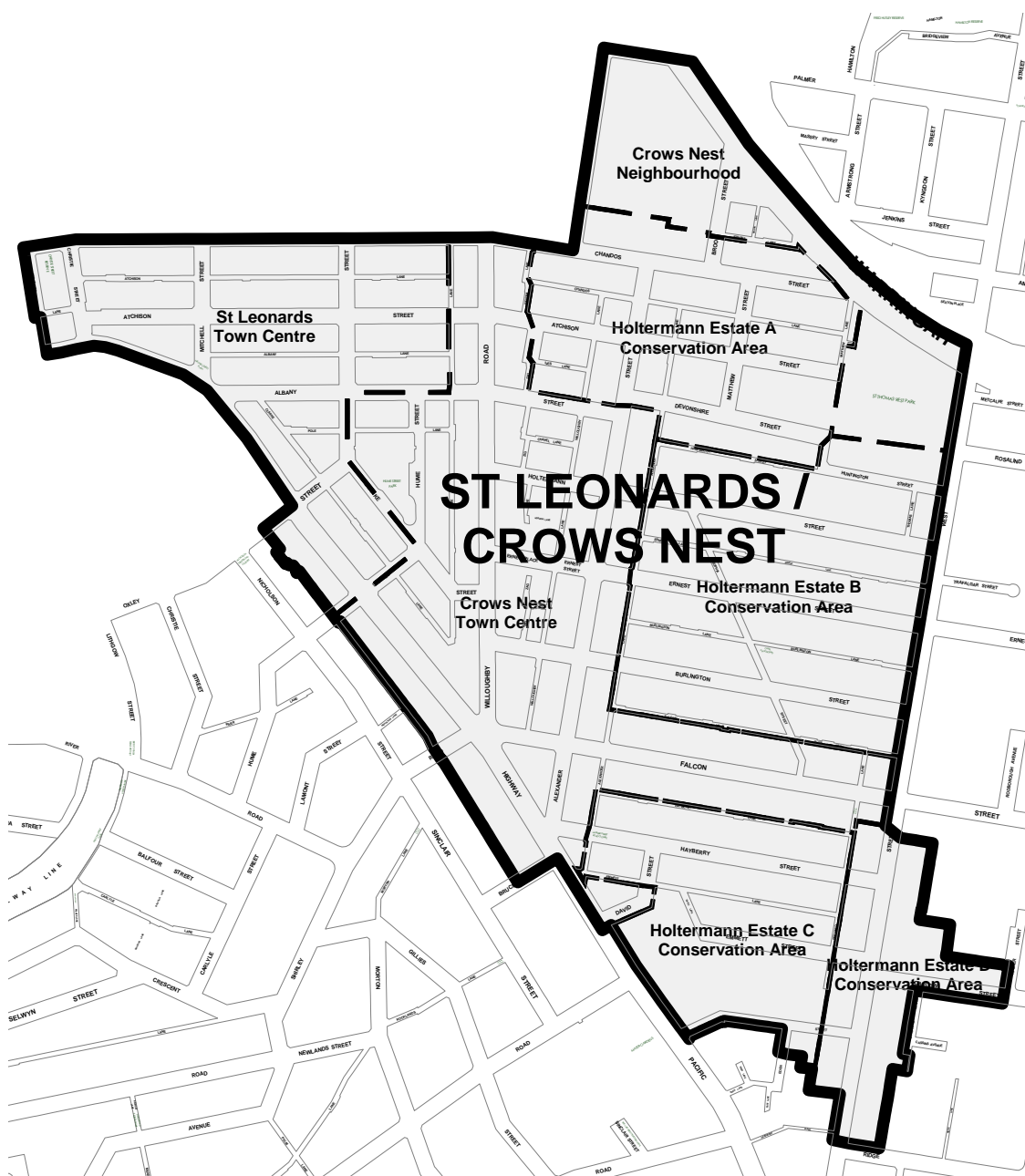
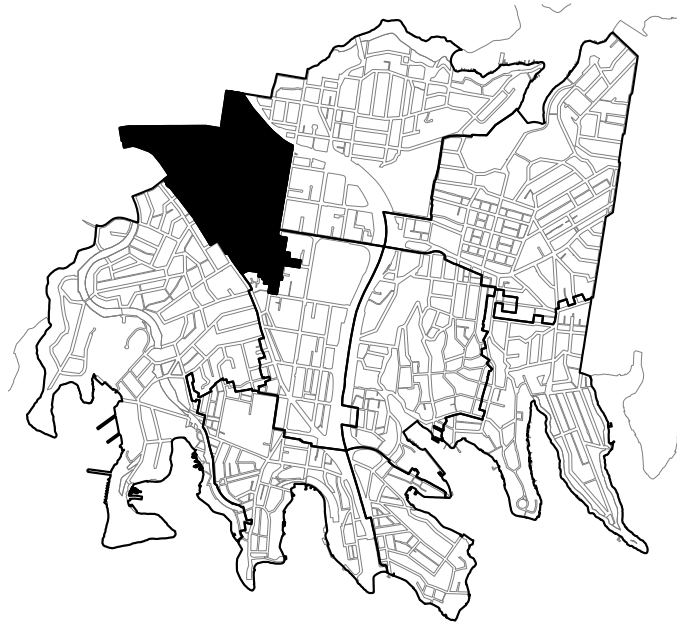


Figure C-3.1: St Leonards / Crows Nest Planning Area and associated Locality Areas

### 3.0 ST LEONARDS / CROWS NEST PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the St Leonards/Crows Nest Planning Area.

The Planning Area is focussed around the town centres of St Leonards and Crows Nest in the north-west of the area both of which are situated on major traffic routes. The remainder of the Area comprises a number of predominantly low density residential neighbourhoods, much of which is characterised by retention of the historic subdivision pattern.

St Leonards Town Centre, which is identified as a Specialist Centre under the Metropolitan Strategy 2036, is a significant, sustainable and busy urban centre where:

- Creative industries, small to medium sized businesses, startups, galleries, entertainment and speciality retail are supported to enhance the economic function of North Sydney.
- a diverse range of living, employment, recreation and social opportunities are provided which serve both local and regional populations and contribute to the vibrancy of the centre
- residents, workers and visitors enjoy a high level of amenity and quality of the natural and built environment
- residents, workers and visitors can easily access the Area through excellent public transport links to the Sydney CBD, other suburban centres and many parts of the Sydney Region by rail and bus.

Crows Nest Town Centre is smaller in scale in comparison to St Leonards, with 19<sup>th</sup> Century, two storey shopfront parapets along Willoughby Road and the Pacific Highway. The Town Centre services the daily needs of residents and visitors, as well as having a lively dining district. Traffic is managed so pedestrians can move freely across Willoughby Road.

The residential neighbourhoods are generally quiet and characterised by wide roads with street tree plantings. Laneways facilitate movement and provide rear lane access to properties. Local shops, dispersed throughout the area, serve both local and regional needs.

**Area Character Statements - St Leonards / Crows Nest Planning Area**

St Thomas Rest Park, located toward the northern edge of the area, as well as Hume Street Park, provides much needed open space and complements pocket parks within the area, with access to St Leonards Park on the eastern edge.

and where:

**Function**

- there is housing choice in the mix of dwelling types and in the range of affordability
- various grades and sizes of business spaces are provided in the St Leonards and Crows Nest Town Centres to accommodate a mix of small and large business premises, retail premises and community services
- the lower levels of mixed use buildings in the St Leonards Town Centre are designed to provide flexible spaces to support the growth of creative industries, small to medium sized businesses, startups, galleries, entertainment and speciality retail.
- existing uses, such as the fruit market on Atchison Street, which are important to the community, are maintained
- community facilities meet the needs of the centre's working and resident population, visitors, and residents of nearby neighbourhoods, in terms of wellbeing, culture and recreation, and add to the diversity and activity of the centre
- public transport, including walking and cycling, is the main form of access to the St Leonards Town Centre
- parking is adequate but is managed in a way that maintains pedestrian safety, the quality of public space and built form, and minimises traffic generation
- traffic is managed so that pedestrians can move within the area freely and safely and amenity is maintained
- pedestrians are assisted to safely cross barriers such as the Pacific Highway and the railway
- the grid pattern of streets and lanes imposes order and allows freedom of movement
- north/south mid-block pedestrian connections provide alternative routes through blocks at street level to assist pedestrian movement
- the area is highly permeable for pedestrians

**Environmental Criteria**

- the extremes of sun, wind and rain are mitigated by good building design
- natural light reaches buildings, public places and streets
- mechanical and other noise is controlled to protect residential amenity
- there is opportunity for all to enjoy views within the area
- additional public open space is provided for increased residential population

**Quality Built Form**

- a safe, high quality urban environment is achieved through careful design of buildings and use of materials, and a well designed and maintained public domain
- the high ridge that underlies St Leonards is reflected in its built form and the skyline is an interesting and distinctive feature in the broader landscape, with the station marked by the Forum development



**Area Character Statements - St Leonards / Crows Nest Planning Area**

- buildings are scaled down from the Forum development towards surrounding areas, to fit in with lower scale development and reducing adverse affects on lower scale areas
- high rise development is generally contained by Pacific Highway to the west, Oxley Street to the east and south and Chandos Street to the north
- the character in the St Leonards Town Centre is highly urbanised, but softened through urban design and landscaping
- the visual characteristics of the Crows Nest neighbourhood's heritage conservation status are reflected in new development, with low rise small scale dwellings predominating
- the heritage items retain their heritage significance, illustrate a rich development history and provide interest in the physical fabric of the area

**Quality Urban Environment**

- tree planting in private and public spaces and small landscaped areas provides softening from the built form
- traffic is managed so that pedestrians can move within the area safely and freely
- parking is managed to maintain pedestrian safety and the quality of traffic generation
- rear lanes are used for vehicle access to properties
- pedestrians are assisted in safely crossing barriers such as the Pacific Highway

**Efficient Use of Resources**

- energy efficient design and life cycle assessment of buildings enables the conservation of natural resources and minimal use of non-renewable energy resources
- stormwater runoff is minimised, and reused on-site where possible

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

- Section 3.1: St Leonards Town Centre
- Section 3.2: Crows Nest Town Centre
- Section 3.2.4 Hume Street Park
- Section 3.2.5 27-57 Falcon Street, Crows Nest
- Section 3.3: Crows Nest Neighbourhood
- Section 3.4 Holtermann Estate Conservation Area A
- Section 3.5: Holtermann Estate Conservation Area B
- Section 3.6: Holtermann Estate Conservation Area C
- Section 3.7: Holtermann Estate Conservation Area D

### 3.1 ST LEONARDS TOWN CENTRE



A comprehensive master planning process may be required to be prepared in consultation with Council and neighbouring landowners for key sites identified in the St Leonards/Crows Nest Planning Study Precincts 2&3. These sites include:

- (a) Christie Street Masterplan: 655 & 657 Pacific Highway and 100 Pacific Highway
- (b) Oxley Street Masterplan: 75-89 Chandos Street, 21-35 and 58-64 Atchison Street.

#### 3.1.1 Significant elements

##### Land Use

- P1 Predominantly mixed commercial and residential development.
- P2 Commercial development.
- P3 Community facilities.
- P4 Passive and active recreational spaces.

##### Topography

- P5 Slight falls to the east and north east from the Pacific Highway which generally follows the ridgeline.

##### Identity / Icons

- P6 The Forum development and plaza.
- P7 St Leonards Station a major transport interchange hub.
- P8 Pacific Highway, a major sub-arterial thoroughfare.

##### Subdivision

- P9 Generally rectilinear grid pattern with dual frontages

##### Streetscape

- P10 Wide fully paved footpaths along Pacific Highway and other commercial and mixed use buildings.
- P11 Atchison Street between Christie Street and Mitchell Street is one way only, with wide paved footpaths, landscaping and other urban furniture.



P12 Awnings provided along the Pacific Highway and for other commercial and mixed use buildings.

P13 Irregular planting of street trees.

**Public transport**

P14 Development is to take advantage of high levels of access to high frequency public train and bus services.

P15 Public transport, cycling and walking are the main forms of transport to the Centre.

**3.1.2 Desired Future Character**

**Diversity of activities, facilities, opportunities and services**

P1 Predominantly medium-high rise, mixed commercial and residential development.

P2 Provision of a variety of different sized commercial office, business, retail, recreation, (indoor and outdoor) community, entertainment, food and drink and other active non-residential uses at the street level in the *B3 Commercial Core* and *B4 Mixed Use* zones.

P3 Intensify the provision of commercial office and business premises along Christie Street with active uses such as food and drink premises and retail located at the ground level addressing the public domain.

P4 Maximise ground level activation along Mitchell Street and Chandos Street by focusing food and drink premises and retail within a fine grain built form. This can be achieved through the emphasis of small to medium sized tenancies which directly address the public domain.

P5 High density residential accommodation within mixed use buildings is concentrated closest to the railway station.

**Public spaces and facilities**

P6 Establish Atchison Street as the civic main street by:

- (a) ensuring that the design of building exteriors at the lower levels incorporates high levels of architectural modulation (i.e. no blank walls) along with high quality materials and finishes;
- (b) maximising active uses such as retail, food and drink and outdoor dining at the ground level; and
- (c) improving the public domain in accordance with Council's Public Domain Style Manual and Design Codes.

P7 Outdoor dining to be concentrated along widened footpaths to Atchison, Mitchell and Oxley Streets.

P8 Public plaza is provided at the closure of Mitchell Street with Pacific Highway.

P9 A linear park is provided along the western side of Mitchell and Oxley Streets, between Chandos and Albany Street.

P10 A shared way is provided along Mitchell Street from Atchison Street to properties in Albany Lane.

P11 Artworks and water features are integrated into design of the plaza - artworks and other features act as windbreaks, particularly at the Pacific Highway end of Mitchell Street.

P12 Plazas incorporate space for public entertainment and expression of community identity, large enough to hold an open air performance or market.

P13 Roof top gardens and public facilities that allow public access to district views from higher floors.

### Accessibility and permeability

- P14 The following through site links are to be provided, retained and enhanced:
- (a) A north - south pedestrian link from Chandos to Atchison Street across 63-65 or 67-69 Chandos Street and 40-48 Atchison Street.
  - (b) A north - south pedestrian link from Atchison to Albany Street across 15-19 Atchison Street and 22, 26 or 28 Albany Street.
  - (c) A north - south pedestrian link from Chandos to Atchison Street across 33 or 35-37 Chandos Street and 6-16 Atchison Street.
- P15 Consideration should be given to expanding the existing through site link across 6-16 Atchison Street along the western side of 20 Atchison Street.
- P16 New through site links are to align as best as possible with existing through site links to maximise permeability.

### 3.1.3 Desired Built Form

#### Subdivision

- P1 Maintain a frontage of 20m - 40m, which equates approximately to the amalgamation of two or three original allotments.
- P2 Development on consolidated allotments with a frontage wider than 20m - 40m frontage is to be broken down by articulation, design and detailing, change in materials and colours.

#### Form, massing and scale

- P3 Buildings should generally step down in height from the tallest buildings, being the Forum (201-207 Pacific Highway) down to the surrounding areas and the lower scale development on Chandos Street, Willoughby Road, Crows Nest Town Centre, the Upper Slopes Neighbourhood and Crows Nest Neighbourhood.
- P4 Roof design presents a varied, composed and interesting skyline when viewed from a regional context.
- P5 Architectural detailing and ornamentation provides a rich visual texture and a symbolic reference to the history of the place, the building's use or occupant.
- P6 Developments on land greater than 1,000sqm should consider the incorporation of internal courtyards adjacent to laneways and through site links to broaden the range and form of open space in the locality.

#### Setbacks

- P7 Zero setback to all street frontages, with the exception of the setbacks on the Building Setbacks Map (refer to Figure C-3.2)



**Figure C-3.2: Building Setbacks Map**

### Podiums

- P8 Podiums are to be provided in accordance with the Building Podiums Map (refer to Figure C-3.3)
- P9 Despite P8, corner sites are to maintain a consistent podium height to all street frontages to achieve consistent built form.



**Figure C-3.3:** Building Podiums Map

### Above Podium Setbacks

- P10 All buildings are to be designed to provide setbacks above the podium in accordance with the Above Podium Setbacks Map (refer to Figure C-3.4). Setbacks above the podium are to be measured from the outer wall of the podium.
- P11 Despite P10, increased setbacks above the podium may be required to achieve adequate building separation in accordance with SEPP 65.



**Figure C-3.4:** Above Podium Setbacks Map

### Awnings

P12 Awnings are to be provided along all street frontages in the *B3 Commercial Core* and *B4 Mixed Use* zones.

### Solar access

P13 Development to the north of Atchison Street and east of Mitchell Street is restricted in height and massing to maintain and improve existing solar access on June 21 between 12pm and 3pm to the open space area at the south end of Mitchell Street.

P14 Development should not increase overshadowing of the existing or proposed public open space area at Hume Street Park bounded by Pole Lane, Oxley Street, Clarke Street and Hume Street between the hours of 9am – 3pm.

### Noise

P15 Elevations of buildings fronting Pacific Highway and Chandos Street are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

## Views

P16 Slot views to the sky and between higher buildings are to be provided.

## R4 – High Density Residential Zone

**Note:** These provisions only apply to land within the R4 High Density Residential zone. Provisions P17-P28 prevail over the provisions P1-P16 under s.3.1.3 to Part C of the DCP to the extent of any inconsistency that arises.

P17 Generally 5 storeys with flat roofs.

P18 Development compliments the physical form of development in the adjoining mixed use areas.

P19 Height of development responds to adjacent building height and form.

P20 Landscaped areas should be accessible to all residents and not fenced off into separate courtyards.

P21 Rear open spaces must be accessible from the street.

P22 Laneway fences generally between 900 and 1200mm high.

## Car accommodation

P23 Where a property has a frontage to a laneway, vehicular access must be provided from the laneway

P24 All off-street car parking must be provided underground.

P25 Pick up and drop off points for public transport and taxi ranks should be located close to public spaces and activities, and main building entries.

P26 Short stay (ten minute) parking spaces should be located close to meeting places.

P27 The amount of long stay commuter parking is minimised.

P28 Non-residential parking is minimised.

## 3.2 CROWS NEST TOWN CENTRE



### 3.2.1 Significant elements

#### Land Use

- P1 Predominantly mixed commercial and residential development.
- P2 Public parking facilities.
- P3 Community facilities.
- P4 Medium density residential accommodation.
- P5 Passive and active recreational spaces.

#### Topography

- P6 Slight falls to the east and north east from the Pacific Highway which generally follows the ridgeline.

#### Natural Features

- P7 Ridge line following the alignment of Pacific Highway.

#### Views

- P8 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Vista north along Willoughby Road and Pacific Highway.
  - (b) District views from the upper levels of taller buildings.

#### Identity / Icons

- P9 Crows Nest five ways intersection.

**Area Character Statements - St Leonards / Crows Nest Planning Area**

P10 Formalised outdoor dining on Willoughby Road, Burlington, Ernest and Holtermann Streets.

P11 Pacific Highway and Falcon Streets, major sub-arterial thoroughfares.

P12 Hume Street Park.

**Subdivision**

P13 Regular grid pattern interrupted by diagonal streets.

P14 Generally long narrow allotments with dual street frontages.

**Streetscape**

P15 In mixed use areas, buildings are built to the street and aligned with the street frontage.

P16 Continuous awnings provided for shops, cafes and other commercial uses.

P17 Wide footpaths with designated outdoor dining areas on Willoughby Road, Burlington, Ernest and Holtermann Streets.

P18 Landscaping provided along Willoughby Road to improve amenity for pedestrians and outdoor diners.

P19 Traffic calming and pedestrian crossings provided near shops and cafes on and around Willoughby Road.

P20 Irregular planting of street trees and shrubs.

**Public transport**

P21 Development is to take advantage of the Area's high levels of accessibility to public train and bus services.

**3.2.2 Desired Future Character**

**Diversity of activities, facilities, opportunities and services**

P1 Willoughby Road, between Falcon Street and Albany Street, and Pacific Highway, between Shirley Road and Hume Street, two storey parapet shopfront with shops at ground level, non-residential or residential above, with additional height set back above 2 storey parapet.

P2 Remainder of the Centre medium rise, mixed use development, boundary to boundary, with setbacks at laneway, public spaces and above podium - shops at ground level, non-residential/residential on first floor, residential above.

P3 Medium density residential development along Falcon Street.

P4 Provision of a large connected piece of open space connecting Willoughby Road to Oxley Street.

**Accessibility and permeability**

P5 Pedestrian access from Willoughby Road to through to Alexander and Hume Streets, improves access to the Council car parks.

**Public spaces and facilities**

P6 Ernest Place is a focus for the Town Centre.

P7 A significant urban park (Hume Street Park) is provided on land bound by Pole Lane, Oxley Street, Clarke Street and Hume Street.

P8 A public plaza with a pedestrian link to Willoughby Road is provided between Hume Street and Hume Lane adjacent to Hume Street Park.



### 3.2.3 Desired Built Form

#### Subdivision

- P1 Maintain a 10m - 15m frontage (consistent with two storey parapet shopfront scale), especially along Willoughby Road and Alexander Street.
- P2 Frontages of sites larger than this have their apparent width broken down with detailing and design features.

#### Setbacks

- P3 Zero setback to all street frontages
- P4 A 1.5m setback to all laneways.

#### Podiums

- P5 A podium of 13m (4 storey) to all streets with a setback of 3m above the podium level, with the following exceptions:
- (a) A podium of 13m (4 storey) with a weighted average setback of 4m above the podium level to:
    - (i) the northern, eastern and southern frontages of the street blocks bounded by Falcon Street, Alexander Street, Holtermann Street and Willoughby Lane, and
    - (i) the triangular street block bounded by Falcon Street, Alexander Street and the Pacific Highway.
  - (b) A podium of 8.5m (2 storey) with a setback of 3m above the podium to:
    - (i) Willoughby Road, between Falcon Street and Albany Street, and
    - (ii) Pacific Highway, between Shirley Road and Hume Street
  - (c) A podium of 10m (3 storeys) to all laneways, with a setback of 3m above the podium.

#### Building design

- P6 Consistent parapet facade heights are provided along Willoughby Road and the Pacific Highway.
- P7 Off-street car parking must be provided underground except when owned and operated by Council as a public car park.

#### Noise

- P8 Elevations of buildings fronting Falcon Street and Pacific Highway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

#### Awnings

- P9 Awnings must be provided to all street frontages, except laneways.

#### Car accommodation

- P10 No vehicular access is permitted to:
  - (a) Willoughby Road, between Falcon Street and Albany Street, and
  - (b) Pacific Highway, between Shirley Road and Hume Street.
- P11 Shared vehicular access to Shirley Road must be maintained to all properties between 286 and 306 Pacific Highway.

### 3.2.4 Hume Street Park

#### Plan of Management

- P1 Development is not permitted on the Hume Street Park site:
- (a) until a Plan of Management has been prepared for the site; and
  - (b) the development is consistent with the Plan of Management.

#### Diversity

- P2 The principal purpose is to provide a large recreational area and urban plaza with a variety of community, recreational and business purposes provided below ground level.

#### Form, massing and scale

- P3 Development is predominately located below ground, to ensure that the land is highly accessible for pedestrians and can be actively used as a recreational space and urban plaza.
- P4 Any development located above ground shall not exceed 1 storey in height.

### 3.2.5 27-57 Falcon Street

#### 3.2.5.1 Desired Future Character, Design Objectives and Key Principles

- P1 Development is to respond to the scale and character of the existing development and desired future character of the surrounding area.
- P2 Built form, scale and massing is to transition in scale across the site from a mixed use, higher density typology in the western portion reflective of the Crows Nest Town Centre to a lower to medium density residential typology on the eastern portion.
- P3 Development should balance the provision of new residential flat buildings within a Town Centre, while maintaining a reasonable level of amenity, privacy and solar access for low density neighbouring residents on Alexander Lane, Falcon Street and in the Hayberry Conservation Area.
- P4 A mixed-use typology with medium rise residential flat buildings built to the boundary with commercial on ground level at the corner of Falcon Street and Alexander Lane. A residential typology to the eastern part of the site along Falcon Street setback from the street, with multi dwelling housing fronting Hayberry Lane to respond to the existing scale of the Hayberry Conservation Area.
- P5 Built form to transition to the existing lower scale development in the Hayberry Conservation Area.
- P6 Road widening along Alexander Lane with pedestrian amenity and road widening with a landscaped response and pedestrian amenity to Hayberry Lane.
- P7 Vehicular access from Alexander Lane with two-way access from / to Falcon Street.
- P8 A secure pedestrian through site link between Falcon Street and Hayberry Lane.

#### 3.2.5.2 Desired Built Form

##### Objectives

- O1 To provide for increased opportunity for height and density in the growing Crows Nest Town Centre, close to public transport and services.
- O2 Building envelopes are to respond to the site's surrounding context which transitions in character from the Crows Nest Town Centre to the lower scale Heritage Conservation Area on Hayberry Street.
- O3 To achieve appropriate separation distances between existing and proposed buildings and ensure reasonable privacy and solar access is maintained to surrounding dwellings, mindful of the need for renewal at the site.



- O4 To ensure appropriate building lengths, a variety of building facades and a 'fine-grain' response to the public domain.

**Provisions**

**Building Height**

- P1 Buildings must not exceed the maximum height in storeys as shown on the Site Layout Plan at Figure C-3.5 and the following provisions:
- (a) Building A - a maximum height of 6 storeys and stepping down in height to a maximum of 3 storeys at the Hayberry Lane frontage.
  - (b) Building B - a maximum height of 6 storeys and stepping down in height to a maximum of 2-3 storeys at the Hayberry Lane frontage.
  - (c) Building C - a maximum height of 4 storeys.
  - (d) Building D - a maximum height of 3 storeys with a maximum 2 storey presentation to Hayberry Lane, with the third storey generally accommodated within the roof form.
- P2 NSLEP 2013 may allow minor exceedances of the maximum heights stipulated on the Height of Buildings Map where it relates to plant and lift overruns only.

**Street and Side Setbacks**

- P3 Building setbacks must, at a minimum, comply with the setbacks shown on the Site Layout Plan at Figure C-3.5 and the following provisions:
- (a) The following minimum setbacks are required to Falcon Street:
    - (i) Building A - 0m.
    - (ii) Building B - 0m.
    - (iii) Building C - 2m.
  - (b) The following minimum setbacks are required to Hayberry Lane:
    - (i) Building A - 3m
    - (ii) Building B - 3m.
    - (iii) Building D - 1.5m.
  - (c) The following minimum side setbacks are required to 56-63 Falcon Street:
    - (i) Building C - 4.5m.
    - (ii) Building D - 1.5m.
  - (d) Building A is to be setback a minimum of 6m from the existing centreline of Alexander Lane.

**3.2.5.3 Residential Apartment Building Design**

**Objectives**

- O1 Ensure that the residential apartment buildings consider and are consistent with the nine design quality principles within [\*SEPP 65 – Design Quality of Residential Apartment Development\*](#).

**Provisions**

- P1 The residential apartment building design is subject to the requirements of [\*SEPP 65 – Design Quality of Residential Apartment Development\*](#) including the *Design Quality Principles* and the *Apartment Design Guide*.

### 3.2.5.4 Site Coverage

#### Objectives

- O1 To ensure that development is balanced and in keeping with the optimum capacity of the site acknowledging its unique size and location within the Crows Nest Town Centre at the interface between business and residential zones that accommodates a mix of building typologies.
- O2 To achieve appropriate building envelopes that ensure the development responds to its surrounding context and provides appropriate open space and landscaped area for residents and visitors.

#### Provisions

- P1 The maximum site coverage for this site is 65%.
- P2 For the purposes of P1, site coverage is to be determined in accordance with P2 to S.1.5.5 to Part B of the DCP.

### 3.2.5.5 Communal Open Space

#### Objectives

- O1 To provide high quality communal open space at ground level and on buildings with a reasonable level of outdoor amenity without reducing privacy to neighbouring dwellings.
- O2 To provide a level of communal open space commensurate with *Apartment Design Guidelines* that is mindful of the site's unique location and building typologies.
- O3 To ensure communal open space is useable.

#### Provisions

- P1 Communal open space is provided in the locations shown on the Site Layout Plan at Figure C-3.5.
- P2 Communal open space can be provided on the Building B rooftop only if the space is designed such that there is no potential for overlooking into private open space and its location will not create any noise issues for surrounding dwellings.

### 3.2.5.6 Landscaped Area

#### Objectives

- O1 To ensure that landscaping is used to provide appropriate amenity for development and soften the appearance of buildings and their interface with the neighbouring dwellings and the public domain.
- O2 To provide a level of landscaped area commensurate with *Apartment Design Guidelines* that is mindful of the site's unique location and building typologies.

#### Provisions

- P1 The minimum landscaped area for the site is 20%.
- P2 For the purposes of P1, landscaped area is to be determined in accordance with P2 to S.1.5.6 to Part B of the DCP.

### 3.2.5.7 Traffic, Access and Parking

#### Objectives

- O1 To regulate traffic movements and reduce congestion on Falcon Street.
- O2 To ensure that vehicular access is safe for motorists and pedestrians.
- O3 To facilitate road widening along Alexander Lane.
- O4 To facilitate road widening and the provision of a shared way along Hayberry Street.
- O5 To create a safe, accessible and shared laneway network.



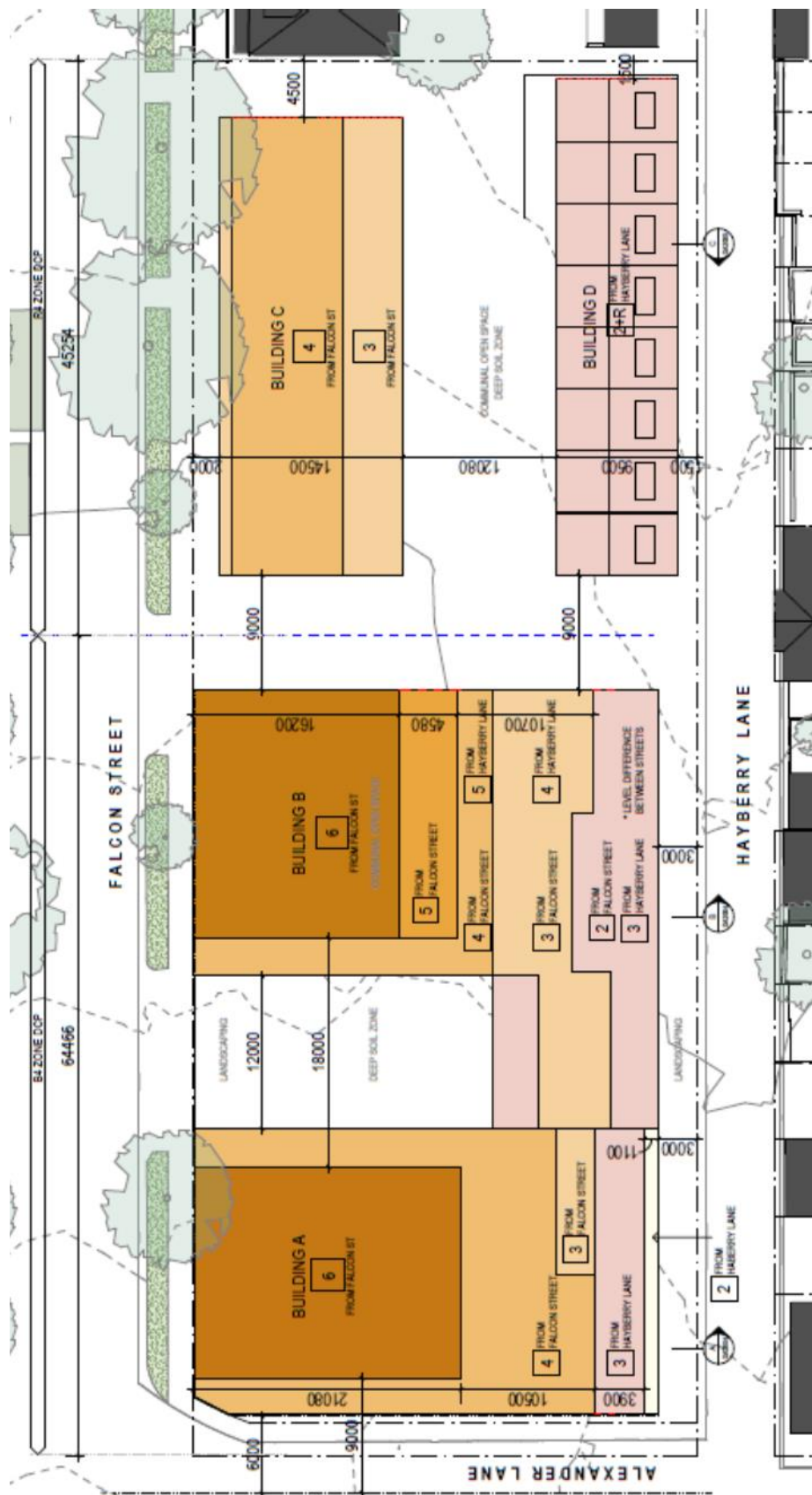
- O6 To provide appropriate amount of basement parking spaces for residents, visitors and staff.

**Provisions**

- P1 Vehicular access to the site must be from Alexander Lane and be located as far as practicable from Falcon Street.
- P2 To facilitate vehicular access from Hayberry Lane, Alexander Lane is to be widened to allow for the provision of two-way traffic between Falcon Street and Hayberry Lane.
- P3 Provide on-site parking, including visitor parking at the maximum rates stated Table C-3.1.

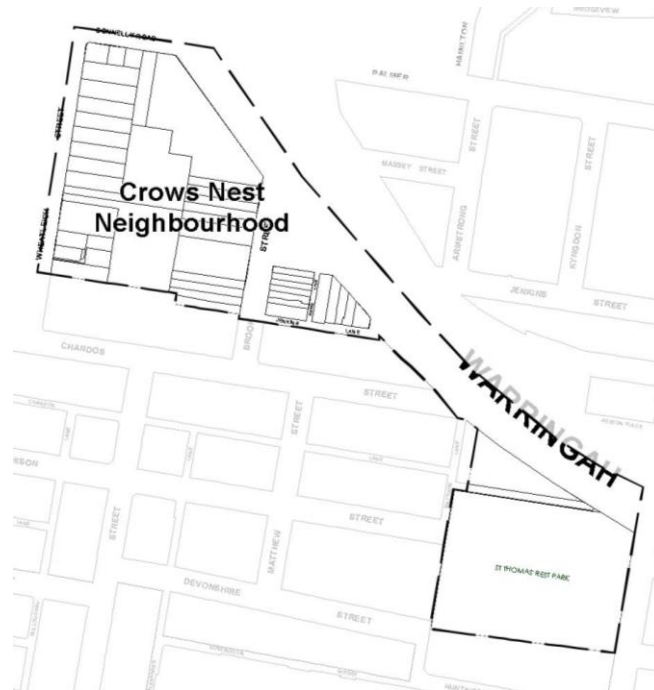
TABLE C-3.1: Parking Rates		
Development type		Maximum Parking Rate
Residential accommodation	Studio / 1 bedroom	0.5 space / dwelling
	2 or more bedrooms	1.0 space/dwg 0
	Visitor	0.25 space/dwg
Non-residential development		1/60sqm of non-residential GFA

- P4 On-site car parking provision significantly below maximum rates specified in Table C-3.1 will only be considered if the proposed development has good access to public transport due to the impact that unmet on-site parking demand may have on surrounding residential streets, if viable alternative transport modes are not available.



**Figure C-3.5: Site Layout Plan**

### 3.3 CROWS NEST NEIGHBOURHOOD



#### 3.3.1 Significant Elements

##### Land Use

- P1 Predominantly residential accommodation.
- P2 Passive recreational spaces.

##### Topography

- P3 Gentle falls to the north-east towards the Warringah Expressway.

##### Views

- P4 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Vista north along Willoughby Road and Pacific Highway.

##### Identity / Icons

- P5 Warringah Expressway a major arterial thoroughfare.
- P6 St Thomas Rest Park.
- P7 Holtermann Estate Conservation Areas.

##### Subdivision

- P8 Traditional grid subdivision pattern interrupted by the juxtaposition of the Warringah Expressway.
- P9 A mix of narrow deep allotments reflecting detached and semi-detached housing forms and larger consolidated allotments reflecting multi dwelling housing and residential flat building forms.

##### Streetscape

- P10 Tree lined streets with grassed verges and concrete footpaths.
- P11 Buildings setback from the boundary and aligned with the street frontage.

P12 Low brick fences.

### 3.3.2 Desired Future Character

#### Diversity

- P1 Predominantly a mix of dwelling houses, attached dwellings, multi dwelling houses and residential flat buildings according to zone.
- P2 Retention and enhancement of existing public open spaces.

### 3.3.3 Desired Built Form

#### Form, massing and scale

- P1 Retention of a low density residential character along Wheatley Street.

#### Access

- P2 Vehicle access on Brook Street should be carefully designed to minimise disruption to vehicular traffic

#### Noise

- P3 Elevations of buildings fronting Chandos Street and Warringah Expressway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

### 3.4 HOLTERMANN ESTATE A CONSERVATION AREA



#### 3.4.1 History

The Holtermann Estate Conservation Areas are part of original land grants to Alexander Berry, JR Hatfield and A Mosman. Extensive land purchases by BO Holtermann in the 1880s led to consolidated subdivision of large areas.

Holtermann's Estate sought to provide "comfortable working men's houses". The Holtermann Estate A Conservation Area was subdivided and offered for sale during the 1880s and 1890s.

Main period of construction-1884 to 1915.

#### 3.4.2 Description

The Holtermann Estate A Conservation Area is the northern most section of the larger Holtermann Estate and is bounded by St. Thomas Rest Park, the Warringah Expressway and commercial development to the west.

The landform falls slightly to the north and west. Subdivision is determined by a grid pattern of wide streets, rear lanes and narrow cross lanes. Lot sizes are slightly larger than other parts of the Holtermann Estate though many lots have been developed for attached dwelling houses.

The area is characterised by its low scale of single storey, hipped roof, detached and attached dwelling houses that includes a mix of late 19th and early 20th century building styles, and restrained examples of Victorian Georgian, Filigree and Italianate, Federation Queen Anne and Federation Bungalow. There are also some Inter-War Californian Bungalow and Art Deco styles with post war residential flat buildings and modern infill housing.

Street verges are typically 3.5m wide and include grass with concrete or bitumen footpaths and crossings to off-street parking. Deep set sandstone kerbs remain in some locations. Houses to the high side of the street are often set on sandstone plinths with retaining walls to the street. Rear lanes are lined with fences, carports and garages with some development fronting the lanes.

There are long views along the main streets and cross views along the lanes.

Front gardens contribute to the landscaping of the streets. Gardens follow the natural fall of the land with steps to the street on the high side. High and low scale street trees.

### 3.4.3 Statement of Significance

The Holtermann Estate A Conservation Area is significant:

- (a) as a late 19th century subdivision for speculative housing.
- (b) For its regular grid of streets, rear lanes and cross lanes.
- (c) For its consistent late 19th and early 20th century residential character and the unity of its low scale built form that derives from its regular grid subdivision pattern and its single storey, detached and attached dwelling houses in a mixture of late Victorian and early Federation styles.



### 3.4.4 Significant elements

#### Topography

P1 Slight falls to the north and west.

#### Subdivision

P2 Detached houses: 380m<sup>2</sup> lots with 10m frontage.

P3 Semi-detached and attached houses and some detached houses: 180m<sup>2</sup> to 260m<sup>2</sup> lots with 4-6m frontages. Long narrow lots with frontages to street and laneway (where they occur).

#### Streetscape

P4 Street trees align streets.

P5 Sandstone retaining walls relate to changes in level between streets and lots.



P6 Continuous grass verges and sandstone kerbs without vehicle crossings.

P7 Lanes have a low scale and service character.

**Views**

P8 Vistas along major streets and lanes.

**3.4.5 Characteristic buildings**

P1 Single storey, detached, semi-detached and attached dwelling houses.

**3.4.6 Characteristic built elements**

**Siting**

P1 Located towards the front of the block.

P2 Consistent setbacks.

**Form, massing and scale**

P3 Single storey with hipped and gabled roofs with skillion rear extensions.

P4 Reduced height and scale to rear.

P5 Open verandahs to front.

P6 Projecting front gables beside recessed verandahs.

P7 Dwelling houses in groups of identical design (detached, semi-detached and attached) often have continuous front verandahs.

P8 Strong skyline of simple pitched roofs and tall chimneys visible from street and rear lanes and stepped along the streets/lanes.

**Roofs**

P9 Hipped roofs pitched between 30 and 45 degrees without dormers or openings that can be seen from the street.

P10 Gabled ends for projecting bays to the street.

P11 Skillion roofs to rear extensions.

P12 Brick and rendered chimneys with terracotta chimney pots.

**External Materials**

P13 Sandstone, timber weatherboards or face brick on sandstone foundations.

P14 Original rendered walls.

P15 Slate, corrugated metal and terracotta tiled roofs.

P16 Timber windows, doors and joinery in a Victorian, Federation or Edwardian style.

P17 Original front garden landscaping.

**Fences**

P18 Original low front fences.

P19 Timber fences rear and side.

P20 Sandstone plinths, sandstone piers, metal palisade and gates, timber pickets, timber rails and mesh, pipe and mesh gates, original face brick with piers.

**Car accommodation**

P21 Located off rear lanes.



### **3.4.7 Uncharacteristic elements**

- P1 Over-scaled, two storey additions; contemporary buildings with laneway frontages; over-scaled and poorly detailed carports and garages; front and side dormers and rooflights; modified roof forms; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

### 3.5 HOLTERMANN ESTATE B CONSERVATION AREA



#### 3.5.1 History

The Holtermann Estate Conservation Areas are part of original land grants to Alexander Berry, JR Hatfield and A Mosman. Extensive land purchases by BO Holtermann in the 1880s led to the consolidated subdivision of large areas.

Holtermann's Estate sought to provide "comfortable working men's houses". The area between West Street and Willoughby Road was subdivided and offered for sale during the 1880s and 1890s.

Main period of construction 1880-1915.

#### 3.5.2 Description

The Holtermann Estate B Conservation Area includes the central portion of the larger Holtermann Estate.

The landform is generally level, with slight falls to the south. Subdivision is determined by a grid pattern of wide streets and narrow, rear lanes. Lot sizes vary and many lots have been developed for attached houses.

The area is characterised by its low scale of single storey, hipped roof, detached and attached dwelling houses that include a mix of late 19<sup>th</sup> and early 20<sup>th</sup> century building styles, and restrained examples of Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne and Federation Bungalow. There are also some Inter-War Californian Bungalow and Art Deco styles with some post war residential flat buildings and modern infill housing. There are examples of high quality attached dwellings.

Street verges are typically 3.5m wide and include grass with concrete or bitumen footpaths. Deep set sandstone kerbs remain in some locations. Rear lanes are lined with fences, garages and carports with some remnant dunnies. The lane intersections are sometimes terminated by the side profile of a corner building oriented to the cross street.

Sophia Street provides diagonal views.

Front gardens contribute to the landscaping of the streets. Gardens follow the natural fall of the land with steps to the street on the high side. There are high and low scale street trees and shrubs.

### 3.5.3 Statement of Significance

The Holtermann Estate B Conservation Area is significant:

- (a) As a late 19<sup>th</sup> century subdivision for speculative housing.
- (b) For its regular grid of streets, rear lanes and cross lanes.
- (c) For its consistent late 19<sup>th</sup> and early 20<sup>th</sup> century residential character and the unity of its low scale built form that derives from its regular grid subdivision pattern and its single storey, detached and attached dwelling houses in a mixture of late Victorian and early Federation styles.



### 3.5.4 Significant elements

#### Topography

P1 Generally level, slight falls to the south east.

#### Subdivision

P2 Detached dwelling houses: 380m<sup>2</sup> lots with 10m frontage.



P3 Detached, semi-detached and attached dwelling houses: 180m<sup>2</sup> to 260m<sup>2</sup> lots with 4-6m frontages.

P4 Long narrow lots with frontages to street and laneway (where they occur).

**Streetscape**

P5 Street trees and shrubs align streets. Sandstone retaining walls relate to changes in level between streets and lots. Continuous grass verges and sandstone kerbs without vehicle crossings. Lanes have a low scale and service character.

**Views**

P6 Along Sophia Street.

**3.5.5 Characteristic buildings**

P1 Single storey, detached, semi-detached and attached dwelling houses.

**3.5.6 Characteristic built elements**

**Siting**

P1 Located towards the front of the block.

P2 Consistent setbacks.

**Form, mass and height**

P3 Single storey with hipped and gabled roofs with skillion rear extensions.

P4 Reduced height and scale to rear.

P5 Open verandahs to front.

P6 Projecting front gables beside recessed verandahs with decorative detailing.

P7 Dwelling houses in groups of identical design (detached, semi-detached and attached) which often have continuous front verandahs.

P8 Strong skyline of simple pitched roofs and tall chimneys visible from the street and rear lanes.

**Roofs**

P9 Hipped roofs pitched between 30 and 45 degrees without dormers or openings.

P10 Gabled ends for projecting bays to the street.

P11 Skillion roofs to rear extensions.

P12 Brick and rendered chimneys with terracotta chimney pots.

**External Materials**

P13 Sandstone, timber weatherboards or face brick on sandstone foundations.

P14 Original rendered walls.

P15 Slate, terracotta tiles, corrugated metal roofs.

P16 Original timber windows, doors and decorative joinery in a Victorian, Federation and Edwardian style.

P17 Original front garden landscaping.

**Fences**

P18 900-1600mm high to the street.

P19 1800mm high to laneways.

P20 Sandstone plinths, sandstone piers, metal palisade fences and gates, timber pickets, timber rails and mesh, pipe and mesh gates, original face brick with piers.



**Car accommodation**

P21 Located off rear lanes.

**3.5.7 Uncharacteristic elements**

P1 Over-scaled two storey additions; contemporary buildings with laneway frontages; over-scaled and poorly detailed carports and garages; front and side dormers and rooflights; modified roof forms; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

### 3.6 HOLTERMANN ESTATE C CONSERVATION AREA



#### 3.6.1 History

The Holtermann Estate Conservation Areas are part of original land grants to Alexander Berry, JR Hatfield and A Mosman. Extensive land purchases by B. O. Holtermann in the 1880s led to consolidated subdivision of large areas.

Holtermann's Estate sought to provide "comfortable working men's houses". The area between West Street and Willoughby Road was subdivided and offered for sale during the 1880s and 1890s.

The main period of construction across the Holtermann Estate was between 1884 and 1915.

#### 3.6.2 Description

The Holtermann Estate C Conservation Area includes part of the southern end of the larger Holtermann Estate and is bounded by Falcon Street, West Street and the Pacific Highway.

The landform is generally level with some stepping across the streets. Lot sizes are irregular and the urban form is determined by a strongly defined grid pattern of wide streets and narrow rear lanes.

The area is characterised by modest, speculative cottages in the Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne and Federation Bungalow styles. There are also some Inter-War Californian Bungalow and Art Deco styles and later infill development including the large campus of the Sydney Girls High School.

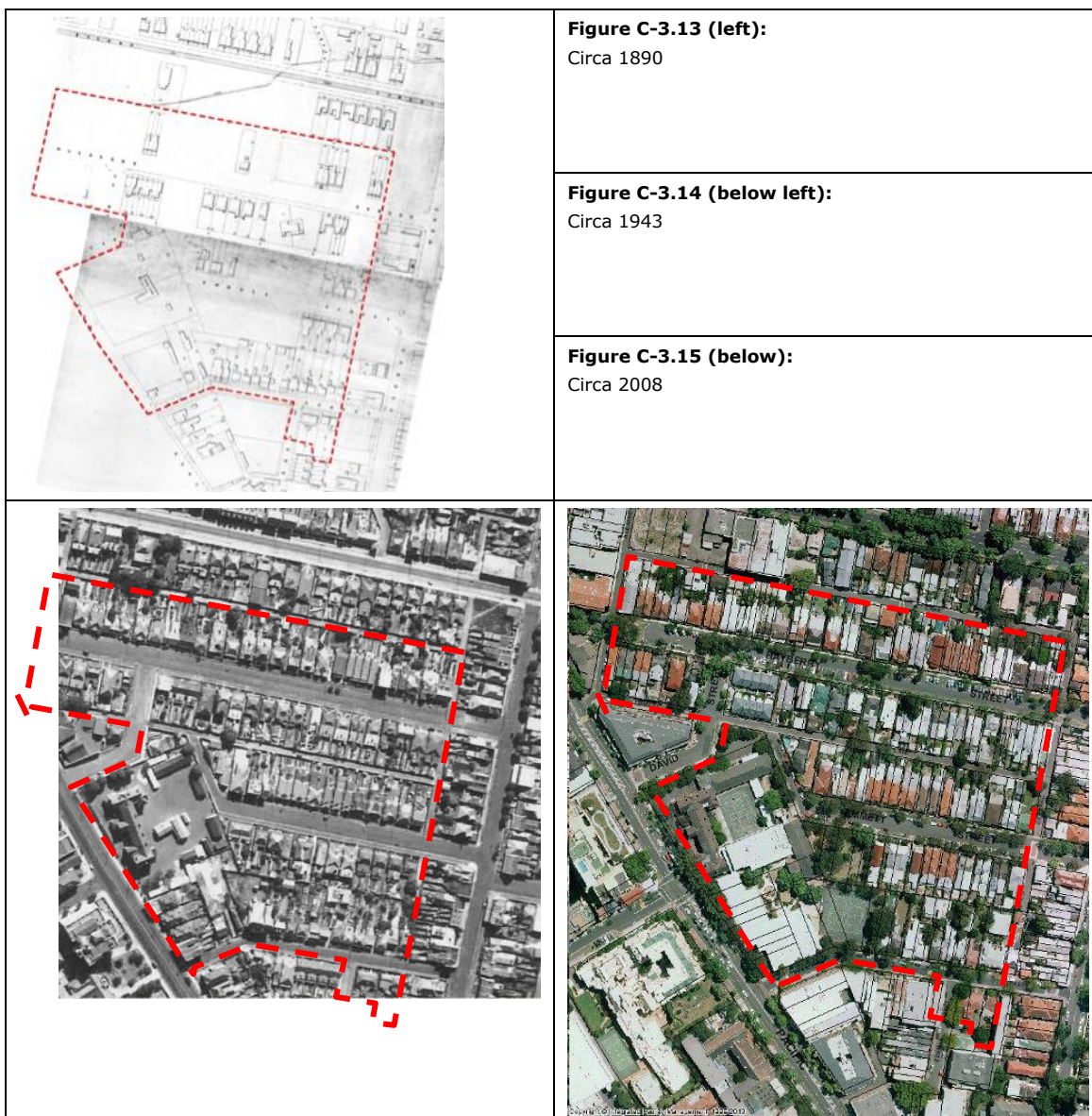
Street verges are typically 3.5m wide and include grass with concrete or bitumen footpaths. Deep set sandstone kerbs remain in some locations. Front cottage gardens contribute to the landscaping of the streets. Gardens are sometimes raised with centrally located steps to the street.

Rear lanes are important to the townscape and allow car access that helps the streets to maintain a pedestrian character. There are intrusive off street parking structures where rear lane access is not available. Other uncharacteristic elements include two storey additions constructed to the street, lot amalgamations and loss of original subdivision pattern, contemporary buildings with laneway frontages.

### 3.6.3 Statement of Significance

The Holtermann Estate C Conservation Area is significant:

- (a) For its late 19<sup>th</sup> and early 20<sup>th</sup> century residential character that is characterised by single storey, detached and semi detached dwelling houses of modest scale in a mixture of late Victorian and early Federation styles.
- (b) As an area that represents the working class residential development of North Sydney at the turn of the century.



### 3.6.4 Significant elements

#### Topography

P1 Generally level, slight falls to the north and west with stepped street.

#### Subdivision

P2 Long narrow lots with frontages to street and laneway (where they occur). Semi-detached houses and some detached house.



### **Streetscape**

- P3 Sandstone retaining walls relate to changes in level between streets and lots.
- P4 Continuous grass verges and sandstone kerbs without vehicle crossings.
- P5 Lanes have an open, low scale and service character with lines of timber fences.

### **Views**

- P6 Limited street views.

## **3.6.5 Characteristic buildings**

- P1 Detached, late Victorian, Federation and Edwardian semi-detached dwelling houses.

## **3.6.6 Characteristic built elements**

### **Siting**

- P1 Located towards the front of the block, with gardens to rear.
- P2 Consistent setbacks.

### **Form, massing and scale**

- P3 Predominantly single storey.
- P4 Rear extensions located within a single storey roof line of reduced height and scale to the main dwelling.
- P5 Dwelling houses with wide frontages have projecting bays to the street beside recessed verandahs.
- P6 Dwelling houses in groups of identical design (detached, semi-detached and attached) with continuous front verandahs.
- P7 Strong skyline of a series of simple pitched roofs and tall chimneys stepped along the streets/lanes and following the natural changes in landform.

### **Roofs**

- P8 Hipped roofs pitched between 30 and 45 degrees and without dormer windows or openings that can be seen from the street.
- P9 Gabled ends for projecting bays to the street, skillion roofs to rear extensions.
- P10 Brick chimneys are unpainted, unrendered or rendered with detailing, or rough cast with chimney pots.

### **Materials**

- P11 Walls: face brick, timber weatherboards or sandstone on sandstone foundations.
- P12 Roofing materials: unglazed terra cotta tiles, or slate and corrugated metal on Victorian cottages and rear extensions.

### **Windows and doors**

- P13 Late Victorian, Federation and Edwardian.

### **Fences**

- P14 Rusticated sandstone base walls, face brick, timber (vertical pickets and horizontal railing and wire fences) or metal palisade. Face brick or sandstone piers and base with metal palisade panels. Higher timber fences to rear.

### **Car accommodation**

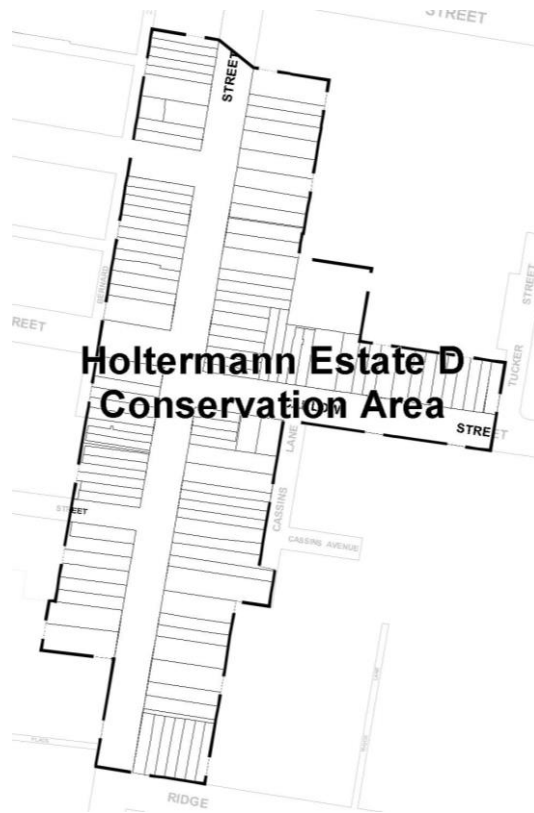
- P15 Located off rear lanes.



### **3.6.7 Uncharacteristic elements**

- P1 Modern additions; loss of original detail, painting and rendering of face brickwork; modern infill developments removal of original detailing, front and side dormers and rooflights.

### 3.7 HOLTERMANN ESTATE D CONSERVATION AREA



#### 3.7.1 History

The Holtermann Estate Conservation Areas are part of original land grants to Alexander Berry, JR Hatfield and A Mosman. Extensive land purchases by B.O. Holtermann in the 1880s led to consolidated subdivision of large areas.

Holtermann's Estate sought to provide "comfortable working men's houses". The area between West Street and Willoughby Road was subdivided and offered for sale during the 1880s and 1890s.

The main period of construction across the Holtermann Estate was between 1884 and 1915.

#### 3.7.2 Description

The Holtermann Estate D Conservation Area is set to both sides of the southern end of West Street and is defined by Falcon Street and Ridge Street.

The landform is generally level and the urban form is determined by a strongly defined grid pattern of wide streets and narrow rear lanes.

The Area is characterised by modest, speculative cottages that include a mix of late 19<sup>th</sup> and early 20<sup>th</sup> century building styles including Victorian Georgian and Filigree, Federation Queen Anne and Federation Bungalow. There are also some two storey Victorian Italianate and Victorian Filigree terraces and Inter-War, Californian Bungalow and Art Deco styles.

The mature street trees are also a prominent and unifying feature of the West Street streetscape.

Front cottage gardens contribute to the landscaping of the streets, and are typical of small lot development of the pre-war era.

There are rear lanes that have a distinct character that is different to the streets and that allow car access.

### 3.7.3 Statement of Significance

The Holtermann Estate D Conservation Area is significant:

- (a) for its consistent late 19<sup>th</sup> and early 20<sup>th</sup> century residential character that is characterised by single storey dwelling houses of modest scale and two storey attached dwellings in a mixture of late Victorian and early Federation styles.
- (b) for its regular grid subdivision pattern, the level landform and development over a single main development period.

	<b>Figure C-3.16 (left):</b> Circa 1890
	<b>Figure C-3.17 (below left):</b> Circa 1943
	<b>Figure C-3.18 (below):</b> Circa 2008
	

### 3.7.4 Significant elements

#### Topography

P1 Generally level, slight falls to the north and west.



### **Subdivision**

- P2 Long narrow lots with frontages to street and laneway (where they occur).

### **Streetscape**

- P3 Sandstone retaining walls relate to changes in level between streets and lots. Continuous grass verges and sandstone kerbs without vehicle crossings. Street trees align streets. Lanes have an open, low scale and service character with lines of timber fences.

### **Views**

- P4 Along West and Carlow Streets.

## **3.7.5 Characteristic buildings**

- P1 A mixture of single storey detached and semi-detached dwelling houses and two storey attached dwellings.

## **3.7.6 Characteristic built elements**

### **Siting**

- P1 Located towards the front of the block.  
P2 Consistent setbacks.

### **Form, massing and scale**

- P3 Single storey detached and semi-detached dwellings.  
P4 Two storey attached dwelling houses.  
P5 Single storey, rear extensions within single storey roof line – reduced height and scale to rear of housing.  
P6 Dwelling houses with wide frontages have projecting bays to the street beside recessed verandahs.  
P7 Dwelling houses in groups of identical design often have continuous front verandahs.  
P8 Strong skyline of a series of simple pitched roofs and tall chimneys stepped along the streets/lanes.

### **Roofs**

- P9 Hipped roofs pitched between 30 and 45 degrees and without dormer windows or openings that can be seen from the street.  
P10 Gabled ends for projecting bays to the street, skillion roofs to rear extensions.  
P11 Brick chimneys are unpainted, unrendered or rendered with detailing, or rough cast with chimney pots.

### **Materials**

- P12 Walls: face brick, timber weatherboards or sandstone on sandstone foundations. Where walls are painted darker shades are typically used for detailing.  
P13 Roofs: unglazed terra cotta tiles, or slate and corrugated metal on Victorian cottages and rear extensions.

### **Windows and doors**

- P14 Late Victorian, Federation, Edwardian and Inter War.

### **Fences**

- P15 A mixed use of:  
(a) low rusticated sandstone base walls, face brick;



**Area Character Statements - St Leonards / Crows Nest Planning Area**

- (b) timber (vertical pickets and horizontal railing and wire fences);
- (c) metal palisade;
- (d) face brick or sandstone piers and base with metal palisade panels.

**Car accommodation**

P16 Located off rear lanes.

**3.7.7 Uncharacteristic buildings**

P1 Over-scaled, two storey additions; contemporary buildings with laneway frontages; front and side dormers and rooflights; modified roof forms, removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street, car parking in front setback, lot amalgamation and loss of original subdivision pattern.



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## SECTION 4 CAMMERAY PLANNING AREA

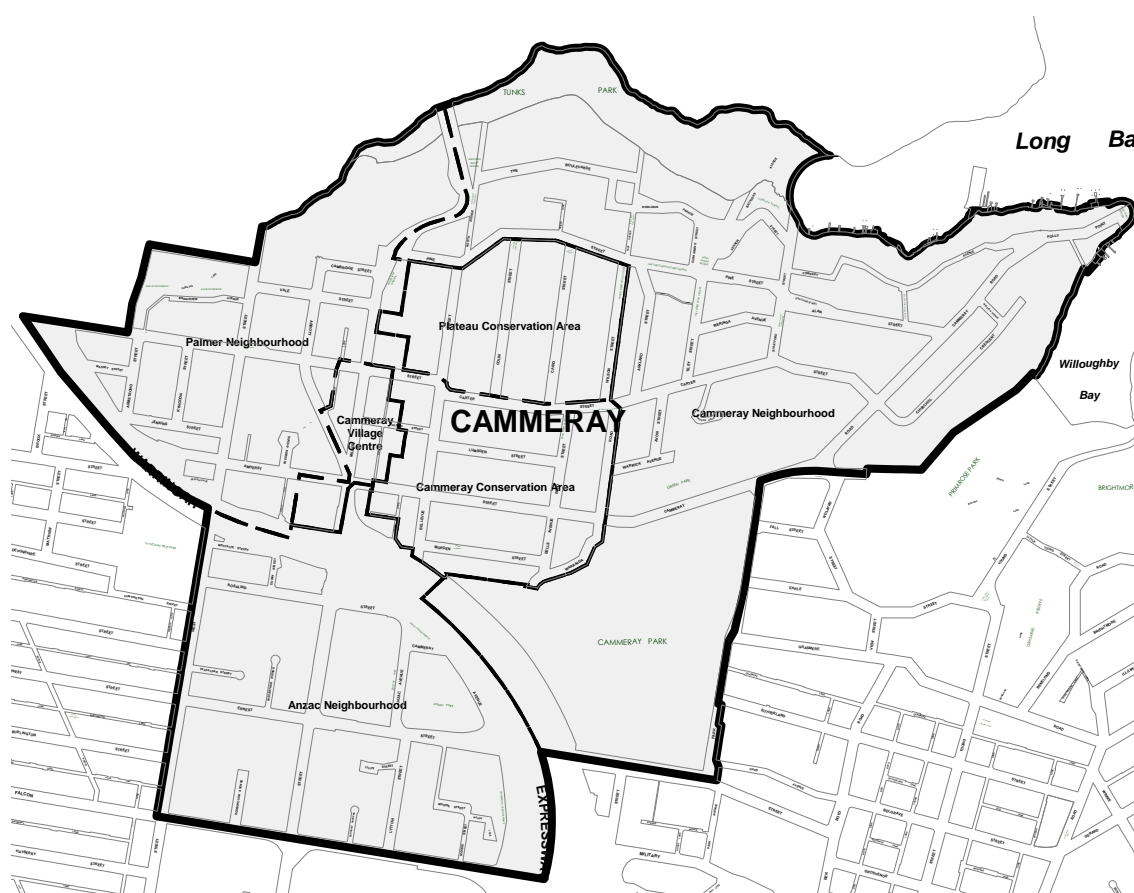
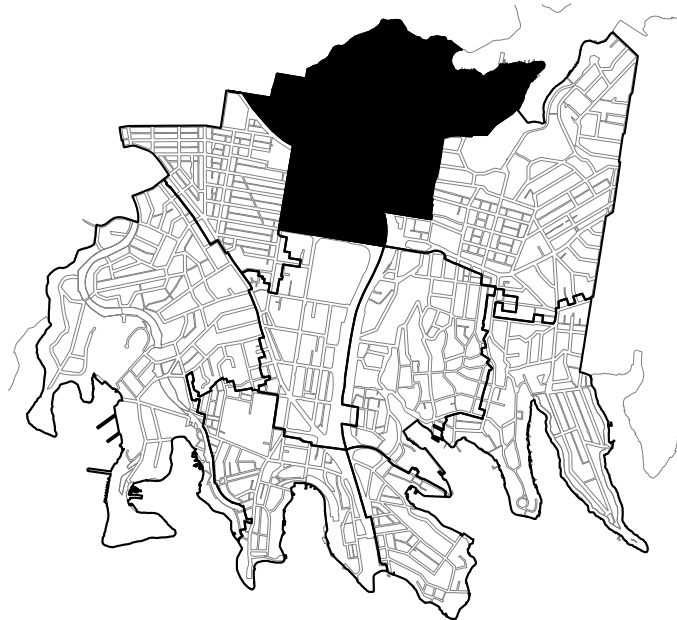


Figure C-4.1: Cammeray Planning Area and associated Locality Areas

## 4.0 CAMMERAY PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the Cammeray Planning Area.

The Planning Area is focussed around Cammeray Village, which is an active, pedestrian friendly shopping area that has small scale shops and provides street level activity with an lively pedestrian environment, where:

- local shops cater to the local community and are balanced between basic needs such as food and grocery, and recreation such as cafes and galleries
- development on both sides of Miller Street is unified through common elements
- there is safe and easy pedestrian movement across Miller Street

The surrounding residential neighbourhoods are diverse in nature, where:

- most of the existing dwelling houses and dual occupancies are retained
- capacity exists to accommodate some attached dwellings, multi dwelling housing and residential flat buildings close to existing public transport, services and facilities
- the density of residential development generally reduces the further away from Miller and Falcon Streets a property is located.

and where:

### Function

- large areas of open space are used by locals and the wider regional population for recreation

### Environmental Criteria

- the natural foreshores and water courses of Willoughby and Long Bay are conserved and protected, with pedestrian access to these areas is extended and improved

**Area Character Statements - Cammeray Planning Area**

- the scale and form of foreshore development protects and enhances the scenic, environmental and cultural qualities of the foreshore and adjoining lands
- major views from lookouts and other vantage points are not obscured by buildings or landscaping
- existing natural features such as rock outcrops and sandstone cliffs are conserved
- bushland and wetlands are protected from the adverse effects of development – such as stormwater runoff, spread of exotic plants and weeds, and visual impact of buildings and structures
- use of locally indigenous flora extends habitats for native birds and other fauna
- man made noise is limited, especially near foreshore areas and bushland
- noise insulation and orientation minimises noise impacts on developments close to the Warringah Expressway and main roads

**Quality Built Form**

- any development that occurs, reflects and reinforces the existing distinctive built form/ landscape areas and distribution of accommodation types
- the significance of heritage items and Conservation Areas are maintained

**Quality Urban Environment**

- public transport, cycling and walking are the preferred means of transport
- parking is managed to reduce impacts to local residents from regional commuter parking
- comfortable and safe pedestrian routes are maintained and extended
- cohesiveness throughout the area and its many built forms is achieved through landscaping and street tree planting
- backyards are provided for a variety of social and recreational activities
- public plazas provide a vibrant focal point for the local community

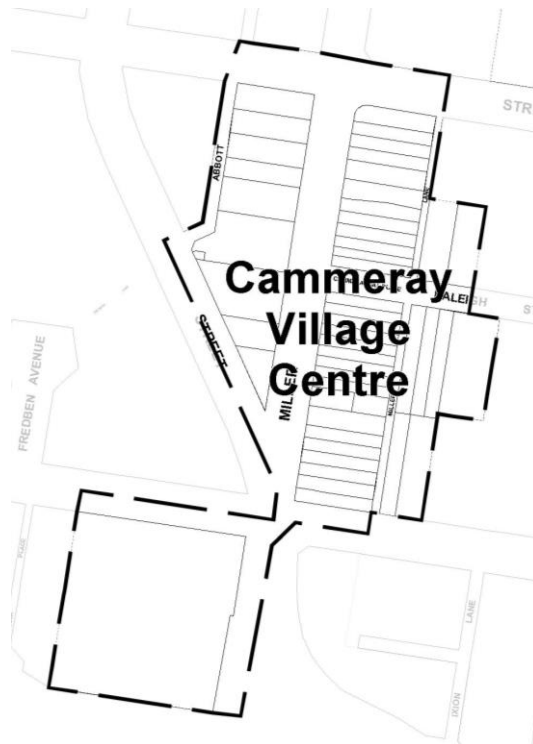
**Efficient Use of Resources**

- existing buildings and materials are conserved
- stormwater is retained for re-use onsite

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

- Section 4.1: Cammeray Village
- Section 4.2: Cammeray Neighbourhood
  - Section 4.2.4: 11 Cowdroy Avenue
- Section 4.3: Anzac Neighbourhood
- Section 4.4: Palmer Neighbourhood
- Section 4.5: Plateau Conservation Area
- Section 4.6: Cammeray Conservation Area

## 4.1 CAMMERAY VILLAGE CENTRE



### 4.1.1 Significant Elements

#### Land Use

P1 Predominantly mixed commercial and residential development.

#### Topography

P2 Generally flat, straddling the topmost part of the ridge following the alignment of Miller Street.

#### Natural Features

P3 Forms topmost part of the ridge following the alignment of Miller Street.

#### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

(a) District views to Middle Harbour from the upper levels of some buildings.

#### Identity / Icons

P5 Raleigh Street Mall.

P6 Cammeray Square.

#### Subdivision

P7 Generally small narrow allotments in multiple ownerships to the east of Miller Street.

P8 Generally large consolidated allotments to the west of Miller Street.

#### Streetscape

P9 Wide, fully paved footpaths.

P10 Buildings built to street and laneway frontages.

P11 Continuous awnings along Miller Street.

P12 Irregular planting of street trees.

P13 Active frontages to Miller Street and Raleigh Street.

#### Public transport

P14 Development to respond to the high level of accessibility to high frequency public bus services along Miller Street.

### 4.1.2 Desired Future Character

#### Diversity

P1 Generally small scale commercial activities, concentrated at the ground level, with a mix of commercial and residential uses above.

#### Active Streets

P2 The ground level of all buildings should be designed to activate streets, laneways and the public car parks to which they front.

P3 Active frontages must be provided to the ground floor level of buildings directly fronting Raleigh Street.

#### Traffic

P4 Development should minimise impacts to traffic flow on Miller Street.

P5 Development should ensure that pedestrian access continues to unify both sides of Miller Street

### 4.1.3 Desired Built Form

#### Form, massing & scale

P1 Vertical design elements to reduce the visual bulk of buildings and create an appearance similar to traditional shops.

P2 Parapet heights and setbacks to be consistent along the Miller Street frontage.

P3 Where lots are consolidated, the built form reflects the former fine grain subdivision pattern.

#### Setback

P4 Setback 3m, at ground level from the Palmer Street frontage. Landscaping including trees is to be provided within this setback.

#### Podiums

P5 Podium of 8.5m (2 storeys) at street frontage with a setback of 2.5m above the podium.

#### Awnings

P6 Awnings to be provide along all street frontages.

#### Noise

P7 Elevations of buildings fronting Miller Street and the Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

#### Car accommodation

P8 Car parking must be provided underground, with the exception of Council owned or operated public car parking.

P9 Trees in Council car park to be retained contribute to amenity of area.

## 4.2 CAMMERAY NEIGHBOURHOOD



### 4.2.1 Significant Elements

#### Land Use

P1 Predominantly residential development.

#### Topography

P2 Generally falling from the ridge along Carter Street and Cammeray Road down to the foreshores of Long Bay and Willoughby Bay.

P3 Steeper land generally adjacent to the foreshore areas.

#### Natural Features

P4 Natural vegetation and landforms, including shoreline with rock outcrops and native vegetation.

P5 Wetlands in the form of Coastal Saltmarsh along the foreshores of Willoughby Bay (refer to Section 15 – Bushland to Part B of the DCP).

#### Views

P6 The following views and vistas are to be preserved and where possible enhanced:

(a) Pine Street lookout (7), Tiley Street lookout (8), Stratford Street lookout (9), Churchill Crescent lookout (12), Folly Point lookout (13).

(b) District views to Middle Harbour and the suspension bridge over Tunks Park.

#### Identity / Icons

P7 Tunks Park.

P8 Long Bay.

**Area Character Statements - Cammeray Planning Area**

- P9 Primrose Park.
- P10 Bushland on slopes above Tunks Park and Primrose Park.
- P11 Suspension bridge over Tunks Park
- P12 Willoughby Bay, Long Bay and foreshores
- P13 Cammeray Park
- P14 Warringah Expressway

**Subdivision**

- P15 Regular grid patterns on the upper slopes of the Area.
- P16 Irregular grid pattern adjacent to the foreshore areas due to the steep and irregular topography.
- P17 Long narrow lots adjacent to the foreshores of Long Bay.

**Streetscape**

- P18 Narrow width roads and split carriageways adjacent to foreshore and Tunks Park with garages, carports and retaining walls built to the street.
- P19 Wide roads with grassed verges on the upper slopes of the Area and informal street planting.
- P20 Double rail timber fences.
- P21 Tall sandstone fences and sandstone retaining walls.
- P22 Buildings generally setback from the boundary with a skewed alignment to respective street frontages.

**Public transport**

- P23 Regular public bus services through the area.

**4.2.2 Desired Future Character**

**Diversity**

- P1 Primarily low-density residential development consisting of dwelling houses, semi-detached houses concentrated long the foreshore areas.
- P2 Multi dwelling housing and residential flat buildings concentrated towards the tops of the ridges.
- P3 The density of development along foreshore areas and in areas of steep terrain must be kept to a minimum.

**4.2.3 Desired Built Form**

**Siting**

- P1 Buildings should provide adequate separation to bushland and foreshore areas.
- P2 Buildings should not obstruct views from neighbouring properties. This is especially important in foreshore areas or sites that enjoy water views.
- P3 Buildings should not obstruct views and vistas from public places to the waterway.

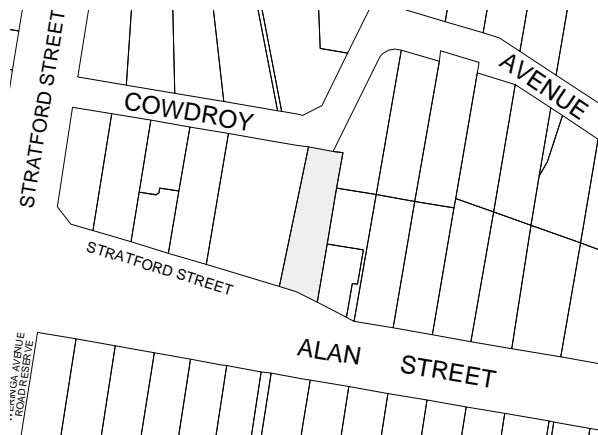
**Form, scale and massing**

- P4 Buildings near foreshore areas should address the waterway.
- P5 Buildings on sloping land should be designed to follow the slope of the land, with minimum cut and fill to be undertaken.

### Foreshore

- P6 Boat sheds are small in scale and do not dominate the foreshore frontage.
- P7 Development associated with boating activity is kept to minimum and is compatible with the surrounding uses.
- P8 Development adjoining foreshore or bushland areas (such as Tunks and Primrose Parks) use muted colours and non-reflective materials to ensure the scenic and environmental Qualities are enhanced.
- P9 Walls and fences along the foreshore should be kept low enough to allow views of private gardens from the waterway.

### 4.2.4 11 Cowdroy Avenue



*\* This clause applies to land comprising Lot 62, DP 8933. The following provisions supplement those within Part B to the DCP and reflect a proposed intention to use the site as a detached dual occupancy.*

### Diversity

- P1 Single dwelling with detached studio to the south (not for separate occupation) or a detached dual occupancy.

### Density

- P2 The area of the lot on which the dual occupancy is to be situated is not to be less than 450sqm.

### Siting

- P3 Each dwelling is to be orientated to its respective street frontage with at least an entry door and 1 window to a habitable room directly facing the street to ensure adequate casual surveillance over the public domain.
- P4 A minimum separation of 6m between dwellings is to be provided to ensure visual and acoustic privacy, unless these issues can be satisfactorily mitigated by other means.
- P5 If the site is to be used as a dual occupancy, and existing buildings (as at 23 February 2017) are to be substantially retained, any new development must not further encroach into the side or street frontage setbacks.
- P6 If the site is to be used as a dual occupancy, and the existing buildings (as at 23 February 2017) are to be wholly or substantially demolished, the setback requirements within Part B to the DCP must be applied.

### Form, scale and massing

- P7 The dwellings should be no taller than two storeys in height, measured vertically at any point through the building.
- P8 The dwellings should step down with the topography of the land.



**Area Character Statements - Cammeray Planning Area**

- P9 If the site is to be used as a dwelling house, the relevant provisions for site coverage and landscaped area within Part B to the DCP must be applied.
- P10 If the site is to be used as a dual occupancy, and the existing buildings (as at 23 February 2017) are to be substantially retained, there must be:
- (a) no nett increase in site coverage; and
  - (b) no nett decrease in landscaped area.
- P11 If the site is to be used as a dual occupancy, and the existing buildings (as at 23 February 2017) are to be wholly or substantially demolished, the development must:
- (a) not exceed a maximum site coverage of 40%; and
  - (b) provide a minimum landscaped area of 40%.

**Amenity**

- P12 Each dwelling is to be provided with a private open space area of at least 40sqm located at the ground level and be located directly off a primary living space (e.g. lounge room, family room) of the dwelling.

## 4.3 ANZAC NEIGHBOURHOOD



### 4.3.1 Significant Elements

#### Land Use

- P1 Predominantly residential accommodation.
- P2 Passive and active recreational spaces.
- P3 Educational and community facilities.

#### Topography

- P4 Falling from Miller Street eastwards towards the Warringah Expressway.

#### Views

- P5 The following views and vistas are to be preserved and where possible enhanced:
  - (a) District views towards Middle Harbour from the upper levels of some buildings.

#### Identity / Icons

- P6 Crows Nest TAFE.
- P7 Warringah Freeway.
- P8 ANZAC Memorial Club.
- P9 ANZAC Park.

#### Subdivision

- P10 Rectilinear grid pattern.

#### Streetscape

- P11 Wide street reserves with grass verges, concrete footpaths and street trees.
- P12 London Plane trees to Miller Street.
- P13 Mixture of low full masonry and part masonry and timber paling fences.
- P14 Buildings setback from the boundary and aligned with the street frontage.

**Public transport**

- P15 Development to take advantage of high levels of accessibility to high frequency public bus services along Miller, Ernest and Falcon Streets.

**4.3.2 Desired Future Character**

**Diversity**

- P1 Predominantly medium to high density residential development such as attached dwellings, multi dwelling housing and residential flat buildings according to zone.
- P2 Any development should be in accordance with Council's Residential Development Strategy, with any increase in density focused primarily on sites situated on Miller Street, Falcon Street and West Street which have good access to public transport.

**4.3.3 Desired Built Form**

**Siting**

- P1 Development to provide gardens within the front setback, especially facing busy roads.

**Noise**

- P2 Elevations of buildings fronting the Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

## 4.4 PALMER NEIGHBOURHOOD



### 4.4.1 Significant Elements

#### Land Use

P1 Predominantly residential accommodation.

#### Topography

P2 Falling from Miller Street north-west towards Tunks Park.

#### Natural Features

P3 Bushland on slopes above Tunks Park

#### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

- (a) Fred Hutley Reserve lookout Hamilton Avenue (1), Palmer Street lookout (2).
- (b) District views to the suspension bridge over Tunks Park.

#### Identity / Icons

- P5 Tunks Park
- P6 Suspension Bridge over Tunks Park
- P7 Warringah Freeway

#### Subdivision

P8 Generally regular grid pattern.

#### Streetscape

- P9 Generally single storey built form appearance fronting West Street between Palmer Street and Amherst Street.
- P10 Tree lined streets with grassed verges and concrete footpaths.
- P11 A mixture of masonry and sandstone retaining walls built to street frontages and dividing split carriageways.



**Area Character Statements - Cammeray Planning Area**

P12 Buildings setback from the boundary and aligned with the street frontage.

P13 Low rendered masonry retaining walls to the high side of streets.

P14 A mixture of paling and double rail timber fences.

**Public transport**

P15 Development to take advantage of high levels of accessibility to high frequency public bus services along Miller Street.

**4.4.2 Desired Future Character**

**Diversity**

P1 Predominantly medium to high density residential development such as attached dwellings, multi dwelling housing and residential flat buildings according to zone.

**4.4.3 Desired Built Form**

**Siting**

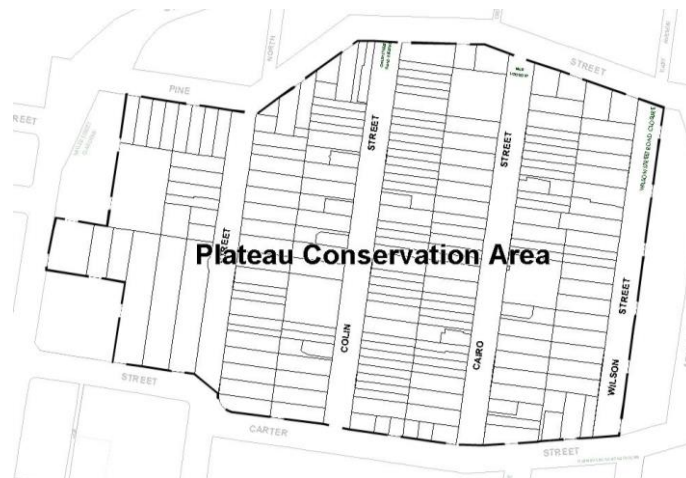
P1 Substantial gardens in front setback especially facing busy roads

P2 Buildings should provide adequate separation to bushland areas.

**Noise**

P3 Elevations of buildings fronting the Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

## 4.5 PLATEAU CONSERVATION AREA



### 4.5.1 History

The Plateau Conservation Area was subdivided as part of the 1899 *Cooliatta Estate* that was formed from the 23 acres grant to Alexander Macarthur in 1853.

In comparison with other parts of North Sydney the area was relatively remote, although the opening of the Suspension Bridge in 1892 and extension of the tramway along Miller Street in 1909 improved access.

The main period of development in the Conservation Area was in the early 20<sup>th</sup> century when the area developed slowly with modest houses on narrow blocks of land. Additional houses came after the First World War when the area was consolidated, particularly along the sloping northern boundary of Pine Street.

### 4.5.2 Description

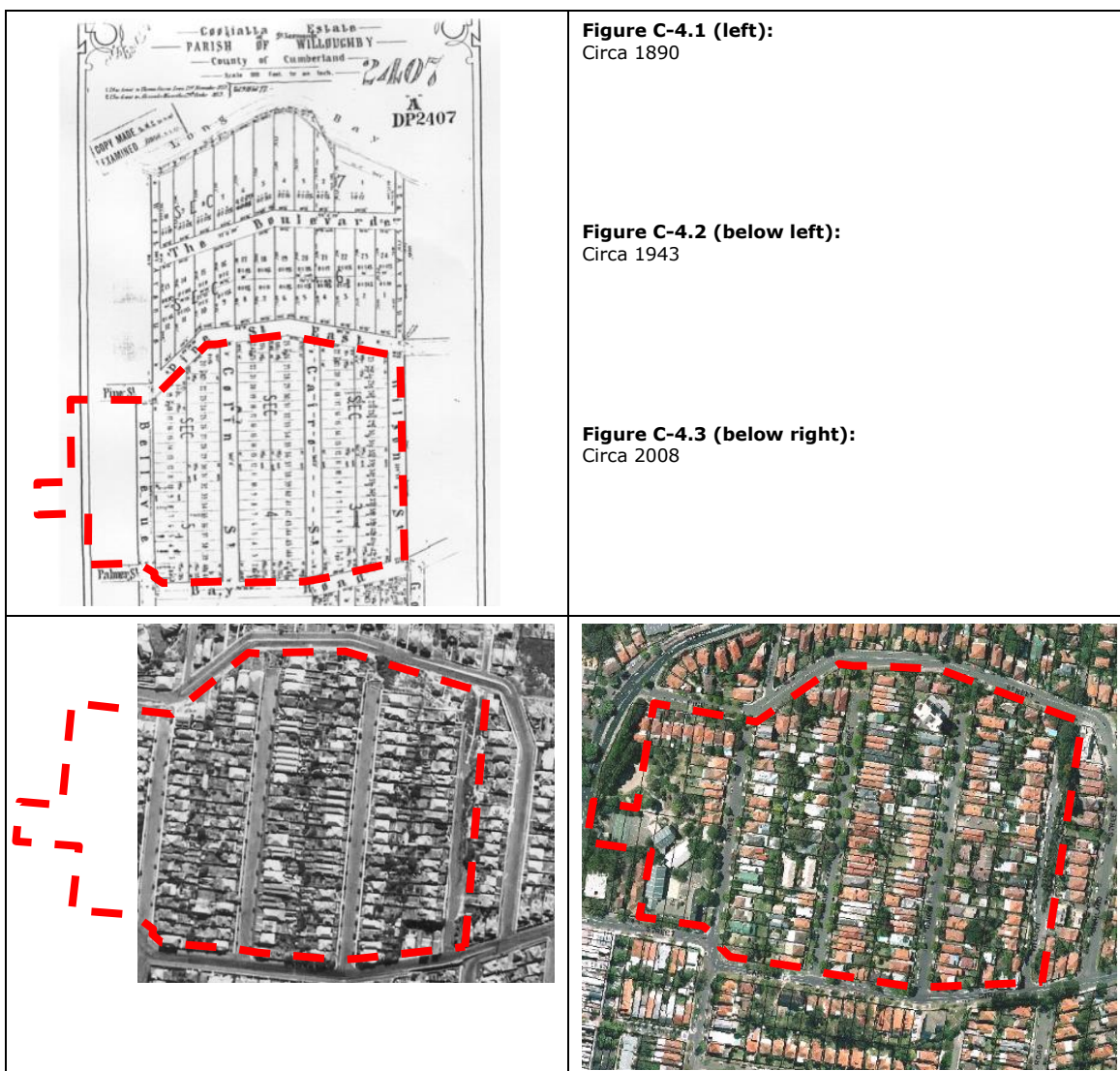
The Plateau Conservation Area is located on a natural plateau at the northern end of Cammeray. The area is defined by escarpment along Pine Street, Wilson Street, Carter Street and Miller Street.

The landform slopes to the southeast and is a small plateau with escarpments to the north and east. The subdivision pattern is a regular grid of rectangular lots with dead end streets at the escarpments.

The Plateau Conservation Area is characterised by single storey Federation and Edwardian dwelling houses, reflecting the area's main period of development. The houses range from freestanding dwellings on large lots to small, semi-detached dwellings on narrow lots. There are also examples of Victorian Georgian style, weatherboard cottages.

The buildings generally have small setbacks from the street with cottage gardens and a mix of fence types.

The Brushbox street trees are characteristic of the area's main period of development, and give a strong regularity to the streetscape. Front gardens are well established, and often have extensive plantings to give an overall impression of a landscaped garden suburb.



### 4.5.3 Statement of Significance

The Plateau Conservation Area is significant:

- (a) For the unity of its subdivision history and consistency of the housing stock which is evident in the built form of the area.
- (b) For its largely intact residential form that illustrates small-scale housing including timber buildings, and which has survived without large scale intrusions.
- (c) For its strong landscape quality defined by street trees and front garden plantings that give an overall impression of a landscaped garden suburb.

### 4.5.4 Significant elements

#### Topography

P1 Level plateau with escarpments to the north and east.

#### Subdivision

P2 Regular rectangular lots.



### **Streetscape**

- P3 Street trees and street gardens.
- P4 Sandstone kerbing, sandstone and concrete retaining walls, street gardens. Changes of level in topography.

### **Views**

- P5 North facing lookouts: Bellevue Street, Colin Street, Carter Street, Cairo Street. Views from Colin, Wilson, Bellevue and Pine Street steps.

## **4.5.5 Characteristic buildings**

- P1 Single storey, detached and semi-detached Federation and Edwardian dwelling houses sometimes in groups. Some Victorian cottages.

## **4.5.6 Characteristic built elements**

### **Siting**

- P1 To the front of the lot with large gardens to the rear.

### **Form, massing and height**

- P2 Detached and attached dwellings with projecting bays and verandahs to street.
- P3 Double fronted cottages with projecting bays and flanking verandahs.
- P4 Single storey, rear extensions within single storey roof line. Reduced scale to the rear.

### **Roofs**

- P5 Hipped roofs pitched between 30 and 45 degrees without dormer windows or openings that can be seen from the street.
- P6 Gabled ends for projecting bays to the street, skillion roofs to rear extensions.
- P7 Brick and rendered chimneys.

### **Materials**

- P8 Walls: Weatherboards; Face brick on sandstone foundations
- P9 Roofs: Slate and corrugated metal on older dwellings; Terracotta tiles with corrugated iron or corrugated sheet metal on rear extensions.
- P10 Timber verandahs. Timber windows and doors.

### **Windows and doors**

- P11 Consistent with building period. Timber

### **Fences**

- P12 Low height front fences and walls to 800mm in height.
- P13 Timber fences to side and rear.
- P14 Timber picket, stone, face brick and brick piers with timber pickets or horizontal rails.

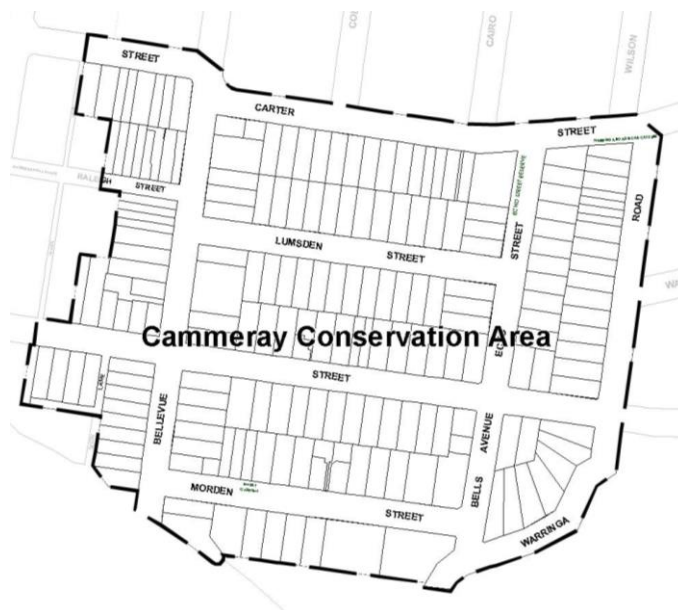
### **Car accommodation**

- P15 No off street parking.

## **4.5.7 Uncharacteristic elements**

- P1 Over-scaled additions; dormers to front roof slopes; carports and garages to the street; paved front gardens; high solid fences to the street; rendering and painting of face brick; loss of original detail; aluminium windows; modern infill development.

## 4.6 CAMMERAY CONSERVATION AREA



### 4.6.1 History

Most of the Cammeray Conservation Area was subdivided in 1889 by Alexander Maxwell as the *Cooliatta Estate* on land granted to Alexander Macarthur in 1853. The south-western part of the area was called *Bells Paddock*.

The opening of the Suspension Bridge in 1892 and extension of the tramway along Miller Street in 1909 improved access to the area and provided a trigger for development. Most of the area was purchased as the Bell's Estate in 1909 after which time the area developed.

Very little redevelopment occurred in the area until the 1960s when uncharacteristic, three storey flat developments were built in Morden Street.

### 4.6.2 Description

The Cammeray Conservation Area is bounded by Carter Street, the Freeway to the south, Warringa Road to the east, and Miller Street properties to the west.

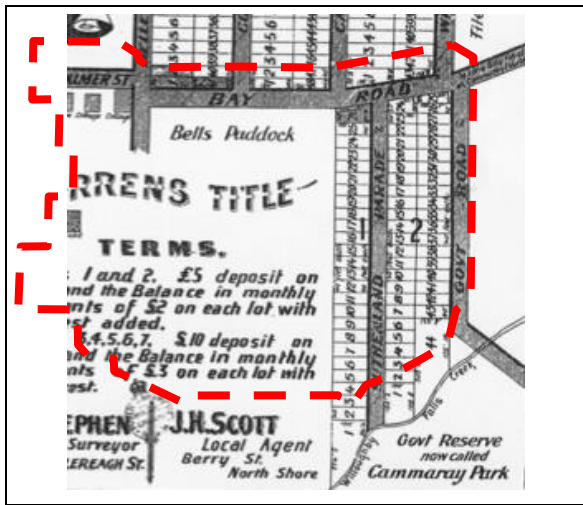

The landform slopes down from the north towards the south and east and there are escarpments at Morden Street and Echo Street that form dead end roads.

The subdivision pattern is a regular grid that overlays the topography.

The characteristic buildings of the area are typically later Federation and Edwardian Queen Anne, reflecting the predominant period of development. Buildings are typically single storey, freestanding and constructed on a sandstone base with face brick walls and terracotta tiled hipped roof with asymmetrical street elevations with projecting gabled bays projection and a flanking verandah.

Street plantings and raised verges reinforce the cohesive character and regular pattern formed by the buildings and underlying lot pattern.

Several late Victorian residences are located in the northwest corner of the area, and timber houses are represented in Palmer, Bellevue and Raleigh Streets. There is some modern development to the southern edge.

	<p><b>Figure C-4.4 (left):</b> 1890 Subdivision Plan of the Cooliatto Estate</p>
	<p><b>Figure C-4.5 (below left):</b> Circa 1943</p>
	<p><b>Figure C-4.6 (below right):</b> Circa 2008</p>
	

### 4.6.3 Statement of Significance

The Cammeray Conservation Area is significant:

- (a) For the unity of its subdivision history which is evident in the built form of the area and that overlays its sloping and stepped topography;
- (b) As an area of modest Federation speculative builder housing set out in a geographically defined area that has survived without large-scale intrusion; and
- (c) For its landscape quality defined by street trees, stone boundary walls, rock escarpments, raised and front garden plantings that combine to give an impression of a landscaped garden suburb.

### 4.6.4 Significant elements

#### Topography

P1 Sloping towards east and south with sandstone escarpments.

#### Subdivision

P2 Regular grid pattern overlying topography.

#### Streetscape

P3 Houses at street level or raised above it.

P4 Consistent scale of housing addressing the street in garden setting.

**Area Character Statements - Cammeray Planning Area**

P5 Raised verges, sandstone kerbing, sandstone and concrete retaining walls, street gardens.

P6 Street trees, including central plantings.

**Views**

P7 Carter Street lookout. Views from Morden Street to the south.

**4.6.5 Characteristic buildings**

P1 Single storey, free-standing, double fronted Federation dwelling houses.

P2 Late Victorian residences in the north-western portion.

**4.6.6 Characteristic built elements**

**Siting**

P1 Detached dwelling houses to the front of the lots with gardens to front and rear.

**Form, massing and height**

P2 Single storey, detached dwelling houses.

P3 Simple forms articulated with projecting bays and verandahs to front.

P4 Reduced bulk and scale to rear.

**Roofs**

P5 Hipped and gabled roofs pitched between 30 and 45 degrees with overhanging eaves.

P6 Gabled ends for projecting bays to the street.

P7 Skillion roofs to rear wings.

P8 Brick and rendered chimneys.

**External Materials**

P9 Timber or face brick on sandstone bases.

P10 Terracotta tiles with corrugated metal on rear wings. Slate and corrugated metal on older dwellings

P11 Shingled or half-timbered gable roofed bays.

**Windows and doors**

P12 Late Victorian and Federation. Decorative leadlights and glazing.

**Fences**

P13 Low height front fences and walls to 800mm.

P14 Timber fences to rear and side.

P15 Stone, face brick and brick piers or timber pickets and horizontal rails.

**Car accommodation**

P16 Garages and carports located to the side and rear of dwellings.

P17 No garages or carports located in front of the building line.

P18 Single driveways.

**4.6.7 Uncharacteristic elements**

P19 Carports, garages or paving to front of lot; dormers to front of roofs; over-scaled additions; painting and rendering of face brickwork; high fences to street; and inappropriate detailing.



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## SECTION 5 NORTH CREMORNE PLANNING AREA

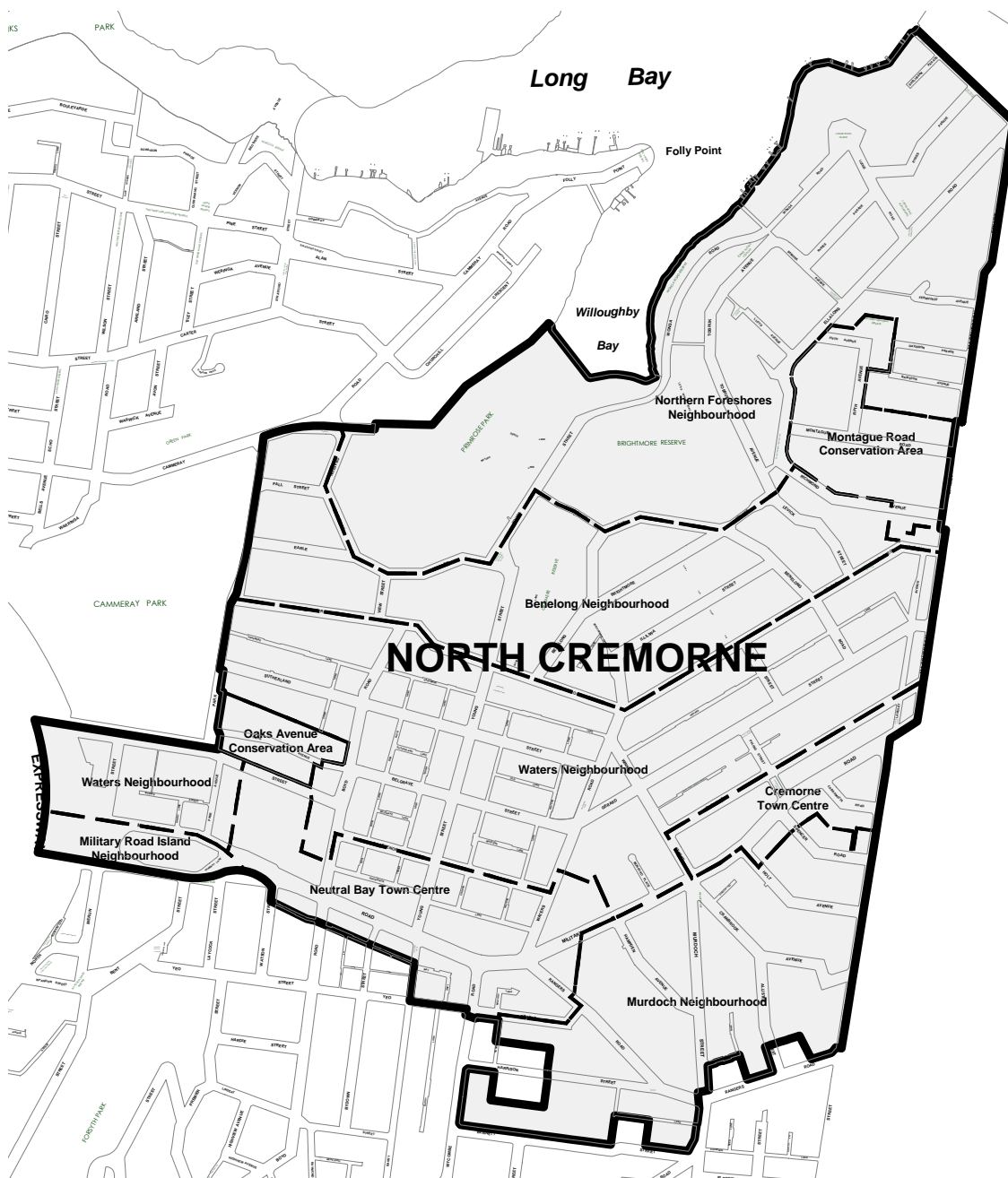
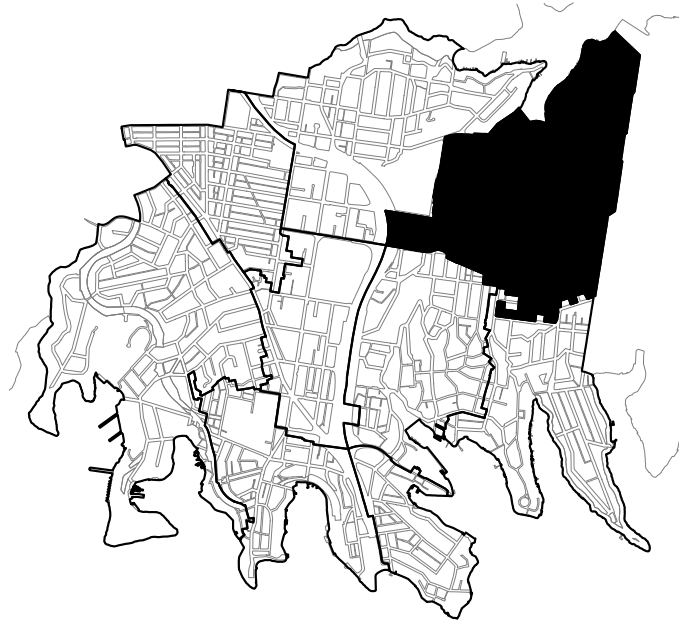


Figure C-5.1: North Cremorne Planning Area and associated Locality Areas

## 5.0 NORTH CREMORNE PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the North Cremorne Planning Area.

North Cremorne is a primarily residential neighbourhood providing a diverse range of housing forms for a mixed population. It is bound on its southern side by the Neutral Bay and Cremorne Town Centres, which are bustling places where people live, shop, eat, work and socialise providing a high level of amenity for all users.

Development within the Planning Area should result in:

- residential growth being provided in accordance with Council's Residential Development Strategy, with the growth concentrated within the Mixed Use zones of the Town Centres located on or in the vicinity of Military Road, and the remainder comprising of multi dwelling housing and residential flat buildings in the surrounding residential areas
- residential densities not being increased in foreshore areas and areas of steep terrain
- development within the R2 – Low Density Residential zone being of a similar scale to existing characteristic development
- a wide range of residential types and sizes being distributed throughout the area according to zone
- a range of retail and commercial premises, services and facilities being available to the local community within the Town Centres

and where:

### Function

- there are safe and accessible community facilities and meeting places
- the few non-residential uses operate without an adverse effect to the amenity of the residential neighbourhood

**Area Character Statements - North Cremorne Planning Area**

- services and facilities meet the needs of different population groups
- accessible and safe pedestrian routes are extended throughout the neighbourhood linking to the open spaces of Primrose Park and Brightmore Reserve
- additional public open space is provided for increased residential population
- public transport, cycling and walking are preferred means of transport
- local icons, cultural resources and heritage provide tangible evidence of the area's past and reflect the community's cultural values

**Environmental Criteria**

- parkland and natural foreshore areas are conserved, protected and easily accessible to pedestrians
- ecology of bushland and wetland areas are protected from adverse impacts of development such as stormwater runoff, dumping of fill soil and vegetation, leaching of fertilisers, spread of introduced plants and weeds and visual impact of structures
- habitat for native fauna is provided through the planting and maintenance of local flora
- good sunlight is available to both public and private spaces

**Quality Built Form**

- high quality residential accommodation in the Town Centre incorporates internal amenity for residents and energy efficient design
- open meeting places in the form of courtyards act as focal points, and are located in areas that provide relief from traffic noise
- residential development respects and maintains existing characteristic built form with buildings setback from all boundaries and landscaped front gardens, softening the built form
- the built environment is sympathetic to the topography and vegetation, allowing views of the surrounding area and Willoughby Bay
- heritage items are protected and significant streetscape elements are conserved in the Oaks Avenue and Montague conservation areas

**Quality Urban Environment**

- backyards are provided for a variety of practical and recreational needs of residents
- car parking does not adversely affect the character of the area and quality of residential streets
- front fences are low and offer good outlooks to house fronts and gardens

**Efficient Use of Resources**

- existing residential buildings are maintained to prevent unnecessary waste of building materials
- stormwater is captured and re-used on site

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

Section 5.1: Neutral Bay and Cremorne Town Centres

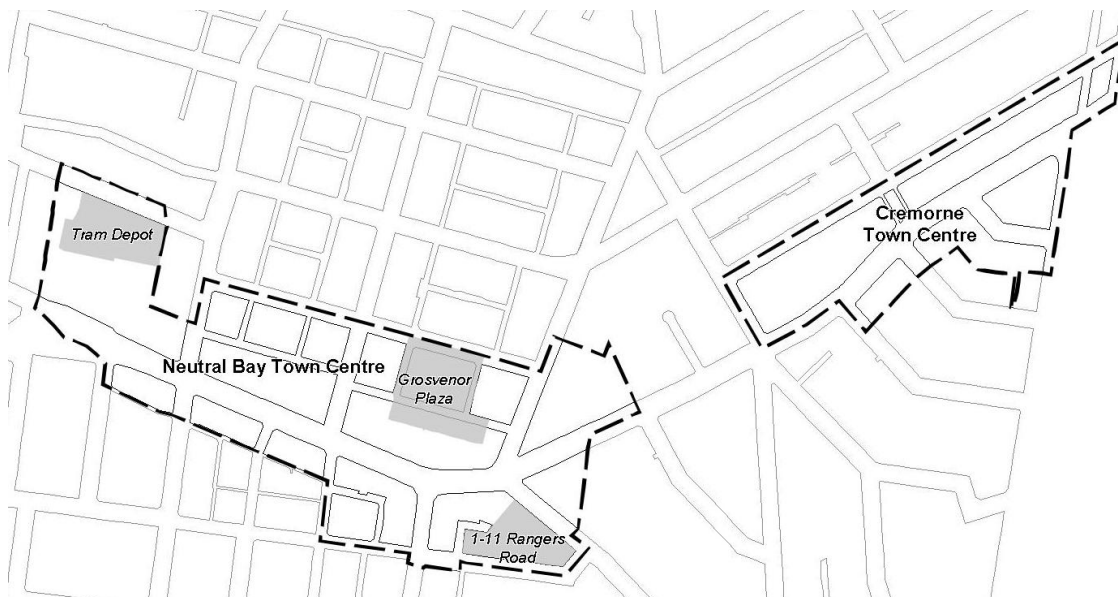
Section 5.1.4: Tram Depot

Section 5.1.5: 1-11 Rangers Road



- Section 5.1.6: Grosvenor Plaza
- Section 5.2: Military Road Island Neighbourhood
- Section 5.3: Waters Neighbourhood
- Section 5.3.4: 14-16 Military Road
- Section 5.4: Benelong and Northern Foreshore Neighbourhood
- Section 5.5: Murdoch Neighbourhood
- Section 5.6: Montague Road Conservation Area
- Section 5.7: Oaks Avenue Conservation Area

## 5.1 NEUTRAL BAY AND CREMORNE TOWN CENTRES



### 5.1.1 Significant Elements

#### Land Use

P1 Predominantly mixed commercial and residential development.

#### Topography

P2 Generally flat, straddling the topmost part of the ridge along Military Road.

#### Natural Features

P3 Area forms the topmost part of a ridge following Military Road.

#### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

- (a) District views to Middle & Sydney Harbours from the upper levels of some buildings.

#### Identity / Icons

P5 Orpheum Theatre is a community focal point and regional attraction that enhances the identity of the area.

P6 Military Road, a major regional thoroughfare.

#### Subdivision

P7 A diverse mixture of large consolidated sites intermixed with long narrow sites with dual frontages.

#### Streetscape

P8 Wide fully paved footpaths incorporating outdoor dining areas.

P9 Buildings built to street and laneway frontages.

P10 Continuous awnings along Military Road.

P11 Irregular planting of street trees.

P12 Active frontages to Military Road, Grosvenor Street.

P13 90° on-street parking to Parraween Street.



### Public transport

- P14 Development is to take advantage of high levels of accessibility to high frequency public bus services along Military Road.

## 5.1.2 Desired Future Character

### Diversity of activities, facilities, opportunities and services

- P1 Mixed commercial and residential development, primarily focused on Military Road.
- P2 A variety of commercial, retail, restaurants and cafes are provided at footpath level, non-residential or residential on the first floor and residential only on the upper floors.
- P3 Commercial activities should be maintained to all street frontages at ground level to stimulate pedestrian activity.
- P4 Activities should not have a detrimental impact to the safety and efficiency of vehicular traffic on Military Road.

## 5.1.3 Desired Built Form

### Subdivision

- P1 Redevelopment sites should have a frontage of approximately 25m-30m.

### Form, massing and scale

- P2 Generally 4-5 storeys.
- P3 5-6 storeys in the block bounded by Military Road, Cabramatta Road and Spofforth Street.
- P4 Larger facades are broken up with changes in building frontage alignment and architectural detailing to reflect the former subdivision patterns, especially fronting Military Road.

### Public spaces and facilities

- P5 Outdoor dining areas:
- (a) are located within clearly defined spaces;
  - (b) are located away from main roads;
  - (c) are weather protected; and
  - (d) provide equal and unobstructed pedestrian movement.
- P6 Pedestrian arcades should be provided between Military Road and parallel laneways/streets to the north and south of Military Road to enhance pedestrian connectivity.
- P7 Views of shop fronts should not be obstructed from footpaths and roadways.
- P8 Encourage the retention and enhancement of trees within the public domain to improve public amenity.

### Setbacks

- P9 Buildings should be built to all street frontages at ground level, except as follows:
- (a) Setback 1.5m from the northern side of Military Road, at ground level between Young Street and Waters Road, and
  - (b) Setback 1.5m at ground level from all laneways.

### Podiums

- P10 Podium of 8.5m (two storeys) to Military Road, east of Hampden Avenue, with a setback of 3m above the podium.

**Area Character Statements - North Cremorne Planning Area**

- P11 Podium of 10m (three storeys) to Military Road, west of Hampden Avenue, with a setback of 3m above the podium.
- P12 Podium of 8.5m (two storeys) to laneway frontages and frontages not to Military Road, with a setback of 3m above the podium.
- P13 Podium of 8.5m (2 storeys) to the east and west of Barry Street Plaza, with a setback of 3m above the podium.
- P14 Provide adequate podium setbacks where a site adjoins residential or open space zones.

**Building design**

- P15 Ground floor access to shops is to be provided to all properties with a frontage to Military Road, a frontage to the Grosvenor Lane car park / plaza, and those with a dual frontage between Military Road and Parraween Street.
- P16 Building elements, materials, finishes, and windows should relate to neighbouring buildings.
- P17 Laneways should be provided with active frontages, wherever possible.

**Car Parking & Access**

- P18 Vehicular access from sites should not be provided to Military Road.

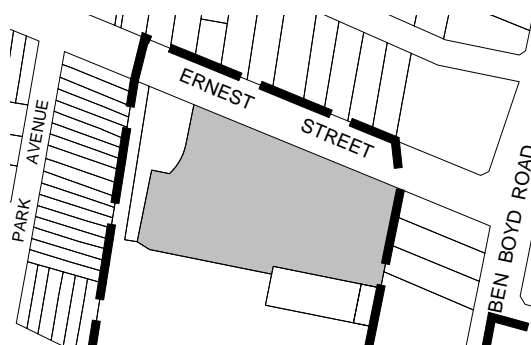
**Noise**

- P19 Elevations of buildings fronting Military Road and Ernest Street are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).
- P20 Services located at the rear of buildings at the interface with a residential zone should be carefully designed and located to ensure that they do not have a detrimental impact to the residential amenity of the neighbouring property.

**Awnings**

- P21 Awnings are provided along all street frontages.

**5.1.4 North Sydney Bus Depot**



**Diversity of activities, facilities, opportunities and services**

- P1 Continued operation of the bus depot as important public transport infrastructure.
- P2 If the bus depot ceases to operate, then the site should be used for mixed use development.
- P3 Incorporate community functions in the form of open space, through site links and / or other community uses.

- P4 Development provides active frontages to Ernest Street and internal public spaces.
- P5 Amalgamation with Big Bear site provides further opportunities for public benefit.
- P6 P6 Redevelopment of an amalgamated Bus Depot and Big Bear site should be informed by a masterplan for the entire street block.

**Form, massing and scale**

- P7 Transition scale of built form down from central / southern portion of site to surrounding lower scale development and heritage conservation area.
- P8 Maximise solar access to internal public spaces.

**Public Benefit**

- P9 Provide public benefit with any proposed change to existing planning controls.
- P10 Affordable housing is a public benefit priority for the site.

**Podiums**

- P11 Podium of 10m (three storeys) to Ernest Street.

**Ecologically Sustainable Development**

- P12 In implementing ESD best practice, explore opportunities to incorporate ESD demonstration project in redevelopment.

**Access**

- P13 Create safe and active pedestrian links between Ernest Street and Military Road, particularly where possible via the Big Bear site.
- P14 Vehicular access minimises the impact on the flow of traffic along Ernest Street.

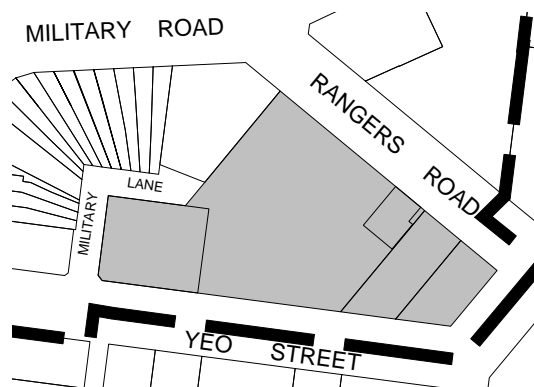
**Noise**

- P15 Elevations of buildings fronting Ernest Street are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of vegetation, cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

**Heritage**

- P16 Protect and respond architecturally to existing heritage items.
- P17 Subsurface archaeological material is assessed prior to excavation.

**5.1.5 1-11 Rangers Road**



**Diversity**

- P1 Supermarket (if possible), small shops at footpath level fronting streets and lanes, non-residential/residential on lower floors, residential above.

### Subdivision

P2 All allotments should be consolidated to establish a reasonable building footprint.

### Form, massing and scale

P3 Modern commercial building generally built to the boundary.

P4 Development addresses laneways with active uses.

### Setbacks

P5 Buildings should be built to all street frontages at ground level, except as follows:

(a) Setback 1.5m at ground level from Rangers Road.

### Podiums

P6 Podium of 13m (four storeys) to Rangers Road, with a setback of 3m above the podium

P7 Podium of 10m (three storeys) to Yeo Street and Military Lane, with a setback of 3m above the podium.

### Landscaping

P8 Internal spaces provide a safe and pleasant meeting place.

### Access

P9 Vehicular access to be provided from Military Lane.

## 5.1.6 Grosvenor Lane Car Park

*\* This section has been informed by the Grosvenor Lane Planning Study 2014*



### Diversity

P1 Provide a fine-grain of retail and other frontages at the interface with the public realm, including the public plaza, to maximise variety of uses.

P2 Provide opportunities for outdoor dining.

P3 Provide active frontages to the plaza and where possible to laneways.



**Public Domain**

- P4 Create a public plaza on the current public car park site
- P5 Implement shared zones or widen footpaths where possible to improve pedestrian safety and amenity.
- P6 Design plaza to be flexible and able to accommodate passive recreation and special events.
- P7 Design of built form should facilitate the revitalisation and improvement of the public domain along Military Road.
- P8 Upgrade adjoining laneways to complement the public plaza.
- P9 Provide quality, active pedestrian links between Military Road and the public plaza.

**Setbacks**

- P10 Set back buildings 1.5m at ground level on all street and laneway frontages.

**Built Form**

- P11 Minimise the impact of development on the public domain and plaza.
- P12 Minimise the impact of development on surrounding residential land.
- P13 Podium of 10m (three storeys) to Grosvenor Street, with a setback of 3m above the podium.
- P14 Mitigate noise from Military Road in design of through site link and built form.

**Access and Parking**

- P15 Relocate public parking underground and provide additional public car spaces.
- P16 Maintain existing laneway network or provide adequate alternative for small scale loading, short term parking and vehicular circulation.
- P17 Loading facilities should not impact on amenity of plaza and should ideally be provided underground.

**Public Infrastructure**

- P18 Upgrade or relocate Neutral Bay Community Centre as part of any redevelopment incorporating the existing site.
- P19 Provide improved bus stop infrastructure on Military Road.

**Heritage**

- P20 Protect and respond architecturally to heritage items within the area.

## 5.2 MILITARY ROAD ISLAND NEIGHBOURHOOD



### 5.2.1 Significant Elements

#### Land Use

P1 Predominantly residential development in the form of semi-detached dwellings.

#### Topography

P2 Generally flat with a slight fall to the south to Falcon Street.

#### Natural Features

P3 Area forms the topmost part of a ridge following Military Road.

#### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

- (a) Potential district views to Middle and Sydney Harbours from the upper levels of some buildings.

#### Identity / Icons

P5 Military Road, a major regional thoroughfare.

P6 Falcon Street, a major regional thoroughfare.

#### Subdivision

P7 Regular grid pattern.

P8 200m<sup>2</sup> to 350m<sup>2</sup>.

#### Streetscape

P9 Wide one way streets.

P10 Street trees.

#### Public transport

P11 New development to maximise the use of the area's high level of accessibility to high frequency public bus services.

### 5.2.2 Desired Future Character

#### Diversity

P12 Residential flat buildings with some mixed use, according to zone.



### 5.2.3 Desired Built Form

#### Subdivision

- P1 All land should be consolidated to create a single allotment of sufficient size to create a series of residential flat buildings which can be appropriately located behind large landscaped buffers.

#### Siting

- P2 Towards the north, having regard to the acquisition of land for road widening purposes.

#### Setbacks

- P3 Setback on Falcon Street frontage incorporates substantial landscaping and creates a buffer to traffic.

#### Podiums

- P4 Podium of 13m (four storeys) to all elevations of a building, with a setback of 3m above the podium.

#### Form, massing and scale

- P5 Large facades are broken up with changes in building frontage alignment and architectural detailing.
- P6 Internal courtyard or landscaped open space with solar access between 11am and 3pm, 21st June.

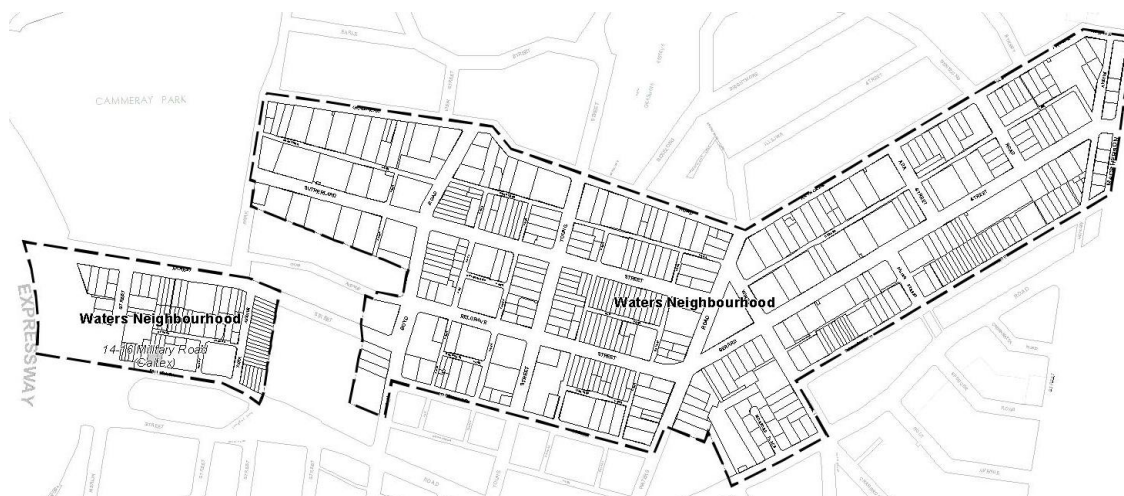
#### Access

- P7 Maintain pedestrian crossings across Military Road and Falcon Street.
- P8 Vehicle access is provided off Military Road.
- P9 Vehicular access for service and delivery vehicles and resident/occupant vehicles is combined.
- P10 Regional traffic is concentrated on Falcon Street and Military Road to north of the street block is a local road.

#### Noise

- P11 Elevations of buildings fronting Military Road and Falcon Streets are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

## 5.3 WATERS NEIGHBOURHOOD



### 5.3.1 Significant Elements

#### Land Use

P1 Predominantly residential development.

#### Topography

P2 Gentle fall to the north from the ridge aligning with Military Road.

#### Views

P3 The following views and vistas are to be preserved and where possible enhanced:

- (a) along Park Avenue of Cammeray Park.
- (b) Vistas to Middle Harbour down Ben Boyd Road and Young Streets.
- (c) District views to Middle Harbour from the upper levels of some buildings.

#### Identity / Icons

- P4 SCEGGS – Redlands School.
- P5 Cammeray Park.
- P6 Military Road, a major arterial thoroughfare.
- P7 Ernest, Belgrave Road and Gerard Streets, a sub-arterial thoroughfare.

#### Subdivision

P8 A regular grid pattern with street blocks generally running east / west, with a large number of properties having dual frontages associated with a large number of laneways.

#### Streetscape

- P9 Wide tree lined streets with grass verges and concrete paths.
- P10 Narrow fully paved laneways.
- P11 A mixture of tall and low rendered masonry fences to the street, with taller fences generally located along Ernest, Belgrave and Gerard Streets in front of low and medium density housing.
- P12 Buildings setback from the boundary and aligned with the street frontage.

## Public transport

- P13 Development should take advantage of the high level of public bus services operating along Military Road, Ernest Street, Belgrave Street and Gerard Street.

## 5.3.2 Desired Future Character

### Diversity

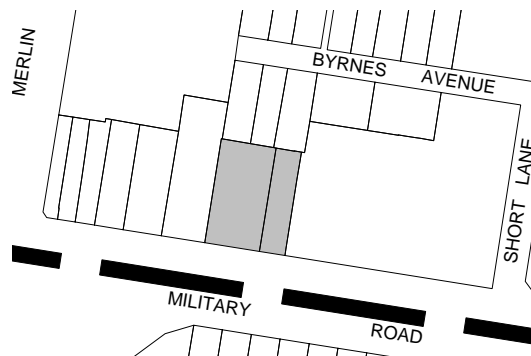
- P1 Predominantly medium to high density residential accommodation, generally comprising attached dwellings, multi-dwelling housing and residential flat buildings, according to zone.
- P2 The density of development generally reduces the further away a property is located from Military Road.

## 5.3.3 Desired Built Form

### Form, massing and scale

- P1 Future development of high density housing must have a sympathetic relationship to other surrounding development in terms of height, bulk and scale, privacy and access to views (for example stepping down to lower height).
- P2 Buildings adjacent rear laneways should be ancillary to the main building on a site.

## 5.3.4 14-16 Military Road



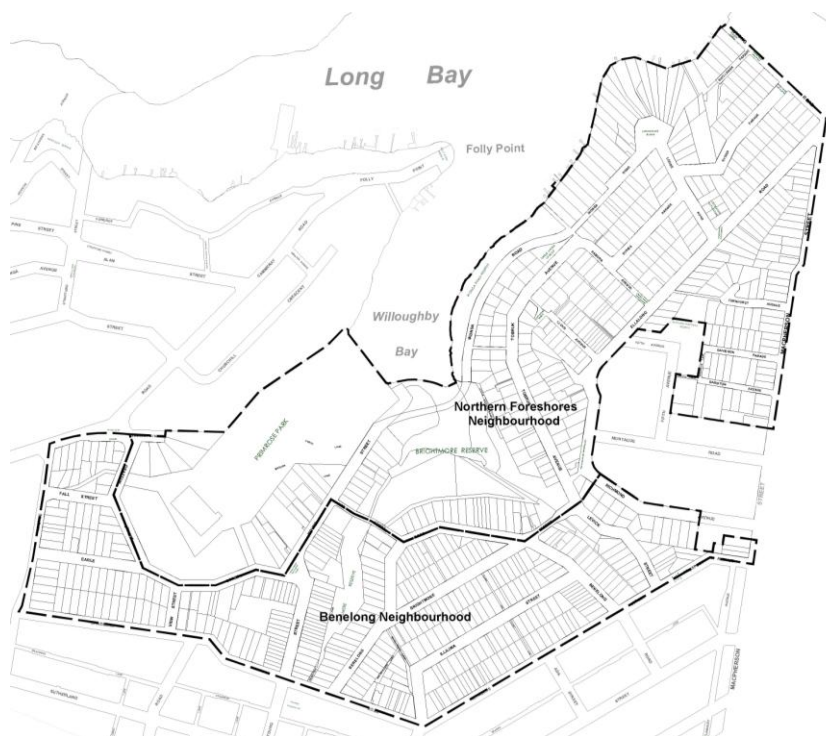
### Noise

- P1 Where 14-16 Military Road, Neutral Bay is to be used for non-residential purposes, an acoustic wall is to be erected, which:
- (a) matches the height, alignment, design, materials and finishes of the existing acoustic wall over 18-38 Military Road, Neutral Bay; and
  - (b) extends for the entire length of the northern boundary and its southern face is setback a minimum of 483mm from the common boundary with No.s 1 to 5 Byrnes Avenue; and
  - (c) extends for the entire length of the western boundary and is setback a minimum of 3m from the eastern alignment of the residential flat building on the adjoining allotment at 12 Military Road.

### Visual impact

- P2 The setback between the western boundary of 14-16 Military Road, Neutral Bay and the acoustic wall required by P2 above, must be landscaped with vegetation capable of growing to the height of the acoustic wall to ensure effective screening.

## 5.4 BENELONG AND NORTHERN FORESHORE NEIGHBOURHOODS



### 5.4.1 Significant Elements

#### Land Use

- P1 Predominantly residential accommodation.
- P2 Passive and active recreation areas.

#### Topography

- P3 Generally falling to the north and northwest to the foreshores of Willoughby Bay.
- P4 Generally flat over the public open space areas adjacent to the foreshore.
- P5 Steep slopes to the southern and western ends of Primrose Park and residential properties in the vicinity of the foreshore.

#### Natural Features

- P6 Remnant natural shoreline areas in North Cremorne.
- P7 Remnant bushland of Primrose Park, Brightmore Reserve and Willoughby Bay
- P8 Wetlands in the form of Coastal Saltmarsh along the foreshores of Willoughby Bay (refer to Section 15 – Bushland to Part B of the DCP).
- P9 Natural sandstone cliffs adjacent to the western edge of Primrose Park.

#### Views

- P10 The following views and vistas are to be preserved and where possible enhanced:
  - (a) District views to Middle Harbour from the upper levels of some buildings.
  - (b) Primrose Park Lookout (10), Earle Street Lookout (11), Tobruk Avenue Lookout (14), Lodge Road Lookout (15), Ellalong Road Lookout (17)



### Identity / Icons

P11 Primrose Park and Brightmore Reserve.

P12 Willoughby Bay.

### Subdivision

P13 Irregular grid pattern, informed by the irregular topography of the area.

### Streetscape

P14 Tree lined streets with grassed verges and concrete footpaths.

P15 Split carriageways with large sandstone retaining walls.

P16 A mixture of low picket, paling, double rail timber and masonry fences. Continuity of particular fencing types in certain streets.

P17 Buildings generally setback from the boundary with garages and carports built to the boundary in the Northern Foreshores Area.

### Public transport

P18 Limited access to public bus services through the Area.

## 5.4.2 Desired Future Character

### Diversity

P1 Primarily low density residential accommodation, generally comprising dwelling houses, semi detached houses and dual occupancies.

P2 Potential for limited attached dwellings and multi dwelling housing according to zone.

P3 Enhancement of existing passive and active recreation areas.

## 5.4.3 Desired Built Form

### Subdivision

P1 The long narrow lots in Lodge Road are not to be subdivided because of adverse impacts on drainage, landscaping, views and the natural foreshore.

### Form, massing and scale

P2 Minimise the building footprint to preserve natural features, native vegetation and rock outcrops, particularly on land adjoining or near foreshores.

P3 Buildings should provide adequate separation to bushland and foreshore areas.

P4 Densities should not be increased in areas of steep terrain. Development on sloping land should be designed to follow the fall of the land.

### Roofs

P5 Development should maintain low pitched roofs.

P6 Flat roofs may be considered on Wonga Road and Ryries Parade to retain views for neighbouring property. However they will not be permitted to gain an additional storey.

### Views

P7 Buildings should not obstruct views and vistas from public places to the waterway.

P8 Development should not adversely restrict views from neighbouring properties. This is especially important in foreshore areas or sites that enjoy water views.

### Setback

P9 Front: 3m



**Area Character Statements - North Cremorne Planning Area**

P10 Rear: 10m

**Foreshore**

- P11 Development adjacent to the foreshore is small in scale and does not dominate the foreshore frontage.
- P12 Development associated with boating activity is kept to a minimum and is compatible with the surrounding land uses.
- P13 Development adjoining foreshore or bushland areas (such as at Wonga Road) use muted colours and non-reflective materials, such as brick and timber to ensure the scenic and environmental qualities are enhanced.

## 5.5 MURDOCH NEIGHBOURHOOD



### 5.5.1 Significant Elements

#### Land Use

- P1 Predominantly residential development.
- P2 Educational establishments.

#### Topography

- P3 Gentle falls to the south from the ridge along Military Road.

#### Views

- P4 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Views between buildings and along Murdoch Street to the Sydney CBD and Sydney Harbour.

#### Identity / Icons

- P5 SCEGGS – Redlands School.
- P6 Military Road, a major regional thoroughfare.

#### Subdivision

- P7 Irregular grid pattern, informed by the irregular topography of the area.

#### Streetscape

- P8 Tree lined streets with grassed verges and concrete footpaths.
- P9 Mixture of low full masonry and part masonry and timber paling fences.
- P10 Buildings setback from the boundary and aligned with the street frontage.

#### Public transport

- P11 Development is to take advantage of high levels of accessibility to high frequency public bus services along Military Road.

## 5.5.2 Desired Future Character

### Diversity

- P1 Primarily high density residential accommodation, generally comprising residential flat buildings.
- P2 Limited opportunities for attached dwellings dwelling houses, semi-detached houses, dual occupancies and multi dwelling housing.
- P3 The density of development generally reduces the further away a property is located from Military Road.

## 5.5.3 Desired Built Form

### Setback

- P4 Front: 5m
- P5 Buildings should be setback to all side boundaries in accordance with Part B of the DCP, except as follows:
  - (a) A minimum of 2m from the eastern boundary of No. 4 Rangers Road to retain existing trees.
- P6 Rear 10m.
- P7 Residential flat buildings have substantial front, rear and side setbacks.

## 5.6 MONTAGUE ROAD CONSERVATION AREA



### 5.6.1 History

The Montague Road Conservation Area was originally part of Alfred Thrupp's land grant, which was later acquired by Daniel Cooper and his heirs. In 1891 a large 25 acres of the land was purchased by James Ernest Holt and later subdivided. The upper portion to Macpherson Street was developed as the *Surrey Estate* and placed for auction in 1907 and 1910.

Despite subdivisions in the area in the 1890's, little development occurred until the early 20<sup>th</sup> century because of its remoteness from the main development areas of North Sydney. The area's development was facilitated by the construction of tramways which increased its accessibility.

### 5.6.2 Description

The Montague Road Conservation Area is a residential neighbourhood that is characterised by small to medium scale houses setback from the street.

The topography of the area is a sloping plateau with a bluff along Ellalong Avenue. Richmond Avenue runs along the contours with the other roads in a grid pattern sloping with the topography. Montague Road is a wide Street with grass verges.

Street trees vary in size and species.

The area has views from the high vantage points to Willoughby Bay. Frontages often have retaining walls in a variety of finishes and low picket fences.

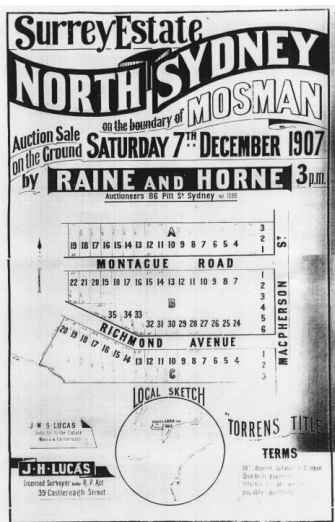


The conservation area is characterised by the good quality, single and two storey detached and semi-detached buildings on medium to large size lots in the Federation Queen Anne styles interspersed with some California Bungalows with articulated facades and front verandahs with decorated timber detailing.

Characteristic building materials are face brick with brick or sandstone bases, roughcast render, fibro. Most houses have brick chimneys with terracotta chimney pots.

### 5.6.3 Statement of Significance

The Montague Road Conservation Area is significant:

- (a) As an example of a subdivision that responds to the topography and the resulting built form that features stepped and elevated housing forms.
- (b) As a consistent and intact early 20<sup>th</sup> century residential area with medium sized detached and attached Federation Queen Anne houses and California bungalows.
- (c) For the quality and collective significance of the buildings within the area.

	<p><b>Figure C-5.1 (left):</b> Circa 1890</p>
	<p><b>Figure C5.2 (below left):</b> Circa 1943</p>
	<p><b>Figure C-5.3 (below right):</b> Circa 2008</p> 

### 5.6.4 Significant elements

#### Topography

P1 Plateau sloping down towards Willoughby Bay.

#### Subdivision

P2 Rectilinear subdivision with boundary to street frontage.



### **Streetscape**

- P3 Split carriageway and changes in level in Ellalong Road and Richmond Avenue. Low timber fences. Slot views over and between buildings to the city and Harbour Bridge.
- P4 Double rail timber fences.

### **Views**

- P5 Brothers Memorial Park Fifth Avenue Lookout, Ellalong Road Lookout, Richmond Avenue Lookout. Street views along Richmond and Fifth Avenues.

## **5.6.5 Characteristic buildings**

- P1 Detached single storey dwelling houses on small lots.
- P2 Federation, Queen Anne and California Bungalow styles.

## **5.6.6 Characteristic built elements**

### **Siting**

- P1 Principal frontage oriented and parallel to the street, forward towards front boundary.
- P2 Front setback 4-5 m.
- P3 Side setback 1-1.5 m.
- P4 Rear setback 5-6 m

### **Form, massing and scale**

- P5 Characteristic height - single storey.

### **Roofs**

- P6 Pitched between 30 and 45 degrees, small scale and with a variety of roof forms. Terracotta tile or slate with corrugated metal to rear extensions.
- P7 Smaller roof forms to the rear.

### **External Materials**

- P8 Dry pressed face brick, sandstone base courses.

### **Windows, doors and joinery**

- P9 Consistent with building period and style. Timber.

### **Fences**

- P10 Low in scale (800mm max). Face brick or timber vertical picket timber fences.

### **Car accommodation**

- P11 Located behind the main building line (i.e. not verandahs) or located at the rear with hipped and/or gabled roof forms.

## **5.6.7 Uncharacteristic elements**

- P1 Uncharacteristic developments in the area include unsympathetic alterations, second floor additions, attic room conversions, with dormers or skylights on front roof plane; residential flat buildings and battle-axe multi-dwelling housing developments; parking and large areas of paving in the front setback.

## 5.7 OAKS AVENUE CONSERVATION AREA



### 5.7.1 History

The Oakes Avenue Conservation Area was originally part of Alfred Thrupp's land grant. The southern half of Oakes Avenue was subdivided in 1887 by J Cooper, who bought the land from Thrupp, as the "Oaks Brickworks Estate". This land was then leased to Oliver Clews, who built seven "Brick and Iron" houses on the southern side of the road in 1889. The land on the northern side of the road was vacant at this time.

The remaining houses on the southern side of Oakes Avenue and houses on the northern side were built between 1899 and 1901. The first appeared in Council's 1902 Valuation Book.

### 5.7.2 Description

The Oakes Avenue Conservation Area is a discrete residential neighbourhood that is characterised by small lots.

Oakes Avenue is a relatively short street, with a slight level change along its length. The buildings on the northern side of the street are set down to those on the southern side.

Street vegetation is a mix of box and eucalypt trees planted in the early to mid 20<sup>th</sup> century. Street and foreground planting contribute to the sense of place.

The Conservation Area is characterised by the consistent row of single storey, modest sized houses. A number of the lots are splayed to Oakes Avenue leading to stepped building alignments and setbacks.

### 5.7.3 Statement of Significance

The Oakes Avenue Conservation Area is significant:

- (a) For the unity of its subdivision pattern and the resulting built form.
- (b) As a consistent and intact early 20<sup>th</sup> century residential area with a mix of Federation and 1920s single storey houses.
- (c) As a remnant of the former "Oakes Brickworks Estate".

	<p><b>Figure C-5.4 (left):</b> Circa 1890</p>
	<p><b>Figure C-5.5 (below left):</b> Circa 1943</p>
	<p><b>Figure C5.6 (below right):</b> Circa 2008</p>
	

#### 5.7.4 Significant elements

##### Topography

P1 Slight slope to the north.

##### Subdivision

P2 Detached dwelling houses on regular subdivision with narrowest boundary to street.

P3 Typically narrow allotments and approximately 450sqm in area.

##### Streetscape

P4 Sandstone kerbs, grass verges and concrete paths. Street trees planted in verges mainly Box and Eucalypts. Low walls in stone and timber.

##### Views

P5 Views to Cammeray Park at the top of the street.

#### 5.7.5 Characteristic buildings

P1 Single storey, moderately scaled Federation and Queen Anne dwellings.



## 5.7.6 Characteristic built elements

### Siting

- P1 Principal frontage oriented to the street with garden to the front.
- P2 Front setback 4 – 5 m,
- P3 Side setback 1 – 1.5 m.
- P4 Rear setback 5 – 6 m.

### Form, massing and scale

- P5 Single storey with hipped and gabled roofs.
- P6 Reduced height to rear.
- P7 Simple forms articulated with projecting bays and verandahs to the front.

### Roofs

- P8 Hipped and gabled. Pitched between 30 to 45 degrees.

### Materials

- P9 Face brick walls, sandstone base courses.
- P10 Terracotta tile roofs with corrugated metal to rear extensions.
- P11 Timber windows, doors and joinery.
- P12 Tessellated tiles to front verandahs

### Windows and doors

- P13 Consistent with building period and style. Timber.
- P14 Step though double hung windows to front with narrow sidelights and multi paned fanlights.

### Fences

- P15 Low front fences to 800mm in height.
- P16 Sandstone, face brick, timber vertical pickets and iron.
- P17 Gates are offset from stairs and front door.

### Car accommodation

- P18 No garages or driveways located to the front.

## 5.7.7 Uncharacteristic buildings

- P1 Garages and carports, large rear additions, changes to original front fences, contemporary flat buildings, two storey attached dwellings and carriage style developments. Other unsympathetic changes are verandah enclosures, high front brick fences, cement rendering and painting face brick or stone walls.



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## SECTION 6 SOUTH CREMORNE PLANNING AREA

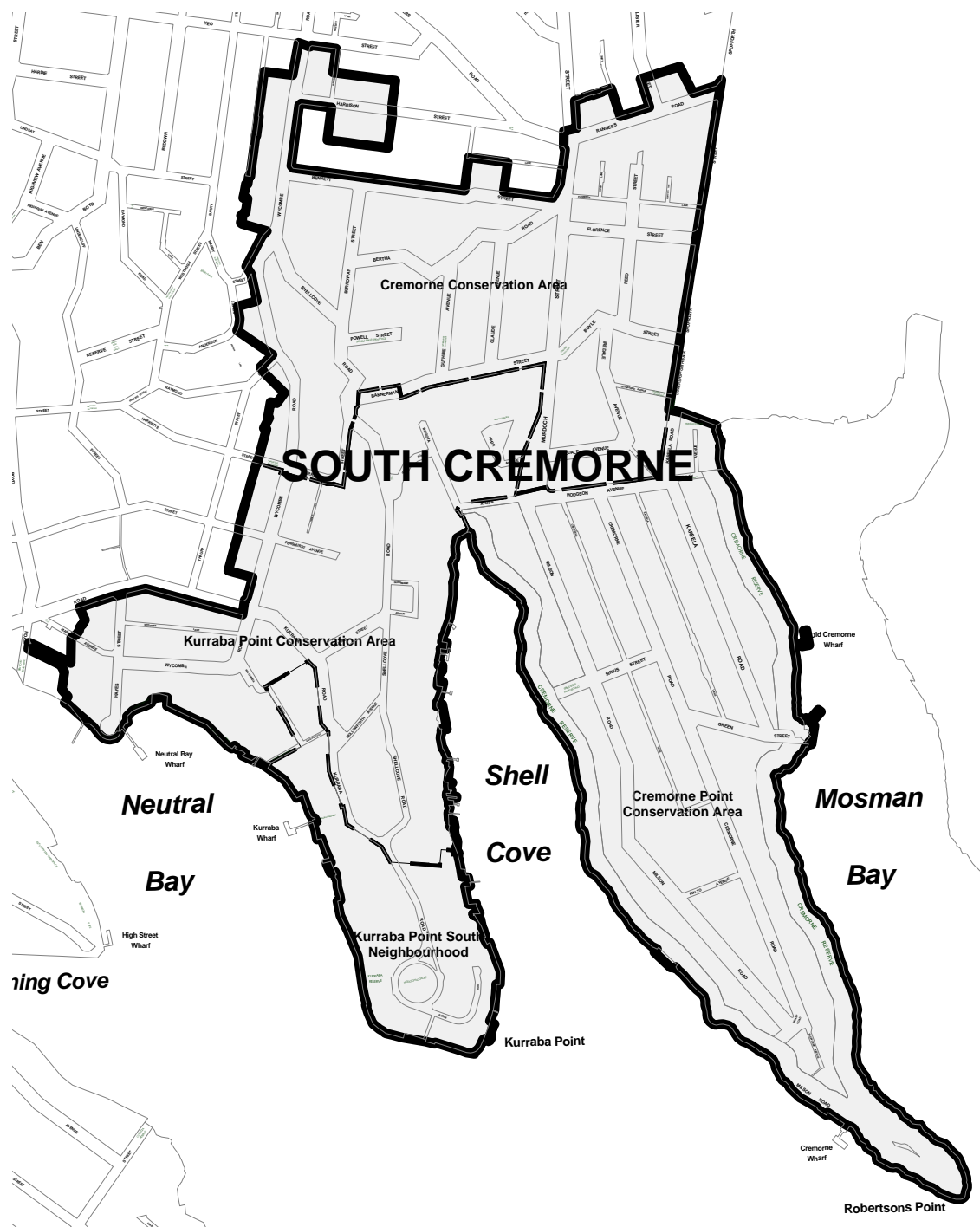


Figure C-6.1: South Cremorne Planning Area and associated Locality Areas

## 6.0 SOUTH CREMORNE PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the South Cremorne Planning Area.

South Cremorne is a green, leafy area sympathetic to its harbourside setting. The design of new buildings is to be sympathetic to the landscape and character of buildings within the locality, complementing existing building forms in respect to massing, composition, materials, colours and maintaining the original subdivision pattern.

Development within the Planning Area should result in:

- no substantial change to residential densities
- no significant change in intensity of development
- a wide range of single household residential types being distributed in a number of distinctive built form/landscape areas
- the conservation of features which contribute to the local identity

and where:

### Function

- a limited number of non-residential uses, such as small scale convenience stores and cafes, coexist with the residential character without adverse effect
- areas of open space are used by locals and the wider regional population for a variety of recreational purposes
- comfortable and safe pedestrian routes are maintained and extended
- public transport, cycling and walking are the preferred means of transport
- through traffic is discouraged and commuter parking managed through parking schemes
- local identity, icons and heritage are conserved

**Area Character Statements - South Cremorne Planning Area**

**Environmental Criteria**

- the remaining natural foreshores and water courses are conserved and protected, and pedestrian access to these areas is extended and improved
- bushland is protected from the adverse effects of development – such as stormwater runoff, spread of exotic plants and weeds, and visual impact of structures
- additional street trees and onsite landscaping contribute to amenity while minimising impact on solar access and residents views
- arrangement of building forms and street pattern allows good sunlight access to properties
- stormwater management measures prevent runoff and pollution of the harbour
- boat sheds and other structures along the foreshore minimise bulk and avoid clutter. Materials and colours utilised are unobtrusive
- use of locally indigenous flora extends habitats for native birds and other fauna
- man made noise is limited to protect the ambience of the natural environment

**Quality Built Form**

- development reflects and reinforces the existing distinctive built form/landscape areas and distribution of accommodation types
- development in conservation areas incorporates design, architectural detailing, materials and colours sympathetic with the area
- buildings address streets, reserves and waterways where appropriate
- cohesiveness throughout the area is achieved through landscaping and street tree planting
- views from lookouts and other vantage points are not obscured by structures or landscaping
- pedestrian routes such as footpaths and “shortcuts” are maintained as local landmarks important to the community

**Quality Urban Environment**

- Cremorne Reserve is protected and enhanced by complementary planting and landscaping in adjoining private gardens
- backyards are used for a variety of activities particularly for families with children and for the practical and recreation needs of residents in residential flat buildings

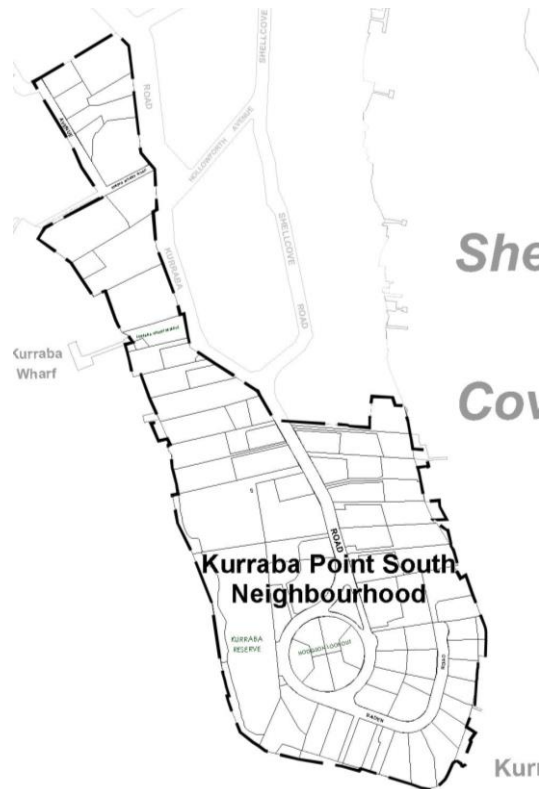
**Efficient Use of Resources**

- stormwater is retained for reuse on site

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

- Section 6.1: Kurraba Point South Neighbourhood
- Section 6.2: Kurraba Point Conservation Area
- Section 6.3: Cremorne Conservation Area
- Section 6.4: Cremorne Point Conservation Area

## 6.1 KURRABA POINT SOUTH NEIGHBOURHOOD



### 6.1.1 Significant Elements

#### Land Use

- P1 Predominantly residential accommodation.
- P2 Passive and active recreational spaces.

#### Topography

- P3 Falls from the ridge along Kurraba Road down to the foreshores of Sydney Harbour.
- P4 Steep falls generally adjacent to the foreshore.

#### Natural Features

- P5 Low topographic profile and steady slopes with sections of shallow topography
- P6 Along the eastern side of Kurraba Point, generally retained edges, some small jetties and boatsheds, mixed with natural shoreline
- P7 Natural vegetation, varying degrees of private landscaping of native and introduced species

#### Views

- P8 The following views and vistas are to be preserved and where possible enhanced:
  - (a) views from streets and reserves to Sydney Harbour and beyond
  - (b) Hodgson lookout (41), Spains lookout (42), Kurraba Wharf lookout (43)

#### Identity / Icons

- P9 Hodgson Lookout.

P10 Sydney Harbour.

#### **Subdivision**

P11 Irregular grid pattern following the topography of the land.

P12 Deep narrow lots adjacent to the foreshore.

#### **Streetscape**

P13 Narrow carriageways with fully paved verges for pedestrians.

P14 Tall rendered masonry retaining walls built to street frontages on the high side of the street, interrupted with garage openings.

P15 Buildings generally setback a minimum from the boundary with a skewed alignment to respective street frontages

#### **Public transport**

P16 Development takes advantage of high levels of access to regular public ferry services from Kurraba Wharf.

### **6.1.2 Desired Future Character**

#### **Diversity**

P1 Primarily medium to high density residential accommodation, generally comprising attached dwellings, multi dwelling housing and residential flat buildings according to zone.

P2 Limited opportunities for low density housing, generally comprising dwelling houses and dual occupancies.

P3 Any increases in density should be concentrated in the vicinity of Kurraba Wharf.

### **6.1.3 Desired Built Form**

#### **Siting**

P1 Buildings address both the street, as well as the foreshore.

P2 In narrow streets, towards rear boundary (subject to foreshore building line) to produce a more open streetscape

P3 Sites should provide front setbacks to allow for soft landscaping.

#### **Colours and materials**

P4 Development adjoining foreshore or bushland areas (such as at Wonga Road) use muted colours and non-reflective materials, such as brick and timber to ensure the scenic and environmental qualities are enhanced.

## 6.2 KURRABA POINT CONSERVATION AREA



### 6.2.1 History

The Kurraba Point Peninsula was part of the land grant to Alfred Thrupp, later acquired by Daniel Cooper. It remained in the Cooper family until the 1880s when long-term leases began to be converted to freehold.

Early development was limited to a small number of waterfront residences near the present Hayes Street, established in the 1830s. Leasehold properties became available from the 1850s and from the 1860s a number of large mansions were built on Kurraba Point. Industry in the area was minimal: a quarry on Kurraba Point operated in the 1840s to supply stone to Fort Denison; later it was used as a soap works then a ferry depot.

The improvement in transport opened the area for development. Water front properties were taken up with large, architect designed homes, some later replaced with residential flat buildings in the 1920s. Most of the earlier subdivisions have been subdivided for infill development.

### 6.2.2 Description

The Kurraba Point Conservation Area is bounded by the Kurraba Road, Wycombe Road, Bannerman Road and the shore of Shell Cove.

The landform follows the slope of the land towards the water to Neutral Bay and Shell Cove with roads following the contour lines.

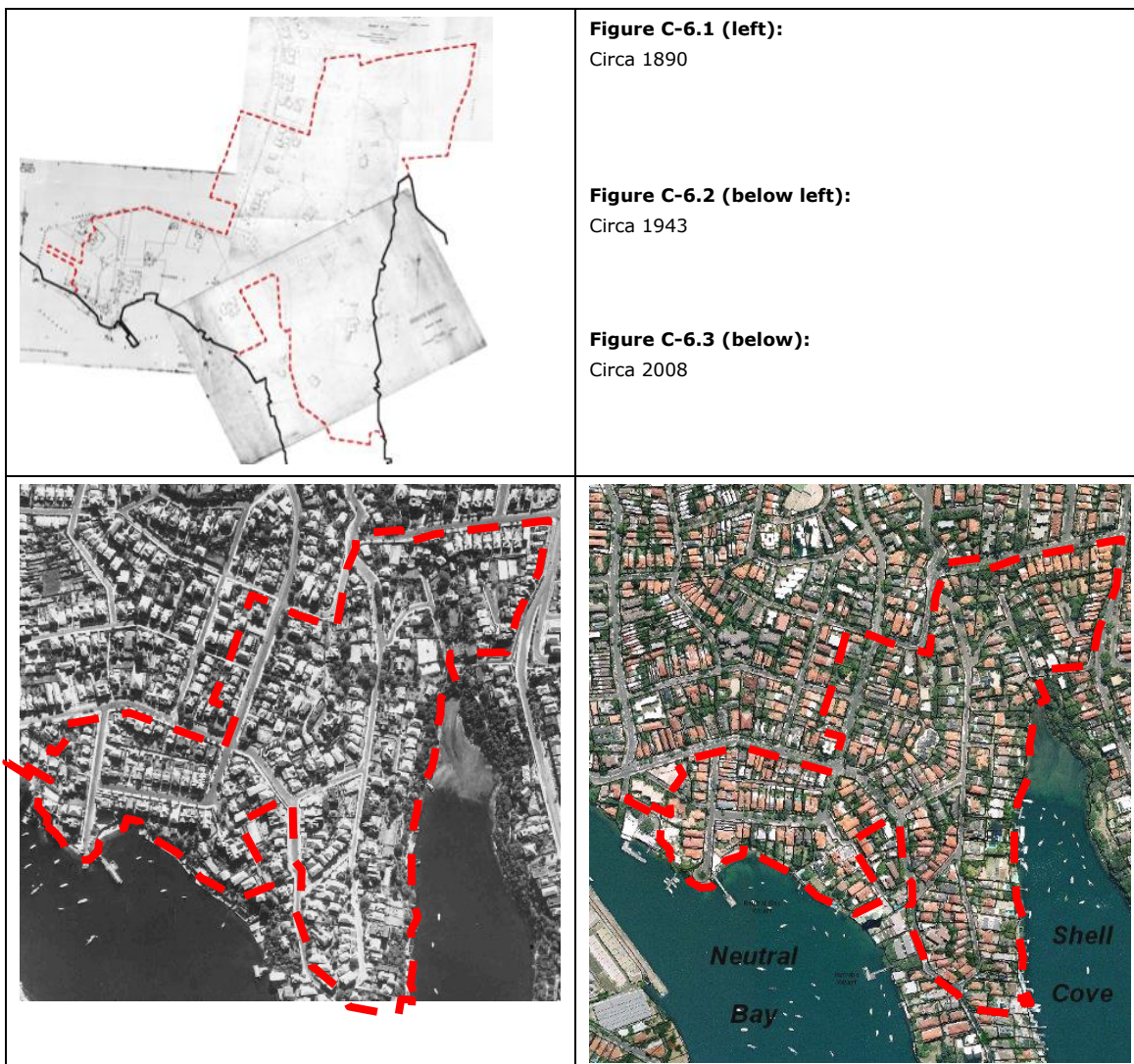
The higher section has a more regular subdivision pattern but the sloping part have an irregular subdivision determined by the street pattern and topography. Some later battle axe blocks to the waterfront sites. Lot sizes vary and many are developed for large architect designed houses with residential flat buildings on sites close to the water.

The area is characterised by the medium to large Federation and Edwardian homes with some earlier Victorian development, inter war dwelling houses and 1930s residential flat buildings. There some very fine examples of the period particularly along, Shell Cove Road, Kurraba Road, Hayes Street Wallaringa Road including Nutcote, home of the author May Gibbs. The group of dwelling houses and reserve in Bannerman Street and Prior Avenue form an unusual subdivision with a private reserve and tennis courts.

**Area Character Statements - South Cremorne Planning Area**

Elevated sites provide extensive views to Sydney Harbour and there are views from the Bogota Avenue, Kurraba Wharf, down Hayes Street and Lower Wycombe Road.

Front gardens contribute to the landscaping of the street. Gardens follow the slope of the site with stone walls to the street. There are street trees that add to the leafy character of the area.



### 6.2.3 Statement of Significance

The Kurraba Point Conservation Area is significant:

- (a) As an early harbourside suburb that has retained significant elements of its major 19<sup>th</sup> century development phase with good examples of later periods of development including some fine inter war flat buildings.
- (b) For the large number of architecturally distinguished homes some that have a strong relationship with the water and include the works of B. J. Waterhouse, Jefferson Jackson and Walter Liberty Vernon.
- (c) For its irregular subdivision pattern with irregular street pattern and widths that allied to the topography and plantings and mature trees add to a high quality luxuriant character.



## 6.2.4 Significant Elements

### Topography

P1 Undulating topography with falls to Neutral Bay and Shell Cove

### Subdivision

P2 Rectilinear subdivision to upper level. Irregular subdivision to the lower slopes.

### Streetscape

P3 Irregular street pattern following the contours. Street trees and stone walls align streets and paths.

### Views

P4 Prior Avenue Lookout, Bogota Avenue Lookout, Kurraba Wharf Lookout. Views from Hayes Street and Lower Wycombe Road.

## 6.2.5 Characteristic buildings

P1 Federation and Edwardian detached dwelling houses. Inter war dwelling houses. Inter war residential flat buildings.

## 6.2.6 Characteristic built elements

### Siting

P1 Centrally on lots with front and rear garden.

### Form, massing and scale

P2 Single and two storey, detached dwelling houses with hipped and gabled roofs.

P3 Skillion wings and reduced height and scale to rear.

P4 Open verandahs to front.

P5 Strong skyline of simple, pitched roofs and chimneys visible from the street stepped along the sloping streets.

P6 Multi-level residential flat buildings.

### Roofs

P7 Pitched between 30 and 45 degrees with some use of parapets to the street.

P8 Skillion roofs to rear extensions.

P9 Brick and rendered chimneys.

### External Materials

P10 Face and rendered brick on sandstone base.

P11 Slate, terracotta tiles, corrugated metal roofs.

P12 Original timber windows doors and decorative joinery.

### Windows, doors and joinery

P13 Consistent with building period and style. Timber.

### Fences

P14 Original low scale front fences. Timber fences to rear and side. Sandstone walls, timber gates; timber pickets; timber rails; face brick with piers.

### Car accommodation

P15 To the side or rear of dwellings.



### 6.2.7 Uncharacteristic elements

- P1 Modern residential flat buildings; modern infill development; over-scaled additions; over-scaled and poorly detailed carports and garages to the street frontages; front and side dormers and rooflights; extensive glazing; glazed balustrades; removal of original detailing; infilled verandahs; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

## 6.3 CREMORNE CONSERVATION AREA



### 6.3.1 History

The Cremorne Conservation Area was contained within the Alfred Thrupp grant of 1815, which was subsequently acquired by Daniel Cooper. The Coopers did little to improve the property but commenced leasing land around 1850.

From the 1870s, with Military Road constructed and the ferry services available on the Harbour, demand for residential land boomed. This area was promoted as highly desirable and included large blocks of land on which expensive mansions were built.

Freehold land was available from the 1890s and such development continued until the early twentieth century. The Neutral Bay Land Company, who employed architects such as Walter Liberty Vernon and William Wardell to prepare house designs, developed an area of Wycombe and Shell Cove Roads north of Harriette Street, which features substantial, architecturally distinguished housing of the 1890s.

### 6.3.2 Description

The Cremorne Conservation Area is located on the sloping ground above Shell Cove and extends to Spofforth Street the east to the boundary of the LGA.

The landform slopes to the harbour with an irregular pattern of streets that follow the contours and slopes. The subdivision pattern varies with irregular lots that follow the topography.

The Conservation Area is characterised by a mix of small, medium and substantial late Victorian and Federation era dwelling houses with two and three storey, Inter-war residential flat buildings. Buildings are generally set in established gardens.



### 6.3.3 Statement of Significance

The Cremorne Conservation Area is significant:

- (a) as a consistent late 19<sup>th</sup>/early 20<sup>th</sup> Century residential area with a mix of Victorian, Federation one and two storey housing, mixed with Inter-war residential flat buildings,
- (b) as a largely intact early 20<sup>th</sup> Century suburb retaining much of the urban detail and fabric seen in gardens, fencing, street formations, use of sandstone, sandstone kerbing, natural rock faces, wide streets and compatible plantings, all of which are a response to the topography of the area.

### 6.3.4 Significant elements

#### Topography

P1 Sloping site falling to Shell Cove.



### **Subdivision**

P2 Irregular lots following the street pattern and topography.

### **Streetscape**

P3 Split roads. Double rail timber fences. Street reservation planting.

### **Views**

P4 Bertha Road lookout (19), Guthrie Avenue lookout (20), Boyle Street (Hunts and Cremorne Point lookouts - 21, 22).

P5 Views from Lower Murdoch Street, Glade Avenue, Reed Street, Burroway Street, Wycombe and Shell Cove Road intersection, Barry Street and Wycombe Road intersection.

## **6.3.5 Characteristic buildings**

P1 Single and two storey detached late Victorian, Federation and Edwardian dwelling houses. Inter war residential flat buildings.

## **6.3.6 Characteristic built elements**

### **Siting**

P1 To the middle of the lot with gardens to the front and rear.

### **Form, massing and scale**

P2 Two storey terraces. Single and two storey detached dwellings. Reduced scale to the rear. Low, multi-storey residential flat buildings.

### **Roofs**

P3 Pitched, hipped and gables roofs pitched between 30 and 45 degrees with skillion roofs to rear. Brick and rendered chimneys. Parapets to flat roof residential flat buildings.

### **Materials**

P4 Walls: Face and rendered brick on sandstone foundations; dark brick to Inter-war residential flat buildings.

P5 Roofs: Slate; terracotta tile and corrugated metal to the rear; flat roofs to residential flat buildings.

P6 Timber verandahs and Federation and Arts and Crafts detailing.

### **Windows and doors**

P7 Consistent with building period and style. Timber.

### **Fences**

P8 Low scale 900-1200 mm height; sandstone walls; metal palisade; timber pickets.

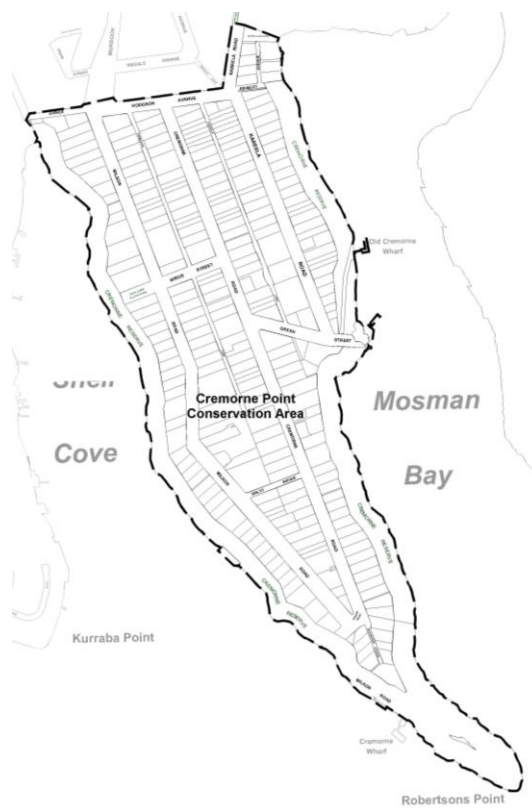
### **Car accommodation**

P9 Set back from the main building line.

## **6.3.7 Uncharacteristic elements**

P1 Over-scaled additions; dormers and skylights to front roof slopes; roof terraces; carports and garages to the street; paved hardstand areas within front setbacks high solid fences to the street; rendering and painting of face brick; loss of original detail; modern infill development and residential flat buildings.

## 6.4 CREMORNE POINT CONSERVATION AREA



### 6.4.1 History

Little development occurred on the peninsula until the 1850s. An area on Cremorne Point was leased to Clarke and Woolcott to establish the "Cremorne Gardens" recreation ground. It closed after a short time leaving the area as a well-known picnic spot on the harbour. A number of subdivisions were planned in the 1870s and 1880s. Coal mining was proposed after coal was found in the 1890s.

During the 1880s the Government demanded and eventually acquired a 100 foot foreshore reservation for public recreation after many years of negotiations, including a court case. Cremorne Point Reserve was gazetted in 1905. Subdivision finally occurred from this time and residential development was rapid thereafter with the major phase of development taking place in the first 20 years of the century.

Access to the peninsula was principally by water and tram. Cremorne Point opened as a tram terminus in 1911, with a line from Cremorne Junction to the ferry wharf. The line operated until 1956. Two ferry wharves operated from the earliest development of the area at Old Cremorne and Cremorne Point.

### 6.4.2 Description

The Cremorne Point Conservation Area is located on a peninsula between Shell Cove and Mosman Bays, and is bounded by Hodgson Street to the north.

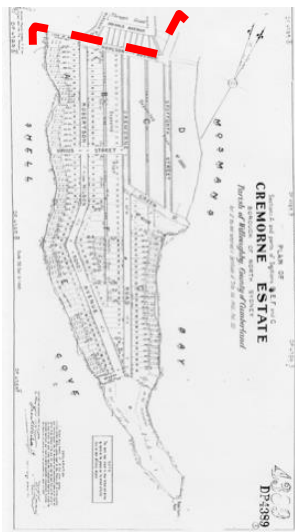
The landform slopes southwards from a central ridgeline and down to the bays on each side. The street pattern follows the topography with roads and service lanes following the ridge line with secondary lanes giving access to the lower sites close to the water. Some streets have terraced footpaths set above or below the roads with exposed rock outcrops.

The Cremorne Point Conservation Area is characterised by large, single and two storey, freestanding Federation and Edwardian dwellings, reflecting the area's main period of

development. Some dwelling houses have their primary elevation to the water with garaging and carports to the rear. There are also examples of single storey Inter-war dwelling houses with multi-storey Edwardian and Inter-war residential flat buildings. There is considerable Post-war infill development of single dwelling houses and multi-storey residential flat buildings.

The buildings generally have irregular setbacks from the street with level or terraced gardens and a mix of fencing types. There is extensive use of stone in boundary and retaining walls.

The main roads are well landscaped with nature strips and street plantings. Front gardens are well established, and often have extensive plantings to give an overall impression of a landscaped, garden suburb. The peninsula has a landscaped public reserve to its perimeter that is unusual in the Sydney area.



**Figure C-6.7 (left):**

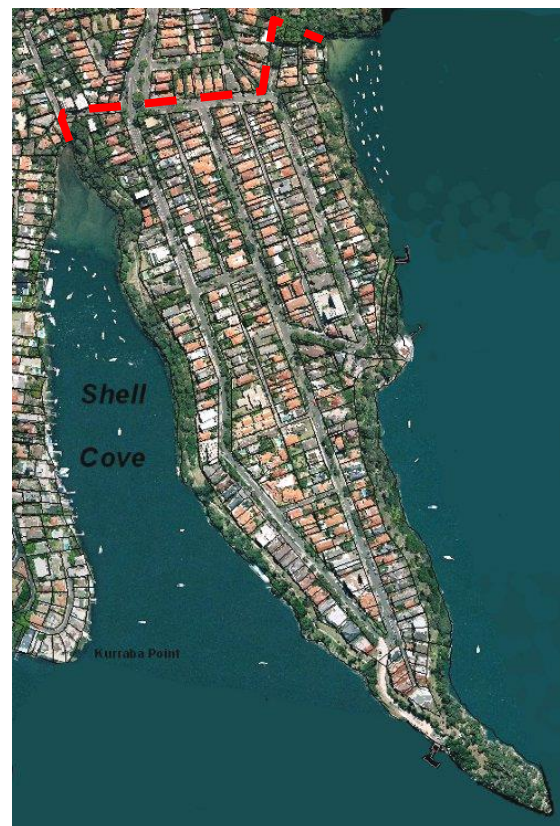
Circa 1890

**Figure C-6.8 (below left):**

Circa 1943

**Figure C-6.9 (below):**

Circa 2008



### 6.4.3 Statement of Significance

The Cremorne Point Conservation Area is significant for:

- (a) Consistent early 20<sup>th</sup> Century residential area with a mix of Federation and 1920s one and two storey housing mixed with inter-war residential flat buildings of two to three storeys, all built on large allotments with a strong orientation to the water.
- (b) Unique foreshore reserve that predates the residential subdivision, which demonstrates the concern for recreation, public access and suburban amenity, and the importance of headlands in the visual character of Sydney Harbour.
- (c) The visual unity derived from its subdivision history that is still apparent.

### 6.4.4 Significant elements

#### Topography

- P1 Low ridgeline along a peninsula between two bays that slopes to the water.

#### Subdivision

- P2 Regular rectangular lots.

#### Streetscape

- P3 Continuity of fences and landscaping. Sandstone kerbing, sandstone and concrete walls, street gardens.

#### Views

- P4 Cremorne Reserve Walk lookouts (many, including 34, 35, 38, 40), Hodgson Avenue lookout (24), Bromley Avenue lookout (25), Bogota Avenue lookout (26), Cremorne Road lookout (27), Sirius Park lookout (28), Kareela Lane lookout (29), Green Street lookout (30), Cremorne Lane lookout (31), St Chads lookout (32), Milson Road lookout upper level (33), Wallenundgal lookout, Milson Road (36), Wharf Road lookout (37), Kareela Lane lookout (29). Views from Rialto Avenue, Kareela Road.

### 6.4.5 Characteristic buildings

- P1 Single and two storey, detached Federation and Edwardian dwelling houses. Edwardian and Inter-war residential flat buildings.

### 6.4.6 Characteristic built elements

#### Siting

- P1 To the middle of the lot with gardens to the front and rear.
- P2 Buildings sited to retain street views above and to the side to harbour.
- P3 Front setback 7.9m; 10-15 m east side of Kareela Rd and west side of Cremorne Rd between Sirius St and Hodgson Ave.
- P4 Side setbacks of 1.5 m or 5 m where lots are amalgamated.

#### Form, massing and scale

- P5 Single and two storey detached dwellings. Double elevations to waterfront properties. Reduced scale to the rear on non waterfront properties. Multi-storey residential flat buildings.

#### Roofs

- P6 Hipped and gables roofs pitched between 30 and 45 degrees without dormer windows or openings that can be seen from the street. Brick and rendered chimneys.
- P7 Flat or pitched roofs; parapet walls to Inter-War residential flat buildings.



**Materials**

- P8 Walls: Face and rendered brick on sandstone foundations; shingle spandrels and gables; fibre cement sheeting, battened gables and rough cast render;
- P9 Roofs: Slate; terracotta tile and corrugated metal; flat roofs to some residential flat buildings.
- P10 Timber verandahs and Federation and Arts and Crafts detailing.

**Windows and doors**

- P11 Consistent with building period and style. Timber.

**Fences**

- P12 Low scale to 900 mm height. Up to 1.2 m for large Federation residences.
- P13 Sandstone walls; timber pickets.

**Car accommodation**

- P14 Parking provided off rear lanes.

**6.4.7 Uncharacteristic elements**

- P1 Over-scaled additions; dormers and skylights to front roof slopes; roof terraces; carports and garages covering more than 1/3 of the street frontage; high solid fences to the street; rendering and painting of face brick; extensive glazing; glazed balustrades; loss of original detail; modern infill development and residential flat buildings.

## SECTION 7 NEUTRAL BAY PLANNING AREA

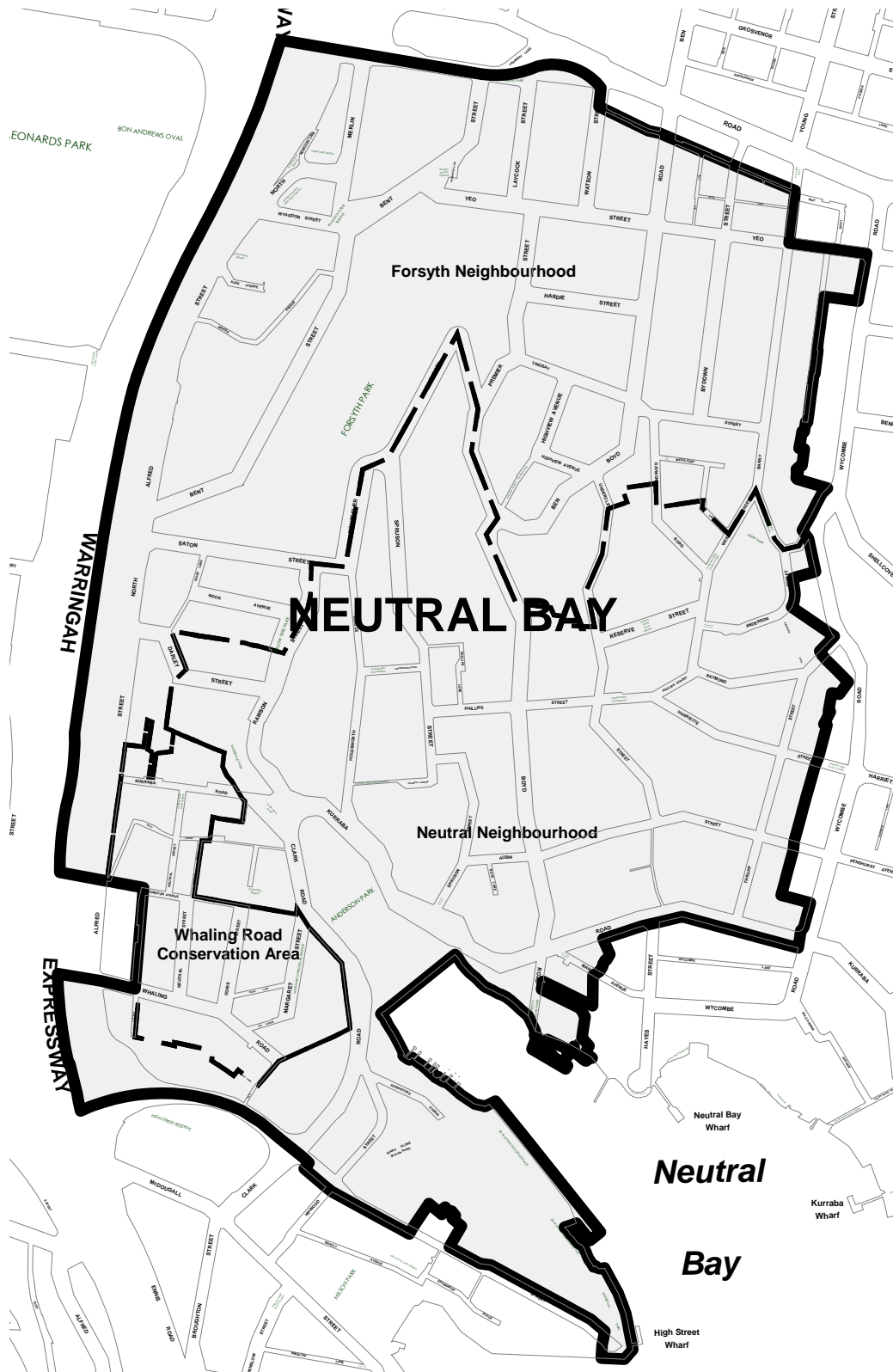
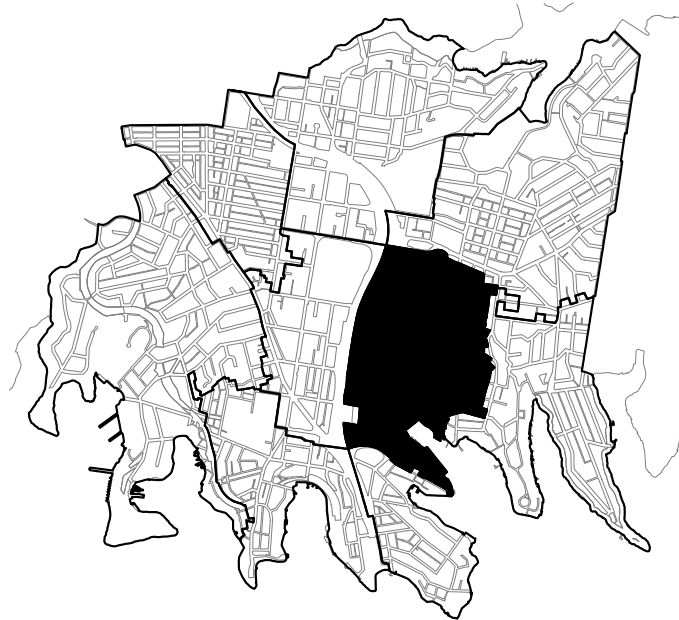


Figure C-7.1: Neutral Bay Planning Area and associated Locality Areas

## 7.0 NEUTRAL BAY PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the Neutral Bay Planning Area.

Neutral Bay is a diverse residential neighbourhood. Lower density development exists in the neighbourhood where there are small allotments, conservation areas and heritage items. Small shops, community and school facilities cater for the local residents. The waterfront and harbour setting of the Neutral Bay Area provide passive and active recreation pursuits, access to transportation, to other parts of the harbour via ferries and contribute to the natural and scenic qualities of the neighbourhood.

Development in the Planning Area should result in:

- residential growth occurring in accordance with Council's Residential Development Strategy, principally in the high density residential zones situated in the vicinity of Military Road
- a wide range of residential types and sizes being distributed throughout the area
- a scattered range of shops, services and facilities being available to the local community
- any alterations and additions being of a similar scale to existing buildings

and where:

### Function

- there are safe and accessible community facilities and meeting places
- a few non-residential uses operate without adverse effect on the residential neighbourhood
- accessible and safe pedestrian routes are extended from Forsyth Park to the foreshore at Anderson Park
- public transport, cycling and walking are the preferred means of transport in an effort to reduce through traffic within Neutral Bay.

### Environmental Criteria

- parkland and natural foreshore areas are conserved and protected and pedestrian access to these is incorporated and improved
- good sunlight is available to public spaces and parks
- ecology of bushland is protected from adverse impacts of development such as stormwater runoff, dumping of fill soil and vegetation, leaching of fertilisers, spread of introduced plants and weeds and visual impact of structures
- habitat for native fauna is abundant through planting local flora
- preservation and enhancement of tree coverage in line with Council's Urban Forest Policy

### Quality Built Form

- new development is consistent with the existing built form
- buildings are of a lower scale and stepped on sloping terrain with vegetation abundant on steep slopes
- buildings are set back from all boundaries and have landscaped front gardens, softening the built form
- views of surrounding areas and the harbour are available through sites and achieved through setbacks of the built form from all boundaries and low, open fencing
- heritage items are protected, and significant streetscape elements are conserved in the Whaling Road conservation area
- wharf areas in Neutral Bay have a high level of amenity, have active uses nearby and provide a safe point for commuters to and from the area

### Quality Urban Environment

- backyards are used for private recreational needs of residents in apartment buildings, particularly for families and children
- front fences are low and offer good visual surveillance to house fronts and gardens

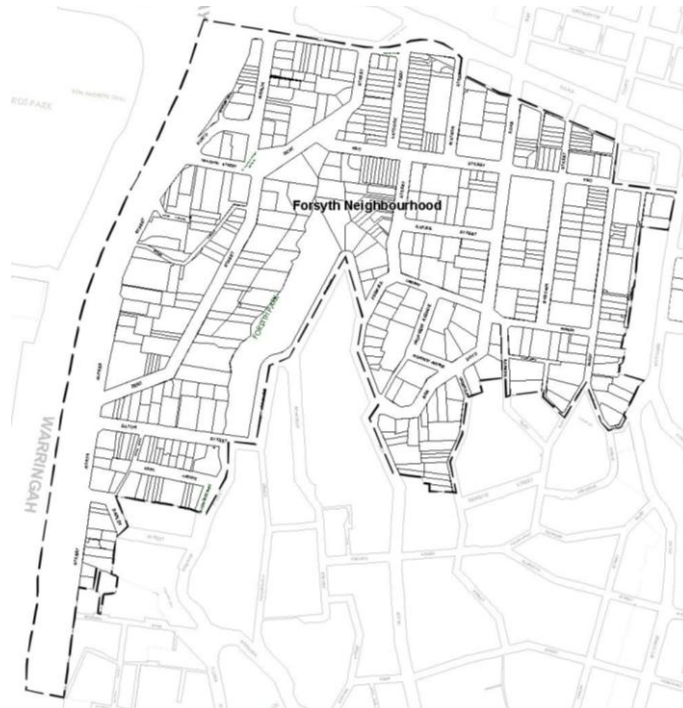
### Efficient Use of Resources

- existing buildings are generally maintained to prevent unnecessary waste of building materials
- storm water is captured on site and used to water gardens

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

- Section 7.1: Fortshyth Neighbourhood
- Section 7.2: Neutral Neighbourhood
  - Section 7.2.4: HMAS Platypus
- Section 7.3: Whaling Road Conservation Area

## 7.1 FORSYTH NEIGHBOURHOOD



### 7.1.1 Significant Elements

#### Land Use

- P1 Predominantly residential accommodation.
- P2 Passive and active recreational spaces.
- P3 Educational establishments.

#### Topography

- P4 Generally falls to the south-east from the ridge along Military Road and from the Warringah Freeway.
- P5 Steep falls occurring adjacent to northern and western sides of Forsyth Park.

#### Natural Features

- P6 Remnant bushland at the northern end of Forsyth Park.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) District views from streets and reserves to Sydney Harbour and beyond.
  - (b) Kenneth Bolton Lookout (44), Bent & Yeo Streets Lookout (45), Merlin Street Lookout (46), Bent Street Lookout (47), Forsyth Park Lookout (48)

#### Identity / Icons

- P8 Warringah Freeway, a major arterial thoroughfare.
- P9 Military Road, a major arterial thoroughfare.
- P10 Forsyth Park.

#### Subdivision

- P11 Rectilinear grid pattern on the upper slopes.

**Area Character Statements - Neutral Bay Planning Area**

P12 Irregular subdivision pattern west of Forsyth Park due to the undulating and steep topography.

**Streetscape**

P13 To the west of Forsyth Park:

- (a) A mixture of one and two way streets.
- (b) Split carriageways separated by sandstone retaining walls and double rail timber fences.
- (c) Buildings setback from the boundary behind low fences.

P14 To the east of Forsyth Park:

- (a) Tree lined streets with grassed verges and concrete footpaths.
- (b) Garages and carports built to the boundary on the high side of the street.
- (c) Buildings setback from the boundary with a skewed alignment to the street.

**Public transport**

P15 Development is to take advantage of high levels of accessibility to high frequency public bus services along Military Road.

**7.1.2 Function**

**Diversity**

- P1 Predominantly high density residential accommodation in the form of residential flat buildings concentrated in the vicinity of Military Road to take advantage of high levels of public transport.
- P2 Some pockets of attached dwellings and multi dwelling housing according to zone.
- P3 Some pockets of federation style dwelling houses and semi-detached dwellings in Laycock, Bydown and Barry Streets.

**7.1.3 Desired Built Form**

**Form, massing & scale**

P1 Buildings to step down in height in accordance with the terrain.

**Noise**

P2 Elevations of buildings fronting Military Road and Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

**Fences**

P3 Buffer planting screens impact from Warringah Expressway.

## 7.2 NEUTRAL NEIGHBOURHOOD



### 7.2.1 Significant Elements

#### Land Use

- P1 Predominantly residential accommodation.
- P2 Passive and active recreational spaces.
- P3 Small scale commercial activities.

#### Topography

- P4 The northern portion of the Area generally falls to the south down to the foreshores of Sydney Harbour
- P5 The southern portion of the Area generally falls to the east down to the foreshores of Sydney Harbour.
- P6 Steep topography to the north of Anderson Park.

#### Natural Features

- P7 Remnant natural shoreline areas in Neutral Bay, Anderson Park and Kesterton Park.
- P8 Natural outcrops of exposed rock and cliff faces.

#### Views

- P9 The following views and vistas are to be preserved and where possible enhanced:
  - (a) views from streets and reserves to Sydney Harbour and beyond.

**Area Character Statements - Neutral Bay Planning Area**

- (b) Westleigh Street Lookout (49), Reserve Street Lookout (50), Anderson Street Lookout (51), Phillip Street Lookout (52), Holdsworth Road Lookout (53), Spruson Street Lookout (54).

**Identity / Icons**

P10 Anderson Park

P11 Former HMAS Platypus site, including:

- (a) Existing wharf structure,
- (b) Sandstone cuttings, and
- (c) Heritage items and aspects of heritage significance are incorporated in development and reflect the history of the site as a gas works and naval installation

P12 Sydney Harbour.

**Subdivision**

P13 Irregular grid pattern generally aligning with the topography.

**Streetscape**

P14 Tree lined streets with grassed verges and concrete footpaths.

P15 Split carriageways, with pedestrian linkages through.

P16 Generally a mixture of low sandstone, masonry and timber picket fences, with higher fences on the lower side of the street.

P17 Buildings generally setback, with some instances of garages built to the boundary.

**Public transport**

P18 Development to take advantage of high levels of access to regular public ferry services from High Street and Neutral Bay Wharfs and bus services along Clarke and Kurraba Roads.

**7.2.2 Desired Future Character**

**Diversity**

- P1 Predominantly low density residential accommodation in the form of dwelling houses, semi-detached houses and dual occupancies.
- P2 Pockets of attached dwellings, multi dwelling housing and residential flat buildings according to zone.
- P3 Small scale commercial and retail premises according to zone.
- P4 Maintaining and enhancing recreational and cultural facilities.

**Foreshore**

P5 Wharf areas are made active, safe and accessible.

**7.2.3 Desired Built Form**

**Form, massing and scale**

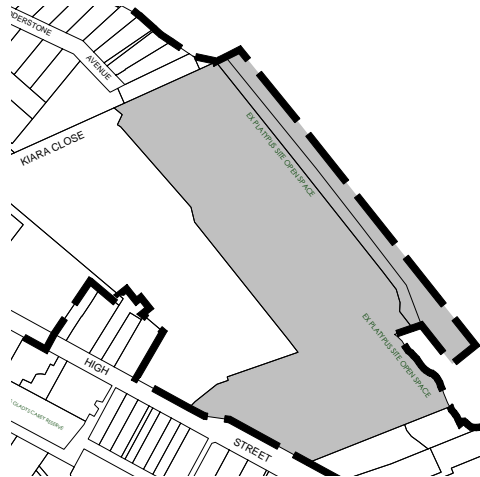
P1 Development should be carefully designed to follow the topography of the land, with buildings on sloping sites.

**Foreshore**

P2 Development on sites on or near the foreshore should be carefully designed to not restrict water views from neighbouring property or from public areas.

- P3 Development adjacent to the foreshore is small in scale and does not dominate the foreshore frontage.
- P4 Development associated with marinas and boating activity is kept to a minimum and is compatible with the surrounding land uses.
- P5 Development adjoining foreshore areas use muted colours and non-reflective materials, such as brick and timber to ensure the scenic and environmental qualities are enhanced.

#### 7.2.4 HMAS Platypus



##### Diversity

- P1 A mix of cultural, recreational, community and commercial uses. Potential uses include cafes/dining, training/education, performance/events, offices, studios, conference/function/meeting places, neighbourhood shops and small scale maritime industrial uses.
- P2 Existing wharf to be retained and adaptively reused.
- P3 Existing buildings to be adaptively reused where possible.
- P4 Existing buildings are to be reduced in scale where appropriate to provide a better relationship with neighbouring development.
- P5 Provision of a sequence of terraces, streets, squares and gardens for public enjoyment by the waterfront.
- P6 Public open spaces are to be connected internally and to external existing pedestrian links.

##### Heritage

- P7 Heritage items and aspects of heritage significance are incorporated in development and reflect the history of the site as a gas works and naval installation.
- P8 The heritage significance of structures on the site is to be maintained and conserved through the implementation of policies within a conservation management plan for the site.

##### Contamination

- P9 The site is remediated through implementation and measures outlined in a remediation report and a review of remediation works as outlined in Section 14 -Contamination and Hazardous Materials to Part B of the DCP.

##### Views

- P10 Views along pedestrian access from High Street of Neutral Bay and Sydney Harbour. View opportunities from a lookout higher on the site

**Area Character Statements - Neutral Bay Planning Area**

P11 View corridors from High Street and Kiara Close to Sydney Harbour between and over buildings

**Solar access**

P12 Sunlight corridors between and over buildings to foreshore open space

P13 Buildings designed to maximise solar access to surrounding residential properties and public areas during winter months

**Siting**

P14 New development to be sited towards the south-western boundary to allow a substantial setback from the foreshore to enable continual public access along the foreshore.

**Setback**

P15 Buildings adjoining public open space areas are setback 6m to achieve a buffer with parkland/foreshore.

**Form, massing and scale**

P16 Two or three storey at High Street and the foreshore.

P17 Five storeys against cliff.

P18 Development is stepped down to open space along foreshore resulting in minimised overshadowing of public areas.

P19 Development on High Street relates to the existing two storey historic attached dwellings.

**Roofs**

P20 Pitched between 25 and 35 degrees along High Street frontage.

P21 Flat on lower site maximising view opportunities.

**Access**

P22 Continuous pedestrian access is to be provided along the entire foreshore frontage.

P23 Pedestrian links are to be provided to Kesterton Park and High Street.

**Car accommodation**

P24 The existing car park accessed off Kiara Close may be retained if the number of parking spaces does not increase and access to the car park is managed / controlled to prevent casual parking.

P25 Any new car parking should be located underground or within buildings.

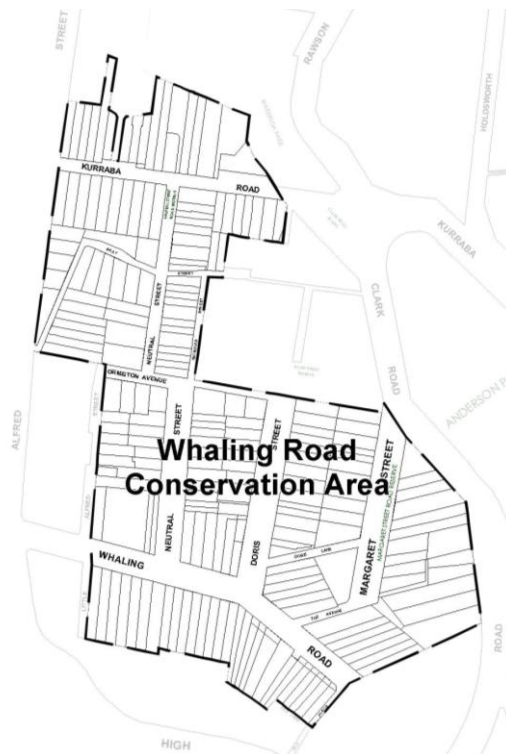
P26 Unenclosed parking should be suitably screened from public view.

P27 Disabled parking should be provided to enable public access to the foreshore and open spaces.

**Traffic generation**

P28 A traffic study must be submitted which outlines strategies to minimise the impact from traffic generated by the site

## 7.3 WHALING ROAD CONSERVATION AREA



### 7.3.1 History

Prior to the construction of the Warringah Freeway, the Whaling Road Conservation Area was the eastern edge of the North Sydney township. The steep escarpment, now marked by Clark Road, was the physical barrier for the area.

The area was part of a land grant to James Milson in 1839 part of which was subdivided in the 1870s by Milson's daughter Sophia Shairp.

During the latter half of the 19<sup>th</sup> century early farms and the occasional large residence were subdivided and developed for small-scale housing. By the early 20<sup>th</sup> century the remaining larger properties were subdivided for speculative development that led to the construction of rows of single storey, semi-detached bungalows.

The area was largely developed by 1930 and remained unchanged until the 1960s when construction of the Warringah Freeway isolated the area from North Sydney.

### 7.3.2 Description

The Whaling Road Conservation Area is defined by the Warringah Expressway and the escarpment edge to Clark Road.

The landform slopes steeply to the north east, creating dramatic views, and resulting in stepped forms and house. The urban form is strongly influenced by the topography, and by the main phases of development.

The area is a discrete residential neighbourhood that is characterised by dwelling houses on small lots. The subdivision pattern is regular and irregular reflecting the topography with has small lots. Streets follow the slope and contours of the area with short streets with a number of steep, dead-end streets. Doris Street is split level for most of its length, and Margaret Street is not accessible to vehicles.

**Area Character Statements - Neutral Bay Planning Area**

The area is characterised by small scale housing, one to two storey Victorian Georgian, Victorian Filigree and Federation style dwellings forming a dense urban pattern. There are high quality groups of single and two storey attached dwellings.

There are small pocket of public open space, some pedestrian links. Fencing is low and characteristically of timber giving coherence throughout the area.

Doris Street has remnant cobbling showing through contemporary road surfacing.



### 7.3.3 Statement of Significance

The Whaling Road Conservation Area is significant:

- (a) For its unity that relates to its subdivision history and which is evident in the development and streetscape of the area.



- (b) As a consistent and intact Victorian and Federation residential area that consists of modest housing on small lots.
- (c) As a largely intact late 19<sup>th</sup> and early 20<sup>th</sup> century subdivision that retains much of the urban fabric and detail associated with its development over time such the street formations, sandstone kerbing, fencing, gardens and a strong relationship to topography.
- (d) For the quality and collective significance of the buildings within the area.

### 7.3.4 Significant elements

#### Topography

- P1 Slopes steeply to north east, escarpment to Clark Road.

#### Subdivision

- P2 Irregular and regular rectilinear subdivision reflecting the topography and original subdivision pattern with boundary to street frontage.

#### Streetscape

- P3 Streets following the slope or contours. Changes in level in Margaret, Doris, Bray and Neutral Streets. Sandstone retaining walls and steps. Street reservation plantings. Pedestrian access via a network of footpaths and steps that connect with Anderson Park, North Sydney and the foreshore with double rail timber fences.

#### Views

- P4 Neutral Street Lookout, Margaret Street Lookout. Street views along Whaling Road, Doris Street and Neutral Street. Slot views over and between buildings to the city and Harbour Bridge.

### 7.3.5 Characteristic buildings

- P1 Detached dwelling houses on small lots – single storey Victorian Georgian, Victorian Filigree and Federation.
- P2 Two storey attached dwellings.

### 7.3.6 Characteristic built elements

#### Siting

- P1 Principal frontage oriented and parallel to the street, forward towards front boundary.
- P2 Front setback 4- 5m.
- P3 Side setback 1 – 1.5m.
- P4 Rear setback 5m.

#### Form, massing and scale

- P5 Single storey detached and semi detached dwelling houses.
- P6 Double fronted dwelling houses with projecting gabled bay and flanking verandahs.
- P7 Two storey attached dwellings with front verandahs.
- P8 Matching single storey attached dwellings.

#### Roofs

- P9 Pitched between 30 and 45 degrees.
- P10 Gabled, hipped and gabled.



**Area Character Statements - Neutral Bay Planning Area**

**Materials**

P11 **Walls:** A mixture of sandstone, weatherboard, face brick on sandstone bases and rendered brick on stone bases.

P12 **Roofs:** Slate, corrugated metal, terracotta tile.

**Windows and doors**

P13 Consistent with building period and style. Timber.

**Fences**

P14 Low to 900 mm.

P15 Metal palisade on low stone plinths; low brick; timber picket fences.

**Car accommodation**

P16 Generally no off street parking.

P17 Garages and carports located off rear lanes.

**7.3.7 Uncharacteristic elements**

P1 Contemporary and 1960's residential flat buildings; over-scaled additions; carports garages and paved hardstands built forward of the building line; over-scaled and front dormers and skylights; large rear decks; enclosure of verandahs; high solid front fences; rendering and painting of face brickwork; loss of original detail.



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## SECTION 8 KIRRIBILLI PLANNING AREA

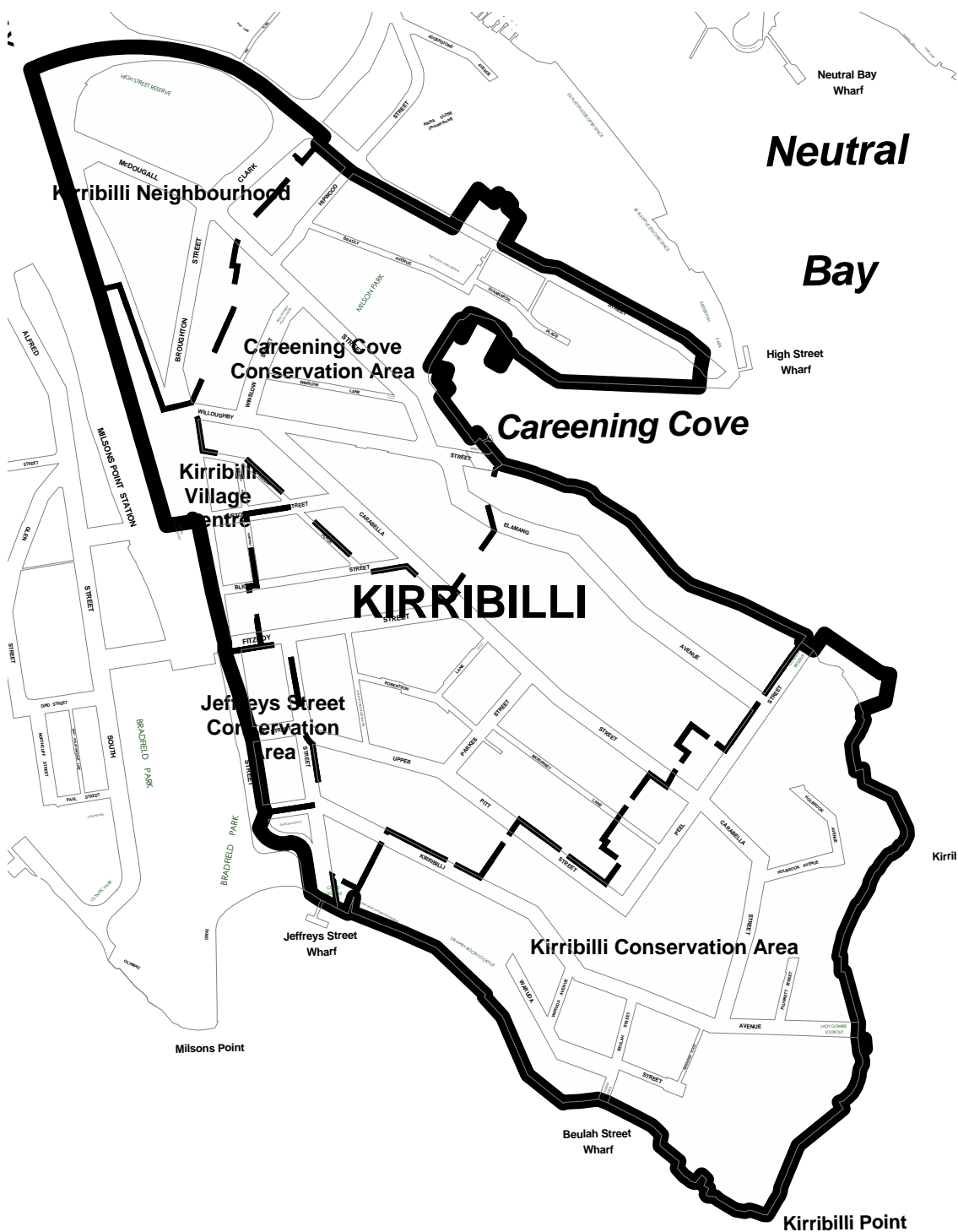
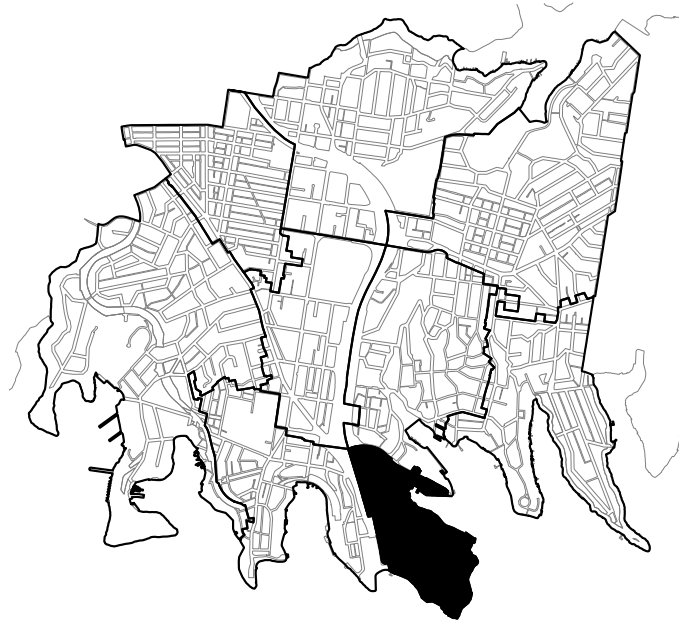


Figure C-8.1: Kirribilli Planning Area and associated Locality Areas

## 8.0 KIRRIBILLI PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the Kirribilli Planning Area.

Kirribilli is located on the foreshores of Sydney Harbour with spectacular views of the Sydney CBD, the Sydney Opera House and Sydney Harbour Bridge. Bradfield Park, at the base of the Sydney Harbour Bridge, provides unique outlooks and a place for outdoor recreation and softens the dense built form on the foreshores. The focal point of the Kirribilli peninsula is the Kirribilli Village Centre, a compact and lively area with a community centre, local shops and outdoor cafes that serve the needs of the local community. The village is surrounded by a predominantly residential area with a small number of other uses such as education, transport, maritime activities and community facilities. Conservation areas are often associated with prominent landmarks such as Admiralty House and Kirribilli House.

Development within the Planning Area should result in:

- limited growth with no substantial increase in residential densities.
- there is no significant change in low density residential or conservation areas.

and where:

### Function

- the community centre in the Kirribilli Village provides a meeting place for the local community.
- a limited number of non-residential uses coexist peacefully with residential uses without adverse impacts on amenity.
- local shops provide basic needs (groceries, newsagents, hairdressing) for the local community and recreation opportunities (galleries, cafés) without adverse effects.
- open space caters for a variety of recreational needs.
- through traffic is discouraged, to avoid traffic congestion, and commuter parking is managed.

**Area Character Statements - Kirribilli Planning Area**

- the Village Centre is lively with an appropriate number of outdoor cafes and restaurants.
- laneways provide rear access for dwellings and local shops in the Kirribilli Village Centre.
- pedestrian links to Milsons Point and public transport facilities are upgraded and extended.
- bus, train, and ferry services are improved to encourage greater patronage.
- traffic calming strategies are implemented to avoid traffic problems.
- new development has minimal impact on traffic flows and the demand for parking.
- public transport, cycling and walking are the preferred modes of transport.
- the pedestrian tunnels to Arthur Street in Milsons Point and Kirribilli Station are maintained as local landmarks.

**Environmental Criteria**

- the natural areas of Sydney Harbour foreshore are conserved with improved and extended pedestrian access.
- the impacts of non-residential uses, such as noise and air pollution, are minimised.
- solar access is maximised to open space areas in public and private domains.
- extensive views of the Sydney Harbour and the Sydney CBD from open space areas, lookouts, private dwellings are shared and not obscured by structures and landscaping.
- public open space is provided for outdoor activities and for people to enjoy harbour views.

**Quality Built Form**

- any development that occurs reflects and reinforces the existing built form and distribution of accommodation types.
- landscaping and street plantings complement the built form to create cohesiveness throughout the area.
- heritage items, icons, contributory items and conservation areas are conserved and maintained with an appropriate curtilage.
- development on the foreshore enhances views to Kirribilli from Sydney Harbour.

**Quality Urban Environment**

- backyards are used for a variety of activities, particularly for families with children and for the practical and recreational needs of residents.

**Efficient Use of Resources**

- existing buildings are maintained and adaptively reused to prevent unnecessary waste of building materials.
- stormwater is retained for reuse on site.
- energy consumption and waste disposal is minimised by all land uses.

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

Section 8.1: Kirribilli Village Centre

Section 8.2: Kirribilli Neighbourhood



Section 8.2.4: McDougall Street (northern side)

Section 8.2.5: 3-11 McDougal Street (Greenway Flats)

Section 8.2.6: James Milson Village

Section 8.3: Careening Cove Conservation Area

Section 8.4: Kirribilli Conservation Area

Section 8.5: Jeffreys Street Conservation Area

## 8.1 KIRRIBILLI VILLAGE CENTRE



### 8.1.1 Significant Elements

#### Land Use

P1 Predominantly commercial and mixed commercial and residential development.

#### Topography

P2 Generally flat, forming the topmost part of the ridge to Kirribilli Peninsula.

#### Natural Features

P3 Forms the topmost part of the ridge to Kirribilli Peninsula.

#### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

- (a) Views of the Sydney CBD, Sydney Opera House and Sydney Harbour from Broughton Street.

#### Identity / Icons

- P5 Sydney Harbour Bridge including pedestrian tunnels to Milsons Point Station / Arthur Street in Milsons Point and the Ennis Road Bays.
- P6 Bradfield Park.
- P7 Sydney Harbour.



### Subdivision

- P8 Generally rectilinear lots with narrow frontages.
- P9 Leased spaces under the Sydney Harbour Bridge.

### Streetscape

- P10 Wide fully paved footpaths.
- P11 Iconic street trees along Broughton Street, Ennis Road (n.b. also refer to the Harbour Bridge Conservation Management Plan and heritage inventory sheets).
- P12 Buildings built to the boundary with active frontages.
- P13 Continuous awnings to Broughton Street and Ennis Road.
- P14 Safe and effective pedestrian crossing at intersection of Broughton and Burton Streets.

### Public transport

- P15 Development should capitalise on the Area's high level of access to public train, bus and ferry services.

## 8.1.2 Desired Future Character

### Diversity

- P1 Predominantly mixed commercial and residential development, with retail premises located at ground level and shop top housing above.
- P2 There should be limited redevelopment with no substantial increase in density or intensity.
- P3 Adaptive reuse of the Ennis Road Bays to ensure the activation of the western side of the Village.
- P4 All street frontages at the ground level are to be activated by adjoining commercial activities.

## 8.1.3 Desired Built Form

### Form, massing & scale

- P1 Existing shopfronts are restored to original form with nineteenth century two storey shopfronts with parapet.
- P2 New shopfronts reflect the scale and proportions of the historical two storey parapet shopfront character of Kirribilli Village.
- P3 No window walls or curtain walls above awnings.
- P4 Shopfronts to provide continuous, solid street awning (no glass) between ground and first floor.
- P5 No dormers or first floor decks on front elevation.
- P6 No balconies, verandahs or the like to project over footpaths.

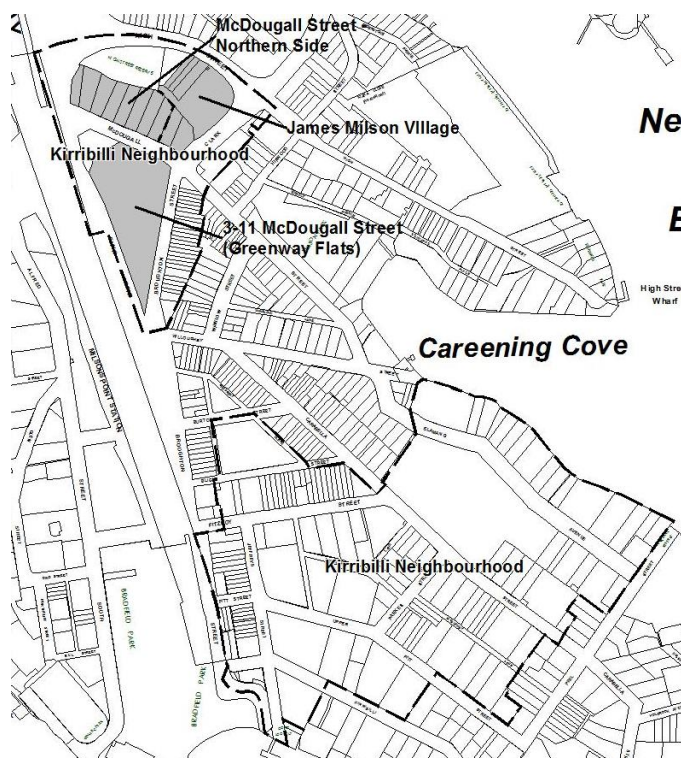
### Windows and doors

- P7 Small windows with timber joinery at first floor level on front façade.

### Car accommodation

- P8 No direct vehicular access to Broughton Street.
- P9 Occupant car parking and loading and unloading service areas are to be accessed off Humphrey Place where possible.
- P10 Vehicular access is generally by way of shared or amalgamated vehicular access points where possible.

## 8.2 KIRRIBILLI NEIGHBOURHOOD



### 8.2.1 Significant Elements

#### Land Use

- P1 Predominantly residential development.
- P2 Educational establishments.

#### Topography

- P3 Generally falls to the south-west and north east from the ridge along Carabella Street down to the foreshores of Sydney Harbour.

#### Natural Features

- P4 Sydney Harbour frontage.

#### Views

- P5 The following views and vistas are to be preserved and where possible enhanced:
  - (a) District views from streets and reserves to Sydney Harbour and beyond.
  - (b) Slot views of Sydney Harbour from Elamang, McDougall, Upper Pitt Streets and Kirribilli Avenue.
  - (c) Views of the harbour from Robertson Lane Lookout (61); Bradfield Park Lookout No. 2 (68), Copes Lookout (66); Jeffreys Street Lookout (65), Stanton Lookout (67).

#### Identity / Icons

- P6 Sydney Harbour.
- P7 Sydney Harbour Bridge.
- P8 St Aloysius College.



P9 Loretto Convent School.

P10 Bradfield Park.

P11 Greenway Flats.

**Subdivision**

P12 230m<sup>2</sup> - 750m<sup>2</sup>

**Streetscape**

P13 Narrow streets with limited landscaping.

P14 Split carriageways with sandstone retaining walls and one way movement.

P15 High masonry fences except to heritage items.

P16 Buildings generally setback a minimum from the boundary with a skewed alignment to respective street frontages.

P17 Garages built to the boundary.

**Public transport**

P18 Development should capitalise on the Area's high level of access to public train, bus and ferry services.

## 8.2.2 Desire Future Character

**Diversity**

P1 Predominantly high density residential accommodation in the form of residential flat buildings, according to zone

P2 Limited potential for low to medium density residential accommodation in the form of attached dwellings, dwelling houses, dual occupancies, multi dwelling housing and semi-detached dwellings.

P3 Educational establishments.

P4 Limited redevelopment is envisaged for this Area with no substantial increase in density.

## 8.2.3 Desired Built Form

**Form, massing and scale**

P1 Development is to generally conform with the provisions contained within Part B – *Development Controls* of the DCP.

P2 Educational establishments are to reflect the scale and massing of development on adjoining properties at its interface with the adjoining property.

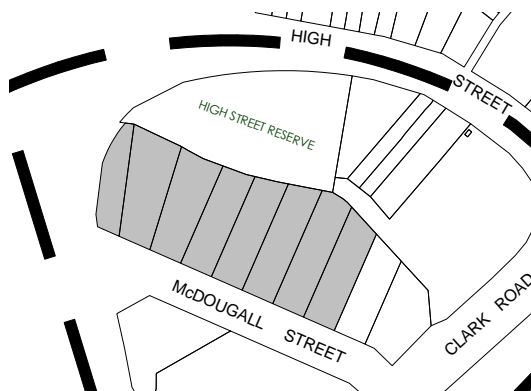
**Materials**

P3 Walls - Masonry, face brick

P4 Windows - Timber framed

P5 Roofs - Terracotta tiles, slate

## 8.2.4 McDougall Street (Northern Side)



### Diversity

P1 High density residential accommodation in the form of residential flat buildings.

### Subdivision

P2 Sites amalgamated with frontages of 25m-35m

P3 No isolated properties (sites with frontage less than 25m)

### Streetscape

P4 Existing street trees in McDougall Street.

P5 Additional street plantings in accordance with Council's Street Tree Strategy.

P6 Significant trees and plantings in front gardens.

### Siting

P7 Towards the front boundary to provide substantial setback from public open space off High Street

### Setbacks

P8 Front: 5m  
Side: 5-7m  
Rear: 15m

P9 Side setback between No.s. 16-18 McDougall.

### Form, massing and scale

P10 Five (5) storeys, with the topmost storeys setback from the levels below.

P11 Single residential building to McDougall Street and Public Open Space area off High Street

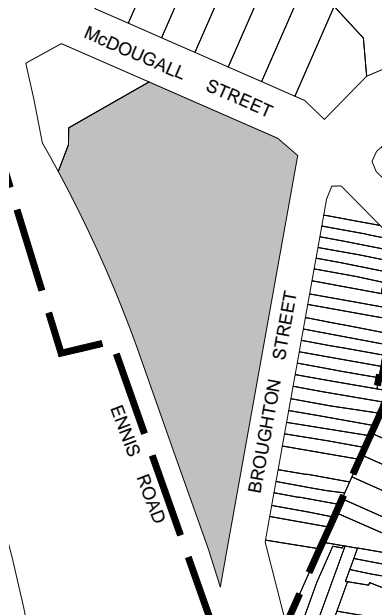
### Roofs

P12 Flat roof to allow views from the Bradfield Highway to Sydney Harbour.

### Gardens

P13 Substantial plantings including trees in front garden complement street trees.

### 8.2.5 3-11 McDougall Street (Greenway Flats)



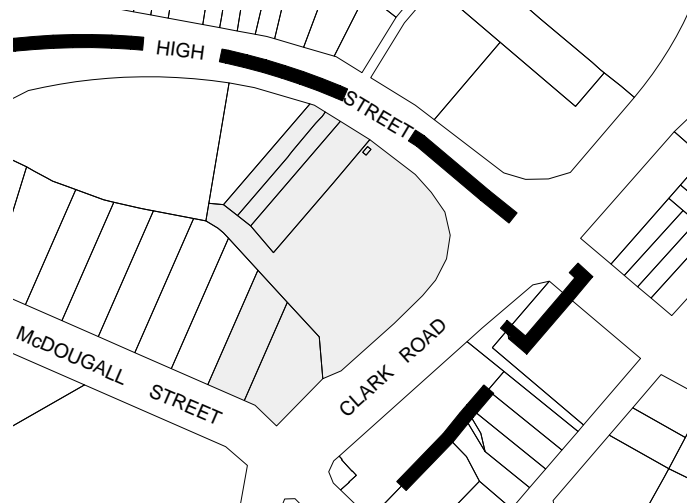
#### Diversity

- P1 High density residential accommodation in the form of residential flat buildings.
- P2 Future redevelopment of the site is not to result in a significant change in scale or bulk.

#### Form, massing and scale

- P3 Must not have a site coverage exceeding 25%.
- P4 Must not have an un-built upon area exceeding 15%.
- P5 Must have a minimum landscaped area of 60%.

### 8.2.6 James Milson Village



#### Diversity

- P1 High density residential accommodation in the form of seniors housing.
- P2 Future redevelopment of the site is not to result in a significant change in scale or bulk.



**Area Character Statements - Kirribilli Planning Area**

**Form, massing and scale**

- P3 Must not have a site coverage exceeding 60%.
- P4 Must not have an un-built upon area exceeding 15%.
- P5 Despite any other provision of this plan, if the land is used for seniors housing, it must have a minimum landscaped area of 25%.

## 8.3 CAREENING COVE CONSERVATION AREA



### 8.3.1 History

The Careening Cove Conservation Area includes a section of the Robert Ryan grant (later acquired by Robert Campbell), part of the James Milson grant, and the southern side of the Crown subdivision that was intended to be used for whaling purposes from 1830. This section of the Ryan Grant was subdivided in the 1860s but development did not gain momentum until the 1880s.

Milson's land remained within the family until the 1880s, after which sections were subdivided for residential development. Milson Park was created during the 1890s by reclamation of the head of Careening Cove. The peninsula, along which High Street runs, was sold by the Government to private owners for the development of whaling industries. No whaling occurred but a number of houses were built in the 1860s and 1870s overlooking the Cove.

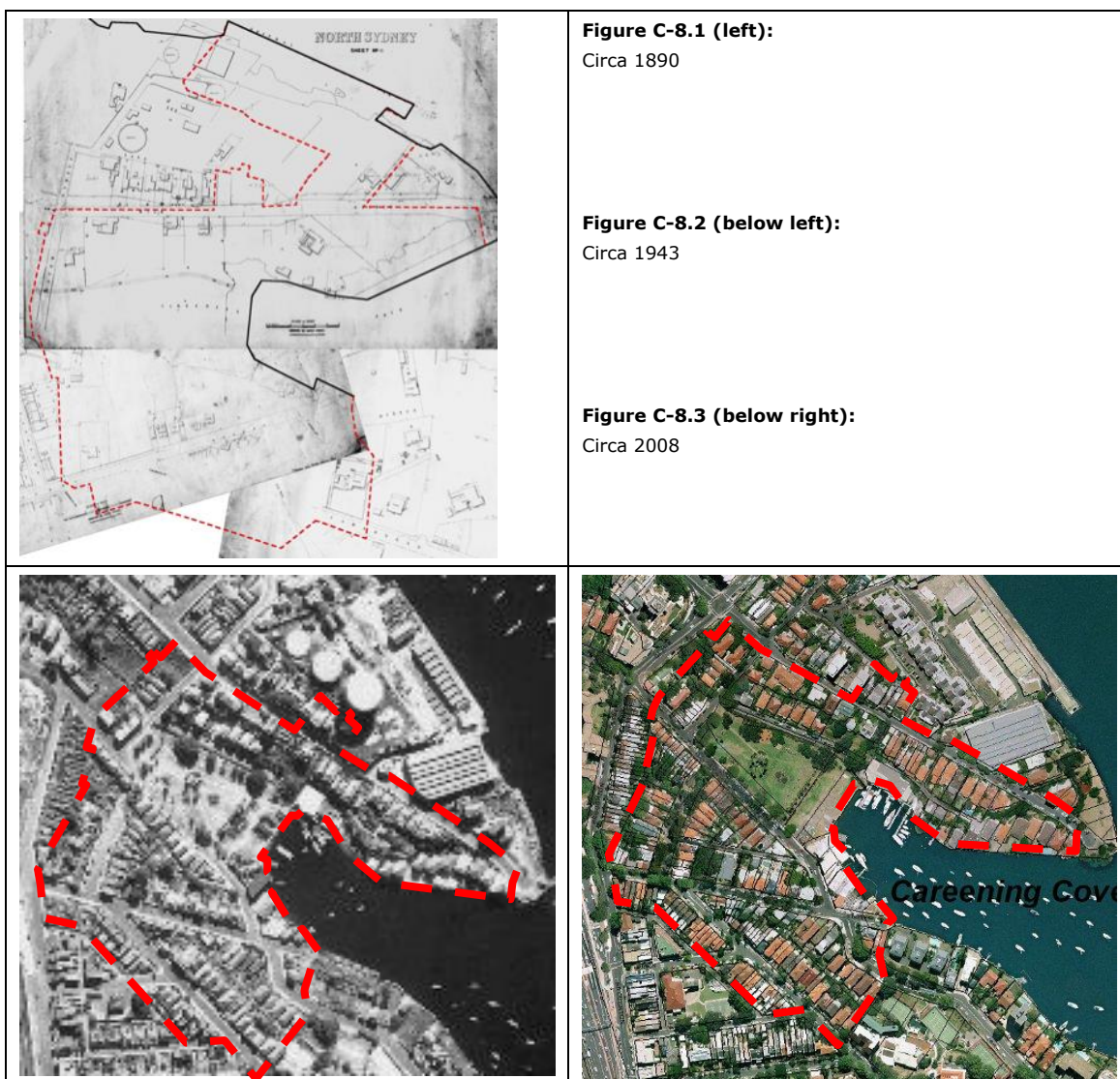
The south side of the tip of the peninsula was a significant wharf area, notable for its use by the Wunderlich Company for the importation of Marseilles roofing tiles in the 1890s. This foreshore was later used for ship and boat building and repair, and subsequently subdivided for housing in the early 1920s (particularly to the south side of Stannards Place).

### 8.3.2 Description

The Careening Cove Conservation Area is located around the bay forming Careening Cove and bounded by High Street, Broughton Street and Crescent Place.

The landform slopes to the Bay with a flat area of reclaimed land close to the Cove. The subdivision pattern varies with a grid of rectangular lots that are cut to suit the diagonal street pattern and topography.

The Conservation Area is characterised by two storey, late Victorian terraces, single and two storey Federation and Inter-War dwelling houses and residential flat buildings. The area retains groups of picturesque industrial buildings with associated jetties, slipways, moorings and equipment. The Ensemble Theatre was one of the first recycled industrial buildings in Sydney.



### 8.3.3 Statement of Significance

The Careening Cove Conservation Area is significant:

- (a) as a largely consistent early 20th century residential area with an unusual and irregular pattern of street layout and irregular subdivision pattern that give the area a particular character.
- (b) as retaining much of the urban detail and fabric seen in gardens, fencing, street formations, use of sandstone for retaining and building bases, sandstone kerbing and natural rock faces.
- (c) for the amphitheatre like form around the reclaimed Milson Park and the head of the bay.
- (d) for the remaining waterfront industrial and recycled industrial development that gives the area much of its character.

### 8.3.4 Significant elements

#### Topography

P1 Amphitheatre form falling to Careening Cove.



### **Subdivision**

- P2 Irregular lots following the street pattern and topography.

### **Streetscape**

- P3 Changes in street level. Sandstone retaining walls. Milson Park. Double rail timber fences.
- P4 Street trees including Jacarandahs in McDougall Street.

### **Views**

- P5 Harbour views from Miss Gladys Carey Reserve lookout (57), High Street Lookout (58), Milson Park; views of the valley from Winslow Street (59). Views of Milson Park and Careening Cove from Hipwood and McDougall Streets and Bradly Avenue; View of Sydney Harbour from Stannards Place, Willoughby Road and Winslow Lane.
- P6 Slot views between and over buildings.

## **8.3.5 Characteristic buildings**

- P1 A mixture of:
- (a) Two storey late Victorian terraces
  - (b) Single and two storey, detached Federation and Edwardian houses
  - (c) Inter-War residential flat buildings.

## **8.3.6 Characteristic built elements**

### **Siting**

- P1 To the middle of the lot with gardens to the front and rear.
- P2 Front setback of 3 – 5m.
- P3 Side setback of 0 – 1m.
- P4 Rear setback of 8m.

### **Form, massing and scale**

- P2 Two storey attached dwellings.
- P3 Single and two storey detached dwelling houses.
- P4 Reduced scale to the rear.
- P5 Low, multi-storey Inter-War residential flat buildings.

### **Roofs**

- P6 Pitched, hipped and gables roofs pitched between 30 and 45 degrees with skillion roofs to rear.
- P7 Parapets to flat roofed residential flat buildings.
- P8 Brick and rendered chimneys.

### **Materials**

- P9 Walls: Face and rendered brick on sandstone foundations.
- P10 Roofs: Slate, terracotta tile and corrugated metal sheeting at rear; flat roofs to residential flat buildings.
- P11 Timber verandahs and Federation and Arts and Crafts detailing.

### **Windows and doors**

- P12 Consistent with building period and style. Timber.



**Fences**

P13 Low to 900mm in height.

P14 Sandstone walls; timber pickets.

**Car accommodation**

P15 Located off rear lanes.

**8.3.7 Uncharacteristic elements**

P1 Over-scaled additions; dormers and skylights to front roof slopes; roof terraces carports and garages to the street; high solid fences to the street; rendering and painting of face brick; paved front gardens, loss of original detail; modern infill development and residential flat buildings.

## 8.4 KIRRIBILLI CONSERVATION AREA



### 8.4.1 History

In 1800 the Kirribilli Peninsula was granted to Robert Ryan but was acquired shortly after by Robert Campbell, merchant. The land was partly leased to James Milson for many years.

From 1842, the Campbells began to lease and sell the land, with one of the first sales going to Col. Gibbes who erected a substantial house "Wotonga" (now part of Admiralty House) on the tip of the peninsula.

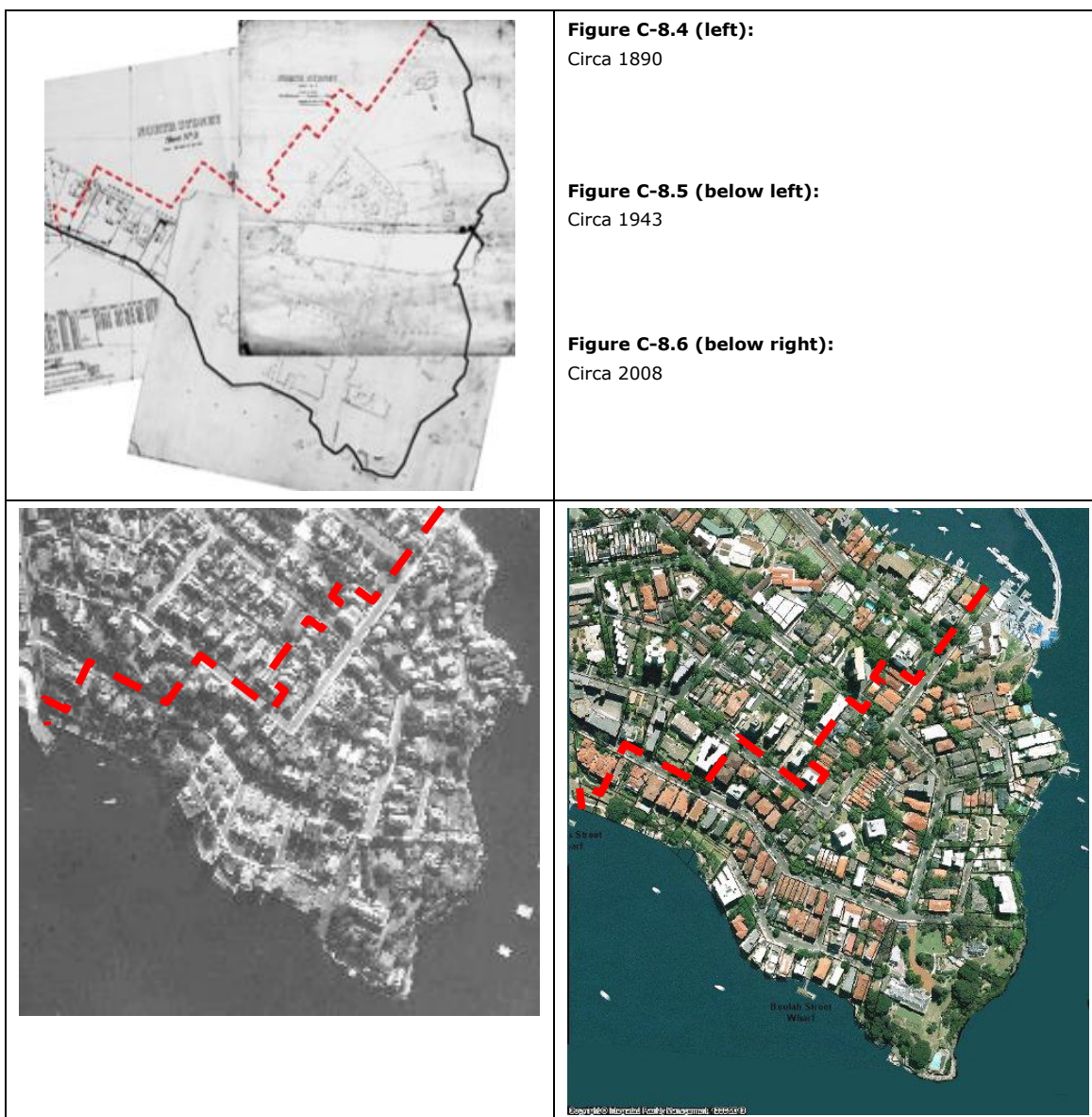
Over the next three decades, most of the waterfront was occupied by large houses with substantial properties fronting the foreshore. In the early part of the 20th century the large land holdings were subdivided and culminated in the boom of residential flat buildings close to the ferry wharves. The replacement of earlier dwelling houses with residential flat buildings, however, has created some uncharacteristic elements within the Kirribilli Conservation Area.

### 8.4.2 Description

The Kirribilli Conservation Area is located on the lower section of the Kirribilli peninsula and has a long waterfront to Sydney Harbour.

The landform slopes to the Harbour with an irregular pattern of streets that follow the contours and slopes. The subdivision pattern varies with irregular lots that follow the topography.

The Conservation Area is characterised by a mix of small, medium and substantial late Victorian, Federation era houses with Inter-War dwelling houses and residential flat buildings with modern residential flat buildings on some of the waterfront sites. Buildings are integrated with the slope and generally have a homogenous scale with established gardens. Some earlier Victorian villas survive in Kirribilli Street and Upper Pitt Street. Also located on the waterfront are Kirribilli and Admiralty Houses.



### 8.4.3 Statement of Significance

The Kirribilli Conservation Area is significant:

- (a) as a consistent early 20th century residential area with a mix of Federation and one or two storey Inter War dwelling houses and two or three storey residential flat buildings on large allotments with a strong orientation to the water.
- (b) as a largely intact early 20th century suburb retaining much of the urban detail and fabric seen in gardens, fencing, street formations, use of sandstone and later reinforced concrete "naturale" fencing, sandstone kerbing, natural rock faces, wide streets and compatible plantings.
- (c) for its unity derived from its subdivision history which is still clearly seen in the development of the area.
- (d) as containing the important government buildings Kirribilli House and Admiralty House.



#### 8.4.4 Significant elements

##### Topography

P1 Sloping site falling to Sydney Harbour.

##### Subdivision

P2 Irregular lots following the street pattern and topography.

##### Streetscape

P3 Changes in level. Sandstone kerbing.

P4 Street trees.

##### Views

P5 Views of Sydney Harbour Bridge, City of Sydney, Opera House from Beulah Street

P6 Lookout (63), Dr Mary Booth Lookout (64); views of Sydney Harbour from the Lady

P7 Gowrie Lookout (62), Colinda Reserve Lookout (60). Views of Sydney Harbour from Holbrook Avenue, Peel Street, Kirribilli Avenue.

#### 8.4.5 Characteristic buildings

P1 A mixture of:

(a) Victorian Villas

(b) Single and two storey detached late Victorian, Federation and Edwardian houses

(c) Federation and Inter-war dwelling houses and residential flat buildings.

#### 8.4.6 Characteristic built elements

##### Siting

P1 Forward on lot with larger rear garden. Foreshore properties address the street.

P2 Front setback 3m.

P3 Side setback 1.5 – 2m.

P4 Rear setback 10 – 15m.

##### Form, massing and scale

P5 Detached, single storey villas.

P6 Single and two storey detached dwellings.

P7 Reduced scale to the rear.

P8 Three storey multi storey residential flat buildings as viewed from the street.

##### Roofs

P9 Pitched, hipped and gables roofs pitched between 30 and 45 degrees with skillion roofs to rear.

P10 Brick and rendered chimneys.

P11 Parapets to flat roofs on Inter-War residential flat buildings.

##### Materials

P12 **Walls:** Face and rendered brick on sandstone foundations; dark brick to Inter-war residential flat buildings.

P13 **Roofs:** Slate; terracotta tile and corrugated metal; flat roofs to residential flat buildings



**Area Character Statements - Kirribilli Planning Area**

P14 Federation and Arts and Crafts detailing.

**Windows and doors**

P15 Consistent with building period and style. Timber.

**Fences**

P16 Low scale to 800mm.

P17 Face brick; timber pickets; horizontal railings.

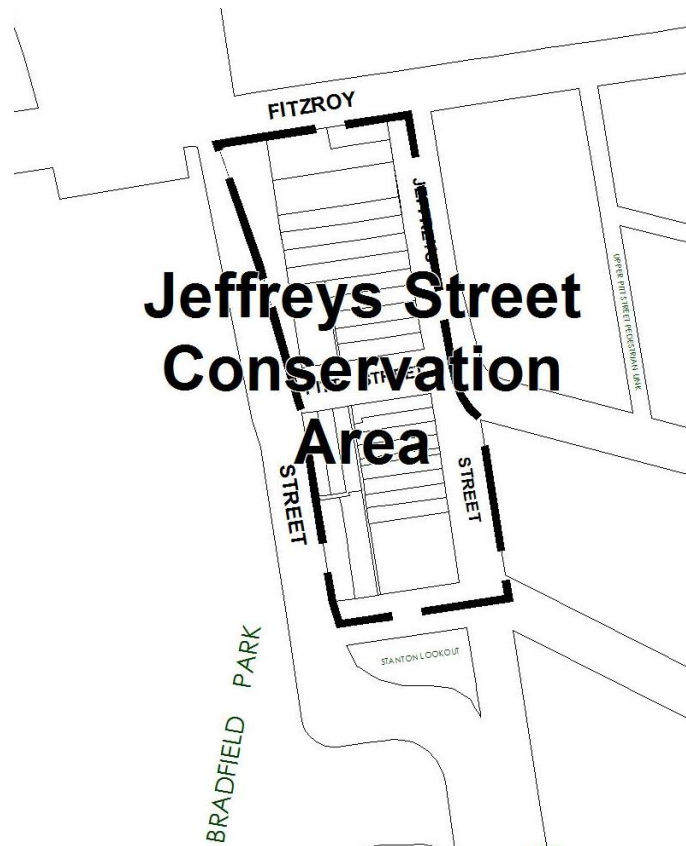
**Car accommodation**

P18 Parking at rear off laneways or set back behind the main building line.

**8.4.7 Uncharacteristic elements**

P1 Over-scaled additions; dormers and skylights to front roof slopes; roof terraces; carports and garages in front setbacks; high solid fences to the street; rendering and painting of face brick; paving of front gardens; extensive glazing; glazed balustrades; loss of original detail; modern infill development and residential flat buildings.

## 8.5 JEFFREYS STREET CONSERVATION AREA



### 8.5.1 History

The Jeffreys Street Conservation Area is an interesting remnant of the early development of Milson's Point that was developed from the 1860's onwards and was largely established by the late 1890's. The area was a grid pattern of streets stretching from Albert Street to Jeffreys Street that was lined with single, two and three storey houses and that was associated with the land occupied by James Milson.

The construction of the Sydney Harbour Bridge resulted in the demolition of the western portion of the area but there is sufficient built form, street pattern and historical information to demonstrate the relationship of the current built form to its earlier state.

The area has association with James Milson and the Milson family, a prominent local merchant and an important figure in the development of North Sydney. It also has association with the Robert Campbell, an important local merchant and developer Robert Ryan who was granted 120 acres including the subject area in 1800.

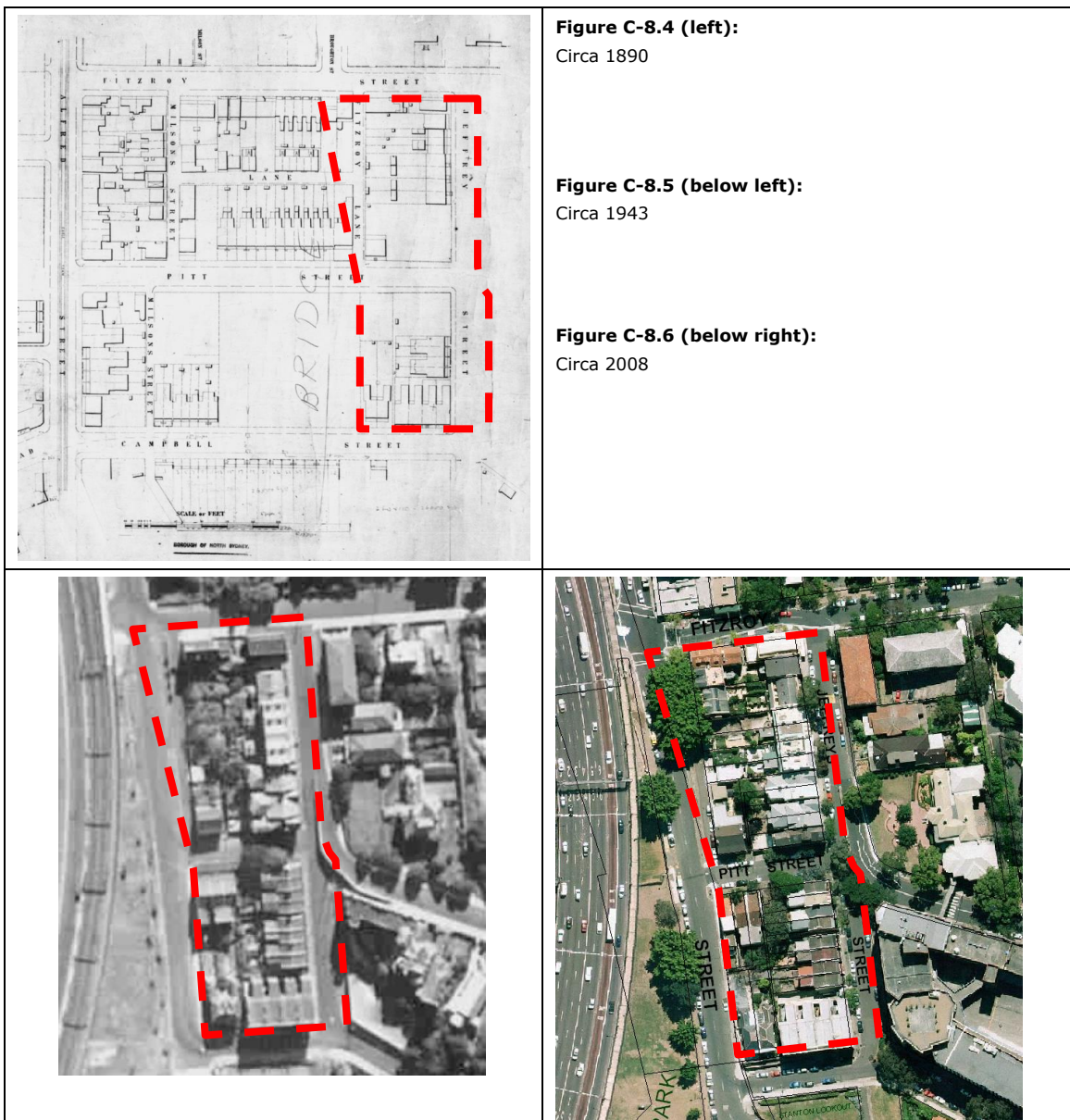
### 8.5.2 Description

The Jeffreys Street Conservation Area is bounded by Fitzroy Street, Jeffreys Street, Kirribilli Avenue and Broughton Street. The landform slopes down from the north towards the south and west and there is a sandstone retaining wall at Jeffreys Street and Kirribilli Avenue. The subdivision pattern is a regular grid that overlays the topography with streets running down or across the slope.

The characteristic buildings of the area are typically mid to late Victorian and Federation residential terraces, reflecting the predominant period of development. Buildings are typically two or three storey, terraces with pitched and gabled tiled roof with two storey

**Area Character Statements - Kirribilli Planning Area**

verandahs and skillion rear wings. Street plantings and raised verges reinforce the cohesive character and regular pattern formed by the buildings and underlying lot pattern. There is some modern development to the northern and southern edges.



### 8.5.3 Statement of Significance

The Jeffrey Street Conservation Area is significant:

- (a) for the unity of its subdivision history which is evident in the built form of the area and that overlays its sloping and stepped topography
- (b) as an area of mid to late Victorian and Federation speculative terraces that are a remnant of the early development of the area prior to the clearances for the construction of the Sydney Harbour Bridge



#### 8.5.4 Significant elements

##### Topography

P1 Sloping towards west and south.

##### Subdivision

P2 Regular grid pattern overlying topography.

##### Streetscape

P3 Sandstone retaining walls.

P4 Houses at street level or raised above it.

P5 Consistent scale of housing faces the street in urban setting.

P6 Narrow verges, sandstone and concrete kerbing, brick walls, no street gardens.

P7 Street trees.

##### Views

P8 Sweeping view of Sydney Harbour from Kirribilli Avenue to Broughton Street.

P9 Views from Jeffreys Street to the south and Pitt Street to the west.

#### 8.5.5 Characteristic buildings

P1 Two and three storey mid to late Victorian and Federation attached dwellings.

#### 8.5.6 Characteristic built elements

##### Siting

P1 Dwellings to the front of the lots or at the street with gardens/yard to the rear.

##### Form, massing and scale

P2 Two and three storey attached dwellings.

P3 Reduced bulk and scale to the rear.

P4 Simple forms articulated with verandahs to front and skillion wings to the rear.

##### Roofs

P5 Gabled roofs pitched between 20 and 35 degrees.

P6 Gabled ends for side elevations.

P7 Skillion roofs to rear wings.

P8 Brick and rendered chimneys.

##### Materials

P9 **Walls:** Painted and face brick; rendered masonry on some sandstone bases.

P10 **Roofs:** Slate, terra cotta and concrete roof tiles; corrugated metal on rear wings.

##### Windows and doors

P11 Mid to late Victorian and Federation.

P12 French doors to first floor verandahs.

##### Fences

P13 Low height front fences and walls.

P14 Masonry fences to rear and side.

P15 Face and rendered brick; metal palisade.



**Area Character Statements - Kirribilli Planning Area**

**Car accommodation**

P16 Garages and carports to side and rear.

P17 No garages or carports in front of the building line.

**8.5.7 Uncharacteristic Elements**

P1 Over-scaled dormers; roof decks and terraces; 'Juliette balconies'; enclosed balconies and verandahs; extensive glazing and glazed balustrades; flat roofs to service wings; painted face brick; removal of garden setting.



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## SECTION 9 LAVENDER BAY PLANNING AREA

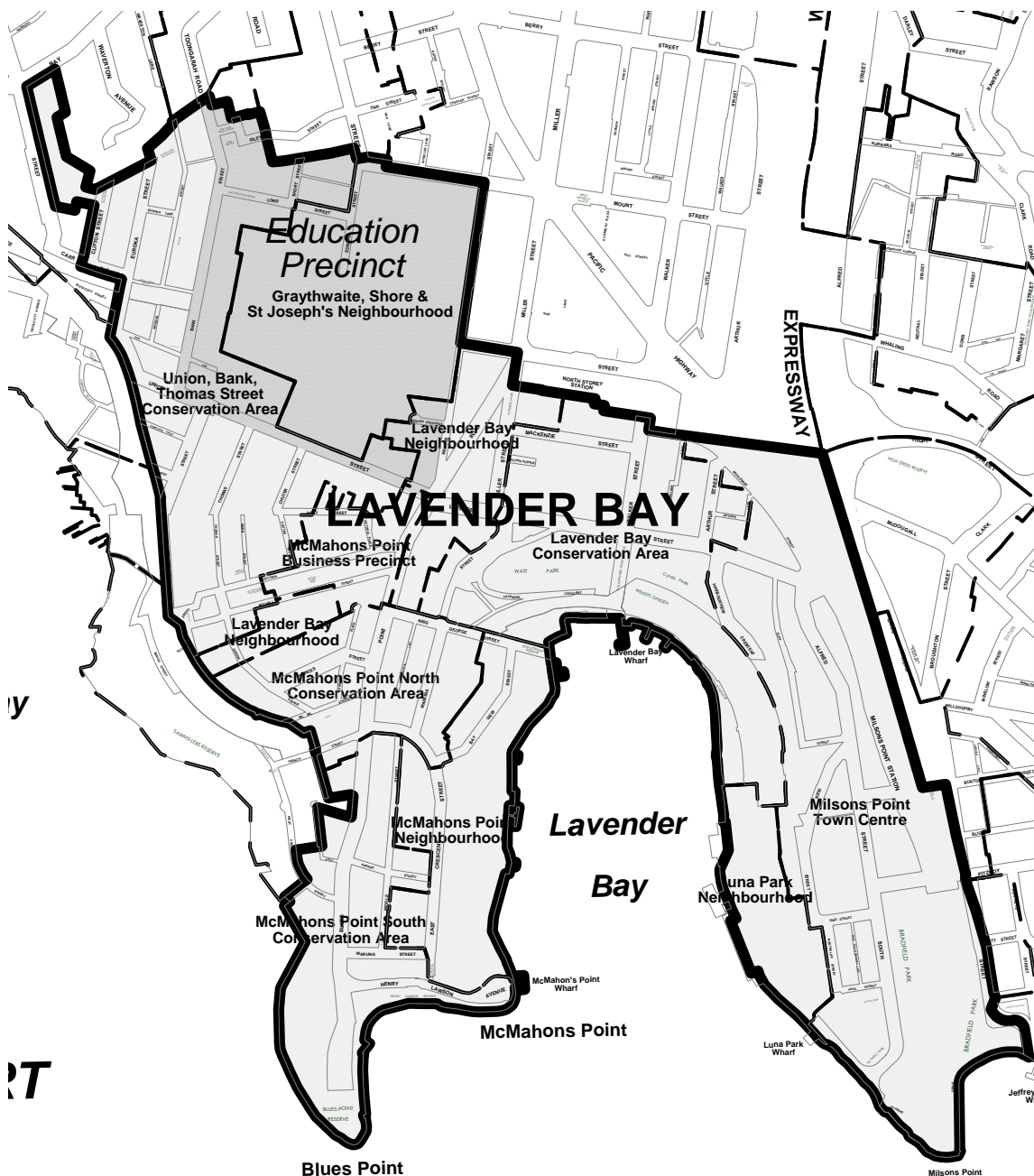


Figure C-9.1: Lavender Bay Planning Area and associated Locality Areas

## 9.0 LAVENDER BAY PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the Lavender Bay Planning Area.

The Lavender Bay Planning Area is a diverse area reflected by the very wide range of land uses occurring within the Area, including a mixture low, medium and high density residential accommodation, commercial premises, light industry, education establishments, places of worship and public recreational facilities. Many of these land uses are located in a leafy setting with strong links to Sydney Harbour and are often associated with landmark buildings such as Graythwaite, the Shore School and St Peter's Church.

The Planning Area is noted for its historical character arising from the retention of much of its original subdivision pattern and good examples of largely intact mid 19<sup>th</sup> century and early 20<sup>th</sup> Century buildings. Blues Point Road in McMahons Point is a popular village centre enjoyed by local residents and visitors to the area with its outdoor cafes, galleries and small specialty shops.

A large portion of the Education Precinct is located in the Planning Area, which consists of landmark educational establishments such as the Australian Catholic University (ACU), the Sydney Church of England Grammar School (Shore) and North Sydney Demonstration School and supports a growing student population and workforce of teaching and support staff.

Milsons Point is on the shores of Sydney Harbour and consists of a large concentration of mixed residential and commercial towers located at the base of the Sydney Harbour Bridge, surrounded by landmarks such as Luna Park, Bradfield Park and North Sydney Pool.

Development within the Planning Area should result in:

- any residential growth being in accordance with the Residential Development Strategy, with high density residential accommodation mainly being accommodated within the mixed use zone at Milsons Point, with no substantial change in the other residential and light industrial areas.
- a wide range of single household residential types being distributed in a number of distinctive built forms/landscape areas, including purpose-built student accommodation to support the functioning of the Education Precinct.

**Area Character Statements - Lavender Bay Planning Area**

- any retail premises being of a scale to cater to the local community and which provide a balance between basic (e.g. food and groceries) and recreational (e.g. cafes and galleries) needs.
- the conservation of features which positively contribute to the local identity.
- a vibrant and engaging Education Precinct with high quality built form, safe pedestrian networks and a range of formal and informal public spaces for students to study, socialise and engage with the local community.

and where:

**Function**

- the community centre is in an accessible location and provides a meeting place for the local community and is part of North Sydney's network of community and cultural centres.
- non-residential uses such as public recreation, schools, light industrial, places of public worship, railway and shops coexist peacefully with the residential character.
- public open space areas are utilised by local residents and the wider regional population for a variety of social and recreational activities.
- access to the Harbour foreshores is improved with pedestrian links from Luna Park to the public reserve in Munro Street, Waverton Park and Smoothey Park.
- public transport, cycling, and walking are the preferred means of transport.
- through traffic is discouraged from using the already overloaded road network and commuter parking managed through parking schemes.
- local identity, icons and heritage are conserved.
- Luna Park is a public recreational and amusement park, enjoyed by local, regional and international users, that is easily accessed by public transport.
- the boardwalk adjacent to Luna Park on the foreshore is always accessible to the general public maintaining links to the wharf, other landing facilities and adjoining foreshore land.
- local identity, icons and heritage are preserved.
- man-made features such as the railway and pedestrian cuttings through the approach to Sydney Harbour Bridge are maintained as local landmarks that are important to the community.

**Environmental Criteria**

- the remaining natural foreshores are conserved with improved pedestrian access to the foreshore.
- public open space is protected from the adverse effects of development – such as stormwater runoff, spread of introduced plants and weeds, and visual impact of structures.
- both residential and non-residential land uses minimise noise and air pollution.
- solar access is maximised to open space areas in public and private domains.
- natural features (rock formations, trees) are conserved and maintained.
- major views from Luna Park, lookouts, and other vantage points are not obscured by structures or landscaping.

**Quality Built Form**

- any development that occurs reflects and reinforces the existing distinctive built form/landscape areas and distribution of accommodation types.



**Area Character Statements - Lavender Bay Planning Area**

- buildings in Milsons Point are designed to preserve views and prevent wind tunnels.
- there is adequate open space within Luna Park for passive recreation and free movement within the park.
- the character, bulk and scale of new development within Luna Park complement the original features of Luna Park and enhance its appearance when viewed from within and Sydney Harbour.
- development within Luna Park is complementary to redevelopment of adjacent SRA land.
- there is an appropriate built form on the foreshore to maintain the significance of Sydney Harbour.

**Quality Urban Environment**

- traffic flows are managed to promote pedestrian amenity and there are improved pedestrian links between Kirribilli and Milsons Point.
- through traffic is discouraged to prevent traffic congestion.
- development promotes the safety of people that is enhanced by good street lighting.
- public open space provides recreational opportunities and acts as a buffer to the high density development.
- the demand for on-street parking is managed by allowing only appropriate levels of development.
- backyards are used for a variety of activities particularly for families with children and for practical and recreation needs of residents in residential flat buildings.

**Efficient Use of Resources**

- stormwater is retained for reuse on site.
- existing buildings are maintained and adaptively reused to prevent unnecessary waste of building materials.

**Public Domain**

- buildings and street furniture are compatible with unique features of Milsons Point including Luna Park, the Olympic Pool and Sydney Harbour.
- street furniture and landscaping, outdoor advertising in McMahon's Point and Kirribilli respect the historical character of the area.
- educational establishments are oriented to the public domain to provide increased surveillance and activation.
- streetscape improvements within the Education Precinct occur in accordance with the *North Sydney Centre Public Domain Strategy* and *Education Precinct Public Domain Masterplan*.

In addition to the above character statement for the Planning Area, the character statements for the following Locality Areas also require consideration:

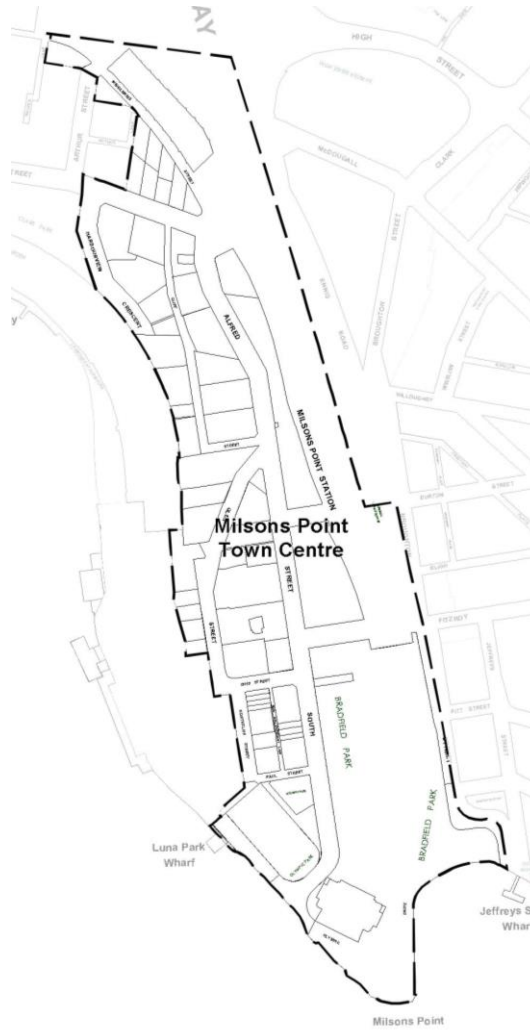
- Section 9.1: Milsons Point Town Centre
- Section 9.2: McMahon's Point Business Precinct
- Section 9.3: Luna Park Neighbourhood
- Section 9.4: Graythwaite, Shore & St Joseph Neighbourhood
- Section 9.5: Lavender Bay Neighbourhood



***Area Character Statements - Lavender Bay Planning Area***

- Section 9.6:   McMahons Point Neighbourhood
- Section 9.7:   McMahons Point North Conservation Area
  - Section 9.7.8: Blues Point Village
- Section 9.8:   McMahons Point South Conservation Area
  - Section 9.8.8: 1 Henry Lawson Avenue
- Section 9.9:   Lavender Bay Conservation Area
- Section 9.10:  Union, Bank, Thomas Street Conservation Area

## 9.1 MILSONS POINT TOWN CENTRE



### 9.1.1 Significant Elements

#### Land Use

- P1 Predominantly mixed commercial and residential development.
- P2 Passive and active recreational spaces.
- P3 Major road and railway infrastructure.

#### Topography

- P4 Generally falls to the south and south west from the Sydney Harbour Bridge down to Sydney Harbour.
- P5 Steep falls and cliffs adjacent to and along the western boundary of the Area.

#### Natural Features

- P6 Interface with Sydney Harbour.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) District views from streets and reserves to Sydney Harbour and beyond.

**Area Character Statements - Lavender Bay Planning Area**

- (b) Views to Lavender Bay from Luna Park Lookout (71), Harbour View Crescent.
- (c) Views to Sydney Harbour from Bradfield Park No. 1 Lookout (69), Olympic Park Lookout (70); Alfred Street, Paul Street.

**Identity / Icons**

- P8 Luna Park.
- P9 North Sydney Pool.
- P10 Sydney Harbour Bridge and approaches.
- P11 Bradfield Park.
- P12 Sydney Harbour.

**Subdivision**

- P13 Large consolidated allotments reflective of the Area's previous commercial nature.
- P14 Heritage items have small rectilinear lots, reflecting original subdivision patterns.

**Streetscape**

- P15 Narrow footpaths and streets, except to Alfred Street which has wide fully paved verges incorporating street trees.
- P16 Buildings built to street and laneway frontages.

**Public transport**

- P17 Development should capitalise on the Area's high level of accessibility to high frequency public train, bus and ferry services.

**9.1.2 Desired Future Character**

**Diversity**

- P1 Medium to high-rise mixed residential and commercial development, built boundary to boundary, with setbacks at laneways, above podium and to public spaces.
- P2 Variety of different sized non-residential spaces and land uses which serve the local needs of residents (including convenience stores, cafes, medical centres etc).
- P3 Development for residential accommodation should be in accordance with Council's Residential Development Strategy, with limited growth envisaged for the area.
- P4 Ground floors of mixed use development to operate land uses that promote pedestrian activity.
- P5 Existing heritage items shall be protected and retained where practical.
- P6 Provide a balance between the working and resident populations of the town centre, to ensure an active environment throughout the day.
- P7 Where existing commercial buildings are to be refurbished, retention of the existing level of commercial floor space is encouraged.

**Thru site pedestrian links**

- P8 Pedestrian access is provided from Glen Street to Alfred Street between 68 and 72 Alfred Street.

**Traffic Management**

- P9 Existing one-way vehicular movements are maintained along Cliff Street.

**9.1.3 Desired Built Form**

**Subdivision**

- P1 Minimum frontage of 30m.



**Form, massing and scale**

- P2 Buildings step down from 40m on the ridge of the peninsula (along Alfred Street from Lavender Street to Dind Street) to 10m on the shores of Lavender Bay.

**Setbacks**

- P3 Buildings are built to the street boundary at ground level, except as specified below:
- (a) Setback of 1.5m from a laneway at ground level.
- P4 Preserve and create spaces between buildings above podium height that will offer views of the Harbour and its foreshore areas to help break up the wall of development along Alfred Street.

**Podiums**

- P5 Podium of 13m (four storeys) to all buildings fronting Alfred Street, with a setback of 3m of all parts of the building located above the podium.
- P6 Podium of 10m (three storeys) to all buildings fronting Cliff or Glen Streets, Harbourview Crescent or railway land with a setback of 3m of all parts of the building located above the podium.
- P7 Podium of 10m (three storeys) to all buildings fronting any laneway with a setback of 3m of all parts of the building located above the podium.

**Building design**

- P8 Materials used are painted render, masonry, concrete with natural colours.
- P9 Buildings address every street frontage with no blank walls to streets, lanes, public space or railway land.

**Skyline**

- P10 Ancillary equipment, plant rooms are not visible from Sydney Harbour.
- P11 Existing buildings are recycled to accommodate mixed use developments.

**Street furniture, landscaping works, public art**

- P12 Street furniture, landscaping and/or public art adjacent to Luna Park and the Olympic Pool are compatible with their role as centres of entertainment and recreation.

**Noise**

- P13 Elevations of buildings facing the Sydney Harbour Bridge and its approaches are to be designed and incorporate features to minimise traffic and railway noise transmission (e.g. using design features such as cavity brick walls, double glazing, minimal glazing, solid core doors and concrete floors etc).

**Wind Speed**

- P14 Buildings are designed not to create wind tunnel effects along Alfred, Glen, Paul, Dind, Northcliff Streets and Harbourview Crescent.

**Reflected Light**

- P15 Reflected light for motorists on the Sydney Harbour Bridge and the Bradfield Highway is no greater than 20% nor is there excessive artificial light from outdoor advertising.

**Solar access**

- P16 There is no increase in overshadowing of Bradfield Park, Luna Park, and North Sydney Pool between 12 noon and 3pm.

**Views**

- P17 Spaces between buildings preserve views to Sydney Harbour, Sydney Opera House and Lavender Bay.



***Area Character Statements - Lavender Bay Planning Area***

- P18 Buildings step down in height from ridge of the peninsula to a lower height on the foreshore to maintain views.
- P19 Preserve existing views of Lavender Bay and Sydney Harbour along the railway track from the north side of the Sydney Harbour Bridge to North Sydney Station.

## 9.2 McMAHONS POINT BUSINESS PRECINCT



### 9.2.1 Significant Elements

#### Land Use

- P1 Diverse range of residential accommodation, home occupation, light industrial, commercial and retail activities.

#### Topography

- P2 Generally falls to the south.

#### Views

- P3 The following views and vistas are to be preserved and where possible enhanced:  
(a) Views to Balls Head Bay along Mitchell and Victoria Streets.

#### Identity / Icons

- P4 Commodore Hotel.  
P5 McMahon's Point Community Centre.

#### Subdivision

- P6 A mixture of large consolidated lots in single ownership and small lots in individual ownership.  
P7 Irregular subdivision pattern.

#### Streetscape

- P8 Street tree plantings on Blues Point Road and Lavender Street complement mature plantings and landscaping at the front of residential premises.  
P9 Narrow streets and lanes with narrow footpaths predominate off Blues Point Road  
P10 A mixture of tall and low brick and sandstone fences.  
P11 Buildings built to the boundary, interrupted by garage / vehicular access openings.

#### Public transport

- P12 Development is to take advantage of the high levels of accessibility to public train and bus services.

### 9.2.2 Desired Future Character

#### Diversity

- P1 Mix of modern 2-3 storey industrial and commercial buildings, 2-3 storey Victorian terraces that cater for residential and light industrial purposes, modern medium

density attached dwellings and some 3-4 storey inter-war and post-war residential flat buildings according to zone.

- P2 Mitchell Street Park provides recreation/green space for workers and residents.

#### **Traffic Management**

- P3 Existing one-way vehicular movements are maintained along Victoria and Mitchell Streets.

### **9.2.3 Desired Built Form**

#### **Form, massing and scale**

- P1 Attached dwellings have symmetrical facades.
- P2 Site coverage of buildings on Mitchell and Victoria Streets is more than 80% of the allotment.

#### **Siting**

- P3 Buildings on Victoria and Mitchell Streets are predominantly located towards the front boundary of the allotment.

#### **Setbacks**

- P4 Front: Between 0m - 2m on Victoria and Mitchell Streets.
- P5 Side: Between 0m - 2m on Victoria and Mitchell Streets.

#### **Materials, colours**

- P6 Materials include face brick, sandstone, masonry, timber and/or painted render.
- P7 Materials, architectural detail and colours of modern residential development are sympathetic to heritage items and character of Victoria and Mitchell Streets.

#### **Car accommodation**

- P8 Locate all car spaces, garages or carports at the rear of the property if rear lane access is available.
- P9 Short term metered on-street parking for commuters and visitors.

### 9.3 LUNA PARK NEIGHBOURHOOD



#### 9.3.1 Significant Elements

##### Land Use

P1 Entertainment and recreational activities.

##### Topography

P2 Generally flat with steep cliff along the eastern boundary of the Area.

##### Natural Features

P3 Foreshores of Sydney Harbour, Cliffs on the eastern boundary of Luna Park with fig and coral trees above.

##### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

- (a) Views to Sydney CBD, Sydney Opera House, Sydney Harbour Bridge, Sydney Harbour and Lavender Bay.

##### Identity / Icons

- P5 Coney Island.
- P6 Crystal Palace.
- P7 Luna Park Face and Towers at front entry.
- P8 Wild Mouse.

- P9 Luna Park Gateway.
- P10 Fig and coral trees on cliff top.
- P11 Mirror Maze.
- P12 Palais de Danse.
- P13 Sea Walls.
- P14 Cliff Tunnel and Chamber.
- P15 Sydney Harbour.

#### Subdivision

- P16 Large consolidated allotments.

#### Streetscape

- P17 Open paved areas to the Face of Luna Park.
- P18 Strong physical and visual connection with Sydney Harbour.

#### Public transport

- P19 Development should capitalise on the Area's high level of accessibility to high frequency public train, bus and ferry services.
- P20 The primary mode of travel to the Area by public train, bus and ferry services.

### 9.3.2 Desired Future Character

#### Diversity

- P1 Amusements, recreational facilities, shops, take-away food shops, multi storey mixed use buildings, temporary structures and kiosks, street furniture, weather shelters and boardwalks.

### 9.3.3 Desired Built Form

#### Access

- P1 Olympic Drive is main entry to Luna Park.
- P2 "Midway" pedestrian street provides access to recreational facilities.
- P3 The boardwalk adjacent to Luna Park provides 24 hour public access to the foreshores of Lavender Bay.

#### Siting

- P4 A service area (6m width) is provided at the base of the cliff.
- P5 Buildings are independent of the cliff face.

#### Form, massing and scale

- P6 Low scale development to Northcliffe Street to preserve views to Sydney Harbour.
- P7 Low buildings (approximately 2-3 storey) are provided on the foreshores, except for structures for amusements, turrets, flagpoles.
- P8 Buildings including plant facilities are no higher than the cliff face.
- P9 The footprint of buildings are no greater than the footprint of Coney Island.
- P10 The bulk and scale of buildings complement the heritage items and its role as an amusement park.
- P11 Views of Luna Park to and from Sydney Harbour and vistas within Luna Park are maintained.
- P12 At least 50% of the site is public area.



P13 New amusement rides are located within building envelope up to 100% if rides are "open" structures.

**Fences**

P14 Fences are transparent (up to 90%) in materials sympathetic to the character of Luna Park.

**Materials, colours**

P15 Materials, architectural details and colours of new structures complement heritage items.

**Detail**

P16 New developments in accordance with the Management Plan for Luna Park adopted by Minister for Land and Water Conservation on 12 March 1998.

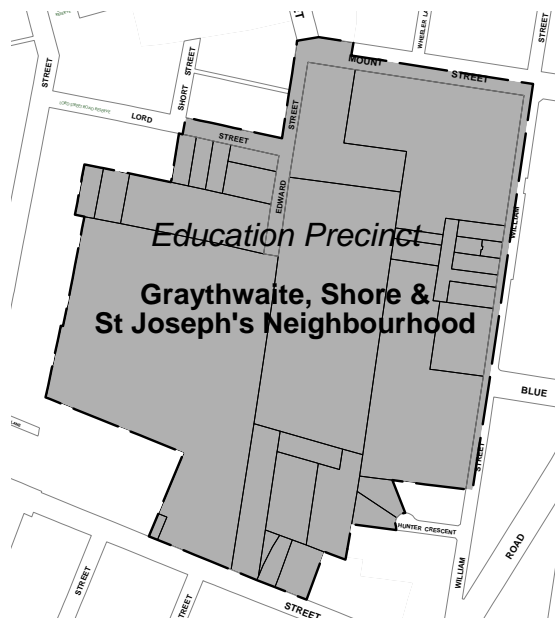
P17 Geo-technical and structural reports are submitted with any application for development to evaluate impact on heritage, cliff face, sea walls.

**Car accommodation**

P18 Car parking is provided underground.

P19 Parking does not affect stability or appearance of cliff or cliff face.

## 9.4 GRAYTHWAITE, SHORE & ST JOSEPHS NEIGHBOURHOOD



### 9.4.1 Significant Elements

#### Land Use

- P1 Educational establishments.
- P2 Place of public worship.

#### Topography

- P3 Generally flat across the northern portion of the Area and falls to the south across the southern portion of the site.
- P4 Terraced lands across the Graythwaite site.

#### Natural Features

- P5 Shrubberies and trees in the grounds of Graythwaite (Giant Bamboo, Moreton Bay and Port Jackson Figs, Washington Palms, Small fruit fig; Cook Pine; Firewheel tree; Jacaranda; English Oak; Monterey pine; Coral trees, Camphor laurels; Brush Box).
- P6 On the Graythwaite site:
  - (a) Pond, well and underground cistern.
  - (b) Three natural springs.
  - (c) Areas above former air raid shelters.
  - (d) Embankment.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Distant views of Sydney CBD, Sydney Harbour Bridge and Sydney Harbour
  - (b) Views of the mansion and substantial landscaping from Union Street.

#### Identity / Icons

- P8 Graythwaite Mansion and grounds.



P9 Sydney Church of England Grammar School (Shore).

P10 St Joseph's Convent.

**Subdivision**

P11 Large consolidated land holdings.

**Streetscape**

P12 Fully paved verges with street trees to Union, Edward and Lord Streets.

P13 Buildings setback from the boundary and aligned to the street on Edward and Lord Streets with low open fences.

P14 Buildings built to the boundary along William and Mount Streets.

**Public transport**

P15 Development is to take advantage of the high levels of accessibility to public train and bus services.

### 9.4.2 Desired Future Character

**Diversity**

P1 Predominantly educational establishments.

P2 Places of public worship and associated activities.

P3 The intensity of development reduces the further away from William Street it is located.

P4 The open landscaped setting of the Graythwaite site is retained.

P5 Consideration is given to making some of the buildings on the Graythwaite site available for community use.

P6 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.

**Accessibility and permeability**

P7 Provide a student pick up and drop off route through the Sydney Church of England Grammar School (Shore), between Union Street and William Street.

**Archaeology**

P8 Archaeological relics on the Graythwaite site are protected and can be used to shed light on its development or add to understanding of past uses.

### 9.4.3 Quality Built Form

**Subdivision**

P1 The grounds of Graythwaite form the curtilage to the mansion and should not be subdivided. The landscaped terraces should not be broken up or separated from the mansion.

**Siting**

P2 New buildings on the Graythwaite site are located to the north, north east and north west of Graythwaite Mansion.

P3 New buildings are to maintain view corridors to Sydney Harbour, Parramatta River and Parramatta.

**Form, massing and scale**

P4 Graythwaite, a grand Victorian Italianate mansion on a large prominent urban property is to be conserved and reused in accordance with the Conservation Management Plan

**Area Character Statements - Lavender Bay Planning Area**

for the site. Any future use must be non-intrusive and maintain the heritage fabric of the site. An interpretive feature or explanation may be incorporated into the site.

P5 Scale of development reduces in intensity the further away from William Street it is located.

P6 New buildings are subordinate to massing and scale of Graythwaite Mansion, are lower in height and have a smaller footprint.

**Roofs**

P7 Roofs are pitched between 30 - 45 degrees made of either slate or terracotta tiles.

**Windows and doors**

P8 Windows are timber framed with traditional vertical proportions.

**Materials, colour, detail**

P9 Buildings are constructed of either face brick, masonry, timber and/or sandstone.

P10 Colours used are browns, greens, grey for infill buildings. Colour scheme to heritage buildings in traditional schemes.

P11 Architectural detail, external finishes of any new building are compatible with the Graythwaite collection of building but not a copy.

**Fences**

P12 Fences to Graythwaite frontages to be based on historical evidence.

P13 Fencing includes open timber picket fences, low brick or stone wall or a hedge.

**Gardens**

P14 Historic plantings and significant trees are retained, including giant bamboo, figs, pines and remnant vineyards.

P15 The lower, middle landscaped terraces on the Graythwaite site are retained as open space for recreational purposes.

P16 Historic cultural features including sandstone stairs, pond, well, cistern and WW 11 bunkers are retained and interpreted.

P17 Natural springs retained.

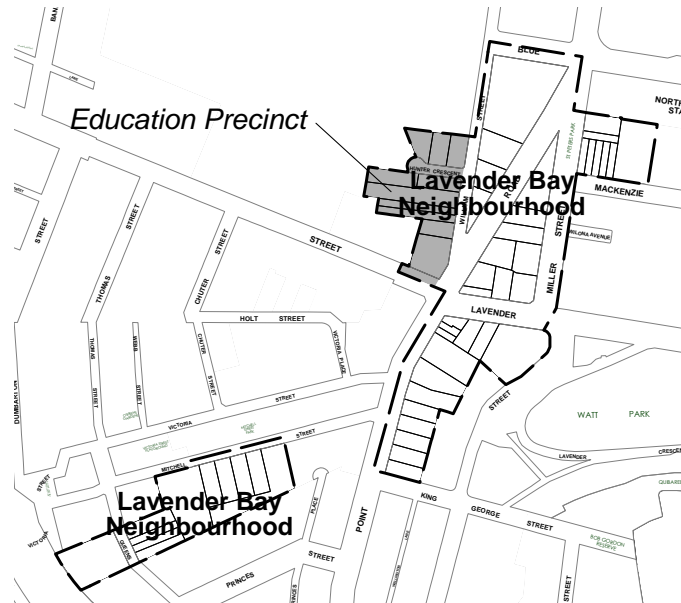
**Car accommodation**

P18 Car spaces or underground parking is available to accommodate cars.

**Design Principles**

P19 Educational establishments must address and activate public domain areas including streets, pedestrian links, laneways and public spaces.

## 9.5 LAVENDER BAY NEIGHBOURHOOD



### 9.5.1 Significant Elements

#### Land Use

- P1 Predominantly residential development.
- P2 Places of public worship.
- P3 Mixed commercial and residential development.

#### Topography

- P4 Generally falls to the south from Blue Street.
- P5 Steep falls occur to the east of Blues Point Road.

#### Views

- P6 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Views of Lavender Bay and Sydney Harbour Bridge from intersection of Miller and Lavender Streets.
  - (b) Views of Harbour Bridge from St Peter's Park Lookout (79)

#### Identity / Icons

- P7 St Peter Church.
- P8 Sydney Church of England Grammar School (Shore School).

#### Subdivision

- P9 Irregular subdivision pattern due to the streets following the irregular topography.

#### Streetscape

- P10 Low masonry fences and retaining ways to the street frontage.
- P11 Fully paved verges with street trees.
- P12 Buildings generally setback a minimum from the boundary with a skewed alignment to respective street frontages.

## Public transport

- P13 Development is to take advantage of the high levels of accessibility to public train and bus services.

## 9.5.2 Desired Future Character

### Diversity

- P1 Predominantly a mixture of medium and high density residential accommodation comprising attached dwellings, multi dwelling housing and residential flat buildings, according to zone.
- P2 Limited mixed commercial and residential development with small scale shops at the ground level and residential above.
- P3 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.

## 9.5.3 Desired Built Form

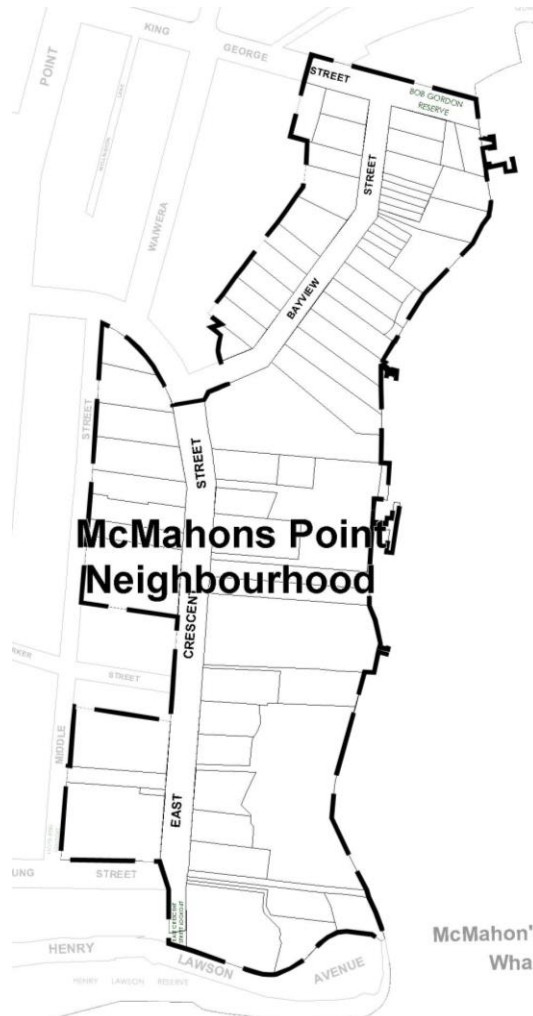
### Form, massing and scale

- P1 Development is to generally conform with the provisions contained within Part B – *Development Controls* of the DCP.
- P2 Development in the B1 Neighbourhood Centre zone is to:
- (a) have symmetrical facades fronting the primary street frontage.
  - (b) Maintain the nineteenth century two storey shopfronts incorporating parapets and awnings to the primary street frontages.

### Design Principles

- P3 Educational establishments must address and activate public domain areas including streets, pedestrian links, laneways and public spaces.

## 9.6 McMAHONS POINT NEIGHBOURHOOD



### 9.6.1 Significant Elements

#### Land Use

P1 Predominantly residential accommodation.

#### Topography

P2 Steep falls from Middle Street down to the foreshores of Lavender Bay.

P3 Terraced land adjacent to foreshore.

P4 Vertical sandstone cuttings to Henry Lawson Avenue Steep falls occur adjacent to Forsyth Park.

#### Natural Features

P5 Lavender Bay frontage.

#### Views

P6 The following views and vistas are to be preserved and where possible enhanced:

(a) District views from most properties to Sydney Harbour and beyond.

- (b) Views to Lavender Bay from King George Street Lookout (80), Extensive views to Sydney Harbour from East Crescent Reserve Lookout (81), Lloyd Rees Lookout (82).

#### Identity / Icons

- P7 Lavender Bay.  
P8 Continuous sea wall to Lavender Bay.

#### Subdivision

- P9 Residential flat buildings: 700m<sup>2</sup> - 800m<sup>2</sup>  
P10 Other residential accommodation: 230m<sup>2</sup> to 450m<sup>2</sup>

#### Streetscape

- P11 Split carriageways separated by sandstone walls and double rail timber fences.  
P12 Low rendered masonry fences to the lower side of the street.  
P13 Sandstone retaining walls to the high side of the street interrupted by garages built to the boundary.  
P14 Buildings generally setback a minimum from the boundary with a skewed alignment to respective street frontage.  
P15 Fully paved verges with limited landscaping.

#### Public transport

- P16 Development should capitalise on the Area's high level of accessibility to high frequency public train, bus and ferry services.

### 9.6.2 Desired Future Character

#### Diversity

- P1 Medium density residential accommodation comprising attached dwellings and multi-dwelling housing within the northern portion of the Area, according to zone.  
P2 High density residential accommodation comprising of residential flat buildings concentrated within the southern portion of the Area, according to zone.

### 9.6.3 Desired Built Form

#### Form, massing and scale

- P1 Development is to generally conform with the provisions contained within Part B - *Development Controls* of the DCP.

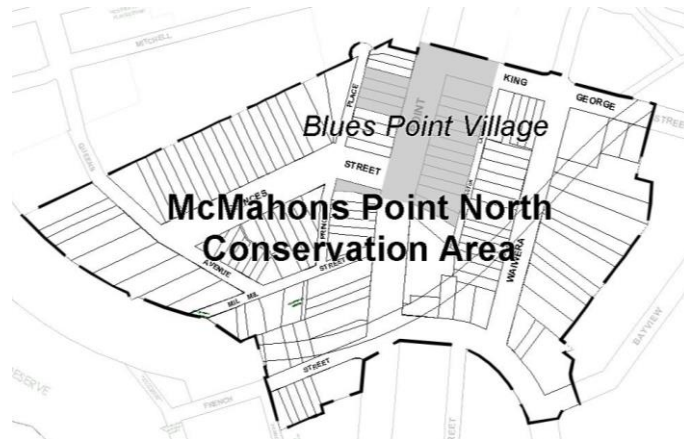
#### Setback

- P2 Properties located on the foreshore have setbacks of 15m or greater from the shore line.

#### Materials, colours

- P3 Buildings are constructed of timber, sandstone, face brick, masonry and/or painted render.

## 9.7 McMAHONS POINT NORTH CONSERVATION AREA



### 9.7.1 History

Land in the McMahon's Point North Conservation Area was granted to William Blue in 1817 and remained in the family until the 1850s. The estate was then progressively subdivided, with the earliest developments occurring at the eastern end.

Blues Point Road was one of the earliest roads in the district, being gazetted from 1839 as a thoroughfare from the ferry wharf to the St Leonard's township (now North Sydney).

The middle and southern sections of the peninsula were subdivided by the 1870s. The foreshores were used for boat and ship building from Blues and McMahon's Point. A tramway was extended to McMahon's Point in 1909, further stimulating development, particularly along Blues Point Road.

### 9.7.2 Description

The topography of the locality slopes down from North Sydney towards Blues Point. Blues Point Road runs down the ridge to the Blues Point peninsula with the landform falling away on either side. A steep escarpment runs parallel to the western side of Waiwera Street.

The subdivision pattern is not strongly related to the topography with irregular lots and street patterns.

The area is characterised by Victorian, Federation and Inter-war period residential and retail development. Buildings are characteristically small to moderate sized group developments of attached dwellings and semi-detached dwellings.

Characteristic building materials include dark brick, painted or rendered brick and weatherboards. Roofs are tiled, corrugated iron and sometimes slate. Details include use of sandstone in retaining walls and timber and plaster façade detailing.

Princes Street is an intact example of a Federation subdivision and Blues Point Road is a significant commercial strip in North Sydney.



### 9.7.3 Statement of Significance

The McMahon's Point North Conservation Area is significant:

- (a) For its consistent character and unity that derives from its dense urban subdivision pattern and history and which is still clearly seen in the development of the area.
- (b) As a predominantly early 20<sup>th</sup> century precinct with a mix of Federation and 1920's one and two storey housing and a very fine grouping of early 20<sup>th</sup> century buildings along Blues Point Road.
- (c) For the streetscape qualities of the Blues Point Road shops.
- (d) For its high quality streetscapes, particularly in Princes and Waiwera Streets.

### 9.7.4 Significant elements

#### Topography

- P1 Sloping down from North Sydney towards Blues Point, Blues Point Road follows the ridge of the peninsula.

#### Subdivision

- P2 Irregular subdivision to the outer streets with boundary to street frontage. Regular subdivision along Blues Point Road.

#### Streetscape

- P3 Many streets are split with stone kerbing and walls.
- P4 Formal street plantings are located within the road reserve in Princes Street.
- P5 Double rail timber fences.



### Views

- P6 King George Street lookout: views to Lavender Bay. Views to Berry's Bay via Mil Mil Street Lookout and French Street.
- P7 Slot views over and between buildings throughout area.

### 9.7.5 Characteristic buildings

- P1 Detached and semi-detached dwelling houses, commercial buildings along Blues Point Road. Victorian Filigree, Federation Queen Anne, Free Style, Bungalow, Californian Bungalow, workers cottages.
- P2 Two storey, Victorian Italianate/Filigree attached dwellings with verandahs to the street.
- P3 Single storey and two storey Victorian and Edwardian commercial buildings.

### 9.7.6 Characteristic built elements

#### Siting

- P1 Forward on lot with larger rear garden.
- P2 Consistent setbacks.

#### Form, massing and scale

- P3 Single storey detached and attached dwellings.
- P4 Two storey, attached dwellings.
- P5 Two storey, commercial development with parapets to the street.

#### Roofs

- P6 Pitched between 30 and 45 degrees with some use of parapets to the street, skillion roofs to rear extensions.

#### Materials

- P7 Walls: Timber weatherboards, sandstone face brick, rendered brick.
- P8 Roofs: Slate, terracotta tiles, corrugated metal.

#### Windows and doors

- P9 Mid to late Victorian, Federation and Edwardian. Timber

#### Fences

- P10 Low sandstone, brick and timber palisade. Metal palisade on sandstone plinths.

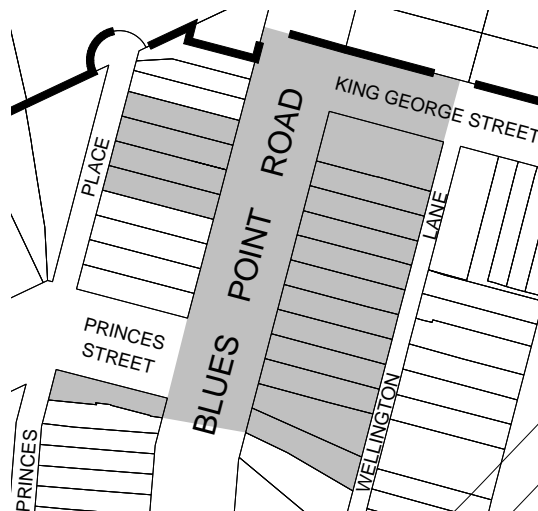
#### Car accommodation

- P11 Located off rear lanes.

### 9.7.7 Uncharacteristic elements

- P1 Modern infill development; painting of face brickwork; high fences to street; modern awnings to shops removal of traditional details, verandah infill, modernised facades, roof decks, over-scaled dormers, alterations to original roof form, advertising signage, garden paving.

### 9.7.8 Blues Point Village



#### Diversity

- P1 Predominantly mixed commercial and residential development.
- P2 Small scale shops or small scale shops with shop top housing at first floor level.
- P3 Development should be limited with no substantial increases in density.
- P4 Ground floor should be retained as shops or a similar use, to provide street level activity.

#### Subdivision

- P5 160m<sup>2</sup> – 350m<sup>2</sup>

#### Streetscape

- P6 Wide pavements to accommodate outdoor dining.
- P7 Awnings to street frontage elevations s over

#### Form, massing and scale

- P8 Generally 2 storey attached dwelling style buildings with ground floor shopfronts, gabled roof and first floor balcony.
- P9 Buildings have symmetrical facades.

#### Windows and doors

- P10 Buildings have double hung sash windows with a vertical emphasis.
- P11 Doors have two or four panels.

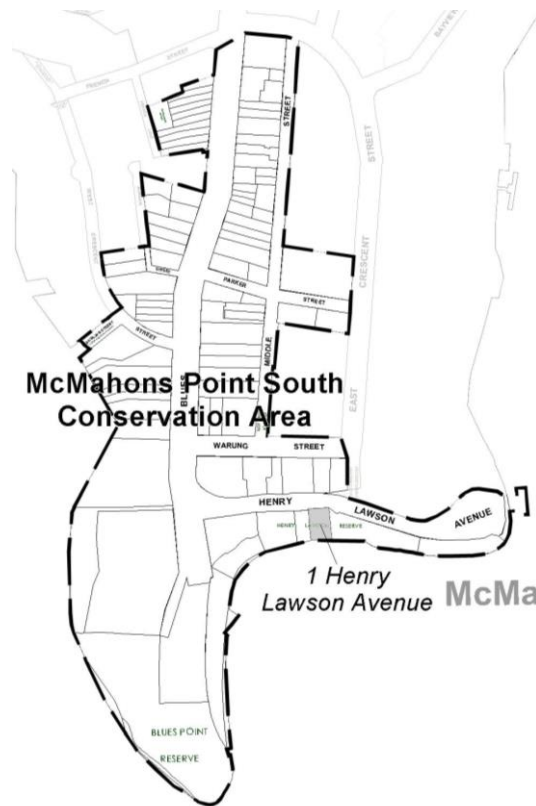
#### Materials, colours

- P12 Materials include face brick, sandstone or timber.

#### Car accommodation

- P13 Car spaces, garages, or carports are located at the rear of the property where rear lane access is available.

## 9.8 McMAHONS POINT SOUTH CONSERVATION AREA



### 9.8.1 History

Land in the McMahon's Point South Conservation Area was granted to William Blue in 1817 and remained in the family until the 1850s. The estate was then progressively subdivided, with the earliest developments occurring at the northern end.

Blues Point Road was one of the earliest roads in the district, being gazetted from 1839 as a thoroughfare from the ferry wharf to the St Leonards township (now North Sydney).

The middle and southern sections of the peninsula were subdivided by the 1870s. The foreshores were used for boat and ship building from Blues and McMahon's Point. A tramway was extended to McMahon's Point in 1909, further stimulating development, particularly along Blues Point Road.

### 9.8.2 Description

The topography of the locality slopes down from North Sydney towards Blues Point. Blues Point Road runs down the ridge to the Blues Point peninsula with the landform falling away on either side. There are expansive views down Sydney Harbour and towards the Sydney CBD, Berry's Bay and Balmain from the foreshore that is defined by an escarpment along the northern side of Henry Lawson Avenue.

Lot sizes in the area are generally large. There is a mix of architectural periods and styles in the mainly residential building stock. There are buildings from 1840s stone cottages to Federation dwelling houses and residential flat buildings and Inter-war buildings.

The buildings are typically small to moderate size with taller buildings on the higher ground and at the point and include group developments of attached dwellings and semi-detached dwelling houses. Some have rear lane access.

**Area Character Statements - Lavender Bay Planning Area**

Street trees include Jacarandas, mixed native species and the occasional palm, and are mature and substantial on the major streets. Front gardens supplement street plantings and give a sense of continuity between the side streets and Blues Point Road. Other urban elements such as stone retaining walls and rocky outcrops combine with avenue plantings to create a sense of place.

**Figure C-9.4 (left):**

Circa 1890

**Figure C-9.5 (below left):**

Circa 1943

**Figure C-9.6 (below right):**

Circa 2008

**9.8.3 Statement of Significance**

The McMahons Point South Conservation Area is significant:

- (a) For its connection to the early grant to William Blue and the Harbour crossing point at Blues Point, the early waterfront industry of Sydney Harbour, both of which can be interpreted by physical remnants.
- (b) As a mid 19<sup>th</sup> to early 20<sup>th</sup> century residential area with a mix of Victorian, Federation, 1920's and 1930's housing mixed with some Inter-war residential flat buildings.



#### 9.8.4 Significant elements

##### Topography

P1 Sloping down from the north towards Blues Point.

##### Subdivision

P2 Mostly rectilinear subdivision with boundary to street frontage.

##### Streetscape

P3 Sandstone kerbing and walls.

P4 Street trees are a key feature in Waiwera, Miller and Lavender Streets.

P5 Double rail timber fences.

##### Views

P6 Blues Point Reserve and Lloyd Rees lookouts: views to Lavender Bay and Sydney Harbour.

P7 Views to Berry's Bay via Dowling Street Lookout.

#### 9.8.5 Characteristic buildings

P1 Detached dwelling houses, semi-detached dwellings, attached dwellings, 20<sup>th</sup> Century residential flat buildings according to zone. Victorian, Federation and Inter-war period detailing.

#### 9.8.6 Characteristic built elements

##### Siting

P1 Forward on lot with larger rear garden.

P2 Consistent setbacks.

##### Form, massing and scale

P3 Detached and attached dwellings vertically proportioned with massing determined by historic subdivision pattern.

##### Roofs

P4 Pitched between 30 and 45 degrees with some use of parapets to the street, skillion roofs to rear extensions.

##### Materials

P5 High proportion of masonry or solid surfaces to glazed surfaces.

##### Windows, doors and joinery

P6 Timber frames windows and doors have traditional styles and proportions according to architectural style of the building.

P7 Face brick, terracotta tiles, corrugated metal, slate, timber joinery, sandstone base courses.

##### Fences

P8 Low, 900mm max. height (timber) or 1m (iron palisade).

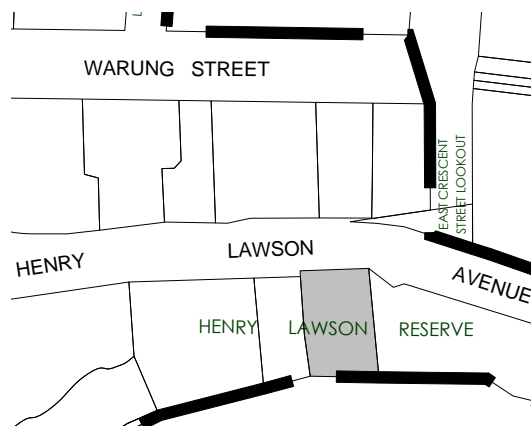
##### Car accommodation

P9 Car spaces or carports located off rear lanes.

### 9.8.7 Uncharacteristic elements

- P1 Post-war residential flat buildings and modern infill development; garages to front setback, roof lights and dormers in front and side roof pitches, removal of original detail, garden paving, verandah infills.

### 9.8.8 1 Henry Lawson Avenue



#### Diversity

- P1 To be purchased by the State government to complete the regional public open space network created along the entire southern foreshore of McMahon's and Blues Points.
- P2 The site is redeveloped with cognisance of the former use of the site.
- P3 Until the site is purchased for public use, the site may continue to be used as a boat building or repair facility with ancillary residential accommodation. No more than 50% of the gross floor area may be used for residential purposes and must be located above the ground floor level.

#### Form, massing and scale

- P4 Heritage listed slipways and sea walls to be retained.
- P5 A two to three storey form.

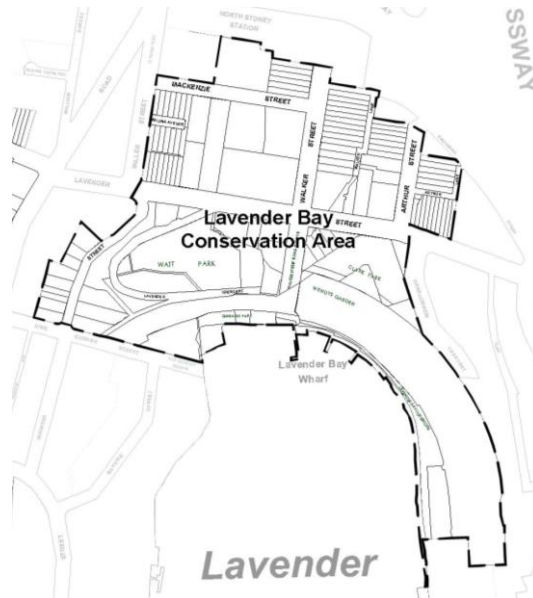
#### Setbacks

- P6 Front: 1m (minimum).
- P7 Rear: (to Sydney Harbour): 5.8m minimum.
- P8 Side: Non-residential component: 0m.  
Residential component: 1.5m minimum.

#### Colours and materials

- P9 Development uses muted colours and non-reflective materials, such as brick and timber to ensure that the scenic and environmental qualities are preserved.

## 9.9 LAVENDER BAY CONSERVATION AREA



### 9.9.1 History

The Lavender Bay Conservation Area includes land that was granted to William Blue in 1817 (south of Lavender Street), the Milson's grant (east of Walker Street) and the Crown's Township subdivision.

Land in the township area was dedicated to Christ Church, St Leonards in 1872, and to the Catholic Church and school, St Francis Xavier's that opened in 1881. Milson's land was mainly used as the grounds of "Brisbane House" and a section on the east side of Walker Street was subdivided in the 1870s.

John Carr acquired most of the land at the head of Lavender Bay from the Blue family in the 1850s. A number of large mansions were built including "Quiberee", "Neepsend" and "Hellespont". Some was later reserved for the construction of the railway in 1883, after which it was given over for parkland. Watt Park includes remnant plantings from the former gardens of these homes.

A public bathing reserve on the east side of the end of Walker Street became Clark Park in the early 20<sup>th</sup> century. A large portion of the waterfront was used as boat building and repair yards from the late 19<sup>th</sup> century to the late 20<sup>th</sup> century.

### 9.9.2 Description

The Lavender Bay Conservation Area is bounded by the commercial development to the north, the Sydney Harbour Bridge approaches and Lavender Bay.

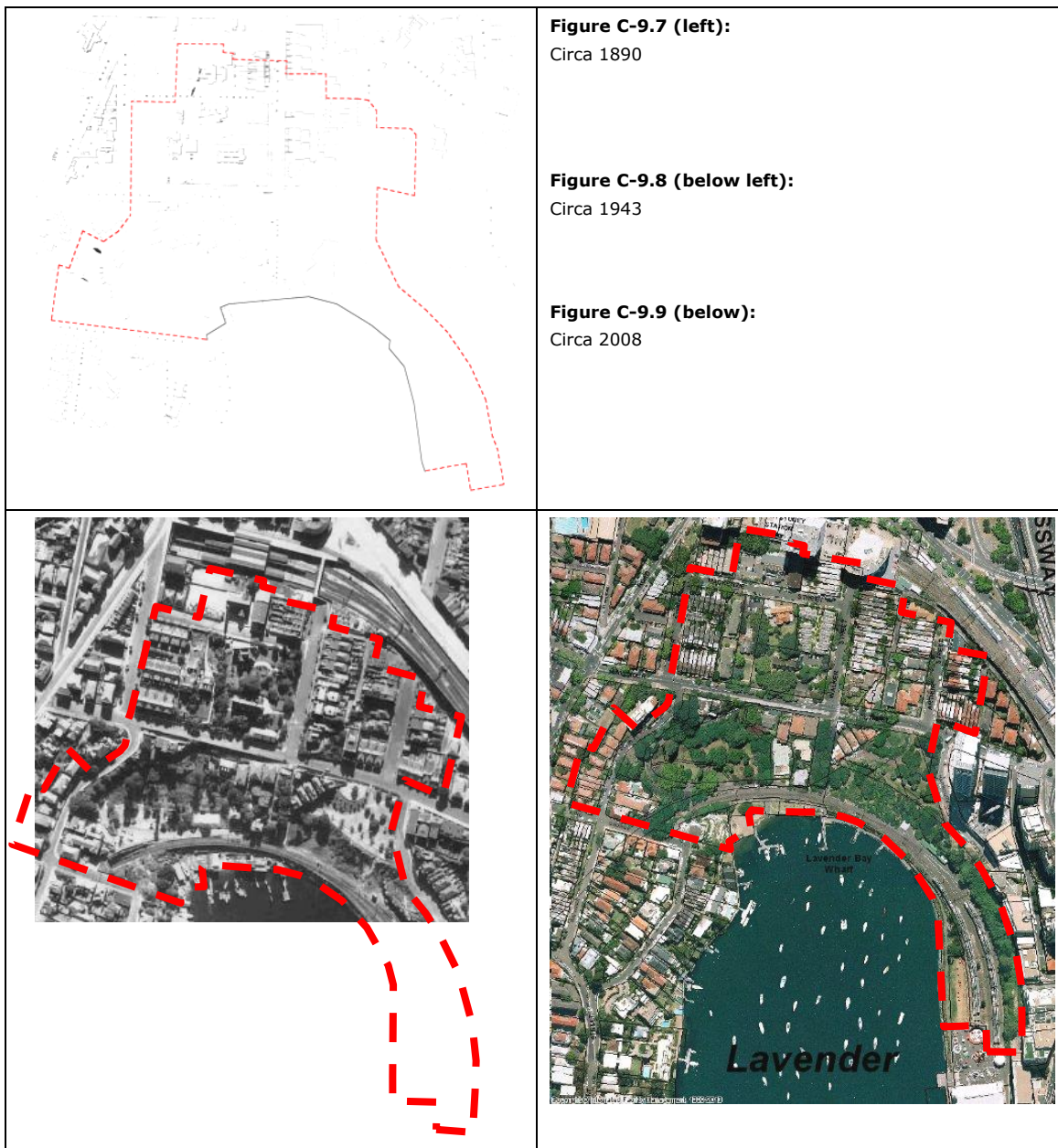
The landform is level to the north with a rock escarpment along Lavender Bay Road and a steep slope to the water. To the upper plateau the subdivision is determined by a grid pattern of wide streets and narrow rear lanes. Lot sizes vary and many are developed for attached dwellings. To the centre of the plateau are landscaped church sites. Below the escarpment the pattern is determined by the steep landform with its remaining Victorian estates overlaid with a network of steep, pedestrian steps and irregular cross paths.

The area is characterised by the Victorian development of Gothic and Romanesque churches and detached mansions down the centre of the area. There is an overlay of single, two and three storey attached dwellings to the upper level in the Victorian Free Classical, Victorian Italianate and Federation Arts and Crafts style. There are single storey cottages and Inter-war, Spanish Mission style flats. The railway viaduct and boardwalk provides a strong edge to the water side reserve.

**Area Character Statements - Lavender Bay Planning Area**

The elevated site provides extensive views to the south over Sydney Harbour and there are views up and down the pedestrian steps.

Front gardens contribute to the landscaping of the street. Gardens follow the slope of the site with stone walls to the street. There are street trees and a band of remnant Victorian plantings to the parks and gardens across the centre of the site.



### 9.9.3 Statement of Significance

The Lavender Bay Conservation Area is significant:

- (a) As a late 19<sup>th</sup> Century residential area with rare groupings of high quality, stepped terrace style housing on the slopes above Lavender Bay overlaid on religious and Victorian Mansion estates.
- (b) For the quality and collective significance of the buildings within the area.
- (c) For the natural topography of rock escarpments modified with steep pathways and sandstone retaining walls and the remnant Victorian plantings.



- (d) For the fine and extensive open space area along the foreshore of Lavender Bay which incorporates public walking paths around the waterfront and the railway viaduct constructions.
- (e) For the impressive and important views to Sydney Harbour from Watt and Clark Parks.

#### 9.9.4 Significant Elements

##### Topography

- P1 Upper plateau with slight falls to the south, rock escarpment and natural basin sloping down to Lavender Bay.

##### Subdivision

- P2 Large church sites and former mansion estates.
- P3 Rectilinear subdivision to upper level with long narrow lots with detached and semi-detached dwelling houses and attached dwellings.
- P4 Irregular subdivision to the lower slopes.
- P5 Unique subdivision pattern and private road in Wilona Avenue.

##### Streetscape

- P6 Street trees and stone walls align streets and paths.
- P7 Lanes have a low scale and service character.
- P8 Public parks to the lower slopes with sandstone features and walling.

##### Views

- P9 Harbourview Crescent Lookout, Clark Park Lookout, Arthur Street Lookout, Lower Walker Street Lookout, Waiwera Street Lookout.
- P10 Views to Sydney Harbour, Sydney CBD, Sydney Harbour Bridge from Lavender Street, Lavender Crescent, Waiwera Street, Watt and Clark Parks.

#### 9.9.5 Characteristic buildings

- P1 A mixture of:
- (a) Detached Victorian mansions;
  - (b) Victorian and Federation religious buildings; and
  - (c) Victorian and Federation detached, semi-detached dwelling houses and attached dwellings

#### 9.9.6 Characteristic built elements

##### Siting

- P1 Forward on lot with larger rear garden.
- P2 Consistent setbacks.

##### Form, massing and scale

- P3 Two storey detached houses.
- P4 Single, two and three storey with gabled roofs.
- P5 Skillion wings and reduced height and scale to rear.
- P6 Open verandahs to front. Houses in groups of identical design.
- P7 Strong skyline of simple, pitched roofs and chimneys visible from the street and rear lanes stepped along the sloping streets.

### Roofs

- P8 Pitched between 30 and 45 degrees with some use of parapets to the street.
- P9 Skillion roofs to rear extensions.
- P10 Brick and rendered chimneys.

### External Materials

- P11 Rendered brick and face brick on sandstone base.
- P12 Slate, terracotta tiles, corrugated metal roofs.
- P13 Original timber windows doors and decorative joinery.

### Windows and doors and external joinery

- P14 Victorian Federation and Edwardian. Timber.

### Fences

- P15 Original front fences.
- P16 Timber fences rear and side.
- P17 Sandstone plinths, sandstone piers, metal palisade and gates, timber pickets, timber rails and mesh, pipe and mesh gates, original face brick with piers.

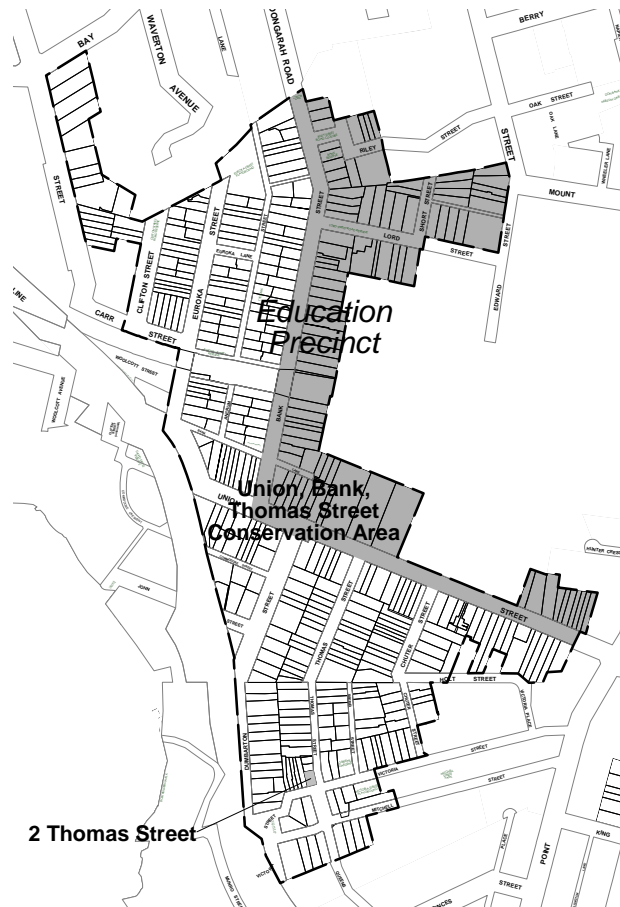
### Car accommodation

- P18 Located off rear lanes.

## 9.9.7 Uncharacteristic elements

- P1 Inter-War residential flat buildings; modern infill development; over-scaled additions; contemporary buildings with laneway frontages; over-scaled and poorly detailed carports and garages; front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

## 9.10 UNION, BANK, THOMAS STREET CONSERVATION AREA



### 9.10.1 History

The Union/Bank/Thomas Street Area is loosely contained within two residential subdivisions of the mid-nineteenth century. The land on the south side of Union Street was part of the William Blue grant, inherited by his daughter Susannah, and subdivided c. 1859 by her husband, William Chuter.

Land on the northern side of Union Street was granted to Thomas Walker who later sold it to Edwin Sayers. Sayers built *Euroka Villa* on the Graythwaite site in Union Street. The western facing slopes of Sayer's land was subdivided during the construction of the railway in two phases, first during the 1890s and again in the 1930s. Despite the railway intrusion, the area retains its nineteenth century buildings and streetscape form.

The area experienced significant upheaval during the construction of the railway in two phases, first during the 1890s and again in the 1930s. Despite the railway intrusion, the area retains its nineteenth century buildings and streetscape form.

### 9.10.2 Description

The Union, Bank Thomas Street Conservation Area is bounded to the east by the North Sydney Commercial area where the land rises to the crest of North Sydney and to the west by the railway line along the foreshore of Berry's Bay.

The areas on either side of Union Street have distinct characters within the Conservation Area. The subdivision pattern is irregular to the south of Union Street reflecting the topography and street pattern with various street widths reflecting different phases of development. The subdivision pattern is more regular to the north of Union Street reflecting the flatter topography. The area has a close subdivision pattern, with cross streets and

**Area Character Statements - Lavender Bay Planning Area**

laneways that give a dense, urban texture. The area is characterised by long north/south streets, with streets north of Union Street running mostly across the steeply graded contours.

Characteristic buildings of the area include 19<sup>th</sup> and early 20<sup>th</sup> century cottages, including attached, semi-detached and detached houses. The buildings are typically one to two storeys on small lots interspersed with pockets of larger, two storey Victorian terraces, early 20<sup>th</sup> century housing, and three storey Inter-war residential flat buildings.

A range of architectural styles are represented in the Conservation Area, including Victorian Georgian, Victorian Regency, Victorian Filigree, Victorian Italianate, Federation Queen Anne and Federation Arts and Crafts, most of which are interpreted in a simplified manner.

There are pocket parks and lookouts distributed throughout the area. The townscape character is also defined by regular, processional planting in the street reserves, and by extensive use of stone elements within streets and street formations.

The topography of the locality facilitates expansive views down streets running south off Union Street, including Dumbarton and Thomas Streets.

	<p><b>Figure C-9.10 (left):</b> Circa 1890</p> <p><b>Figure C-9.11 (below left):</b> Circa 1943</p> <p><b>Figure C-9.12 (below right):</b> Circa 2008</p>
	



### 9.10.3 Statement of Significance

The Union, Bank, Thomas Street Conservation Area is significant:

- (a) As the largest area of mid to late Victorian buildings in the North Sydney area including a substantial number of individually significant buildings, groups of buildings and unique streetscapes in the local context.
- (b) For the clarity of its subdivision history that is still clearly seen in variations of road widths between sections of streets and changes of directions of the subdivision pattern in response to the subdivision of earlier estates.
- (c) For the way development has responded to the topography through stepped building forms and excavation in some locations.
- (d) For its fine streetscapes with intact rows of Victorian residences, especially in Thomas, Union and Chuter Streets.
- (e) For its relatively large number of surviving timber residences.

### 9.10.4 Significant elements

#### Topography

P1 Area slopes to the west with escarpments to the north.

#### Subdivision

P2 Irregular subdivision to the south of Union Street with boundary to street frontage.

P3 Mostly rectilinear subdivision to the north of Union Street with boundary to street frontage.

P4 Restricted lot sizes.

#### Streetscape

P5 Varying width streets following the contours or slopes.

P6 Sandstone retaining walls and kerbing.

P7 Double rail timber fences.

#### Views

P8 Dumbarton Street lookout, Commodore Crescent lookout, Lord Street lookout.

P9 Dumbarton Street, Commodore Street, John Street: views to Berry's Bay.

P10 Slot views over and between buildings throughout area.

### 9.10.5 Characteristic buildings

P1 A mixture of:

- (a) 19<sup>th</sup> and early 20<sup>th</sup> Century cottages, including attached, semi-detached and detached single storey dwellings in the Victorian Georgian, Victorian Regency, Victorian Filigree, Victorian Italianate.
- (b) Two storey, Victorian Filigree, Victorian Italianate attached dwellings
- (c) Early 20<sup>th</sup> Century single and two storey Federation Queen Anne and Federation Arts and Crafts housing.
- (d) Three storey Inter-war residential flat buildings.

### 9.10.6 Characteristic building elements

#### Siting

P1 Forward on lot with larger rear garden.

P2 Consistent setbacks

**Form, massing and scale**

P3 Single and two storey, detached and semi-detached dwellings with verandahs.

P4 Two and three storey attached dwellings with front verandahs.

P5 Rear additions behind and below the ridge line, submissive in scale.

**Roofs**

P6 Pitched between 30 and 45 degrees with some use of parapets to the street, skillion roofs to rear extensions.

P7 Hipped and gabled roofs to cottages; projecting gables to street.

P8 Stone, brick and rendered brick chimneys.

**Materials**

P9 Walls: Sandstone; weatherboards; face brick and rendered masonry on sandstone bases.

P10 Roofs: Slate; corrugated metal; terracotta tiles.

**Windows and doors**

P11 Original Victorian, Federation and Edwardian.

**Fences**

P12 Low stone, brick and rendered walls.

P13 Metal palisade on low stone plinths.

P14 Timber picket fences.

**Car accommodation**

P15 Located off rear lanes.

P16 Single car parking in modest structures.

**9.10.7 Uncharacteristic elements**

P1 Over-scaled additions; Carports and garages to front of lot; dormers and conditions to front and side roofs; removal of original details; painting and rendering of face brickwork; high fences to street; inappropriate fence details; paving of gardens.

**9.10.8 Future built elements**

P1 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.

P2 Educational establishments must address and activate public domain areas including streets, pedestrian links, laneways and public spaces.



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## SECTION 10 WAVERTON / WOLLSTONECRAFT PLANNING AREA

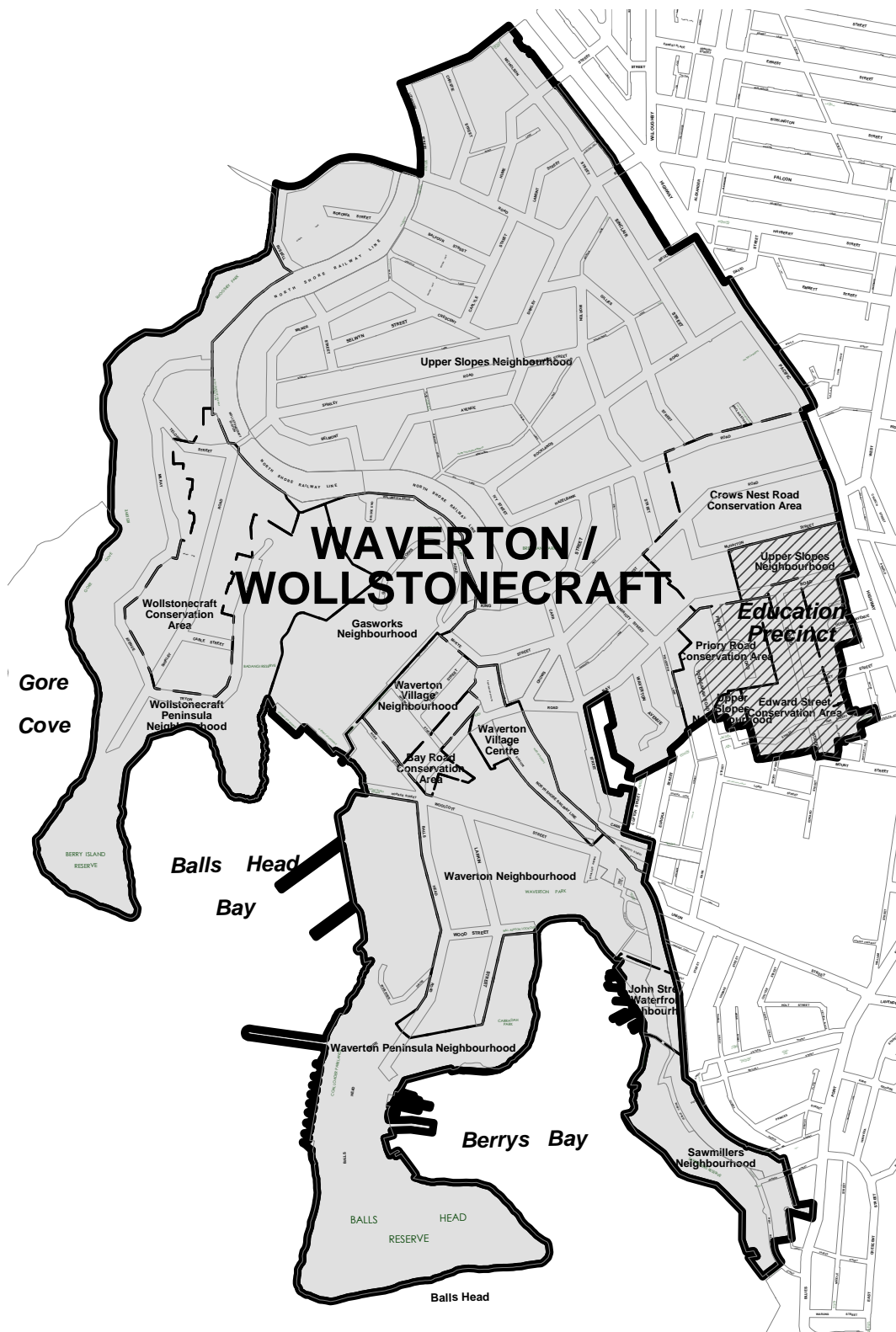


Figure C-10.1: Waverton / Wollstonecraft Planning Area and associated Locality Areas

## 10.0 WAVERTON / WOLLSTONECRAFT PLANNING AREA CHARACTER STATEMENT



The following statement identifies the existing character and the desired future outcome for development in the Waverton/Wollstonecraft Planning Area.

The Planning Area generally comprises a diverse residential neighbourhood ranging from low density residential development adjacent to the foreshore areas of Sydney Harbour to high density residential development generally on the upper slopes and in close proximity to railway stations. The suburbs of Waverton and Wollstonecraft essentially align with the two ridges/peninsulas that project out into Sydney Harbour. The Area is also physically divided by the North Shore Railway line. Both neighbourhoods are in a pleasant setting, as a result of buildings being setback from boundaries, onsite landscaping, street trees and strong links to Sydney Harbour.

A large portion of the Education Precinct is located in the Planning Area, which consists of landmark educational establishments such as the Australian Catholic University (ACU), the Sydney Church of England Grammar School (Shore) and North Sydney Demonstration School and supports a growing student population and workforce of teaching and support staff.

The foreshores of the Planning Area are generally protected from development by recreational and bushland buffers, with the minor exception of maritime industrial activities which are reliant on a land-water interface.

Development within the Planning Area, should result in:

- residential growth being provided in accordance with Council's Residential Development Strategy, predominantly comprising attached dwellings, multi dwelling housing and residential flat buildings in the appropriate zones
- redevelopment of sites respects the existing built form and maintains the character of the area. This includes any alterations and additions to existing buildings
- a wide range of residential types being distributed in a number of distinctive built forms and landscape areas, including purpose built student accommodation to support the functioning of the Education Precinct.

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

- local shops cater to the local community and are balanced between basic needs of food and grocery, and social needs- such as cafes and galleries
- a vibrant and engaging Education Precinct with safe pedestrian networks, high quality built form and a range of formal and informal public spaces for students to study, socialise and engage with the local community.
- future maritime uses having a minimal impact on residential amenity
- features contributing to local identity are promoted and conserved

and where,

**Function**

- a community centre being provided in an accessible location in the Waverton Neighbourhood, provides a meeting place for the local community and is part of North Sydney's network of community and cultural centres
- a limited number of non-residential uses such as maritime industrial, defence, hospital and educational establishments coexist peacefully with the residential character without adverse effect
- large areas of open space are used by local residents and the wider regional population for a variety of social and recreational needs
- comfortable and safe pedestrian routes are maintained and extended to achieve a continuous route from Smoothery Park to Waverton Park and on to McMahon's Point
- public transport, cycling and walking are the preferred means of transport
- through traffic is discouraged from using the already overloaded road network and commuter parking managed through parking schemes

**Environmental Criteria**

- the remaining natural foreshores and water courses are conserved and protected, and pedestrian access to these is extended and improved
- bushland is protected from the adverse effects of development – such as stormwater runoff, spread of introduced plants and weeds, and visual impact of structures
- use of local flora extends habitats for native birds and other fauna
- mechanical noise and other industrial noise is controlled, to protect the ambience of natural features

**Quality Built Form**

- any development reflects and reinforces the existing distinctive built form/landscape areas and distribution of accommodation types
- cohesiveness is achieved in the area and through landscaping and street tree planting
- development in foreshore areas is carefully designed to consider the existing topography and not disrupt views from neighbouring properties
- significant views from lookouts and other vantage points are not obscured by structures or landscaping
- man-made features such as the railway cutting at Waverton Station and the tank cuttings on the BP site are maintained as local landmarks important to the community
- educational establishments are oriented to the public domain to provide increased surveillance and activation



**Quality Urban Environment**

- backyards are used for a variety of activities particularly for families with children and for the practical and recreation needs of residents in apartments

**Efficient Use of Resources**

- existing buildings are maintained to prevent unnecessary waste of building materials
- stormwater is retained for reuse on-site

**Public Domain**

- streetscape improvements within the Education Precinct occur in accordance with the *North Sydney Centre Public Domain Strategy* and the *Education Precinct Public Domain Masterplan*

In addition to the above character statement for the Planning Area, the relevant character statement for the following Locality Areas also requires consideration:

- Section 10.1: Waverton Village Centre
- Section 10.2: Upper Slopes Neighbourhood
  - Section 10.2.4 Newlands Lane Open Space Area
- Section 10.3: Wollstonecraft Peninsula Neighbourhood
  - Section 10.3.4 12 Shirley Road
- Section 10.4: Gasworks Neighbourhood
- Section 10.5: Waverton Village Neighbourhood
- Section 10.6: Waverton Neighbourhood
- Section 10.7: Waverton Peninsula Neighbourhood
  - Section 10.7.4 HMAS Waterhen – Upper Terrace
  - Section 10.7.5 Former Quarantine Depot
  - Section 10.7.6 Former Woodleys Boatyard
- Section 10.8: John Street Waterfront Neighbourhood
- Section 10.9: Sawmillers Neighbourhood
- Section 10.10: Wollstonecraft Conservation Area
- Section 10.11: Crows Nest Road Conservation Area
- Section 10.12: Edward Street Conservation Area
- Section 10.13: Priory Road Conservation Area
- Section 10.14: Bay Road Conservation Area

## 10.1 WAVERTON VILLAGE CENTRE



### 10.1.1 Significant Elements

#### Land Use

P1 Predominantly mixed commercial and residential development.

#### Topography

P2 Moderate falls to the south.

P3 Large vertical cutting through sandstone to accommodate railway line.

#### Natural Features

P4 Wakelin Reserve maintained as public park.

P5 Creekline into Wakelin Reserve is conserved.

#### Views

P6 The following views and vistas are to be preserved and where possible enhanced:

- (a) Unobstructed views, from the Bay Road Bridge, of the railway cutting, tunnel and cliff face.
- (b) Vistas towards Balls Head and water views along Balls Head Road.
- (c) Views toward Railway Station building from Bay Road and Crows Nest Road.
- (d) Views from Wakelin Reserve towards Sydney Harbour.

#### Identity / Icons

P7 North Shore railway line.

P8 Waverton Railway Station

#### Subdivision

P9 Irregular subdivision pattern.



### **Streetscape**

- P10 Paved street verges.
- P11 Buildings built to the boundary.
- P12 Continuous awnings to the southern side of Bay Road.

### **Public transport**

- P13 Development is to take advantage of the high levels of accessibility to public train and bus services.

## **10.1.2 Desired Future Character**

### **Diversity**

- P1 Predominantly mixed-use development with retail and commercial premises on ground floor (fronting Bay Road), non-residential or residential accommodation on the first floor, and residential above.
- P2 A community centre is established over the SRA land to the south of the Bay Road.
- P3 Development to the north of Bay Road is to comprise a small commercial building set back from Bay Road in a large landscaped open area and used for a plant nursery, café, or childcare.

### **Access**

- P4 Pedestrian access is provided from Bay Road through to Carr Street.

## **10.1.3 Desired Built Form**

### **Subdivision**

- P1 No further subdivision of land north of Bay Road.

### **Form, massing and scale**

- P2 One storey to the north of Bay Road.
- P3 To the south of Bay Road:
  - (a) One to two storeys at the Bay Road frontage.
  - (b) Any additional storeys are set back at least 6m from the Bay Road frontage above the second storey with little impact on views, overshadowing and privacy.
- P4 Building bulk and facades are articulated providing gaps for natural light and direct sunlight to penetrate onto Waverton Station platforms.
- P5 Where possible, the building to the north of Bay Road should be retained in its current form.

### **Siting**

- P6 Building sited to maintain access to North Shore Railway.
- P7 Views from Wakelin Reserve, surrounding residential properties, and solar access (particularly to Waverton Station platforms), considered when siting building.
- P8 Development to the north of Bay Road is to be located towards the street frontage of the block, with large side and rear yards.

### **Setback**

- P9 To the north of Bay Road:
  - (a) Front: 5m.
  - (b) Side: 3m.
  - (c) Rear: 20m.

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

P10 To the south of Bay Road:

- (a) Front: 0m.
- (b) To Wakelin Reserve: 3m minimum.
- (c) Setbacks from boundaries that adjoin or are near residential properties and areas of open space land, are maintained to protect the amenity of that land.

**Solar Access**

P11 Dwellings and ground level retail plaza of Waverton Station north east side of 100 Bay Road have good solar access.

**Fences**

P12 Buildings and front gardens to the north of Bay Road are seen through and over front fences.

**Car accommodation**

P13 Emergency vehicle access is provided to the North Shore railway line.

P14 Parking is located underground

P15 Only one access point is provided from Bay Road adjacent to Wakelin Reserve to the SRA Land south of Bay Road.

## 10.2 THE UPPER SLOPES



### 10.2.1 Significant Elements

#### Land Use

- P1 Diverse range of low, medium and high density residential accommodation.
- P2 Passive and active recreational spaces.
- P3 Educational establishments.
- P4 Health services facilities.

#### Topography

- P5 Generally falls from the ridge following the Pacific Highway down to the south-west.

#### Natural Features

- P6 Remnant bushland in Smoothey Park.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Vistas to Sydney Harbour along Crows Nest Road are maintained.
  - (b) Remaining views from Brennan Park are maintained.

#### Identity / Icons

- P8 Mater Hospital.

- P9 Bradfield College.
- P10 North Sydney Demonstration School.
- P11 Pacific Highway, a major regional thoroughfare.
- P12 North Shore railway line.
- P13 Brennan Park.
- P14 Smoothey Park.

#### Subdivision

- P15 A diverse mixture of allotment sizes and shapes reflective of the street alignments which follow the undulating topography of the land.

#### Streetscape

- P16 Wide streets with trees set into the carriageway.
- P17 Grass verges and concrete paths.
- P18 Buildings setback and generally aligned with the street frontage.
- P19 Low masonry fences.
- P20 Garages built to the boundary along the southern side of Rocklands Road and set into the slope of the land.

#### Public transport

- P21 Development is to take advantage of the high levels of accessibility to public train and bus services.

### 10.2.2 Desired Future Character

#### Diversity

- P1 Predominantly residential accommodation, comprising
  - (a) Residential flat buildings on garden lots, according to zone.
  - (b) Attached dwellings and multi dwelling housing, according to zone.
  - (c) Dwelling houses and dual occupancies, particularly in the Balfour and Carlyle Street area.
  - (d) Rows of semi-detached housing in Sinclair Street.
- P2 Supporting community facilities such as educational establishments and health care facilities.
- P3 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.

### 10.2.3 Desired Built Form

- P1 Development in the form of residential flat buildings and multi dwelling housing in the relevant zones.
- P2 Educational development on the Bradfield College land is residential in scale, similar to attached dwellings and smaller residential flat buildings – with bulk and scale of larger buildings broken down into a number of elements.
- P3 Educational establishments must address and activate the public domain areas including streets, pedestrian links, laneways and public spaces.

## 10.2.4 Newlands Lane Open Space Area



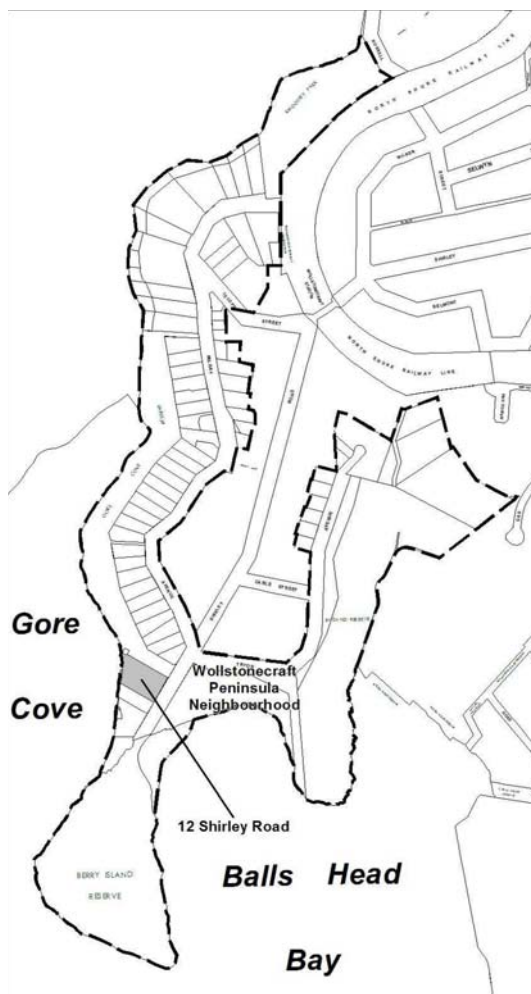
### Objectives

- O1 Development should maintain the established open landscaped setting provided by the area.
- O2 Development should maintain the established scenic, environmental and cultural qualities of Newlands Lane.
- O3 Restrict development within the open space area subject area to works relating to the provision of landscaping or open space.
- O4 Development should encourage a native bushland setting.

### Provisions

- P1 Development should not be undertaken in the open space building line area identified by shading in the figure to this section.
- P2 Fences of a height of no more than 900mm may be permitted.

## 10.3 WOLLSTONECRAFT PENINSULA NEIGHBOURHOOD



### 10.3.1 Significant Elements

#### Land Use

- P1 Residential accommodation.
- P2 Passive and recreational spaces.

#### Topography

- P3 Generally falls from the ridge following Shirley Road down to the foreshores of Balls Head Bay and Gore Cove.
- P4 Steep topography in the vicinity of the shoreline.

#### Natural Features

- P5 Wetlands in the form of Coastal Saltmarsh along the foreshores of Gore Cove (refer to Section 15 – *Bushland* to Part B of the DCP).
- P6 Remnant natural shorelines.
- P7 Remnant bushland adjacent to the foreshore.

#### Views

- P8 The following views and vistas are to be preserved and where possible enhanced:



- (a) District views to Sydney Harbour.
- (b) Bridge End Lookout (110), Tryon Avenue Lookout (111), Berry Island Lookouts (112-114), Gore Cove Track Lookouts (115).

**Identity / Icons**

- P9 Berry Island Reserve.
- P10 Badangi Reserve.
- P11 Gore Cove bushland and wetlands.
- P12 Former Gas Works site.
- P13 Gore Cove.
- P14 Balls Head Bay.

**Subdivision**

- P15 Irregular grid subdivision reflective of the streets following the topography.

**Streetscape**

- P16 Buildings setback from the boundary with a skewed alignment to respective street frontages.
- P17 Split carriageways, raised verges and double rail timber fences.
- P18 Remnant sandstone guttering.
- P19 Brick and sandstone retaining walls built to the street alignment on the high side.

**Public transport**

- P20 Development is to take advantage of the high levels of accessibility to public train services.

**10.3.2 Desired Future Character**

**Diversity**

- P1 Predominantly low density residential accommodation comprising of detached dwelling houses.
- P2 Development should generally not result in any significant increase in dwelling density.
- P3 Maintaining and enhancing existing public foreshore spaces.

**Access**

- P4 Providing continuous public access along the foreshores of Gore Cove and Balls Head Bay.

**10.3.3 Desired Built Form**

**Form massing and scale**

- P1 Bungalow style to some large "mansion" style dwellings.
- P2 Buildings generally of brick and tile construction within a landscaped setting.
- P3 Development on sloping sites to follow topography of the land.
- P4 Development should be designed to not water disrupt the views from neighbouring properties.



#### 10.3.4 12 Shirley Road



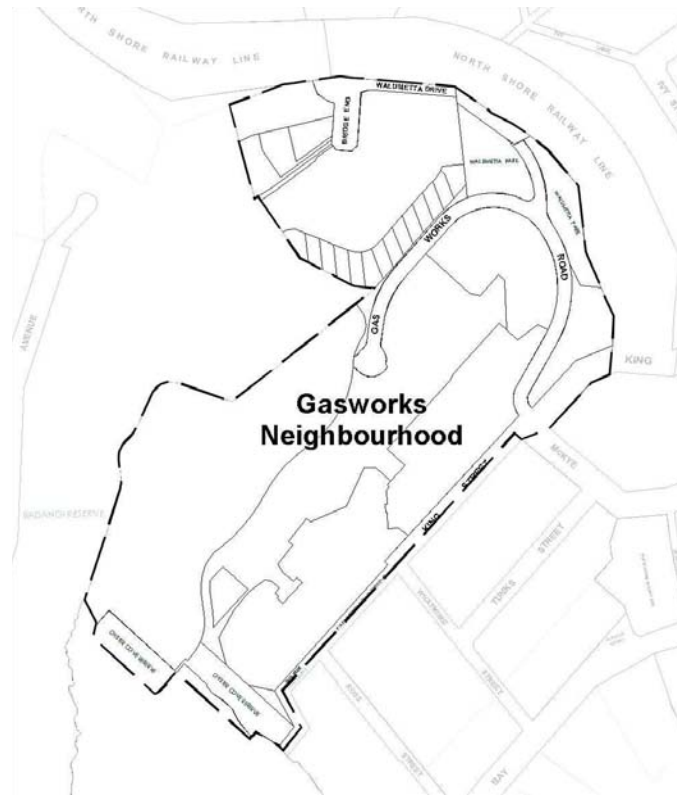
##### Objectives

- O1 To provide continuous public foreshore access along the length of Wollstonecraft Peninsula

##### Provisions

- P1 Once the entire site ceases to be used by the State government (Department of Primary Industries) as a research station for fisheries purposes, land directly adjacent to the foreshore of Gore Cove is to be handed back to the general public to enable continuous public access across the entire length of the Gore Cove foreshore.

## 10.4 GASWORKS NEIGHBOURHOOD



### 10.4.1 Significant Elements

#### Land Use

- P1 High density residential accommodation.
- P2 Passive and active recreational spaces.

#### Topography

- P3 Steep falls south-west to the foreshore, with flatter areas adjacent to the foreshore.
- P4 Vertical man-made sandstone cliffs.

#### Natural Features

- P5 Balls Head Bay.

#### Views

- P6 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Views to Balls Head Bay and beyond.
  - (b) Bridge End Lookout (110), Tryon Avenue Lookout (111), Berry Island Lookouts (112-114), Gore Cove Track Lookouts (115).

#### Identity / Icons

- P7 Former gasworks buildings.
- P8 Balls Head Bay.
- P9 Sandstone cliffs.

#### Subdivision

- P10 Large consolidated allotments and strata subdivision.

### Streetscape

- P11 Wide streets, with no on-street parking
- P12 Grassed verges.
- P13 Buildings setback from the boundary with a skewed alignment to respective street frontages.

### Public transport

- P14 Development is to take advantage of the high levels of accessibility to public train services.

## 10.4.2 Desired Future Character

### Diversity

- P1 Predominantly residential flat buildings.

### Foreshore

- P2 Retain and enhance public access across foreshore areas.

## 10.4.3 Desired Built Form

- P1 Future development of should maintain the existing character of the area with no substantial increase in density.
- P2 Development to step down to follow topography of the land.
- P3 Development should be designed to not disrupt water views from neighbouring properties.

## 10.5 WAVERTON VILLAGE NEIGHBOURHOOD



### 10.5.1 Significant Elements

#### Land Use

- P1 Predominantly residential development.
- P2 Limited mixed commercial and residential development and community facilities.

#### Topography

- P3 Gentle falls to the south-west between McKye Street and Whatmore Street
- P4 Steep falls to the south-west between Whatmore Street and Ross Street.

#### Views

- P5 The following views and vistas are to be preserved and where possible enhanced:
  - (a) From the end of Tunks Street to Sydney Harbour and beyond.
  - (b) McKye Street Lookout (95), King Street Lookout (96).

#### Identity / Icons

- P6 Former gas works site.

#### Subdivision

- P7 Generally 400 - 460m<sup>2</sup>.
- P8 Long narrow allotments.

#### Streetscape

- P9 Tall sandstone retaining walls built to street alignment.
- P10 Low masonry, stone and picket fences.
- P11 Buildings setback from the boundary with a skewed alignment to respective street frontages.

P12 Grass verges, concrete footpaths and street trees.

**Public transport**

P13 Development to take advantage of high levels of access to public train and bus services.

**10.5.2 Desired Future Character**

**Diversity**

P1 Predominantly low density residential accommodation comprising dwelling houses, semi-detached dwellings, dual occupancies.

P2 Development should generally not result in any significant increase in dwelling density.

**10.5.3 Desired Built Form**

**Form, massing and Scale**

P1 Generally one storey with potential for a second storey set into the fall of the land.

P2 Where possible, any extensions should be contained within a one storey roof-line.

**Car accommodation**

P3 On-street or to the side where width of lot permits.

P4 No onsite parking structures forward of front building line, except along the northern side of Ross Street, but only where it is set into the fall of the land and hidden from view.

## 10.6 WAVERTON NEIGHBOURHOOD



### 10.6.1 Significant Elements

## Land Use

- P1 Diverse range of residential accommodation.  
P2 Passive and active recreational spaces.

## Topography

- P3 Gentle falls to the foreshores of Berrys Bay.
- P4 Wide flat areas adjacent to Berrys Bay.
- P5 Steep falls from Ross Street to Balls Head Bay.
- P6 Flat areas following the ridge along Balls Head Road.

## Natural Features

- |     |                                                                    |
|-----|--------------------------------------------------------------------|
| P7  | Berrys Bay.                                                        |
| P8  | Balls Head Bay.                                                    |
| P9  | Natural shoreline topography and bushland adjacent Balls Head Bay. |
| P10 | Significant stands of mature trees within Waverton Park.           |
| P11 | Carradah Park.                                                     |
| P12 | HMAS Waterhen.                                                     |

## Views

- P13 The following views and vistas are to be preserved and where possible enhanced:
- (a) District views to Sydney CBD, Sydney Harbour and beyond.

- (b) Views to Iron Cove Bridge from Balls Head Road.
- (c) Waverton Park Lookout (98), Will Ashton Lookout (99), Balls Head Lookouts (100 -109).

#### Identity / Icons

- P14 North Shore railway line.
- P15 Coal Loader and former BP oil tank cut outs.
- P16 Waverton Park.
- P17 Berrys Bay.
- P18 Balls Head Bay.

#### Subdivision

- P19 Irregular grid pattern reflective of the streets aligning with the topography.

#### Streetscape

- P20 Low fences to Balls Head Road, with high fences to other road frontages.
- P21 Buildings setback from the boundary with a skewed alignment to respective street frontages.

#### Public transport

- P22 Development is to take advantage of the high levels of accessibility to public train and bus services.

### 10.6.2 Desired Future Character

#### Diversity

- P1 Dwelling houses on the upper portions of the ridge of Waverton Peninsula.
- P2 Multi dwelling housing and residential flat buildings on Woolcott and Ross Streets.

#### Access

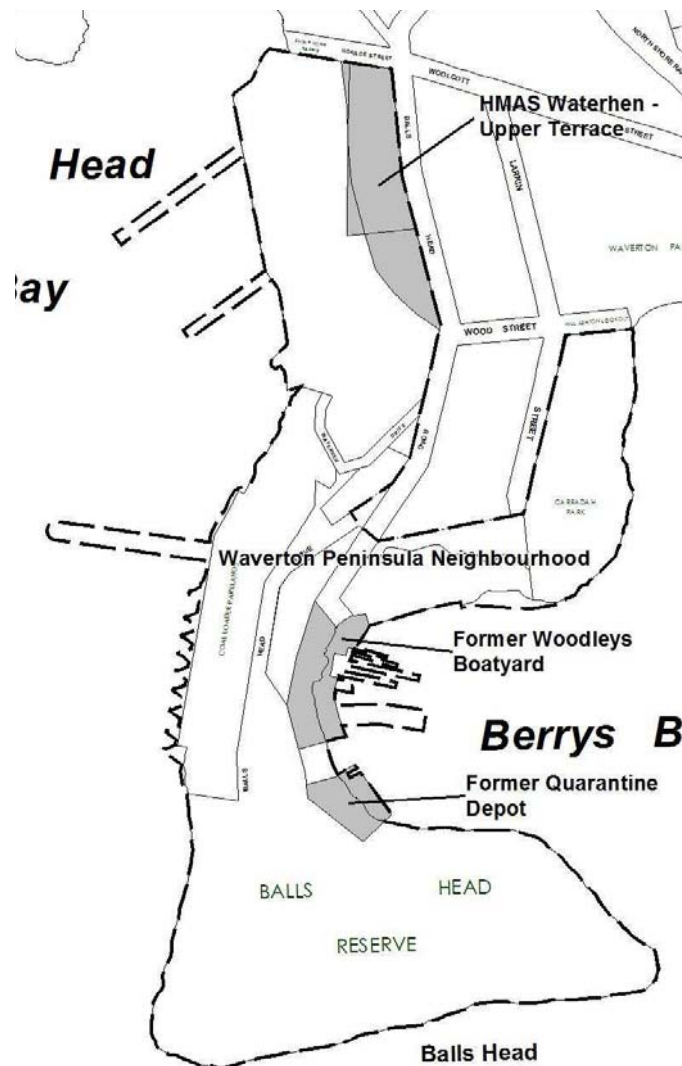
- P3 Providing continuous public access along the foreshores of Balls Head Bay and Berrys Bay.

### 10.6.3 Desired Built Form

#### Form, massing and scale

- P1 Low density and scaled development located along the ridge tops of the Area with higher density development located elsewhere.

## 10.7 WAVERTON PENINSULA NEIGHBOURHOOD



Where relevant, consideration needs to be given to the requirements of the Waverton Peninsula Masterplan, prepared under the provisions of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The provisions under the Masterplan take precedence over the provisions contained within the LEP and DCP.

### 10.7.1 Significant Elements

#### Land Use

- P1 Passive and active recreation.
- P2 Community facilities and services.
- P3 Maritime based industrial development.

#### Topography

- P4 Steep falls from the ridge along Balls Head Road and Balls Head Drive down to the foreshores of Sydney Harbour.
- P5 Substantial terracing in the vicinity of former and current maritime industrial activities.

### Natural Features

- P6 Remnant natural shoreline areas.
- P7 Remnant bushland in Balls Head Reserve.

### Views

- P8 The following views and vistas are to be preserved and where possible enhanced:
  - (a) Views from the end of Larkin Street, from the rock outcrop towards the Sydney CBD, Sydney Harbour and Parramatta River.
  - (b) Views through the Area from streets, adjoining open space and nearby residences.
  - (c) Horace Street Lookout (97).
  - (d) Significant public views of Iron Cove and the Parramatta River from Horace Street, Balls Head Road and the cliff top.

### Identity / Icons

- P9 Tank cuttings on the former BP site.
- P10 Balls Head Reserve.
- P11 HMAS Waterhen.
- P12 The Coal Loader.
- P13 Carradah Park.
- P14 Berrys Bay.
- P15 Balls Head Bay.

### Subdivision

- P16 Generally 1ha or greater.

### Streetscape

- P17 Remnant sandstone guttering.
- P18 Informal streetscapes.
- P19 Buildings setback from the boundary with a skewed alignment to respective street frontages.

### Public transport

- P20 Development is to take advantage of the high levels of accessibility to public train and bus services.
- P21 Potential to accommodate new ferry services.

## 10.7.2 Desired Future Character

### Diversity

- P1 Maintained and enhanced passive recreational spaces.
- P2 Community based activities within existing recreational spaces.
- P3 Maintaining a working harbour with maritime based industrial, commercial and recreational buildings and structures, hard stand, wharves and jetties, administrative buildings, car parking.

### Access

- P4 Enhanced continuous public access along the foreshores.



### 10.7.3 Desired Built Form

#### Siting

- P1 Maritime buildings are predominantly located against the cliff with a setback from the cliff for access and maintenance.
- P2 Areas adjacent to the foreshore are generally free of buildings.
- P3 Buildings are sited to avoid obstructing public view corridors to Iron Cove and the lower reaches of the Parramatta River and views to Sydney Harbour.

#### Form, massing and scale

- P4 Generally 1-3 storeys.
- P5 The height of buildings is generally kept below cliff lines where possible on low terraces adjoining the foreshore.
- P6 Building height is minimised to preserve public and private views.
- P7 Generally monolithic structures..
- P8 Large open areas including landscaping and hard stand areas.
- P9 Buildings follow the natural topography of the land enhancing the scenic qualities of the foreshores.
- P10 Power lines are underground minimising visual clutter.

#### Colours and Materials

- P11 Modern, lightweight materials.
- P12 Muted colours to minimise the visual impact when viewed from the Harbour.

#### Roof

- P13 Flat or curved.
- P14 Flat roofs to preserve views where appropriate.
- P15 Buildings on the upper terrace to HMAS Waterhen fronting Balls Head Road have a similar roof form to those on the eastern side of Balls Head Road.

#### Fences

- P16 Retention of existing sandstone fences and walls.
- P17 Transparent fences (minimum 80%) screened with landscaping.

#### Car accommodation

- P18 Onsite parking area close to Balls Head Road, to be screened from public view with landscaping.

#### Traffic management

- P19 A traffic report is to be submitted with all development applications which are likely to result in an increase in vehicular traffic. The report is to demonstrate that:
  - (a) additional traffic flows from the development is safely accommodated on existing local streets.
  - (b) the environmental capacity of roads west of the Pacific Highway (including Bay, Crows Nest Hazelbank Roads and Woolcott Street) leading to the Waverton Peninsula has been satisfactorily investigated.

### 10.7.4 HMAS Waterhen - Upper Terrace



The site is currently used by Defence as a secure car park and storage compound. The community is opposed to the intensification of any other Defence functions onto this site and desires a buffer between the primary Defence functions adjacent to the foreshore and residential development on the opposite side of Balls Head Road. The community would prefer that the site ultimately becomes future public open space to provide that buffer. However, if the site is redeveloped for Defence purposes, the following provisions outline the preferred outcome if the site is redeveloped. The principle aim is to ensure that any development is appropriate in scale to the site and nearby homes.

#### Diversity

- P1 Low intensity Defence purposes which do not affect the amenity or safety of adjoining residential premises (e.g. defence accommodation).

#### Siting

- P2 Buildings are to address Horace Street and Balls Head Road.

#### Setbacks

- P3 Incorporate similar front setbacks to dwellings on eastern side of Balls Head Road.  
P4 Incorporate similar separation distances between buildings to dwellings on eastern side of Balls Head Road.

#### Form, massing and scale

- P5 Maximum of 1 storey.  
P6 Small scale consistent with the built form on the eastern side of Balls Head Road.

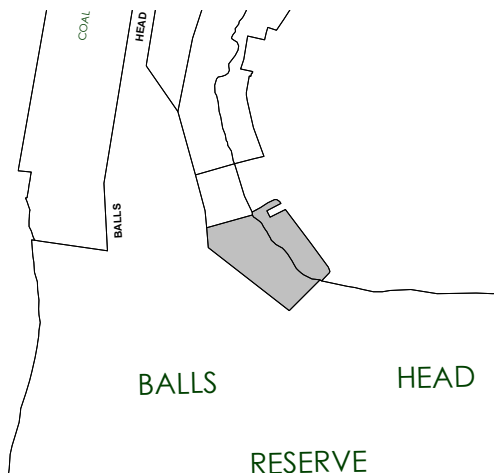
#### Colours and Materials

- P7 Incorporate similar building materials and colours to the residential buildings on the eastern side of Balls Head Road.

#### Roof

- P8 Incorporate similar roof form to those on the eastern side of Balls Head Road.

### 10.7.5 Former Quarantine Depot



#### Planning Policies

- P1 In accordance with Council's resolution made on 28 May 2012, the principles of the *Waverton Peninsula Masterplan* are to be applied to this site.

#### Diversity

- P2 Low intensity maritime related industrial, commercial and recreational activities.  
P3 Community facilities.

#### Form, massing and scale

- P4 Maintain the scale of existing buildings and structures.  
P5 Any alterations and additions to be minimal in scale.  
P6 No increase to the length of adjacent wharves.  
P7 Reductions in landscaped area will generally not be supported, unless addressing accessibility issues across the site.

#### Heritage

- P8 Development must conform with the Conservation Management Strategy that applies to the site.

#### Access

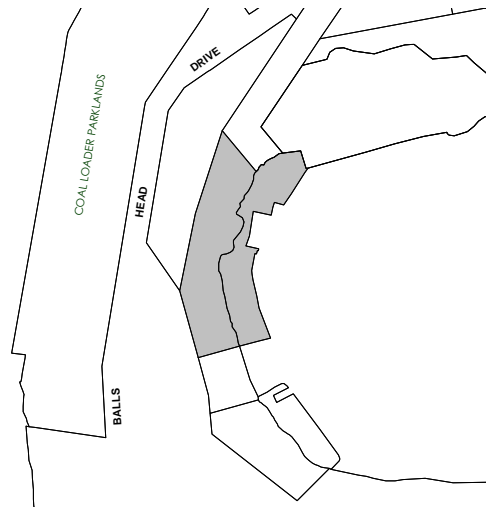
- P9 Public access across the foreshore portions of the site should be encouraged where practical.  
P10 Travel lifts to access the site will not be permitted.  
P11 Public access.

#### Car parking

- P12 There shall be no increase in on-site car parking provision.



### 10.7.6 Former Woodleys Boatyard



#### Planning Policies

- P1 In accordance with Council's resolution made on 28 May 2012, the principles of the *Waverton Peninsula Masterplan* are to be applied to this site.

## 10.8 JOHN STREET WATERFRONT NEIGHBOURHOOD



### 10.8.1 Significant Elements

#### Land Use

P1 Maritime industrial and commercial activities.

#### Topography

P2 Generally flat below a large man-made sandstone cliff.

#### Natural Features

P3 Berrys Bay.

#### Views

P4 The following views and vistas are to be preserved and where possible enhanced:

(a) views to Sydney Harbour and beyond.

#### Identity / Icons

P5 Berrys Bay.

P6 Sandstone cliff.

P7 North Shore railway line.

#### Subdivision

P8 Large consolidated parcels.

#### Streetscape

P9 Munro street is narrow with no on-street parking and fully paved verges.

P10 John Street is narrow with fully vegetated verges and double rail timber fences.

P11 Buildings built close to the boundary with a low masonry wall and cycle fencing above.

## 10.8.2 Desired Future Character

### Diversity

- P1 Waterfront industrial buildings and structures, hard stand, wharves and jetties, administrative buildings, car parking.

### Access

- P2 Providing continuous public access along the foreshores of Berrys Bay via railway lands.

## 10.8.3 Desired Built Form

### Form, massing and scale

- P1 Large scale industrial buildings reflective of their foreshore location.
- P2 Building height is minimised to preserve public and private views.
- P3 The height of buildings generally kept below cliff lines where possible on low terraces adjoining the foreshore.
- P4 Large open areas including landscaping and hard stand areas.

### Siting

- P5 Buildings are generally located against the cliff with a setback from the cliff for access and maintenance.
- P6 Areas adjacent to the foreshore are generally free of buildings.

### Fences

- P7 Open fencing screened with landscaping.

### Colours and materials

- P8 Modern, lightweight materials.

### Roof

- P9 Flat or curved.
- P10 Flat roofs to preserve views where appropriate.

### Car accommodation

- P11 To be screened from public view with landscaping.

## 10.9 SAWMILLERS NEIGHBOURHOOD



### 10.9.1 Significant Elements

#### Land Use

- P1 Residential accommodation.
- P2 Passive and active recreational spaces.

#### Topography

- P3 Steep falls to the foreshores of Berrys Bay with flat areas directly adjacent to the shoreline.

#### Natural Features

- P4 Berrys Bay.
- P5 Remnant natural shoreline areas.
- P6 Re-established bushland areas to the foreshore.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) District views to Sydney Harbour and beyond.

#### Identity / Icons

- P8 North Shore railway line.
- P9 Sawmillers Reserve.
- P10 Berrys Bay.

#### **Subdivision**

P11 Large consolidated lots to the north of the Area and smaller lots to the south.

#### **Streetscape**

P12 Narrow streets with concrete paths on one side of the street.

P13 High stone and masonry fences.

P14 Buildings setback from the boundary with a skewed alignment to respective street frontages.

#### **Public transport**

P15 Development is to take advantage of the reasonable levels of accessibility to public train, bus and ferry services.

### **10.9.2 Desired Future Character**

#### **Diversity**

P1 Predominantly a mixture of multi dwelling housing, attached dwellings and residential flat buildings according to zone.

P2 Development should not result in any significant increase in dwelling density.

P3 Maintaining and enhancement of passive recreational spaces with continual foreshore access.

### **10.9.3 Desired Built Form**

#### **Form, massing and scale**

P1 Development is to step down with the topography to ensure the retention of views to the waters of Sydney Harbour.

P2 Development to be setback from the foreshore to enable continuous public foreshore access.

## 10.10 WOLLSTONECRAFT CONSERVATION AREA



### 10.10.1 History

The Wollstonecraft Conservation Area was part of the land granted to Edward Wollstonecraft in 1825 and subsequently known as the Berry Estate. Berry and Wollstonecraft were business partners and related by marriage.

The Wollstonecraft peninsula was one of the last areas of the Wollstonecraft/Berry Estate to be developed. It was subdivided from 1912 and the prime building land, near the railway, was developed with large Federation style homes.

The major phase of development was after World War One, when Federation or Californian Bungalow and Inter-war residential flat building styles were common. A number of uncharacteristic residential flat buildings and multi-dwelling housing were built on the fringes of the peninsula after World War II when further subdivisions along Milray and Tryon Avenues occurred.

### 10.10.2 Description

The Wollstonecraft Conservation Area is part of the Wollstonecraft peninsula that lies between Gore Cove and Balls Head Bay. The area has bushland reserve to the east, south and west and is separated from the areas to the north by the North Shore railway line.

Shirley Road runs along the ridge and the landform falls to the south and away to east and west off the ridge. Shirley Road and Milray Avenue incorporate level changes across their width. The subdivision pattern is irregular and partly determined by the topography with no rear lanes. Milray and Tryon Avenues are subordinate circuit streets that run with the contours around the peninsula.

The Conservation Area is characterised by detached residential development on large garden lots in a mix of Federation, Federation Queen Anne, Arts and Crafts, Olde English and

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

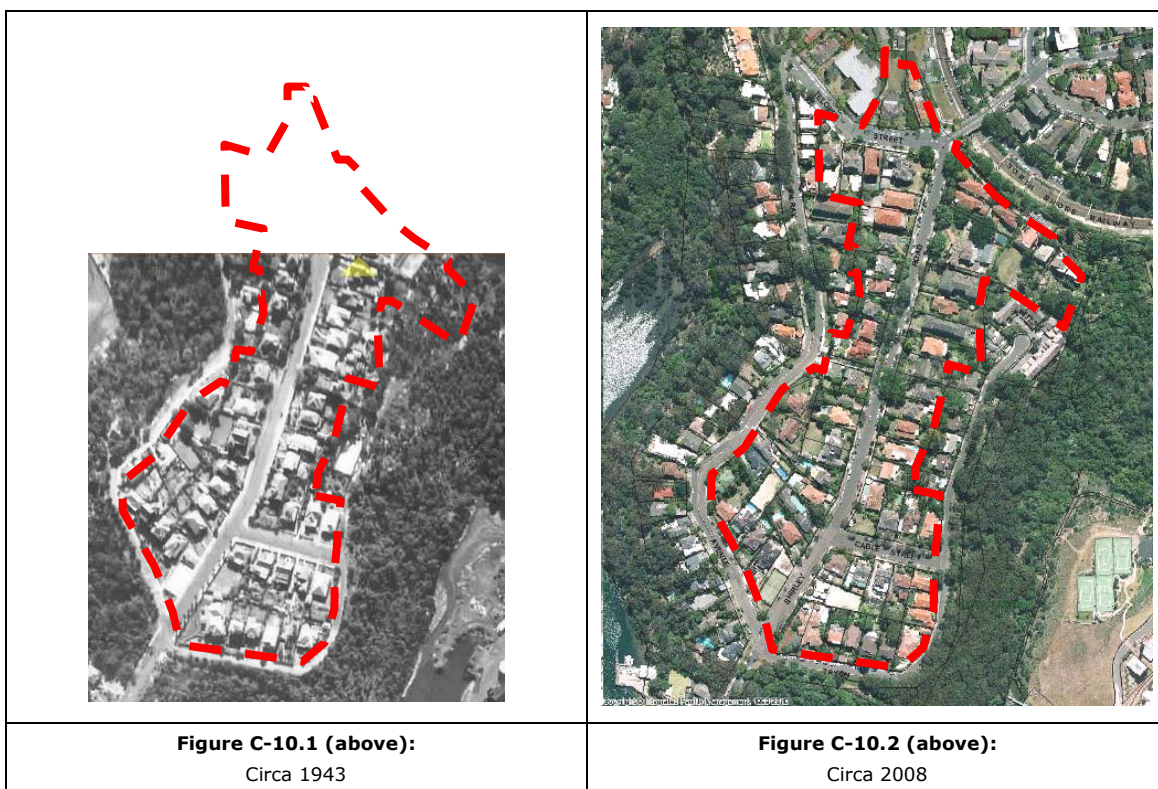
Californian bungalow styles and, interspersed with some Inter-war art deco residential flat buildings. The houses are typically large, and set well back from the street in established gardens, some with tennis courts. Most are on original lots. Houses to the high side of the street are often set on plinths.

Street verges are typically 3.5 m wide and include grass and concrete footpaths and crossings to off street parking. There is low shrub and tree planting in the street reservation and on the grass verge. The street lines are reinforced by the stone and brick fences that follow the slope of the streets.

The vista along Shirley Road terminates dramatically at Berry Island, an area of regenerated bushland. There are also expansive views of Sydney Harbour and Berry Island from the end of Shirley Road.

Planting in front gardens contributes to the landscape.

Uncharacteristic elements include modern residential flat buildings; over-scaled, two storey additions; over-scaled and poorly detailed carports and garages; front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; rendered high walls and fences to the street.



### 10.10.3 Statement of Significance

The Wollstonecraft Conservation Area is significant:

- (a) As a substantially intact residential subdivision from the early 20<sup>th</sup> century that retains much of its urban detail and fabric in gardens, street fencing and use of sandstone.
- (b) As a consistent and largely intact early 20<sup>th</sup> century residential area with a mix of high quality buildings and particularly the Federation and Inter-War housing on large lots.
- (c) For its unity that is derived from its subdivision history and which is evident in the development and built form.



#### 10.10.4 Significant elements

##### Topography

- P1 Peninsula form, falling away on either side of the ridge to Gore Cove and Balls Head Bay.

##### Subdivision

- P2 Rectangular blocks with narrowest boundary to street.

##### Streetscape

- P3 Changes in level, split road and path formations. Sandstone and brick street fences reinforce road layout. Post and rail fencing.

##### Views

- P4 Tryon Avenue lookout. Views along Shirley Road and from the lower end over Berry Island and the harbour. Views through bush to the harbour from Cable Street and Tryon Avenue. Slot views to the harbour and foreshore over and between buildings.

#### 10.10.5 Characteristic buildings

- P1 Single storey and two storey dwelling houses on garden lots.  
P2 Inter-war residential flat buildings.

#### 10.10.6 Characteristic built elements

##### Siting

- P1 Middle of lot (or slightly forward), generous front and side gardens with trees, lawns and shrubs.  
P2 Consistent setbacks.

##### Form, massing and scale

- P3 Single and two storey with hipped and gabled roofs with rear extensions.  
P4 Reduced height and scale to rear.  
P5 Complex massing, roof form and detail to larger houses.  
P6 Strong skyline of pitched roofs and chimneys visible from street and stepped along the streets.

##### Roofs

- P7 Pitched and hipped between 30 and 45 degrees with slate and terracotta tiled roofs, without dormers or openings that can be seen from the street.  
P8 Gabled ends for projecting bays to the street.  
P9 Skillion roofs to rear extensions.  
P10 Brick and rendered chimneys with terracotta chimney pots.

##### External Materials

- P11 Sandstone, face brick, roughcast render sandstone foundations.  
P12 Textured brick to Inter war residential flat buildings.  
P13 Slate and terracotta tiled roofs.  
P14 Timber windows, doors and joinery in a Federation, Edwardian and Inter War style.  
P15 Leadlight windows. Original front and side garden landscaping.

##### Fences

- P16 Original low front fences.



**Area Character Statements - Waverton / Wollstonecraft Planning Area**

P17 Low sandstone walls, timber pickets, timber rails and mesh, pipe and mesh gates, original face brick with piers.

**Car accommodation**

P18 Side drives with garages and parking located behind the building line.

**10.10.7 Uncharacteristic elements**

P1 Over-scaled additions; Carports and garages to front of lot; dormers and rooflights to front and side roofs; removal of original details, painting and rendering of face brickwork; high walls and fences to street; inappropriate fence details, paving of gardens

## 10.11 CROWS NEST ROAD CONSERVATION AREA



### 10.11.1 History

The Crows Nest Road Conservation Area was part of the land granted to Edward Wollstonecraft in 1825 and subsequently known as the Berry Estate when it passed to Alexander Berry. Wollstonecraft named the estate Crows Nest Farm and built a large house there, Crows Nest House. The Conservation Area extends across what was the 1890s curtilage of the 1850s residence.

Parts of the estate and the house were bought by Sir John Hay in 1897 and parts of the estate were subdivided. The subdivisions progressively alienated the land around the house. Crows Nest House dwelling remained the residence of Hay and then his widow, Lady Jessie Hay.

Residential building covenants applied over the subdivision proscribing siting, type and quality of houses to be approved by the Trustees of the Estate or their architects. Lady Hay's will made provision for a school, shown on the 1932 subdivision plan and now known as the North Sydney Demonstration School.

The final subdivision occurred in 1934 after the death of Lady Hay and Crows Nest House was demolished. A land parcel known as the "Branthwaite Estate" was subdivided in 1935 separately to the rest of the Crows Nest House grounds.

### 10.11.2 Description

The Crows Nest Road Conservation Area is a residential area characterised by medium to large detached houses on garden lots and is bounded to the east by the Pacific Highway, the multi-storey units to the north and the North Sydney Demonstration School to the south.

The area is relatively level, sloping slightly from the ridge of the Pacific Highway towards the west, though the lower end of Crows Nest Road is terraced. Street layout and subdivision is determined by the Estate boundaries with a linear pattern of large, regular and rectangular lots with wide street frontages and no rear lanes.

The area is characterised by its single and two storey individual (often architect designed) houses in a range of Inter-war styles intended to be viewed from at least three sides. Facades are modulated by strong, recessed and projecting geometrical forms consistent with each building style. The house styles are unified by the regular subdivision pattern, building materials, massing and setbacks and by the high quality of construction and design. The earlier houses to the periphery tend to be smaller and less distinct.

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

Street verges are typically 3.5m wide grass nature strips and concrete footpaths with crossings for off street parking. Hazelbank Road is on the slope and houses to the high side of the street are set above the footpath.

Introduced and native species are planted on grass verges and within roads, most dating from the 1920/1930 subdivision, forming avenues that unify the streetscape. The large plane trees planted along Hazelbank Road are among the most significant of the area.

Front gardens contribute to the landscaped character of the area with large areas of lawn, introduced plant species, and straight stone-flagged or brick paved paths leading to the house. Gardens are often open at street level or above low retaining walls.

Uncharacteristic elements include over-scaled, two storey additions; over-scaled and poorly detailed carports and garages to the street; front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.





### 10.11.3 Statement of Significance

The Crows Nest Road Conservation Area is significant:

- (a) As an excellent example of Inter-war garden suburb planning and subdivision for non-speculative residential development.
- (b) For its rarity in the locality as a largely intact and consistent residential area from the 1920 – 1930 eras that retains a fine range of Inter-war houses of one and two storeys, built on large lots with intact gardens and single garages.
- (c) For its strong landscape qualities that combine from the established trees, grassed verges and large open front gardens that provide unity to the streetscape.
- (d) For its association with Crows Nest House, and potential for evidence of the site of the historic house.

### 10.11.4 Significant elements

#### Topography

P1 Generally level, sloping away from Pacific Highway to the west.

#### Subdivision

P2 Detached dwelling houses: approximately 800m<sup>2</sup> lots with 18m to 22m frontage.

P3 Large rectilinear lots, narrowest boundary to street frontage.

#### Streetscape

P4 Street trees planted in verges and carriageways, mainly Plane Trees, Brushbox and Melaleucas.

P5 Low retaining walls of sandstone and face brick, stepped in height following changes in street level.

P6 Deep grass verges, concrete paths and concrete kerbs.

#### Views

P7 Street vistas along Hazelbank Road, Crows Nest Road, McHatton Street and Bay Road.

P8 Slot views to harbour along Mc Hatton Street.

### 10.11.5 Characteristic buildings

P1 Single storey Californian Bungalows, Arts and Crafts and Queen Anne Revival houses, and houses on 1921 subdivision.

P2 Single and two storey houses of Old English, Georgian Revival, Mediterranean, Art Deco and International styles on the later subdivision.

### 10.11.6 Characteristic built elements

#### Siting

P1 Dwellings set well back from the front of the block.

P2 Principal building frontage oriented to and parallel to the street alignment.

P3 Consistent setbacks.

#### Form, massing and scale

P4 Single and two storey buildings with hipped and gabled roofs.

P5 Reduced height and scale to the rear.

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

- P6 Dwelling houses of individual design, well modulated on front and side facades with recessed and projecting geometric forms, such as bays, verandahs and cantilevered balconies, consistent with architectural style of the house.

**Roofs**

- P7 Hipped and gabled with low pitch for Californian Bungalow and Mediterranean styles, steeper pitch (35-45 degrees) for Georgian Revival and Old English styles without dormer or openings viewed from street.
- P8 Flat roofs concealed behind parapet walls for International styles
- P9 Face brick chimneys.

**Materials**

- P10 Sandstone bases; face brick; original rendered walls.
- P11 Slate; glazed terracotta tiled roofs.
- P12 Timber windows, doors and joinery.
- P13 Original front garden landscaping stone-flagged driveways and flagging paths.

**Windows and doors**

- P14 Narrow vertical windows and doors within solid masonry walls.
- P15 Entrance doors with porches or porticos contained under a separate roof with arched openings.
- P16 Casements or double-hung sash windows (except International style houses).
- P17 Timber window shutters for the revival house styles of old English/Tudor and Georgian.
- P18 Horizontal steel windows and doors for International style houses.
- P19 Stripped and relatively heavy Inter-war detailing around window arrangements, the front door and gable ends, such as wrought iron grills to windows, masonry balustrades.

**Fences**

- P20 Low sandstone and brick walls.

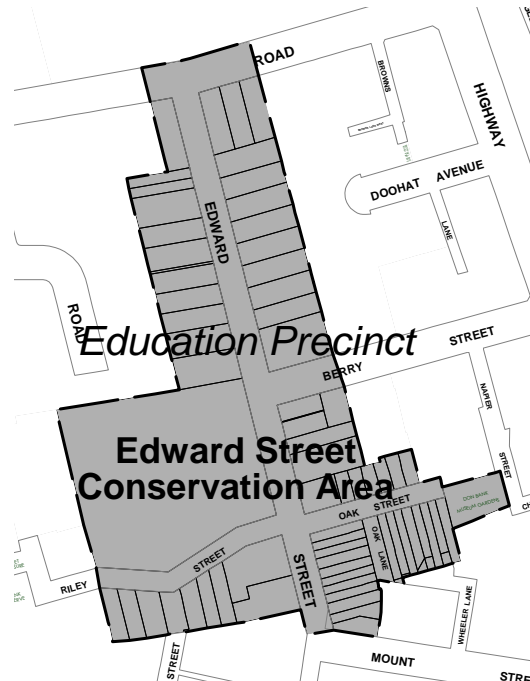
**Car accommodation**

- P21 Located to side drives.
- P22 Garages and porte-cocheres set back behind the front building line.

**10.11.7 Uncharacteristic elements**

- P1 Over-scaled two storey additions; over-scaled and poorly detailed carports and garages to the street; front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

## 10.12 EDWARD STREET CONSERVATION AREA



### 10.12.1 History

The Edward Street Conservation Area includes land from *The Priory* and *Rockleigh Grange*, both of which were sold from the Wollstonecraft Estate in the 1840s. It also includes parts of a later (1850s) subdivision by Alexander Berry, a partner of Edward Wollstonecraft.

The 1850s subdivision was designed for small township building blocks and various small scale dwelling houses and attached dwellings were built at the southern end of Edward Street as a result.

Blocks at the northern end of Edward Street were purchased and consolidated by Capt. RF Pockley who built "Doohat". The three large properties were sold during the 1880s and sections of the estates subdivided and sold during the 1890s. Residential development then followed in the early 20<sup>th</sup> century.

### 10.12.2 Description

The Edward Street Conservation Area runs each side of Edward Street with larger areas to the south including the Catholic University site. It is bounded to the east by high rise along the Pacific Highway, the North Sydney School to the north and by the steep slope to the west.

Edward Street runs along the top of a ridge and is flat to the east falling steeply to the west along Riley Street. Subdivision is determined by the street layout and topography with rectangular and irregular lot sizes, some developed for attached housing with no rear lanes.

The area is characterised by each phases of development and groupings of identical rows of houses. The early phase of development is represented by the Don Bank Group; small scale, attached, single storey weatherboard and brick houses in the Victorian Georgian and Italianate style. These buildings create an intimate 19<sup>th</sup> century atmosphere and context for the Victorian Filigree style developments at the southern end and the later detached dwellings at the northern end in the Federation Queen Anne and Inter War styles. There is some two storey Victorian and Federation attached dwellings houses and residential flat

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

buildings and later infill developments. The Catholic University occupies the west of the conservation area and contains *Rockleigh*, modern buildings and car parking.

Street verges are 3.5 metres wide to Edward and Berry Street with grass and concrete footpaths and crossovers for parking. Houses to the high side of the street are set on brick and sandstone plinths and the houses to Riley Street are set on elevated sites with high, sandstone retaining walls to the street.

There are views from Edward Street to the CBD and to the west to the Harbour. The axial view north along Edward Street looks directly to the stone gateway of the original Lady Hay's Estate.

The land steps across Edward Street with a high side to the east with houses and a low side to the west and there are low street trees. Front gardens contribute to the landscaping of the street and there are remnant trees in the former *Rockleigh Estate*.



**Figure C-10.6 (left):**

Circa 1890

**Figure C-10.7 (below left):**

Circa 1943

**Figure C-10.8 (below right):**

2008



### 10.12.3 Statement of Significance

The Edward Street Conservation Area is significant:

- (a) As an intact example of early township development in North Sydney.



- (b) As a subdivision of the *Priory* and *Rockleigh Grange* Estates.
- (c) For its grouping of intact and commonly detailed mid Victorian and Federation houses.

#### 10.12.4 Significant elements

##### Topography

- P1 Top of ridge, flat to the east falling away to west.

##### Subdivision

- P2 Rectilinear subdivision with narrower boundary to street frontage.
- P3 Irregular lots to slope.

##### Streetscape

- P4 Split streets and changes in level.
- P5 Double rail timber fences.
- P6 Strong skyline of simple pitched roofs and tall chimneys without dormers or openings to the street.

##### Views

- P7 Street views along Edward and Riley Streets.
- P8 Slot views over and between buildings to western Sydney from Edward Street.

#### 10.12.5 Characteristic buildings

- P1 A mixture of:
- (a) Single storey semi-detached and attached Victorian Georgian and Filigree dwelling houses.
  - (b) Single storey Federation and Queen Anne style detached dwelling houses to common detail.
  - (c) Two storey Federation residential flat buildings.

#### 10.12.6 Characteristic built elements

##### Siting

- P1 Located forward on the lot with large rear gardens.
- P2 Consistent setbacks.

##### Form, massing and scale

- P3 Single storey detached, semi-detached and attached dwellings with projecting bays and verandahs to the street.
- P4 Skillion rear wings.
- P5 Reduced height and scale to rear.
- P6 Dwellings in groups of identical design (detached, semi detached and attached).

##### Roofs

- P7 Gabled and hipped between 30 and 45 degrees.
- P8 Gable ends to side.
- P9 Skillion roofs to rear extensions. Brick and rendered chimneys.

### External Materials

- P10 Face brick, original rendered masonry walls.
- P11 Slate, corrugated metal, terracotta tiles roofs timber joinery on sandstone base course.
- P12 Timber windows with original coloured glass and leadlight, doors and joinery.
- P13 Cast iron lacework.
- P14 Original front garden landscaping.

### Windows, doors and joinery

- P15 Victorian, Federation and Edwardian. Timber

### Fences

- P16 Original low front fences.
- P17 Timber fences to rear.
- P18 Sandstone plinths, sandstone piers, metal palisade and gates, timber pickets, original face brick with piers.

### Car accommodation

- P19 To street with paved hardstand areas. No garages or carports in front of building line.

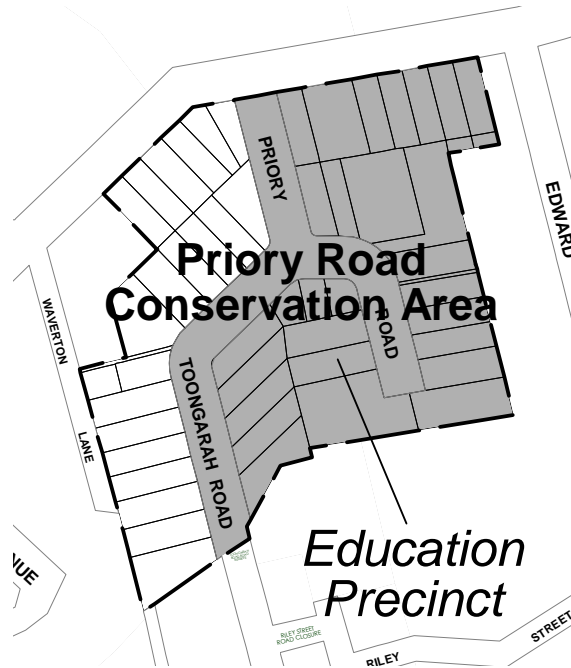
## 10.12.7 Uncharacteristic elements

- P1 Uncharacteristic elements include modern, multi-storey commercial buildings; over-scaled, two storey additions; carports and garages in front setback, over-scaled and poorly detailed carports and garages; paving of front setback for car parking, front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

## 10.12.8 Future built elements

- P1 Educational establishments must address and activate public domain areas including streets, pedestrian links, laneways and public spaces.
- P2 Cluster education-related development along Edward Street between Berry Street and Oak Street.
- P3 Where educational establishments provide night classes, these activities should be concentrated along Napier Street and Berry Street, within easy walking distance of public transport.
- P4 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.

## 10.13 PRIORY ROAD CONSERVATION AREA



### 10.13.1 History

The Priory Road Conservation Area was part of the land granted to Edward Wollstonecraft in 1825 and subsequently known as the Berry Estate. Berry and Wollstonecraft were business partners and related by marriage.

Colonel George Barney (Commander of Royal Engineers) leased the Priory Estate from Berry in the mid-1830s. In 1843 he purchased an extra one and a half acres, which included "Toongarah", forming an estate of about 10 acres.

"The Priory" was built in the 1840s at a time when the north shore was becoming more attractive as a residential location for the mansions built between the 1830s and the 1860s

In 1913 the estate was subdivided into 40 lots forming Toongarah Road and Priory Road. At this time both of the original dwelling houses, "Toongarah" and "The Priory" were extant. Further subdivisions occurred in the 1920s and 1930s.

"Toongarah" was purchased by SCEGGS school in 1917. The land was subdivided in 1939 into six blocks, and "Toongarah" was demolished. The original "Priory" building was incorporated into flats.

### 10.13.2 Description

The Priory Road Conservation Area is a small residential area bounded by Bay Road and the escarpment and reserve to the end of Toongarah Road.

The landform falls to the south with the southern end of strongly defined by the cliff. The subdivision pattern is determined by the wide, horseshoe shaped road and their being cul de sacs. Lot sizes are irregular though generally rectangular. The road system has been affected by the topography with Priory and Toongarah Roads falling down the slight hill and finishing at dead ends. Both ends are relatively wide.

The area is characterised by detached dwelling houses on medium sized lots and a few residential flat buildings on larger lots. The majority of buildings are single storey and were built between 1915 and 1928 soon after subdivision in the Inter-war Californian Bungalow style. There are a few Federation era buildings, 1930s flats and several buildings from the

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

1940s built after the subdivision of the site of "Toongarah". There are modern infill residential flat buildings.

Streets verges are typically 3.5 m wide and include grass with concrete footpaths and kerbs. Street trees and plantings in the private gardens are important to the character of the area. The area is heavily planted with trees.

There are views to trees and rooftops of the Bank Street valley, and to the Sydney CBD and long views from the lookout at the end of Toongarah Road.

Uncharacteristic elements include modern residential flat buildings; modern dwelling houses; over-scaled, two storey additions; over-scaled and poorly detailed carports and garages; front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; garages and car ports to the street; high walls and fences to the street.

The materials used in the Conservation Area are consistently dark face brick, unglazed terracotta tiled hipped and gabled roofs, and timber framed casement windows. Front fences are generally low and typically in brick to match the house style. Priory Road also features some sandstone retaining walls. The setbacks from the street allow for small front gardens.



**Figure C-10.9 (left):**

Circa 1890

**Figure C-10.10 (below left):**

Circa 1943

**Figure C-10.11 (below right):**

Circa 2008





### 10.13.3 Statement of Significance

The Priory Road Conservation Area is significant:

- (a) As a subdivision of the 1840s curtilage of the early mansions, "The Priory" and "Toongarah".
- (b) As a largely intact and consistent early 20th century residential area that has a mix of Inter-war buildings, including bungalows and residential flat buildings in original condition.
- (c) For its quiet landscape setting derived from the mature street plantings, grassed verges, small open front gardens, low front fences and backdrop of trees in the valley below.
- (d) For its contained character derived from the cul-de-sac street pattern, the topography and the consistency of building form and materials.

### 10.13.4 Significant elements

#### Topography

- P1 Sloping southwards to the cliff edge.

#### Subdivision

- P2 Detached dwelling houses: 380m<sup>2</sup> lots with 10m frontage.
- P3 Detached, semi-detached houses and attached houses: 180m<sup>2</sup> to 260m<sup>2</sup> lots with 4-6m frontages.
- P4 Generally rectangular blocks with irregular shaped blocks on the corners and along the eastern side of Toongarah Road.

#### Streetscape

- P5 Street trees planted in verges, mainly small eucalypts, Plane Trees and paperbarks.
- P6 Pedestrian linkages from Priory Road to Edward Street, and from Toongarah Road to Waverton Lane.

#### Views

- P7 Views of trees and houses in the valley below, and limited views to the tops of the higher buildings in North Sydney, mostly from private domain.
- P8 Views from Toongarah Street lookout over the valley to Sydney CBD.

### 10.13.5 Characteristic buildings

- P1 Detached, single storey inter-war Californian bungalows on garden lots
- P2 1930s/40s residential flat buildings.

### 10.13.6 Characteristic built elements

#### Siting

- P1 To the front of block.
- P2 Dwellings on the eastern side of Toongarah Road are oriented to side boundaries.
- P3 Consistent setbacks.

#### Form, massing and scale

- P4 Single storey with hipped and gabled roofs with skillion rear extensions.
- P5 Reduced height and scale to rear.
- P6 Open verandahs to front.

### Roofs

- P7 Hipped and gabled, pitched between 30 and 40 degrees without dormers to front and sides. Brick and rendered chimneys with terracotta chimney pots.

### External Materials

- P8 Sandstone bases, face brick walls, wall shingles, original render and roughcast render. Textured and dark brick to residential flat buildings.
- P9 Slate, terracotta tiles, asbestos cement sheet, corrugated metal roofs.
- P10 Original timber windows, doors and decorative joinery.
- P11 Original front garden landscaping.

### Windows, doors and external joinery

- P12 Federation and Inter-war casements and double hung sash. Timber

### Fences

- P13 Low timber pickets, timber rails and mesh original face brick with piers.

### Car accommodation

- P14 Located off street with crossovers and garages and carports at side or rear. No garaged or carports in front of building line.

## 10.13.7 Uncharacteristic elements

- P1 Uncharacteristic elements include modern, multi-storey commercial buildings; over-scaled, two storey additions; carports and garages in front setback, over-scaled and poorly detailed carports and garages; paving of front setback for car parking, front and side dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

## 10.13.8 Future built elements

- P1 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.
- P2 Educational establishments must address and activate public domain areas including streets, pedestrian links, laneways and public spaces.

## 10.14 BAY ROAD CONSERVATION AREA



### 10.14.1 History

The Bay Road Conservation Area was part of the land granted to Edward Wollstonecraft in 1825 and subsequently known as the Berry Estate when it passed to Alexander Berry, a business partner and related by marriage.

The Conservation Area is adjacent to Waverton Station, which opened in 1893 as part of the St Leonard's to Milson's Point line.

The section of Bay Road was originally known as Crows Nest Road as it gave access to the Crows Nest Estate from Berrys Bay.

The western side of Bay Road was subdivided from 1883-1888. It was part of land owned by the Colonial Sugar Refining Company which operated a sugar works, one of the earliest industries along the foreshore. The Sugar Company Estate included Ross Street, Whatmore Street, Tunks Street and McKye Street.

The oldest building in the Conservation Area appears to be the Victorian cottage behind the Uniting Church at 75 Bay Road. The buildings at 116, 118 and 122 Bay Road are part of an area that was subdivided in 1910.

### 10.14.2 Description

The Bay Road Conservation Area is located at the end of Bay Road and is bounded to the east by the North Shore railway line.

The landform is relatively flat with the land rising to the north east and falling to the south west. It has an enclosed character due to the topography, being located at the base of two hills, and from the narrowing of the street. At the end of Bay Road there are views of Balls Head Bay and the Balmain peninsula beyond.

The subdivision pattern is regular but follows the curve of the street with tapering lots to the south.

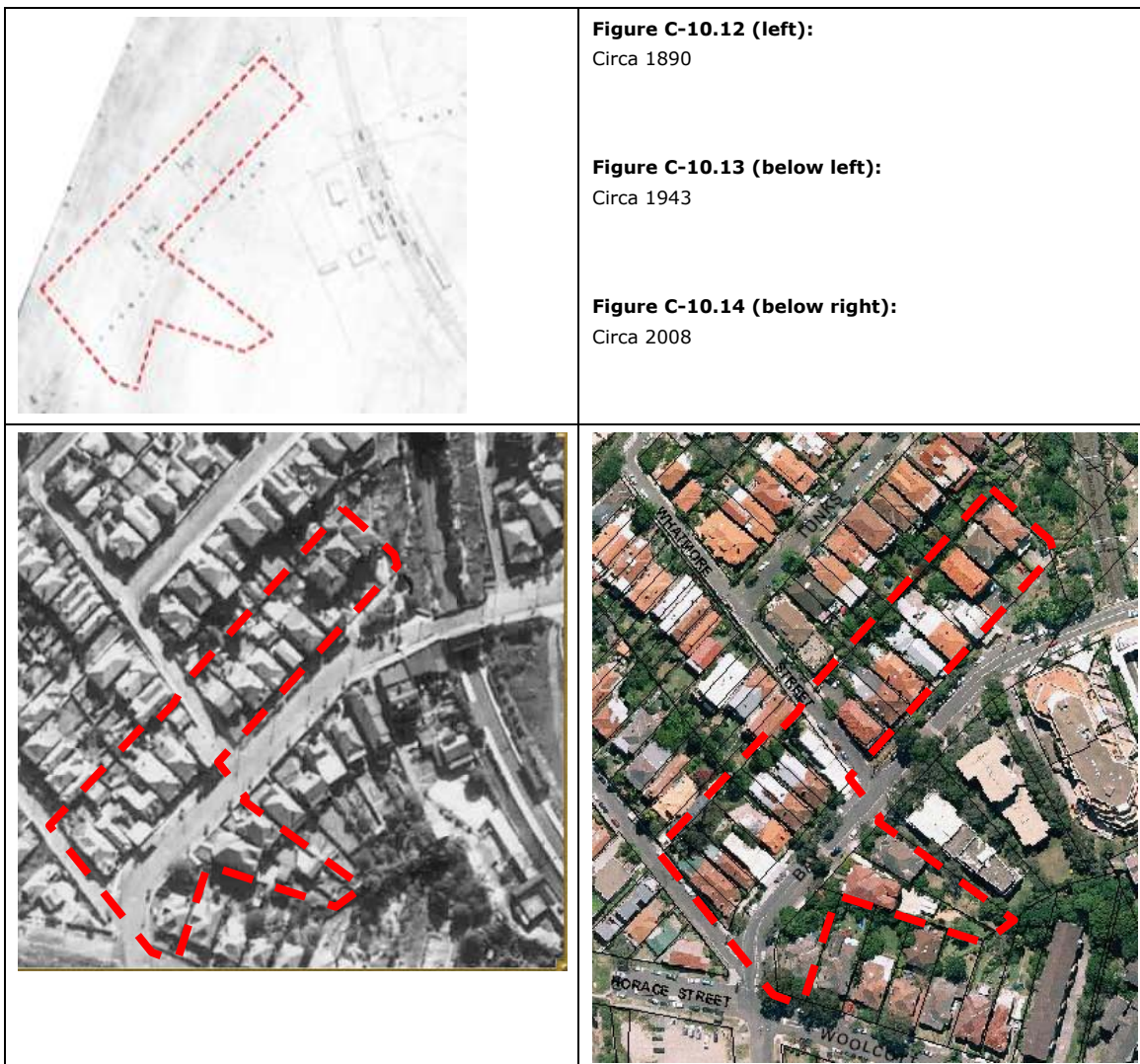
The area has a village atmosphere focusing on Waverton Railway Station.

Characteristic buildings in the area are single storey, semi-detached dwelling houses dating from the Federation period. The area also contains a small strip of Federation period commercial buildings.

**Area Character Statements - Waverton / Wollstonecraft Planning Area**

There are some modern intrusions on the eastern and western side of Bay Road, and some contemporary residential flat buildings.

Street plantings reinforce the village-like atmosphere of the area.



### 10.14.3 Statement of Significance

The Bay Road Conservation Area is significant:

- (a) As a Federation period pocket of commercial and residential development, and one of the few intact areas of early development in the Waverton area.
- (b) For its enclosed village-like character that is a function of the topography, narrowing of the street.

### 10.14.4 Significant elements

#### Topography

P1 At the base of two hills, falling towards Balls Head Bay



### **Subdivision**

- P2 Regular subdivision with tapering lots to the south and irregular shaped blocks at the corners

### **Streetscape**

- P3 Dwellings raised above street level north of Whatmore Street corner. Higher footpath level north of Whatmore Street, with winding steps to street level.
- P4 Widened footpath at shops with outdoor seating.
- P5 Street trees on footpath and adjacent to narrowed road section and traffic calming devices.

### **Views**

- P6 Views to Balls Head Bay from southern end of road.

## **10.14.5 Characteristic buildings**

- P1 A mixture of
- (a) single storey Federation detached and semi-detached dwelling houses on garden lots.
  - (b) two storey, Federation commercial buildings with parapets.

## **10.14.6 Characteristic built elements**

### **Siting**

- P1 Detached dwelling houses located towards the front of the block and addressing the street but leaving a small rear yard.
- P2 Shops built to street boundary.
- P3 Consistent setbacks.

### **Form, massing and scale**

- P4 Single storey, detached dwelling houses with simple forms articulated with projecting bays and verandahs to front and a reduced scale and bulk to the rear.
- P5 Two storey commercial buildings with parapets and clearly defined "front" of building, oriented to the street.

### **Roofs**

- P6 Hipped and gabled between 30 and 45 degrees with overhanging eaves. Skillion roofs to rear wings. Parapets on shops. Variety of chimney designs.

### **External Materials**

- P7 Face brick on sandstone bases, roughcast render. Terracotta tiles with corrugated metal on rear wings.

### **Windows and doors**

- P8 Federation style. Lead light decorative glazing. Timber.

### **Fences**

- P9 Low height front fences in a variety of materials – timber, stone, iron palisade.
- P10 Timber fences to side and rear.

### **Car accommodation**

- P11 No garages or carports in front of the building line.



### **10.14.7 Uncharacteristic elements**

- P1 Carports to front of lot; dormers to front of roofs; over-scaled additions; painting and rendering of face brickwork; removal of original details, alterations to original roof forms high fences to street; inappropriate fence details.
- P2 Modern infill development.



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## DICTIONARY

Abbreviations used in this DCP are defined as follows:

<b>ABS</b>	Australian Bureau of Statistics
<b>AS</b>	Australian Standards
<b>BCA</b>	Building Code of Australia
<b>DCP</b>	Development Control Plan
<b>EP&amp;A Act</b>	Environmental Planning and Assessment Act 1979
<b>EP&amp;A Regulations</b>	Environmental Planning and Assessment Regulations 2000
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>NSLEP 2013</b>	North Sydney Local Environmental Plan 2013
<b>RMS</b>	<b>Roads and Maritime Services</b>
<b>SEPP</b>	State Environmental Planning Policy
<b>WELS</b>	<b>Water Efficiency Labelling Scheme</b>
<b>WSUD</b>	<b>Water Sensitive Urban Design</b>

This DCP adopts all the definitions contained within NSLEP 2013. In addition to these definitions, the following terms used in this DCP are defined as follows:

**adjoining land** means land which abuts an application site or is separated from it only by a road, land, pathway, driveway, right of way or similar thoroughfare.

**advertising display area** means an area of an advertisement or advertising structure used for signage, and includes any borders of, or surrounds to, the advertisement or advertising structure, but does not include safety devices, platforms or lighting devices associated with advertisements or advertising structures.

**apartment** means a dwelling within a residential flat building or a dwelling comprising shop top housing within a mixed use development.

**application site** means the land to which an application for development consent relates and includes any easement or right of way relating to the site.

**black-water** means the leftover water from toilets and kitchen sinks. However, the left over water from the kitchen sink can be defined as grey-water, but only if it has been subject to appropriate treatment.

**building identification sign** means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol, but that does not include general advertising of products, goods or services.

**building work** means any physical activity involved in the erection of a building.

**building wrap advertisement** means an advertisement that covers or wraps:

- (a) a building or land, or
- (b) a building that is under construction, renovation, restoration or demolition,

but does not include a wall advertisement.

**bushland** means any land zoned E2 - Environmental Conservation identified on the zoning maps to NSLEP 2013 or other public land that is managed by Council as bushland.

**continuous accessible path of travel** means an uninterrupted path of travel to or within a building providing access to all required facilities. For non-ambulatory people, this accessible



path should not incorporate any step, stairway, turnstile, revolving door, escalator or other impediment which would prevent it from being safely negotiated by people with disabilities.

**Council** means North Sydney Council and extends to include any Council officers who may make a decision on an application with delegated authority.

**delegated authority** means authority to make a decision as resolved by Council under s.377 of the [Local Government Act 1993](#) or as described in Council's Delegations Manual.

**demolition** means the complete or partial dismantling of a building or structure including damage, defacement or the relocation of a building or structure.

**dominant skyline** is the common or typical height of buildings, structures or trees in a locality rather than the average or mean height.

**freestanding advertisement** means an advertisement displayed on a structure mounted on the ground on one or more supports.

**grey-water** means the leftover water from baths, showers, hand basins and washing machines only. It may also include the left over water from the kitchen sink, but only if it has been subject to appropriate treatment.

**gross building area** means the total enclosed and unenclosed area of the building at all building floor levels measured between the outside face of any enclosing walls, balustrades and supports.

**hedge** means a line of two or more trees or shrubs planted close together for the purpose of forming a fence, a screen, or a boundary.

**impulsive noise** means having a high peak of short duration or a sequence of such peaks.

**intermittent noise** means the level suddenly drops to that of the background noise several times during the assessment period, with a noticeable change in noise level of at least 5 dB.

**kerb ramp**, in relation to Part B: Section 12 – Access, means an inclined access way with a length not greater than 1520mm and a gradient not steeper than 1 in 8, located within a kerb.

**land** includes any building or part of a building erected on the land.

**landing**, in relation to Part B: Section 17 - Access, means a flat or crowned surface with gradient not steeper than 1 in 40.

**low-frequency noise** means containing major components within the low frequency range (20 Hz–250 Hz) of the frequency spectrum.

**multi-dwelling development** means a development containing 3 or more dwellings on the same parcel of land regardless of whether other land uses are also proposed on the same land.

**neighbouring land** means any land, other than adjoining land, which may be adversely affected by the use of an application site or the erection of a building on an application site (includes properties in a neighbouring Local Council Area).

**owner** means the name and address of the proprietor of land as registered in Council's rating records.

**product image** means any words, letters, symbols or images that identify a product or corporate body, but does not include any object to which the words, letters, symbols or images are attached or appended.

**Public Art Policy** means a policy adopted by a consent authority, in a development control plan or otherwise, that establishes forms and locations for art works in the public domain.

**rail corridor** means land:

- (a) that is owned, leased, managed or controlled by a public authority for the purpose of a railway or rail infrastructure facilities, or

**Dictionary**

- (b) that is zoned under an environmental planning instrument predominantly or solely for development for the purpose of a railway or rail infrastructure facilities, or
- (c) in respect of which the Minister has granted approval under Part 3A or (before its repeal) Division 4 of Part 5 of the Act for the carrying out of development (or for a concept plan for a project comprising or including development) for the purpose of a railway or rail infrastructure facilities.

**Note** Copies of the Minister's approvals are available on the website of the Department of Planning

**residential zones** means the R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential zone or E4 Environmental Living under NSLEP 2013.

**roof or sky advertisement**, in relation to Part B: Section 9 – Advertising and Signage means an advertisement displayed on or above the parapet or eaves of a building.

**Special Areas** means that area marked red with a black cross hatch as shown on the North Sydney Centre Map to NSLEP 2013.

**special promotional advertisements** means an advertisement for an activity or event of a civic or community nature but not including wall advertisement.

**suitably qualified arborist** means:

- (a) for the purpose of carrying out pruning work or certifying a tree as dead must hold minimum qualification Australian Qualification Framework (AQF) level 3 in Arboriculture and/or equivalent experience, knowledge and skills.
- (b) A Qualified Arborist for the purpose of providing written reports or tree hazard assessments must hold minimum qualification Australian Qualification Framework (AQF) level 5 in Arboriculture and/or equivalent experience, knowledge and skills.

**tall building** means a building 18 storeys in height or greater.

**tonal noise** means containing a prominent frequency and characterised by a definite pitch.

**tower means** a tall, vertical structure above the podium level of a building.

**tree** means a long-lived (more than 5 years), generally woody plant which may have a single or multiple stem which are self-supporting and at maturity will reach a height of more than 5m. For the purposes of this DCP, a tree also includes palms.

**vegetation** means any living plant, that does not fall under the definition of a tree and includes low growing ground covers, grasses and climbers through to woody shrubs.

**wall advertisement**, in relation to Part B: Section 9 – Advertising and Signage means an advertisement that is painted on or fixed flat to a wall of a building, but does not include a special promotional advertisement or building wrap advertisement.



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## APPENDIX 1 HERITAGE – CONTRIBUTORY, NEUTRAL & UNCHARACTERISTIC ITEMS

### 1.1 INTRODUCTION

Heritage conservation areas have a cohesive sense of place. Their significance is often a function of the subdivision and street pattern, combined with buildings that share common periods of development, historical associations, materials, form and scale.

Buildings that are not heritage items are identified as contributory, neutral or uncharacteristic. The contribution of any building to the conservation area should guide the approach to development.

### 1.2 GENERAL OBJECTIVES

The general objectives of this Appendix to the DCP is to identify those properties within an heritage conservation area which comprise a “contributory”, “neutral” or “uncharacteristic” item.

### 1.3 RELATIONSHIP TO OTHER SECTIONS

This Appendix should be read in conjunction with Part B: Section 13 - *Heritage and Conservation*.

### 1.4 ITEM IDENTIFICATION

- A1 Table App-1.1 lists all contributory items.
- A2 Table App-1.2 lists all uncharacteristic items.
- A3 Those properties not listed in Tables App-1.1 or App-1.2 or identified as a heritage item under NSLEP 2013 are deemed to be neutral items.



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TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
90	Albany Street	Crows Nest	Holtermann Estate A
92	Albany Street	Crows Nest	Holtermann Estate A
94	Albany Street	Crows Nest	Holtermann Estate A
96	Albany Street	Crows Nest	Holtermann Estate A
120	Alexander Street	Crows Nest	Holtermann Estate A
122	Alexander Street	Crows Nest	Holtermann Estate A
126	Alexander Street	Crows Nest	Holtermann Estate A
130	Alexander Street	Crows Nest	Holtermann Estate A
132	Alexander Street	Crows Nest	Holtermann Estate A
134	Alexander Street	Crows Nest	Holtermann Estate A
136	Alexander Street	Crows Nest	Holtermann Estate A
141	Alexander Street	Crows Nest	Holtermann Estate A
143	Alexander Street	Crows Nest	Holtermann Estate A
145	Alexander Street	Crows Nest	Holtermann Estate A
159	Alexander Street	Crows Nest	Holtermann Estate A
161	Alexander Street	Crows Nest	Holtermann Estate A
163	Alexander Street	Crows Nest	Holtermann Estate A
165	Alexander Street	Crows Nest	Holtermann Estate A
167	Alexander Street	Crows Nest	Holtermann Estate A
59	Amherst Street	Cammeray	Cammeray
61	Amherst Street	Cammeray	Cammeray
63	Amherst Street	Cammeray	Cammeray
65	Amherst Street	Cammeray	Cammeray
67	Amherst Street	Cammeray	Cammeray
72	Amherst Street	Cammeray	Cammeray
73	Amherst Street	Cammeray	Cammeray
74	Amherst Street	Cammeray	Cammeray
75	Amherst Street	Cammeray	Cammeray
76	Amherst Street	Cammeray	Cammeray
77	Amherst Street	Cammeray	Cammeray
78	Amherst Street	Cammeray	Cammeray
79	Amherst Street	Cammeray	Cammeray

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
80	Amherst Street	Cammeray	Cammeray
81	Amherst Street	Cammeray	Cammeray
83	Amherst Street	Cammeray	Cammeray
84	Amherst Street	Cammeray	Cammeray
86	Amherst Street	Cammeray	Cammeray
98	Amherst Street	Cammeray	Cammeray
100	Amherst Street	Cammeray	Cammeray
102	Amherst Street	Cammeray	Cammeray
2	Ancrum Street	Waverton	Union / Bank / Thomas Streets
7	Ancrum Street	Waverton	Union / Bank / Thomas Streets
8	Ancrum Street	Waverton	Union / Bank / Thomas Streets
9	Ancrum Street	Waverton	Union / Bank / Thomas Streets
10	Ancrum Street	Waverton	Union / Bank / Thomas Streets
23	Ancrum Street	Waverton	Union / Bank / Thomas Streets
25	Ancrum Street	Waverton	Union / Bank / Thomas Streets
27-29	Ancrum Street	Waverton	Union / Bank / Thomas Streets
34	Ancrum Street	Waverton	Union / Bank / Thomas Streets
36	Ancrum Street	Waverton	Union / Bank / Thomas Streets
37	Ancrum Street	Waverton	Union / Bank / Thomas Streets
38	Ancrum Street	Waverton	Union / Bank / Thomas Streets
39	Ancrum Street	Waverton	Union / Bank / Thomas Streets
41	Ancrum Street	Waverton	Union / Bank / Thomas Streets
58	Ancrum Street	Waverton	Union / Bank / Thomas Streets
59	Ancrum Street	Waverton	Union / Bank / Thomas Streets
25	Arthur Street	Lavender Bay	Lavender Bay
63	Atchison Street	Crows Nest	Holtermann Estate A
65	Atchison Street	Crows Nest	Holtermann Estate A
67	Atchison Street	Crows Nest	Holtermann Estate A
73	Atchison Street	Crows Nest	Holtermann Estate A
75	Atchison Street	Crows Nest	Holtermann Estate A
77	Atchison Street	Crows Nest	Holtermann Estate A
79	Atchison Street	Crows Nest	Holtermann Estate A



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
87	Atchison Street	Crows Nest	Holtermann Estate A
89	Atchison Street	Crows Nest	Holtermann Estate A
91	Atchison Street	Crows Nest	Holtermann Estate A
92	Atchison Street	Crows Nest	Holtermann Estate A
93	Atchison Street	Crows Nest	Holtermann Estate A
94	Atchison Street	Crows Nest	Holtermann Estate A
95	Atchison Street	Crows Nest	Holtermann Estate A
96	Atchison Street	Crows Nest	Holtermann Estate A
97	Atchison Street	Crows Nest	Holtermann Estate A
100	Atchison Street	Crows Nest	Holtermann Estate A
102	Atchison Street	Crows Nest	Holtermann Estate A
103	Atchison Street	Crows Nest	Holtermann Estate A
104	Atchison Street	Crows Nest	Holtermann Estate A
105	Atchison Street	Crows Nest	Holtermann Estate A
107	Atchison Street	Crows Nest	Holtermann Estate A
109	Atchison Street	Crows Nest	Holtermann Estate A
111	Atchison Street	Crows Nest	Holtermann Estate A
113	Atchison Street	Crows Nest	Holtermann Estate A
115	Atchison Street	Crows Nest	Holtermann Estate A
117	Atchison Street	Crows Nest	Holtermann Estate A
122	Atchison Street	Crows Nest	Holtermann Estate A
124	Atchison Street	Crows Nest	Holtermann Estate A
126	Atchison Street	Crows Nest	Holtermann Estate A
127	Atchison Street	Crows Nest	Holtermann Estate A
128	Atchison Street	Crows Nest	Holtermann Estate A
130	Atchison Street	Crows Nest	Holtermann Estate A
138	Atchison Street	Crows Nest	Holtermann Estate A
140	Atchison Street	Crows Nest	Holtermann Estate A
142	Atchison Street	Crows Nest	Holtermann Estate A
148	Atchison Street	Crows Nest	Holtermann Estate A
150	Atchison Street	Crows Nest	Holtermann Estate A
152	Atchison Street	Crows Nest	Holtermann Estate A
154	Atchison Street	Crows Nest	Holtermann Estate A

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
156	Atchison Street	Crows Nest	Holtermann Estate A
158	Atchison Street	Crows Nest	Holtermann Estate A
160	Atchison Street	Crows Nest	Holtermann Estate A
162	Atchison Street	Crows Nest	Holtermann Estate A
1	Bank Lane	North Sydney	Union / Bank / Thomas Streets
1	Bank Street	North Sydney	Union / Bank / Thomas Streets
5	Bank Street	North Sydney	Union / Bank / Thomas Streets
9	Bank Street	North Sydney	Union / Bank / Thomas Streets
11	Bank Street	North Sydney	Union / Bank / Thomas Streets
13	Bank Street	North Sydney	Union / Bank / Thomas Streets
15	Bank Street	North Sydney	Union / Bank / Thomas Streets
22	Bank Street	North Sydney	Union / Bank / Thomas Streets
26	Bank Street	North Sydney	Union / Bank / Thomas Streets
38	Bank Street	North Sydney	Union / Bank / Thomas Streets
42	Bank Street	North Sydney	Union / Bank / Thomas Streets
46	Bank Street	North Sydney	Union / Bank / Thomas Streets
48	Bank Street	North Sydney	Union / Bank / Thomas Streets
51	Bank Street	North Sydney	Union / Bank / Thomas Streets
52	Bank Street	North Sydney	Union / Bank / Thomas Streets
53	Bank Street	North Sydney	Union / Bank / Thomas Streets
54	Bank Street	North Sydney	Union / Bank / Thomas Streets
56	Bank Street	North Sydney	Union / Bank / Thomas Streets
58	Bank Street	North Sydney	Union / Bank / Thomas Streets
60	Bank Street	North Sydney	Union / Bank / Thomas Streets
61	Bank Street	North Sydney	Union / Bank / Thomas Streets
62	Bank Street	North Sydney	Union / Bank / Thomas Streets
66	Bank Street	North Sydney	Union / Bank / Thomas Streets
67	Bank Street	North Sydney	Union / Bank / Thomas Streets
68	Bank Street	North Sydney	Union / Bank / Thomas Streets
69	Bank Street	North Sydney	Union / Bank / Thomas Streets
70	Bank Street	North Sydney	Union / Bank / Thomas Streets
71	Bank Street	North Sydney	Union / Bank / Thomas Streets
72	Bank Street	North Sydney	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
73	Bank Street	North Sydney	Union / Bank / Thomas Streets
78	Bank Street	North Sydney	Union / Bank / Thomas Streets
83	Bank Street	North Sydney	Union / Bank / Thomas Streets
85	Bank Street	North Sydney	Union / Bank / Thomas Streets
89	Bank Street	North Sydney	Union / Bank / Thomas Streets
91	Bank Street	North Sydney	Union / Bank / Thomas Streets
96-98	Bank Street	North Sydney	Union / Bank / Thomas Streets
102	Bank Street	North Sydney	Union / Bank / Thomas Streets
104	Bank Street	North Sydney	Union / Bank / Thomas Streets
15	Bannerman Street	Cremorne Point	Kurraba Point
17	Bannerman Street	Cremorne Point	Kurraba Point
19	Bannerman Street	Cremorne Point	Kurraba Point
21	Bannerman Street	Cremorne Point	Kurraba Point
21A	Bannerman Street	Cremorne Point	Kurraba Point
23	Bannerman Street	Cremorne Point	Kurraba Point
25	Bannerman Street	Cremorne Point	Kurraba Point
27	Bannerman Street	Cremorne Point	Kurraba Point
29	Bannerman Street	Cremorne Point	Kurraba Point
11A	Bay Road	Waverton	Crows Nest
15	Bay Road	Waverton	Crows Nest
17	Bay Road	Waverton	Crows Nest
21	Bay Road	Waverton	Crows Nest
22	Bay Road	Waverton	Priory Road
24	Bay Road	Waverton	Priory Road
26	Bay Road	Waverton	Priory Road
38	Bay Road	Waverton	Priory Road
40-42	Bay Road	Waverton	Priory Road
46	Bay Road	Waverton	Priory Road
48	Bay Road	Waverton	Priory Road
52	Bay Road	Waverton	Priory Road
54	Bay Road	Waverton	Priory Road
56	Bay Road	Waverton	Priory Road

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
58	Bay Road	Waverton	Priory Road
61	Bay Road	Waverton	Bay Road
63	Bay Road	Waverton	Bay Road
71	Bay Road	Waverton	Bay Road
73	Bay Road	Waverton	Bay Road
77	Bay Road	Waverton	Bay Road
79	Bay Road	Waverton	Bay Road
81	Bay Road	Waverton	Bay Road
85	Bay Road	Waverton	Bay Road
87	Bay Road	Waverton	Bay Road
88	Bay Road	Waverton	Union / Bank / Thomas Streets
89	Bay Road	Waverton	Bay Road
91	Bay Road	Waverton	Bay Road
93	Bay Road	Waverton	Bay Road
95	Bay Road	Waverton	Bay Road
99	Bay Road	Waverton	Bay Road
101	Bay Road	Waverton	Bay Road
103	Bay Road	Waverton	Bay Road
116	Bay Road	Waverton	Bay Road
118	Bay Road	Waverton	Bay Road
44	Bellevue Street	Cammeray	Cammeray
46	Bellevue Street	Cammeray	Cammeray
53	Bellevue Street	Cammeray	Cammeray
55	Bellevue Street	Cammeray	Cammeray
57	Bellevue Street	Cammeray	Cammeray
58	Bellevue Street	Cammeray	Cammeray
59	Bellevue Street	Cammeray	Cammeray
60	Bellevue Street	Cammeray	Cammeray
64	Bellevue Street	Cammeray	Cammeray
65	Bellevue Street	Cammeray	Cammeray
69	Bellevue Street	Cammeray	Cammeray
70	Bellevue Street	Cammeray	Cammeray



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
72	Bellevue Street	Cammeray	Cammeray
73	Bellevue Street	Cammeray	Cammeray
76	Bellevue Street	Cammeray	Cammeray
78	Bellevue Street	Cammeray	Cammeray
95	Bellevue Street	Cammeray	Cammeray
97-99	Bellevue Street (that part comprising the two detached dwellings fronting Bellevue Street – No.s 97 and 99)	Cammeray	Cammeray
101	Bellevue Street	Cammeray	Cammeray
107	Bellevue Street	Cammeray	Plateau
113	Bellevue Street	Cammeray	Plateau
125	Bellevue Street	Cammeray	Plateau
133	Bellevue Street	Cammeray	Plateau
137	Bellevue Street	Cammeray	Plateau
214	Ben Boyd Road	Cremorne	Oaks Avenue
216	Ben Boyd Road	Cremorne	Oaks Avenue
3	Bennett Street	Neutral Bay	Cremorne
21	Bennett Street	Cremorne	Cremorne
25	Bennett Street	Cremorne	Cremorne
31	Bennett Street	Cremorne	Cremorne
41	Bennett Street	Cremorne	Cremorne
43	Bernard Lane	Crows Nest	Holtermann Estate D
2	Bertha Road	Cremorne	Cremorne
30-40	Blues Point Road	McMahons Point	McMahons Point South
33	Blues Point Road	McMahons Point	McMahons Point South
35	Blues Point Road	McMahons Point	McMahons Point South
37	Blues Point Road	McMahons Point	McMahons Point South
39	Blues Point Road	McMahons Point	McMahons Point South
42	Blues Point Road	McMahons Point	McMahons Point South
43	Blues Point Road	McMahons Point	McMahons Point South

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
45	Blues Point Road	McMahons Point	McMahons Point South
46	Blues Point Road	McMahons Point	McMahons Point South
47	Blues Point Road	McMahons Point	McMahons Point South
51	Blues Point Road	McMahons Point	McMahons Point South
54-56	Blues Point Road	McMahons Point	McMahons Point South
57	Blues Point Road	McMahons Point	McMahons Point South
59	Blues Point Road	McMahons Point	McMahons Point South
60	Blues Point Road	McMahons Point	McMahons Point South
61	Blues Point Road	McMahons Point	McMahons Point South
62	Blues Point Road	McMahons Point	McMahons Point South
63	Blues Point Road	McMahons Point	McMahons Point South
64	Blues Point Road	McMahons Point	McMahons Point South
66	Blues Point Road	McMahons Point	McMahons Point South
68	Blues Point Road	McMahons Point	McMahons Point South
73	Blues Point Road	McMahons Point	McMahons Point South
75	Blues Point Road	McMahons Point	McMahons Point South
74	Blues Point Road	McMahons Point	McMahons Point South
77	Blues Point Road	McMahons Point	McMahons Point South
79	Blues Point Road	McMahons Point	McMahons Point South
80	Blues Point Road	McMahons Point	McMahons Point South
85	Blues Point Road	McMahons Point	McMahons Point South
86	Blues Point Road	McMahons Point	McMahons Point South
87	Blues Point Road	McMahons Point	McMahons Point South
89	Blues Point Road	McMahons Point	McMahons Point South
94	Blues Point Road	McMahons Point	McMahons Point South
96	Blues Point Road	McMahons Point	McMahons Point South
98	Blues Point Road	McMahons Point	McMahons Point South
100	Blues Point Road	McMahons Point	McMahons Point South
104	Blues Point Road	McMahons Point	McMahons Point South
106	Blues Point Road	McMahons Point	McMahons Point South
108	Blues Point Road	McMahons Point	McMahons Point South
110	Blues Point Road	McMahons Point	McMahons Point South
112	Blues Point Road	McMahons Point	McMahons Point South

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
114	Blues Point Road	McMahons Point	McMahons Point South
115	Blues Point Road	McMahons Point	McMahons Point North
116	Blues Point Road	McMahons Point	McMahons Point North
117	Blues Point Road	McMahons Point	McMahons Point North
118	Blues Point Road	McMahons Point	McMahons Point North
120-122	Blues Point Road	McMahons Point	McMahons Point North
121	Blues Point Road	McMahons Point	McMahons Point North
123	Blues Point Road	McMahons Point	McMahons Point North
124	Blues Point Road	McMahons Point	McMahons Point North
124A	Blues Point Road	McMahons Point	McMahons Point North
125	Blues Point Road	McMahons Point	McMahons Point North
127	Blues Point Road	McMahons Point	McMahons Point North
128	Blues Point Road	McMahons Point	McMahons Point North
128A	Blues Point Road	McMahons Point	McMahons Point North
129	Blues Point Road	McMahons Point	McMahons Point North
130	Blues Point Road	McMahons Point	McMahons Point North
130A	Blues Point Road	McMahons Point	McMahons Point North
131	Blues Point Road	McMahons Point	McMahons Point North
132	Blues Point Road	McMahons Point	McMahons Point North
132A	Blues Point Road	McMahons Point	McMahons Point North
133	Blues Point Road	McMahons Point	McMahons Point North
134	Blues Point Road	McMahons Point	McMahons Point North
135	Blues Point Road	McMahons Point	McMahons Point North
137	Blues Point Road	McMahons Point	McMahons Point North
139	Blues Point Road	McMahons Point	McMahons Point North
142	Blues Point Road	McMahons Point	McMahons Point North
144	Blues Point Road	McMahons Point	McMahons Point North
148	Blues Point Road	McMahons Point	McMahons Point North
150	Blues Point Road	McMahons Point	McMahons Point North
152	Blues Point Road	McMahons Point	McMahons Point North
154	Blues Point Road	McMahons Point	McMahons Point North
156	Blues Point Road	McMahons Point	McMahons Point North

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
33	Boyle Street	Cremorne	Cremorne
34	Boyle Street	Cremorne Point	Cremorne
44	Boyle Street	Cremorne Point	Cremorne
4	Bradley Avenue	North Sydney	Careening Cove
6	Bradley Avenue	North Sydney	Careening Cove
8	Bradley Avenue	North Sydney	Careening Cove
10	Bradley Avenue	North Sydney	Careening Cove
12	Bradley Avenue	North Sydney	Careening Cove
14	Bradley Avenue	North Sydney	Careening Cove
3	Bray Street	North Sydney	Whaling Road
4	Bray Street	North Sydney	Whaling Road
5	Bray Street	North Sydney	Whaling Road
6	Bray Street	North Sydney	Whaling Road
7	Bray Street	North Sydney	Whaling Road
8	Bray Street	North Sydney	Whaling Road
9	Bray Street	North Sydney	Whaling Road
10	Bray Street	North Sydney	Whaling Road
11	Bray Street	North Sydney	Whaling Road
11A	Bray Street	North Sydney	Whaling Road
16	Bray Street	North Sydney	Whaling Road
17	Bray Street	North Sydney	Whaling Road
18	Bray Street	North Sydney	Whaling Road
21	Bray Street	North Sydney	Whaling Road
23	Bray Street	North Sydney	Whaling Road
25	Bray Street	North Sydney	Whaling Road
1	Bromley Avenue	Cremorne Point	Cremorne Point
27	Burlington Street	Crows Nest	Holtermann Estate B
31	Burlington Street	Crows Nest	Holtermann Estate B
38	Burlington Street	Crows Nest	Holtermann Estate B
40	Burlington Street	Crows Nest	Holtermann Estate B
41	Burlington Street	Crows Nest	Holtermann Estate B
42	Burlington Street	Crows Nest	Holtermann Estate B



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
44	Burlington Street	Crows Nest	Holtermann Estate B
45	Burlington Street	Crows Nest	Holtermann Estate B
46	Burlington Street	Crows Nest	Holtermann Estate B
47	Burlington Street	Crows Nest	Holtermann Estate B
48	Burlington Street	Crows Nest	Holtermann Estate B
50	Burlington Street	Crows Nest	Holtermann Estate B
52	Burlington Street	Crows Nest	Holtermann Estate B
54	Burlington Street	Crows Nest	Holtermann Estate B
56	Burlington Street	Crows Nest	Holtermann Estate B
58	Burlington Street	Crows Nest	Holtermann Estate B
60	Burlington Street	Crows Nest	Holtermann Estate B
61	Burlington Street	Crows Nest	Holtermann Estate B
62	Burlington Street	Crows Nest	Holtermann Estate B
63	Burlington Street	Crows Nest	Holtermann Estate B
64	Burlington Street	Crows Nest	Holtermann Estate B
65	Burlington Street	Crows Nest	Holtermann Estate B
66	Burlington Street	Crows Nest	Holtermann Estate B
67	Burlington Street	Crows Nest	Holtermann Estate B
68	Burlington Street	Crows Nest	Holtermann Estate B
69	Burlington Street	Crows Nest	Holtermann Estate B
70	Burlington Street	Crows Nest	Holtermann Estate B
72	Burlington Street	Crows Nest	Holtermann Estate B
74	Burlington Street	Crows Nest	Holtermann Estate B
75	Burlington Street	Crows Nest	Holtermann Estate B
76	Burlington Street	Crows Nest	Holtermann Estate B
77	Burlington Street	Crows Nest	Holtermann Estate B
78	Burlington Street	Crows Nest	Holtermann Estate B
79	Burlington Street	Crows Nest	Holtermann Estate B
80	Burlington Street	Crows Nest	Holtermann Estate B
82	Burlington Street	Crows Nest	Holtermann Estate B
83	Burlington Street	Crows Nest	Holtermann Estate B
84	Burlington Street	Crows Nest	Holtermann Estate B
89	Burlington Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
91	Burlington Street	Crows Nest	Holtermann Estate B
94	Burlington Street	Crows Nest	Holtermann Estate B
96	Burlington Street	Crows Nest	Holtermann Estate B
98	Burlington Street	Crows Nest	Holtermann Estate B
99	Burlington Street	Crows Nest	Holtermann Estate B
100	Burlington Street	Crows Nest	Holtermann Estate B
101	Burlington Street	Crows Nest	Holtermann Estate B
102	Burlington Street	Crows Nest	Holtermann Estate B
103	Burlington Street	Crows Nest	Holtermann Estate B
104	Burlington Street	Crows Nest	Holtermann Estate B
105	Burlington Street	Crows Nest	Holtermann Estate B
106	Burlington Street	Crows Nest	Holtermann Estate B
107	Burlington Street	Crows Nest	Holtermann Estate B
107A	Burlington Street	Crows Nest	Holtermann Estate B
108	Burlington Street	Crows Nest	Holtermann Estate B
109	Burlington Street	Crows Nest	Holtermann Estate B
112	Burlington Street	Crows Nest	Holtermann Estate B
114	Burlington Street	Crows Nest	Holtermann Estate B
116	Burlington Street	Crows Nest	Holtermann Estate B
118	Burlington Street	Crows Nest	Holtermann Estate B
126	Burlington Street	Crows Nest	Holtermann Estate B
128	Burlington Street	Crows Nest	Holtermann Estate B
130	Burlington Street	Crows Nest	Holtermann Estate B
132	Burlington Street	Crows Nest	Holtermann Estate B
134	Burlington Street	Crows Nest	Holtermann Estate B
140	Burlington Street	Crows Nest	Holtermann Estate B
1	Burroway Street	Neutral Bay	Cremorne
6	Burroway Street	Neutral Bay	Cremorne
10	Burroway Street	Neutral Bay	Cremorne
14	Burroway Street	Neutral Bay	Cremorne
16	Burroway Street	Neutral Bay	Cremorne
18	Burroway Street	Neutral Bay	Cremorne
1	Cable Street	Wollstonecraft	Wollstonecraft

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
4	Cable Street	Wollstonecraft	Wollstonecraft
5	Cable Street	Wollstonecraft	Wollstonecraft
9	Cable Street	Wollstonecraft	Wollstonecraft
4	Cairo Street	Cammeray	Plateau
5	Cairo Street	Cammeray	Plateau
7	Cairo Street	Cammeray	Plateau
11	Cairo Street	Cammeray	Plateau
13	Cairo Street	Cammeray	Plateau
17	Cairo Street	Cammeray	Plateau
26	Cairo Street	Cammeray	Plateau
28	Cairo Street	Cammeray	Plateau
30	Cairo Street	Cammeray	Plateau
34	Cairo Street	Cammeray	Plateau
46	Cairo Street	Cammeray	Plateau
48	Cairo Street	Cammeray	Plateau
57	Cairo Street	Cammeray	Plateau
60	Cairo Street	Cammeray	Plateau
64	Cairo Street	Cammeray	Plateau
11-27	Carabella Street	Kirribilli	Kirribilli
14	Carabella Street	Kirribilli	Kirribilli
45	Carabella Street	Kirribilli	Kirribilli
49	Carabella Street	Kirribilli	Kirribilli
63	Carabella Street	Kirribilli	Kirribilli
74	Carabella Street	Kirribilli	Careening Cove
76	Carabella Street	Kirribilli	Careening Cove
78	Carabella Street	Kirribilli	Careening Cove
90	Carabella Street	Kirribilli	Careening Cove
92	Carabella Street	Kirribilli	Careening Cove
94	Carabella Street	Kirribilli	Careening Cove
96	Carabella Street	Kirribilli	Careening Cove
98	Carabella Street	Kirribilli	Careening Cove
110	Carabella Street	Kirribilli	Careening Cove

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
113	Carabella Street	Kirribilli	Careening Cove
117	Carabella Street	Kirribilli	Careening Cove
121-123	Carabella Street	Kirribilli	Careening Cove
129	Carabella Street	Kirribilli	Careening Cove
131	Carabella Street	Kirribilli	Careening Cove
135	Carabella Street	Kirribilli	Careening Cove
137	Carabella Street	Kirribilli	Careening Cove
139	Carabella Street	Kirribilli	Careening Cove
141	Carabella Street	Kirribilli	Careening Cove
143	Carabella Street	Kirribilli	Careening Cove
6	Carlow Street	North Sydney	Holtermann Estate D
8	Carlow Street	North Sydney	Holtermann Estate D
10	Carlow Street	North Sydney	Holtermann Estate D
12	Carlow Street	North Sydney	Holtermann Estate D
14	Carlow Street	North Sydney	Holtermann Estate D
16	Carlow Street	North Sydney	Holtermann Estate D
18	Carlow Street	North Sydney	Holtermann Estate D
20	Carlow Street	North Sydney	Holtermann Estate D
22	Carlow Street	North Sydney	Holtermann Estate D
24	Carlow Street	North Sydney	Holtermann Estate D
26	Carlow Street	North Sydney	Holtermann Estate D
28	Carlow Street	North Sydney	Holtermann Estate D
30	Carlow Street	North Sydney	Holtermann Estate D
32	Carlow Street	North Sydney	Holtermann Estate D
34	Carlow Street	North Sydney	Holtermann Estate D
36	Carlow Street	North Sydney	Holtermann Estate D
27	Carr Street	Waverton	Union / Bank / Thomas Streets
33	Carr Street	Waverton	Union / Bank / Thomas Streets
35	Carr Street	Waverton	Union / Bank / Thomas Streets
39	Carr Street	Waverton	Union / Bank / Thomas Streets
39A	Carr Street	Waverton	Union / Bank / Thomas Streets
41	Carr Street	Waverton	Union / Bank / Thomas Streets



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
5-7	Carter Street (That part comprising Lot 8 – DP 4895)	Cammeray	Cammeray
6	Carter Street	Cammeray	Plateau
8	Carter Street	Cammeray	Plateau
117	Chandos Street	Crows Nest	Holtermann Estate A
124	Chandos Street	Crows Nest	Holtermann Estate A
125	Chandos Street	Crows Nest	Holtermann Estate A
126	Chandos Street	Crows Nest	Holtermann Estate A
127	Chandos Street	Crows Nest	Holtermann Estate A
128	Chandos Street	Crows Nest	Holtermann Estate A
129	Chandos Street	Crows Nest	Holtermann Estate A
130	Chandos Street	Crows Nest	Holtermann Estate A
131	Chandos Street	Crows Nest	Holtermann Estate A
132	Chandos Street	Crows Nest	Holtermann Estate A
133	Chandos Street	Crows Nest	Holtermann Estate A
134	Chandos Street	Crows Nest	Holtermann Estate A
140	Chandos Street	Crows Nest	Holtermann Estate A
142	Chandos Street	Crows Nest	Holtermann Estate A
143	Chandos Street	Crows Nest	Holtermann Estate A
144	Chandos Street	Crows Nest	Holtermann Estate A
145	Chandos Street	Crows Nest	Holtermann Estate A
146	Chandos Street	Crows Nest	Holtermann Estate A
149	Chandos Street	Crows Nest	Holtermann Estate A
150	Chandos Street	Crows Nest	Holtermann Estate A
152	Chandos Street	Crows Nest	Holtermann Estate A
153	Chandos Street	Crows Nest	Holtermann Estate A
154	Chandos Street	Crows Nest	Holtermann Estate A
156	Chandos Street	Crows Nest	Holtermann Estate A
159	Chandos Street	Crows Nest	Holtermann Estate A
161	Chandos Street	Crows Nest	Holtermann Estate A
162	Chandos Street	Crows Nest	Holtermann Estate A
163	Chandos Street	Crows Nest	Holtermann Estate A

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
165	Chandos Street	Crows Nest	Holtermann Estate A
167	Chandos Street	Crows Nest	Holtermann Estate A
168	Chandos Street	Crows Nest	Holtermann Estate A
170	Chandos Street	Crows Nest	Holtermann Estate A
171	Chandos Street	Crows Nest	Holtermann Estate A
173	Chandos Street	Crows Nest	Holtermann Estate A
175	Chandos Street	Crows Nest	Holtermann Estate A
177	Chandos Street	Crows Nest	Holtermann Estate A
179	Chandos Street	Crows Nest	Holtermann Estate A
181	Chandos Street	Crows Nest	Holtermann Estate A
183	Chandos Street	Crows Nest	Holtermann Estate A
185	Chandos Street	Crows Nest	Holtermann Estate A
189	Chandos Street	Crows Nest	Holtermann Estate A
191	Chandos Street	Crows Nest	Holtermann Estate A
193	Chandos Street	Crows Nest	Holtermann Estate A
195	Chandos Street	Crows Nest	Holtermann Estate A
197	Chandos Street	Crows Nest	Holtermann Estate A
199	Chandos Street	Crows Nest	Holtermann Estate A
203	Chandos Street	Crows Nest	Holtermann Estate A
205	Chandos Street	Crows Nest	Holtermann Estate A
207	Chandos Street	Crows Nest	Holtermann Estate A
211	Chandos Street	Crows Nest	Holtermann Estate A
213	Chandos Street	Crows Nest	Holtermann Estate A
215	Chandos Street	Crows Nest	Holtermann Estate A
12	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
14	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
15	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
16	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
18	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
20	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
22	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
24	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
26	Chuter Street	McMahons Point	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
28	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
30	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
32	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
28	Clark Road	North Sydney	Whaling Road
30	Clark Road	North Sydney	Whaling Road
32	Clark Road	North Sydney	Whaling Road
34	Clark Road	North Sydney	Whaling Road
36	Clark Road	North Sydney	Whaling Road
1	Claude Avenue	Cremorne	Cremorne
3	Claude Avenue	Cremorne	Cremorne
7	Claude Avenue	Cremorne	Cremorne
13	Claude Avenue	Cremorne	Cremorne
25	Clifton Street	Waverton	Union / Bank / Thomas Streets
35	Clifton Street	Waverton	Union / Bank / Thomas Streets
39	Clifton Street	Waverton	Union / Bank / Thomas Streets
6	Colin Street	Cammeray	Plateau
15	Colin Street	Cammeray	Plateau
16	Colin Street	Cammeray	Plateau
17	Colin Street	Cammeray	Plateau
18	Colin Street	Cammeray	Plateau
19	Colin Street	Cammeray	Plateau
36	Colin Street	Cammeray	Plateau
37	Colin Street	Cammeray	Plateau
40	Colin Street	Cammeray	Plateau
42	Colin Street	Cammeray	Plateau
50	Colin Street	Cammeray	Plateau
51	Colin Street	Cammeray	Plateau
62	Colin Street	Cammeray	Plateau
69	Colin Street	Cammeray	Plateau
71	Colin Street	Cammeray	Plateau
1	Cremorne Road	Cremorne Point	Cremorne Point
3	Cremorne Road	Cremorne Point	Cremorne Point

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
6	Cremorne Road	Cremorne Point	Cremorne Point
23	Cremorne Road	Cremorne Point	Cremorne Point
25	Cremorne Road	Cremorne Point	Cremorne Point
29	Cremorne Road	Cremorne Point	Cremorne Point
33	Cremorne Road	Cremorne Point	Cremorne Point
34	Cremorne Road	Cremorne Point	Cremorne Point
36	Cremorne Road	Cremorne Point	Cremorne Point
38	Cremorne Road	Cremorne Point	Cremorne Point
39	Cremorne Road	Cremorne Point	Cremorne Point
42	Cremorne Road	Cremorne Point	Cremorne Point
45	Cremorne Road	Cremorne Point	Cremorne Point
47	Cremorne Road	Cremorne Point	Cremorne Point
53	Cremorne Road	Cremorne Point	Cremorne Point
55	Cremorne Road	Cremorne Point	Cremorne Point
57	Cremorne Road	Cremorne Point	Cremorne Point
59	Cremorne Road	Cremorne Point	Cremorne Point
60	Cremorne Road	Cremorne Point	Cremorne Point
63	Cremorne Road	Cremorne Point	Cremorne Point
68	Cremorne Road	Cremorne Point	Cremorne Point
74	Cremorne Road	Cremorne Point	Cremorne Point
76	Cremorne Road	Cremorne Point	Cremorne Point
78	Cremorne Road	Cremorne Point	Cremorne Point
82	Cremorne Road	Cremorne Point	Cremorne Point
84	Cremorne Road	Cremorne Point	Cremorne Point
85	Cremorne Road	Cremorne Point	Cremorne Point
86	Cremorne Road	Cremorne Point	Cremorne Point
87	Cremorne Road	Cremorne Point	Cremorne Point
88	Cremorne Road	Cremorne Point	Cremorne Point
93-95	Cremorne Road	Cremorne Point	Cremorne Point
97	Cremorne Road	Cremorne Point	Cremorne Point
100	Cremorne Road	Cremorne Point	Cremorne Point
103	Cremorne Road	Cremorne Point	Cremorne Point



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
104	Cremorne Road	Cremorne Point	Cremorne Point
105	Cremorne Road	Cremorne Point	Cremorne Point
107	Cremorne Road	Cremorne Point	Cremorne Point
109	Cremorne Road	Cremorne Point	Cremorne Point
115	Cremorne Road	Cremorne Point	Cremorne Point
125	Cremorne Road	Cremorne Point	Cremorne Point
127	Cremorne Road	Cremorne Point	Cremorne Point
32	Crows Nest Road	Waverton	Crows Nest
33	Crows Nest Road	Waverton	Crows Nest
35	Crows Nest Road	Waverton	Crows Nest
36	Crows Nest Road	Waverton	Crows Nest
39A	Crows Nest Road	Waverton	Crows Nest
40	Crows Nest Road	Waverton	Crows Nest
41	Crows Nest Road	Waverton	Crows Nest
44	Crows Nest Road	Waverton	Crows Nest
46	Crows Nest Road	Waverton	Crows Nest
47	Crows Nest Road	Waverton	Crows Nest
49	Crows Nest Road	Waverton	Crows Nest
50	Crows Nest Road	Waverton	Crows Nest
51	Crows Nest Road	Waverton	Crows Nest
52	Crows Nest Road	Waverton	Crows Nest
53	Crows Nest Road	Waverton	Crows Nest
55	Crows Nest Road	Waverton	Crows Nest
56	Crows Nest Road	Waverton	Crows Nest
57	Crows Nest Road	Waverton	Crows Nest
58	Crows Nest Road	Waverton	Crows Nest
59	Crows Nest Road	Waverton	Crows Nest
60	Crows Nest Road	Waverton	Crows Nest
61	Crows Nest Road	Waverton	Crows Nest
63	Crows Nest Road	Waverton	Crows Nest
65	Crows Nest Road	Waverton	Crows Nest
67	Crows Nest Road	Waverton	Crows Nest
69	Crows Nest Road	Waverton	Crows Nest

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
71	Crows Nest Road	Waverton	Crows Nest
1	Devonshire Street	Crows Nest	Holtermann Estate A
3	Devonshire Street	Crows Nest	Holtermann Estate A
5	Devonshire Street	Crows Nest	Holtermann Estate A
6	Devonshire Street	Crows Nest	Holtermann Estate A
7	Devonshire Street	Crows Nest	Holtermann Estate A
9	Devonshire Street	Crows Nest	Holtermann Estate A
11	Devonshire Street	Crows Nest	Holtermann Estate A
12	Devonshire Street	Crows Nest	Holtermann Estate A
13	Devonshire Street	Crows Nest	Holtermann Estate A
14	Devonshire Street	Crows Nest	Holtermann Estate A
15	Devonshire Street	Crows Nest	Holtermann Estate A
16	Devonshire Street	Crows Nest	Holtermann Estate A
18	Devonshire Street	Crows Nest	Holtermann Estate A
22	Devonshire Street	Crows Nest	Holtermann Estate A
22A	Devonshire Street	Crows Nest	Holtermann Estate A
25	Devonshire Street	Crows Nest	Holtermann Estate A
27	Devonshire Street	Crows Nest	Holtermann Estate A
31	Devonshire Street	Crows Nest	Holtermann Estate A
31A	Devonshire Street	Crows Nest	Holtermann Estate A
32	Devonshire Street	Crows Nest	Holtermann Estate A
35	Devonshire Street	Crows Nest	Holtermann Estate A
37	Devonshire Street	Crows Nest	Holtermann Estate A
39	Devonshire Street	Crows Nest	Holtermann Estate A
41	Devonshire Street	Crows Nest	Holtermann Estate A
43	Devonshire Street	Crows Nest	Holtermann Estate A
45	Devonshire Street	Crows Nest	Holtermann Estate A
47	Devonshire Street	Crows Nest	Holtermann Estate A
49	Devonshire Street	Crows Nest	Holtermann Estate A
1	Doris Street	North Sydney	Whaling Road
3	Doris Street	North Sydney	Whaling Road
4	Doris Street	North Sydney	Whaling Road
5	Doris Street	North Sydney	Whaling Road

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
8	Doris Street	North Sydney	Whaling Road
10	Doris Street	North Sydney	Whaling Road
11	Doris Street	North Sydney	Whaling Road
11A	Doris Street	North Sydney	Whaling Road
14	Doris Street	North Sydney	Whaling Road
15	Doris Street	North Sydney	Whaling Road
17	Doris Street	North Sydney	Whaling Road
18	Doris Street	North Sydney	Whaling Road
19	Doris Street	North Sydney	Whaling Road
23	Doris Street	North Sydney	Whaling Road
14	East Crescent Street	Lavender Bay	McMahons Point South
45	East Crescent Street	Lavender Bay	McMahons Point North
4	Echo Street	Cammeray	Cammeray
8	Echo Street	Cammeray	Cammeray
15	Edward Street	North Sydney	Edward Street
17	Edward Street	North Sydney	Edward Street
19	Edward Street	North Sydney	Edward Street
21	Edward Street	North Sydney	Edward Street
23	Edward Street	North Sydney	Edward Street
24	Edward Street	North Sydney	Union / Bank / Thomas Streets
25	Edward Street	North Sydney	Edward Street
26	Edward Street	North Sydney	Union / Bank / Thomas Streets
26A	Edward Street	North Sydney	Union / Bank / Thomas Streets
27	Edward Street	North Sydney	Edward Street
29	Edward Street	North Sydney	Edward Street
36	Edward Street	North Sydney	Edward Street
38	Edward Street	North Sydney	Edward Street
46	Edward Street	North Sydney	Edward Street
49	Edward Street	North Sydney	Edward Street
47	Elamang Avenue	Kirribilli	Careening Cove
1	Ellalong Road	Cremorne	Montague Road
3	Ellalong Road	Cremorne	Montague Road

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
5	Ellalong Road	Cremorne	Montague Road
8	Emmett Street	Crows Nest	Holtermann Estate C
11	Emmett Street	Crows Nest	Holtermann Estate C
13	Emmett Street	Crows Nest	Holtermann Estate C
14	Emmett Street	Crows Nest	Holtermann Estate C
15	Emmett Street	Crows Nest	Holtermann Estate C
16	Emmett Street	Crows Nest	Holtermann Estate C
17	Emmett Street	Crows Nest	Holtermann Estate C
18	Emmett Street	Crows Nest	Holtermann Estate C
19	Emmett Street	Crows Nest	Holtermann Estate C
20	Emmett Street	Crows Nest	Holtermann Estate C
21	Emmett Street	Crows Nest	Holtermann Estate C
23	Emmett Street	Crows Nest	Holtermann Estate C
24	Emmett Street	Crows Nest	Holtermann Estate C
25	Emmett Street	Crows Nest	Holtermann Estate C
26	Emmett Street	Crows Nest	Holtermann Estate C
27	Emmett Street	Crows Nest	Holtermann Estate C
28	Emmett Street	Crows Nest	Holtermann Estate C
29	Emmett Street	Crows Nest	Holtermann Estate C
30	Emmett Street	Crows Nest	Holtermann Estate C
31	Emmett Street	Crows Nest	Holtermann Estate C
32	Emmett Street	Crows Nest	Holtermann Estate C
33	Emmett Street	Crows Nest	Holtermann Estate C
34	Emmett Street	Crows Nest	Holtermann Estate C
36	Emmett Street	Crows Nest	Holtermann Estate C
38	Emmett Street	Crows Nest	Holtermann Estate C
40	Emmett Street	Crows Nest	Holtermann Estate C
42	Emmett Street	Crows Nest	Holtermann Estate C
44	Emmett Street	Crows Nest	Holtermann Estate C
46	Emmett Street	Crows Nest	Holtermann Estate C
48	Emmett Street	Crows Nest	Holtermann Estate C
56	Emmett Street	Crows Nest	Holtermann Estate C



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
46	Ernest Street	Crows Nest	Holtermann Estate B
47	Ernest Street	Crows Nest	Holtermann Estate B
48	Ernest Street	Crows Nest	Holtermann Estate B
49	Ernest Street	Crows Nest	Holtermann Estate B
51	Ernest Street	Crows Nest	Holtermann Estate B
52	Ernest Street	Crows Nest	Holtermann Estate B
53	Ernest Street	Crows Nest	Holtermann Estate B
54	Ernest Street	Crows Nest	Holtermann Estate B
57	Ernest Street	Crows Nest	Holtermann Estate B
58	Ernest Street	Crows Nest	Holtermann Estate B
59	Ernest Street	Crows Nest	Holtermann Estate B
60	Ernest Street	Crows Nest	Holtermann Estate B
63	Ernest Street	Crows Nest	Holtermann Estate B
64	Ernest Street	Crows Nest	Holtermann Estate B
73	Ernest Street	Crows Nest	Holtermann Estate B
80	Ernest Street	Crows Nest	Holtermann Estate B
82	Ernest Street	Crows Nest	Holtermann Estate B
83	Ernest Street	Crows Nest	Holtermann Estate B
84	Ernest Street	Crows Nest	Holtermann Estate B
88	Ernest Street	Crows Nest	Holtermann Estate B
90	Ernest Street	Crows Nest	Holtermann Estate B
91	Ernest Street	Crows Nest	Holtermann Estate B
92	Ernest Street	Crows Nest	Holtermann Estate B
93	Ernest Street	Crows Nest	Holtermann Estate B
94	Ernest Street	Crows Nest	Holtermann Estate B
95	Ernest Street	Crows Nest	Holtermann Estate B
96	Ernest Street	Crows Nest	Holtermann Estate B
97	Ernest Street	Crows Nest	Holtermann Estate B
98	Ernest Street	Crows Nest	Holtermann Estate B
100	Ernest Street	Crows Nest	Holtermann Estate B
102	Ernest Street	Crows Nest	Holtermann Estate B
104	Ernest Street	Crows Nest	Holtermann Estate B
106	Ernest Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
109	Ernest Street	Crows Nest	Holtermann Estate B
110	Ernest Street	Crows Nest	Holtermann Estate B
111	Ernest Street	Crows Nest	Holtermann Estate B
112A	Ernest Street	Crows Nest	Holtermann Estate B
113	Ernest Street	Crows Nest	Holtermann Estate B
114	Ernest Street	Crows Nest	Holtermann Estate B
115	Ernest Street	Crows Nest	Holtermann Estate B
116	Ernest Street	Crows Nest	Holtermann Estate B
119	Ernest Street	Crows Nest	Holtermann Estate B
121	Ernest Street	Crows Nest	Holtermann Estate B
122	Ernest Street	Crows Nest	Holtermann Estate B
123	Ernest Street	Crows Nest	Holtermann Estate B
124	Ernest Street	Crows Nest	Holtermann Estate B
125	Ernest Street	Crows Nest	Holtermann Estate B
126	Ernest Street	Crows Nest	Holtermann Estate B
127	Ernest Street	Crows Nest	Holtermann Estate B
128	Ernest Street	Crows Nest	Holtermann Estate B
129	Ernest Street	Crows Nest	Holtermann Estate B
131	Ernest Street	Crows Nest	Holtermann Estate B
1	Euroka Street	North Sydney	Union / Bank / Thomas Streets
5	Euroka Street	North Sydney	Union / Bank / Thomas Streets
7	Euroka Street	North Sydney	Union / Bank / Thomas Streets
9	Euroka Street	North Sydney	Union / Bank / Thomas Streets
25	Euroka Street	Waverton	Union / Bank / Thomas Streets
27	Euroka Street	Waverton	Union / Bank / Thomas Streets
29	Euroka Street	Waverton	Union / Bank / Thomas Streets
31	Euroka Street	Waverton	Union / Bank / Thomas Streets
33	Euroka Street	Waverton	Union / Bank / Thomas Streets
52-54	Euroka Street	Waverton	Union / Bank / Thomas Streets
56	Euroka Street	Waverton	Union / Bank / Thomas Streets
58	Euroka Street	Waverton	Union / Bank / Thomas Streets
60	Euroka Street	Waverton	Union / Bank / Thomas Streets
61	Euroka Street	Waverton	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
63	Euroka Street	Waverton	Union / Bank / Thomas Streets
65	Euroka Street	Waverton	Union / Bank / Thomas Streets
67	Euroka Street	Waverton	Union / Bank / Thomas Streets
1A	Fifth Avenue	Cremorne	Montague Road
11	Fifth Avenue	Cremorne	Montague Road
12	Fifth Avenue	Cremorne	Montague Road
13	Fifth Avenue	Cremorne	Montague Road
15	Fifth Avenue	Cremorne	Montague Road
16	Fifth Avenue	Cremorne	Montague Road
18	Fifth Avenue	Cremorne	Montague Road
19	Fifth Avenue	Cremorne	Montague Road
10	Florence Street	Cremorne	Cremorne
12	Florence Street	Cremorne	Cremorne
18	Florence Street	Cremorne	Cremorne
5	French Street	McMahons Point	McMahons Point North
7	French Street	McMahons Point	McMahons Point North
9	French Street	McMahons Point	McMahons Point North
11	French Street	McMahons Point	McMahons Point North
13	French Street	McMahons Point	McMahons Point North
7	Guthrie Avenue	Cremorne	Cremorne
27	Harriette Street	Kurraba Point	Kurraba Point
42	Harriette Street	Neutral Bay	Cremorne
44	Harriette Street	Neutral Bay	Cremorne
1-3	Harrison Street	Cremorne	Cremorne
7	Harrison Street	Cremorne	Cremorne
9	Harrison Street	Cremorne	Cremorne
10	Harrison Street	Cremorne	Cremorne
12	Harrison Street	Cremorne	Cremorne
11	Hayberry Street	Crows Nest	Holtermann Estate C
13	Hayberry Street	Crows Nest	Holtermann Estate C
15	Hayberry Street	Crows Nest	Holtermann Estate C
16	Hayberry Street	Crows Nest	Holtermann Estate C

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
17	Hayberry Street	Crows Nest	Holtermann Estate C
18	Hayberry Street	Crows Nest	Holtermann Estate C
19	Hayberry Street	Crows Nest	Holtermann Estate C
20	Hayberry Street	Crows Nest	Holtermann Estate C
21	Hayberry Street	Crows Nest	Holtermann Estate C
22	Hayberry Street	Crows Nest	Holtermann Estate C
24	Hayberry Street	Crows Nest	Holtermann Estate C
26	Hayberry Street	Crows Nest	Holtermann Estate C
28	Hayberry Street	Crows Nest	Holtermann Estate C
30	Hayberry Street	Crows Nest	Holtermann Estate C
32	Hayberry Street	Crows Nest	Holtermann Estate C
34	Hayberry Street	Crows Nest	Holtermann Estate C
36	Hayberry Street	Crows Nest	Holtermann Estate C
39	Hayberry Street	Crows Nest	Holtermann Estate C
41	Hayberry Street	Crows Nest	Holtermann Estate C
47-49	Hayberry Street	Crows Nest	Holtermann Estate C
51	Hayberry Street	Crows Nest	Holtermann Estate C
52	Hayberry Street	Crows Nest	Holtermann Estate C
53	Hayberry Street	Crows Nest	Holtermann Estate C
54	Hayberry Street	Crows Nest	Holtermann Estate C
55	Hayberry Street	Crows Nest	Holtermann Estate C
57	Hayberry Street	Crows Nest	Holtermann Estate C
61	Hayberry Street	Crows Nest	Holtermann Estate C
62	Hayberry Street	Crows Nest	Holtermann Estate C
63	Hayberry Street	Crows Nest	Holtermann Estate C
64	Hayberry Street	Crows Nest	Holtermann Estate C
66	Hayberry Street	Crows Nest	Holtermann Estate C
68	Hayberry Street	Crows Nest	Holtermann Estate C
72A	Hayberry Street	Crows Nest	Holtermann Estate C
73	Hayberry Street	Crows Nest	Holtermann Estate C
74	Hayberry Street	Crows Nest	Holtermann Estate C
75	Hayberry Street	Crows Nest	Holtermann Estate C



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
76	Hayberry Street	Crows Nest	Holtermann Estate C
77	Hayberry Street	Crows Nest	Holtermann Estate C
78	Hayberry Street	Crows Nest	Holtermann Estate C
79	Hayberry Street	Crows Nest	Holtermann Estate C
80	Hayberry Street	Crows Nest	Holtermann Estate C
81	Hayberry Street	Crows Nest	Holtermann Estate C
82	Hayberry Street	Crows Nest	Holtermann Estate C
83	Hayberry Street	Crows Nest	Holtermann Estate C
84	Hayberry Street	Crows Nest	Holtermann Estate C
86	Hayberry Street	Crows Nest	Holtermann Estate C
90	Hayberry Street	Crows Nest	Holtermann Estate C
92	Hayberry Street	Crows Nest	Holtermann Estate C
94	Hayberry Street	Crows Nest	Holtermann Estate C
96	Hayberry Street	Crows Nest	Holtermann Estate C
98	Hayberry Street	Crows Nest	Holtermann Estate C
100	Hayberry Street	Crows Nest	Holtermann Estate C
110	Hayberry Street	Crows Nest	Holtermann Estate C
112	Hayberry Street	Crows Nest	Holtermann Estate C
114	Hayberry Street	Crows Nest	Holtermann Estate C
8	Hayes Street	Neutral Bay	Kurraba Point
11	Hayes Street	Neutral Bay	Kurraba Point
13	Hayes Street	Neutral Bay	Kurraba Point
14	Hayes Street	Neutral Bay	Kurraba Point
15	Hayes Street	Neutral Bay	Kurraba Point
17	Hayes Street	Neutral Bay	Kurraba Point
31	Hayes Street	Neutral Bay	Kurraba Point
33	Hayes Street	Neutral Bay	Kurraba Point
3	Hazelbank Road	Wollstonecraft	Crows Nest
9	Hazelbank Road	Wollstonecraft	Crows Nest
11	Hazelbank Road	Wollstonecraft	Crows Nest
11A	Hazelbank Road	Wollstonecraft	Crows Nest
15	Hazelbank Road	Wollstonecraft	Crows Nest
17	Hazelbank Road	Wollstonecraft	Crows Nest

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
19	Hazelbank Road	Wollstonecraft	Crows Nest
21	Hazelbank Road	Wollstonecraft	Crows Nest
23	Hazelbank Road	Wollstonecraft	Crows Nest
27	Hazelbank Road	Wollstonecraft	Crows Nest
114A	High Street	North Sydney	Careening Cove
115	High Street	North Sydney	Careening Cove
127	High Street	North Sydney	Careening Cove
141	High Street	North Sydney	Careening Cove
143	High Street	North Sydney	Careening Cove
147	High Street	North Sydney	Careening Cove
149	High Street	North Sydney	Careening Cove
151	High Street	North Sydney	Careening Cove
2	Hipwood Street	Kirribilli	Carenning Cove
4	Hipwood Street	Kirribilli	Carenning Cove
6	Hipwood Street	Kirribilli	Carenning Cove
8	Hipwood Street	Kirribilli	Carenning Cove
10	Hipwood Street	Kirribilli	Carenning Cove
12	Hipwood Street	Kirribilli	Carenning Cove
12	Hodgson Avenue	Cremorne Point	Cremorne
16	Hodgson Avenue	Cremorne Point	Cremorne
18	Hodgson Avenue	Cremorne Point	Cremorne
20	Hodgson Avenue	Cremorne Point	Cremorne
24	Hodgson Avenue	Cremorne Point	Cremorne
4	Holbrook Avenue	Kirribilli	Kirribilli
23	Holbrook Avenue	Kirribilli	Kirribilli
25	Holbrook Avenue	Kirribilli	Kirribilli
16	Holtermann Street	Crows Nest	Holtermann Estate B
18	Holtermann Street	Crows Nest	Holtermann Estate B
20	Holtermann Street	Crows Nest	Holtermann Estate B
22	Holtermann Street	Crows Nest	Holtermann Estate B
24	Holtermann Street	Crows Nest	Holtermann Estate B
26	Holtermann Street	Crows Nest	Holtermann Estate B
28	Holtermann Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
30	Holtermann Street	Crows Nest	Holtermann Estate B
30A	Holtermann Street	Crows Nest	Holtermann Estate B
32	Holtermann Street	Crows Nest	Holtermann Estate B
34	Holtermann Street	Crows Nest	Holtermann Estate B
36	Holtermann Street	Crows Nest	Holtermann Estate B
38	Holtermann Street	Crows Nest	Holtermann Estate B
42A	Holtermann Street	Crows Nest	Holtermann Estate B
44	Holtermann Street	Crows Nest	Holtermann Estate B
46	Holtermann Street	Crows Nest	Holtermann Estate B
48	Holtermann Street	Crows Nest	Holtermann Estate B
50	Holtermann Street	Crows Nest	Holtermann Estate B
51	Holtermann Street	Crows Nest	Holtermann Estate B
52	Holtermann Street	Crows Nest	Holtermann Estate B
53	Holtermann Street	Crows Nest	Holtermann Estate B
56	Holtermann Street	Crows Nest	Holtermann Estate B
60	Holtermann Street	Crows Nest	Holtermann Estate B
66	Holtermann Street	Crows Nest	Holtermann Estate B
70	Holtermann Street	Crows Nest	Holtermann Estate B
72	Holtermann Street	Crows Nest	Holtermann Estate B
75	Holtermann Street	Crows Nest	Holtermann Estate B
77	Holtermann Street	Crows Nest	Holtermann Estate B
79	Holtermann Street	Crows Nest	Holtermann Estate B
81	Holtermann Street	Crows Nest	Holtermann Estate B
83	Holtermann Street	Crows Nest	Holtermann Estate B
84	Holtermann Street	Crows Nest	Holtermann Estate B
87	Holtermann Street	Crows Nest	Holtermann Estate B
89	Holtermann Street	Crows Nest	Holtermann Estate B
90	Holtermann Street	Crows Nest	Holtermann Estate B
91	Holtermann Street	Crows Nest	Holtermann Estate B
92	Holtermann Street	Crows Nest	Holtermann Estate B
93	Holtermann Street	Crows Nest	Holtermann Estate B
94	Holtermann Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
95	Holtermann Street	Crows Nest	Holtermann Estate B
96	Holtermann Street	Crows Nest	Holtermann Estate B
97	Holtermann Street	Crows Nest	Holtermann Estate B
98	Holtermann Street	Crows Nest	Holtermann Estate B
99	Holtermann Street	Crows Nest	Holtermann Estate B
99A	Holtermann Street	Crows Nest	Holtermann Estate B
100	Holtermann Street	Crows Nest	Holtermann Estate B
102	Holtermann Street	Crows Nest	Holtermann Estate B
104	Holtermann Street	Crows Nest	Holtermann Estate B
105	Holtermann Street	Crows Nest	Holtermann Estate B
107	Holtermann Street	Crows Nest	Holtermann Estate B
108	Holtermann Street	Crows Nest	Holtermann Estate B
109	Holtermann Street	Crows Nest	Holtermann Estate B
110	Holtermann Street	Crows Nest	Holtermann Estate B
111	Holtermann Street	Crows Nest	Holtermann Estate B
112	Holtermann Street	Crows Nest	Holtermann Estate B
113	Holtermann Street	Crows Nest	Holtermann Estate B
115	Holtermann Street	Crows Nest	Holtermann Estate B
116	Holtermann Street	Crows Nest	Holtermann Estate B
119	Holtermann Street	Crows Nest	Holtermann Estate B
121	Holtermann Street	Crows Nest	Holtermann Estate B
123	Holtermann Street	Crows Nest	Holtermann Estate B
125	Holtermann Street	Crows Nest	Holtermann Estate B
127	Holtermann Street	Crows Nest	Holtermann Estate B
129	Holtermann Street	Crows Nest	Holtermann Estate B
131	Holtermann Street	Crows Nest	Holtermann Estate B
133	Holtermann Street	Crows Nest	Holtermann Estate B
135	Holtermann Street	Crows Nest	Holtermann Estate B
137	Holtermann Street	Crows Nest	Holtermann Estate B
139	Holtermann Street	Crows Nest	Holtermann Estate B
141	Holtermann Street	Crows Nest	Holtermann Estate B
143	Holtermann Street	Crows Nest	Holtermann Estate B





TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
145	Holtermann Street	Crows Nest	Holtermann Estate B
147	Holtermann Street	Crows Nest	Holtermann Estate B
149	Holtermann Street	Crows Nest	Holtermann Estate B
2	Honda Road	Kurraba Point	Kurraba Point
11	Huntington Street	Crows Nest	Holtermann Estate B
31	Huntington Street	Crows Nest	Holtermann Estate B
32	Huntington Street	Crows Nest	Holtermann Estate B
33	Huntington Street	Crows Nest	Holtermann Estate B
38	Huntington Street	Crows Nest	Holtermann Estate B
43	Huntington Street	Crows Nest	Holtermann Estate B
44	Huntington Street	Crows Nest	Holtermann Estate B
45	Huntington Street	Crows Nest	Holtermann Estate B
46	Huntington Street	Crows Nest	Holtermann Estate B
47	Huntington Street	Crows Nest	Holtermann Estate B
48	Huntington Street	Crows Nest	Holtermann Estate B
49	Huntington Street	Crows Nest	Holtermann Estate B
50	Huntington Street	Crows Nest	Holtermann Estate B
51	Huntington Street	Crows Nest	Holtermann Estate B
53	Huntington Street	Crows Nest	Holtermann Estate B
55	Huntington Street	Crows Nest	Holtermann Estate B
57	Huntington Street	Crows Nest	Holtermann Estate B
59	Huntington Street	Crows Nest	Holtermann Estate B
61	Huntington Street	Crows Nest	Holtermann Estate B
6	Iredale Avenue	Cremorne Point	Cremorne
10	Iredale Avenue	Cremorne point	Cremorne
12-14	Iredale Avenue	Cremorne Point	Cremorne
16	Iredale Avenue	Cremorne Point	Cremorne
18	Iredale Avenue	Cremorne Point	Cremorne
22	Iredale Avenue	Cremorne Point	Cremorne
24	Iredale Avenue	Cremorne Point	Cremorne
26	Iredale Avenue	Cremorne Point	Cremorne
28	Iredale Avenue	Cremorne Point	Cremorne
18	Jeffreys Street	Kirribilli	Jeffreys Street

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
20	Jeffreys Street	Kirribilli	Jeffreys Street
22	Jeffreys Street	Kirribilli	Jeffreys Street
24	Jeffreys Street	Kirribilli	Jeffreys Street
3	Kareela Road	Cremorne Point	Cremorne Point
7	Kareela Road	Cremorne Point	Cremorne Point
15	Kareela Road	Cremorne Point	Cremorne Point
20	Kareela Road	Cremorne Point	Cremorne Point
22	Kareela Road	Cremorne Point	Cremorne Point
25	Kareela Road	Cremorne Point	Cremorne Point
26	Kareela Road	Cremorne Point	Cremorne Point
32	Kareela Road	Cremorne Point	Cremorne Point
36	Kareela Road	Cremorne Point	Cremorne Point
47	Kareela Road	Cremorne Point	Cremorne Point
49	Kareela Road	Cremorne Point	Cremorne Point
53	Kareela Road	Cremorne Point	Cremorne Point
55	Kareela Road	Cremorne Point	Cremorne Point
57	Kareela Road	Cremorne Point	Cremorne Point
59	Kareela Road	Cremorne Point	Cremorne Point
1	King George Street	McMahons Point	McMahons Point North
3	King George Street	McMahons Point	McMahons Point North
5	King George Street	McMahons Point	McMahons Point North
7	King George Street	McMahons Point	McMahons Point North
9	King George Street	McMahons Point	McMahons Point North
83	Kirribilli Avenue	Kirribilli	Kirribilli
85	Kirribilli Avenue	Kirribilli	Kirribilli
87	Kirribilli Avenue	Kirribilli	Kirribilli
89	Kirribilli Avenue	Kirribilli	Kirribilli
91	Kirribilli Avenue	Kirribilli	Kirribilli
93	Kirribilli Avenue	Kirribilli	Kirribilli
95	Kirribilli Avenue	Kirribilli	Kirribilli
106	Kirribilli Avenue	Kirribilli	Kirribilli
112	Kirribilli Avenue	Kirribilli	Kirribilli
114	Kirribilli Avenue	Kirribilli	Kirribilli

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
116	Kirribilli Avenue	Kirribilli	Kirribilli
118	Kirribilli Avenue	Kirribilli	Kirribilli
120	Kirribilli Avenue	Kirribilli	Kirribilli
124	Kirribilli Avenue	Kirribilli	Kirribilli
1	Kurraba Road	Neutral Bay	Whaling Road
3	Kurraba Road	Neutral Bay	Whaling Road
5	Kurraba Road	Neutral Bay	Whaling Road
6	Kurraba Road	Neutral Bay	Whaling Road
7	Kurraba Road	Neutral Bay	Whaling Road
8	Kurraba Road	Neutral Bay	Whaling Road
9	Kurraba Road	Neutral Bay	Whaling Road
10	Kurraba Road	Neutral Bay	Whaling Road
11	Kurraba Road	Neutral Bay	Whaling Road
12	Kurraba Road	Neutral Bay	Whaling Road
13	Kurraba Road	Neutral Bay	Whaling Road
15	Kurraba Road	Neutral Bay	Whaling Road
16	Kurraba Road	Neutral Bay	Whaling Road
17	Kurraba Road	Neutral Bay	Whaling Road
18	Kurraba Road	Neutral Bay	Whaling Road
19	Kurraba Road	Neutral Bay	Whaling Road
20	Kurraba Road	Neutral Bay	Whaling Road
23	Kurraba Road	Neutral Bay	Whaling Road
25	Kurraba Road	Neutral Bay	Whaling Road
28	Kurraba Road	Neutral Bay	Whaling Road
30	Kurraba Road	Neutral Bay	Whaling Road
45	Kurraba Road	Neutral Bay	Kurraba Point
49	Kurraba Road	Neutral Bay	Kurraba Point
67	Kurraba Road	Neutral Bay	Kurraba Point
69	Kurraba Road	Neutral Bay	Kurraba Point
71	Kurraba Road	Neutral Bay	Kurraba Point
77	Kurraba Road	Kurraba Point	Kurraba Point
83	Kurraba Road	Kurraba Point	Kurraba Point

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
172	Kurraba Road	Kurraba Point	Kurraba Point
42	Lavender Street	Lavender Bay	Lavender Bay
44	Lavender Street	Lavender Bay	Lavender Bay
46	Lavender Street	Lavender Bay	Lavender Bay
48	Lavender Street	Lavender Bay	Lavender Bay
50	Lavender Street	Lavender Bay	Lavender Bay
52	Lavender Street	Lavender Bay	Lavender Bay
54	Lavender Street	Lavender Bay	Lavender Bay
56	Lavender Street	Lavender Bay	Lavender Bay
58	Lavender Street	Lavender Bay	Lavender Bay
1	Little Alfred Street	North Sydney	Whaling Road
9	Little Alfred Street	North Sydney	Whaling Road
11	Lord Street	North Sydney	Union / Bank / Thomas Streets
6	Lower Wycombe Road	Neutral Bay	Kurraba Point
6A	Lower Wycombe Road	Neutral Bay	Kurraba Point
8	Lower Wycombe Road	Neutral Bay	Kurraba Point
10	Lower Wycombe Road	Neutral Bay	Kurraba Point
11	Lower Wycombe Road	Neutral Bay	Kurraba Point
12	Lower Wycombe Road	Neutral Bay	Kurraba Point
14	Lower Wycombe Road	Neutral Bay	Kurraba Point
15	Lower Wycombe Road	Neutral Bay	Kurraba Point
21	Lower Wycombe Road	Kurraba Point	Kurraba Point
1	Lumsden Street	Cammeray	Cammeray
2	Lumsden Street	Cammeray	Cammeray
3	Lumsden Street	Cammeray	Cammeray
9	Lumsden Street	Cammeray	Cammeray



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
11	Lumsden Street	Cammeray	Cammeray
12	Lumsden Street	Cammeray	Cammeray
13	Lumsden Street	Cammeray	Cammeray
14	Lumsden Street	Cammeray	Cammeray
16	Lumsden Street	Cammeray	Cammeray
17	Lumsden Street	Cammeray	Cammeray
19	Lumsden Street	Cammeray	Cammeray
21	Lumsden Street	Cammeray	Cammeray
22	Lumsden Street	Cammeray	Cammeray
24	Lumsden Street	Cammeray	Cammeray
26	Lumsden Street	Cammeray	Cammeray
28	Macpherson Street	Cremorne	Montague Road
30	Macpherson Street	Cremorne	Montague Road
32	Macpherson Street	Cremorne	Montague Road
46	Macpherson Street	Cremorne	Montague Road
2	Manns Avenue	Neutral Bay	Kurraba Point
8	Margaret Street	North Sydney	Whaling Road
10	Margaret Street	North Sydney	Whaling Road
12	Margaret Street	North Sydney	Whaling Road
18	Margaret Street	North Sydney	Whaling Road
20	Margaret Street	North Sydney	Whaling Road
22	Margaret Street	North Sydney	Whaling Road
24	Margaret Street	North Sydney	Whaling Road
1	Mathew Lane	Crows Nest	Holtermann Estate A
3	Mathew Lane	Crows Nest	Holtermann Estate A
17	McDougall Street	Kirribilli	Careening Cove
19	McDougall Street	Kirribilli	Careening Cove
21	McDougall Street	Kirribilli	Careening Cove
23	McDougall Street	Kirribilli	Careening Cove
25	McDougall Street	Kirribilli	Careening Cove
27	McDougall Street	Kirribilli	Careening Cove
31	McDougall Street	Kirribilli	Careening Cove
33	McDougall Street	Kirribilli	Careening Cove

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
35	McDougall Street	Kirribilli	Careening Cove
37	McDougall Street	Kirribilli	Careening Cove
39	McDougall Street	Kirribilli	Careening Cove
1	McHatton Street	Waverton	Crows Nest
1A	McHatton Street	Waverton	Crows Nest
5	McHatton Street	Waverton	Crows Nest
6	McHatton Street	Waverton	Crows Nest
8	McHatton Street	Waverton	Crows Nest
10	McHatton Street	Waverton	Crows Nest
12	McHatton Street	Waverton	Crows Nest
18	McHatton Street	Waverton	Crows Nest
22	McHatton Street	North Sydney	Crows Nest
28	McHatton Street	North Sydney	Crows Nest
30	McHatton Street	North Sydney	Crows Nest
32	McHatton Street	North Sydney	Crows Nest
8	McLaren Street	North Sydney	McLaren Street
10	McLaren Street	North Sydney	McLaren Street
28	Middle Street	McMahons Point	McMahons Point South
30	Middle Street	McMahons Point	McMahons Point South
56	Middle Street	McMahons Point	McMahons Point South
58	Middle Street	McMahons Point	McMahons Point South
68	Middle Street	McMahons Point	McMahons Point South
1	Mil Mil Street	McMahons Point	McMahons Point North
2	Mil Mil Street	McMahons Point	McMahons Point North
3	Mil Mil Street	McMahons Point	McMahons Point North
5	Milray Avenue	Wollstonecraft	Wollstonecraft
7	Milson Road	Cremorne Point	Cremorne Point
9	Milson Road	Cremorne Point	Cremorne Point
11	Milson Road	Cremorne Point	Cremorne Point
16	Milson Road	Cremorne Point	Cremorne Point
20	Milson Road	Cremorne Point	Cremorne Point
23	Milson Road	Cremorne Point	Cremorne Point
24	Milson Road	Cremorne Point	Cremorne Point

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
26	Milson Road	Cremorne Point	Cremorne Point
36	Milson Road	Cremorne Point	Cremorne Point
40	Milson Road	Cremorne Point	Cremorne Point
44	Milson Road	Cremorne Point	Cremorne Point
52	Milson Road	Cremorne Point	Cremorne Point
75	Milson Road	Cremorne Point	Cremorne Point
77	Milson Road	Cremorne Point	Cremorne Point
82	Milson Road	Cremorne Point	Cremorne Point
83	Milson Road	Cremorne Point	Cremorne Point
84	Milson Road	Cremorne Point	Cremorne Point
88	Milson Road	Cremorne Point	Cremorne Point
103	Milson Road	Cremorne Point	Cremorne Point
107	Milson Road	Cremorne Point	Cremorne Point
109	Milson Road	Cremorne Point	Cremorne Point
111	Milson Road	Cremorne Point	Cremorne Point
113	Milson Road	Cremorne Point	Cremorne Point
115	Milson Road	Cremorne Point	Cremorne Point
119	Milson Road	Cremorne Point	Cremorne Point
125	Milson Road	Cremorne Point	Cremorne Point
129	Milson Road	Cremorne Point	Cremorne Point
138	Milson Road	Cremorne Point	Cremorne Point
148	Milson Road	Cremorne Point	Cremorne Point
11	Mitchell Street	McMahons Point	Union / Bank / Thomas Streets
12	Mitchell Street	McMahons Point	Union / Bank / Thomas Streets
2	Montague Road	Cremorne	Montague Road
6	Montague Road	Cremorne	Montague Road
7	Montague Road	Cremorne	Montague Road
8	Montague Road	Cremorne	Montague Road
11	Montague Road	Cremorne	Montague Road
13	Montague Road	Cremorne	Montague Road
14	Montague Road	Cremorne	Montague Road
15	Montague Road	Cremorne	Montague Road

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
16	Montague Road	Cremorne	Montague Road
17	Montague Road	Cremorne	Montague Road
18	Montague Road	Cremorne	Montague Road
19	Montague Road	Cremorne	Montague Road
20	Montague Road	Cremorne	Montague Road
21	Montague Road	Cremorne	Montague Road
22	Montague Road	Cremorne	Montague Road
23	Montague Road	Cremorne	Montague Road
24	Montague Road	Cremorne	Montague Road
25	Montague Road	Cremorne	Montague Road
26	Montague Road	Cremorne	Montague Road
27	Montague Road	Cremorne	Montague Road
28	Montague Road	Cremorne	Montague Road
29	Montague Road	Cremorne	Montague Road
30	Montague Road	Cremorne	Montague Road
31	Montague Road	Cremorne	Montague Road
32	Montague Road	Cremorne	Montague Road
34	Montague Road	Cremorne	Montague Road
36	Montague Road	Cremorne	Montague Road
37	Montague Road	Cremorne	Montague Road
38	Montague Road	Cremorne	Montague Road
40	Montague Road	Cremorne	Montague Road
42	Montague Road	Cremorne	Montague Road
44	Montague Road	Cremorne	Montague Road
5	Morden Street	Cammeray	Cammeray
6	Morden Street	Cammeray	Cammeray
7	Morden Street	Cammeray	Cammeray
8	Morden Street	Cammeray	Cammeray
9	Morden Street	Cammeray	Cammeray
10	Morden Street	Cammeray	Cammeray
11	Morden Street	Cammeray	Cammeray
12	Morden Street	Cammeray	Cammeray





TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
22	Morden Street	Cammeray	Cammeray
5	Murdoch Street	Cremorne Point	Cremorne
10	Murdoch Street	Cremorne Point	Kurraba Point
12	Murdoch Street	Cremorne Point	Kurraba Point
14	Murdoch Street	Cremorne Point	Kurraba Point
15	Murdoch Street	Cremorne Point	Cremorne
16	Murdoch Street	Cremorne Point	Kurraba Point
18	Murdoch Street	Cremorne Point	Kurraba Point
20	Murdoch Street	Cremorne Point	Kurraba Point
21	Murdoch Street	Cremorne	Cremorne
22	Murdoch Street	Cremorne Point	Kurraba Point
23	Murdoch Street	Cremorne	Cremorne
24	Murdoch Street	Cremorne Point	Kurraba Point
25	Murdoch Street	Cremorne	Cremorne
26	Murdoch Street	Cremorne Point	Kurraba Point
28	Murdoch Street	Cremorne Point	Kurraba Point
30-34	Murdoch Street	Cremorne Point	Kurraba Point
31	Murdoch Street	Cremorne	Cremorne
37	Murdoch Street	Cremorne	Cremorne
38	Murdoch Street	Cremorne	Cremorne
40	Murdoch Street	Cremorne	Cremorne
42	Murdoch Street	Cremorne	Cremorne
43	Murdoch Street	Cremorne	Cremorne
46	Murdoch Street	Cremorne	Cremorne
48	Murdoch Street	Cremorne	Cremorne
50	Murdoch Street	Cremorne	Cremorne
54	Murdoch Street	Cremorne	Cremorne
56	Murdoch Street	Cremorne	Cremorne
20	Myrtle Street	North Sydney	Holtermann Estate C
22	Myrtle Street	North Sydney	Holtermann Estate C
24	Myrtle Street	North Sydney	Holtermann Estate C
26	Myrtle Street	North Sydney	Holtermann Estate C
29	Myrtle Street	North Sydney	Holtermann Estate C

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
31	Myrtle Street	North Sydney	Holtermann Estate C
32	Myrtle Street	North Sydney	Holtermann Estate C
33	Myrtle Street	North Sydney	Holtermann Estate C
34	Myrtle Street	North Sydney	Holtermann Estate C
36	Myrtle Street	North Sydney	Holtermann Estate C
38	Myrtle Street	North Sydney	Holtermann Estate C
40	Myrtle Street	North Sydney	Holtermann Estate C
46	Myrtle Street	North Sydney	Holtermann Estate C
3	Neutral Street	North Sydney	Whaling Road
4	Neutral Street	North Sydney	Whaling Road
5	Neutral Street	North Sydney	Whaling Road
6	Neutral Street	North Sydney	Whaling Road
7	Neutral Street	North Sydney	Whaling Road
8	Neutral Street	North Sydney	Whaling Road
9	Neutral Street	North Sydney	Whaling Road
10	Neutral Street	North Sydney	Whaling Road
11	Neutral Street	North Sydney	Whaling Road
13	Neutral Street	North Sydney	Whaling Road
14	Neutral Street	North Sydney	Whaling Road
16	Neutral Street	North Sydney	Whaling Road
17	Neutral Street	North Sydney	Whaling Road
24	Neutral Street	North Sydney	Whaling Road
26	Neutral Street	North Sydney	Whaling Road
39	Neutral Street	North Sydney	Whaling Road
43	Neutral Street	North Sydney	Whaling Road
45	Neutral Street	North Sydney	Whaling Road
47	Neutral Street	North Sydney	Whaling Road
49	Neutral Street	North Sydney	Whaling Road
51	Neutral Street	North Sydney	Whaling Road
53	Neutral Street	North Sydney	Whaling Road
55	Neutral Street	North Sydney	Whaling Road
57	Neutral Street	North Sydney	Whaling Road
59	Neutral Street	North Sydney	Whaling Road

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
65	Neutral Street	North Sydney	Whaling Road
67	Neutral Street	North Sydney	Whaling Road
69	Neutral Street	North Sydney	Whaling Road
71	Neutral Street	North Sydney	Whaling Road
1	Oaks Avenue	Cremorne	Oaks Avenue
3	Oaks Avenue	Cremorne	Oaks Avenue
4	Oaks Avenue	Cremorne	Oaks Avenue
5	Oaks Avenue	Cremorne	Oaks Avenue
6	Oaks Avenue	Cremorne	Oaks Avenue
7	Oaks Avenue	Cremorne	Oaks Avenue
8	Oaks Avenue	Cremorne	Oaks Avenue
9	Oaks Avenue, (That part comprising the 3 dwelling houses fronting Oaks Avenue)	Cremorne	Oaks Avenue
14	Oaks Avenue	Cremorne	Oaks Avenue
19	Oaks Avenue	Cremorne	Oaks Avenue
21	Oaks Avenue	Cremorne	Oaks Avenue
1	Ormiston Avenue	North Sydney	Whaling Road
3	Ormiston Avenue	North Sydney	Whaling Road
4	Ormiston Avenue	North Sydney	Whaling Road
69-71	Palmer Street	Cammeray	Cammeray
37	Park Avenue	Cremorne	Oaks Avenue
39	Park Avenue	Cremorne	Oaks Avenue
43	Park Avenue	Cremorne	Oaks Avenue
45	Park Avenue	Cremorne	Oaks Avenue
49	Park Avenue	Cremorne	Oaks Avenue
1	Parker Street	McMahons Point	McMahons Point South
2	Peel Street	Kirribilli	Kirribilli
4	Peel Street	Kirribilli	Kirribilli
18	Peel Street	Kirribilli	Kirribilli
20	Peel Street	Kirribilli	Kirribilli

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
27	Peel Street	Kirribilli	Kirribilli
29	Peel Street	Kirribilli	Kirribilli
31	Peel Street	Kirribilli	Kirribilli
2	Penshurst Avenue	Kurraba Point	Kurraba Point
4	Penshurst Avenue	Kurraba Point	Kurraba Point
4	Princes Street	McMahons Point	McMahons Point North
6	Princes Street	McMahons Point	McMahons Point North
8	Princes Street	McMahons Point	McMahons Point North
9	Princes Street	McMahons Point	McMahons Point North
10	Princes Street	McMahons Point	McMahons Point North
11	Princes Street	McMahons Point	McMahons Point North
12	Princes Street	McMahons Point	McMahons Point North
13	Princes Street	McMahons Point	McMahons Point North
14	Princes Street	McMahons Point	McMahons Point North
15	Princes Street	McMahons Point	McMahons Point North
16	Princes Street	McMahons Point	McMahons Point North
17	Princes Street	McMahons Point	McMahons Point North
18	Princes Street	McMahons Point	McMahons Point North
19	Princes Street	McMahons Point	McMahons Point North
20	Princes Street	McMahons Point	McMahons Point North
21	Princes Street	McMahons Point	McMahons Point North
22	Princes Street	McMahons Point	McMahons Point North
24	Princes Street	McMahons Point	McMahons Point North
26	Princes Street	McMahons Point	McMahons Point North
28	Princes Street	McMahons Point	McMahons Point North
30	Princes Street	McMahons Point	McMahons Point North
32	Princes Street	McMahons Point	McMahons Point North
34	Princes Street	McMahons Point	McMahons Point North
36	Princes Street	McMahons Point	McMahons Point North
38	Princes Street	McMahons Point	McMahons Point North
40	Princes Street	McMahons Point	McMahons Point North
1	Priory Road	Waverton	Priory Road



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
2	Priory Road	Waverton	Priory Road
5A	Priory Road	Waverton	Priory Road
6	Priory Road	Waverton	Priory Road
7	Priory Road	Waverton	Priory Road
8	Priory Road	Waverton	Priory Road
9	Priory Road	Waverton	Priory Road
11	Priory Road	Waverton	Priory Road
15	Priory Road	Waverton	Priory Road
1	Queens Avenue	McMahons Point	McMahons Point North
2	Queens Avenue	McMahons Point	McMahons Point North
3	Queens Avenue	McMahons Point	McMahons Point North
4	Queens Avenue	McMahons Point	McMahons Point North
5	Queens Avenue	McMahons Point	McMahons Point North
7	Queens Avenue	McMahons Point	McMahons Point North
8	Queens Avenue	McMahons Point	McMahons Point North
9	Queens Avenue	McMahons Point	McMahons Point North
10	Queens Avenue	McMahons Point	McMahons Point North
11	Queens Avenue	McMahons Point	McMahons Point North
13	Queens Avenue	McMahons Point	McMahons Point North
15	Queens Avenue	McMahons Point	McMahons Point North
17	Queens Avenue	McMahons Point	McMahons Point North
8	Raleigh Street	Cammeray	Cammeray
10	Raleigh Street	Cammeray	Cammeray
12	Raleigh Street	Cammeray	Cammeray
14	Raleigh Street	Cammeray	Cammeray
22	Raleigh Street	Cammeray	Cammeray
33	Rangers Road	Cremorne	Cremorne
36	Rangers Road	Cremorne	Cremorne
38	Rangers Road	Cremorne	Cremorne
40	Rangers Road	Cremorne	Cremorne
56	Rangers Road	Cremorne	Cremorne
58	Rangers Road	Cremorne	Cremorne
60	Rangers Road	Cremorne	Cremorne

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
62	Rangers Road	Cremorne	Cremorne
64	Rangers Road	Cremorne	Cremorne
66	Rangers Road	Cremorne	Cremorne
1	Reed Street	Cremorne	Cremorne
16	Reed Street	Cremorne	Cremorne
8	Richmond Avenue	Cremorne	Montague Road
10	Richmond Avenue	Cremorne	Montague Road
12	Richmond Avenue	Cremorne	Montague Road
14	Richmond Avenue	Cremorne	Montague Road
16	Richmond Avenue	Cremorne	Montague Road
18	Richmond Avenue	Cremorne	Montague Road
20	Richmond Avenue	Cremorne	Montague Road
22	Richmond Avenue	Cremorne	Montague Road
26	Richmond Avenue	Cremorne	Montague Road
27	Richmond Avenue	Cremorne	Montague Road
28	Richmond Avenue	Cremorne	Montague Road
29	Richmond Avenue	Cremorne	Montague Road
30	Richmond Avenue	Cremorne	Montague Road
31	Richmond Avenue	Cremorne	Montague Road
33	Richmond Avenue	Cremorne	Montague Road
35	Richmond Avenue	Cremorne	Montague Road
71	Ridge Street	North Sydney	Walker / Ridge Streets
73	Ridge Street	North Sydney	Walker / Ridge Streets
75	Ridge Street	North Sydney	Walker / Ridge Streets
89	Ridge Street	North Sydney	Walker / Ridge Streets
8	Riley Street	North Sydney	Union / Bank / Thomas Streets
9	Riley Street	North Sydney	Edward Street
10	Riley Street	North Sydney	Union / Bank / Thomas Streets
11	Riley Street	North Sydney	Edward Street
12	Riley Street	North Sydney	Union / Bank / Thomas Streets
13	Riley Street	North Sydney	Edward Street
14	Riley Street	North Sydney	Union / Bank / Thomas Streets
15	Riley Street	North Sydney	Edward Street

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
17	Riley Street	North Sydney	Edward Street
19	Riley Street	North Sydney	Edward Street
4	Shellcove Road	Kurraba Point	Kurraba Point
5	Shellcove Road	Kurraba Point	Kurraba Point
7	Shellcove Road	Kurraba Point	Kurraba Point
7A	Shellcove Road	Kurraba Point	Kurraba Point
7B	Shellcove Road	Kurraba Point	Kurraba Point
8	Shellcove Road	Kurraba Point	Kurraba Point
9	Shellcove Road	Kurraba Point	Kurraba Point
10	Shellcove Road	Kurraba Point	Kurraba Point
12	Shellcove Road	Kurraba Point	Kurraba Point
14	Shellcove Road	Kurraba Point	Kurraba Point
15	Shellcove Road	Kurraba Point	Kurraba Point
17	Shellcove Road	Kurraba Point	Kurraba Point
19	Shellcove Road	Kurraba Point	Kurraba Point
21	Shellcove Road	Kurraba Point	Kurraba Point
23	Shellcove Road	Kurraba Point	Kurraba Point
26	Shellcove Road	Kurraba Point	Kurraba Point
27	Shellcove Road	Kurraba Point	Kurraba Point
36	Shellcove Road	Kurraba Point	Kurraba Point
41	Shellcove Road	Kurraba Point	Kurraba Point
43	Shellcove Road	Kurraba Point	Kurraba Point
44	Shellcove Road	Kurraba Point	Kurraba Point
56	Shellcove Road	Kurraba Point	Kurraba Point
58	Shellcove Road	Neutral Bay	Cremorne
60	Shellcove Road	Neutral Bay	Cremorne
63	Shellcove Road	Kurraba Point	Kurraba Point
64	Shellcove Road	Neutral Bay	Cremorne
71	Shellcove Road	Neutral Bay	Cremorne
74	Shellcove Road	Neutral Bay	Cremorne
76	Shellcove Road	Neutral Bay	Cremorne
78	Shellcove Road	Neutral Bay	Cremorne

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
84	Shellcove Road	Neutral Bay	Cremorne
1	Shirley Road	Wollstonecraft	Wollstonecraft
3	Shirley Road	Wollstonecraft	Wollstonecraft
7	Shirley Road	Wollstonecraft	Wollstonecraft
9	Shirley Road	Wollstonecraft	Wollstonecraft
11	Shirley Road	Wollstonecraft	Wollstonecraft
17	Shirley Road	Wollstonecraft	Wollstonecraft
21	Shirley Road	Wollstonecraft	Wollstonecraft
22	Shirley Road	Wollstonecraft	Wollstonecraft
24	Shirley Road	Wollstonecraft	Wollstonecraft
26	Shirley Road	Wollstonecraft	Wollstonecraft
40	Shirley Road	Wollstonecraft	Wollstonecraft
8	Sophia Street	Crows Nest	Holtermann Estate B
12	Sophia Street	Crows Nest	Holtermann Estate B
13	Sophia Street	Crows Nest	Holtermann Estate B
14	Sophia Street	Crows Nest	Holtermann Estate B
15	Sophia Street	Crows Nest	Holtermann Estate B
16	Sophia Street	Crows Nest	Holtermann Estate B
18	Sophia Street	Crows Nest	Holtermann Estate B
6	Spofforth Street	Cremorne	Cremorne
8	Spofforth Street	Cremorne	Cremorne
10	Spofforth Street	Cremorne	Cremorne
12	Spofforth Street	Cremorne	Cremorne
16	Spofforth Street	Cremorne	Cremorne
44	Spofforth Street	Cremorne	Cremorne
46	Spofforth Street	Cremorne	Cremorne
52	Spofforth Street	Cremorne	Cremorne
54	Spofforth Street	Cremorne	Cremorne
4	Stannards Place	Kirribilli	Careening Cove
1A-1B	Teloepa Street	Wollstonecraft	Wollstonecraft
4	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
6	Thomas Street	McMahons Point	Union / Bank / Thomas Streets



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
10	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
12	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
14	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
15	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
16	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
17	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
18	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
19	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
20	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
22	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
27	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
29	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
30	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
31	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
32	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
33	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
34	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
35	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
36	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
37	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
38-40	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
39	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
42	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
44	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
46	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
48	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
50	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
52	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
54	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
56	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
58	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
60	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
1	Toongarah Road	Waverton	Priory Road

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
2	Toongarah Road	Waverton	Priory Road
3	Toongarah Road	Waverton	Priory Road
4	Toongarah Road	Waverton	Priory Road
6	Toongarah Road	Waverton	Priory Road
9	Toongarah Road	Waverton	Priory Road
10	Toongarah Road	Waverton	Priory Road
12	Toongarah Road	Waverton	Priory Road
14	Toongarah Road	Waverton	Priory Road
18	Toongarah Road	Waverton	Priory Road
20	Toongarah Road	Waverton	Priory Road
22	Toongarah Road	Waverton	Priory Road
24	Toongarah Road	Waverton	Priory Road
2A	Union Street	McMahons Point	Union / Bank / Thomas Streets
2B	Union Street	McMahons Point	Union / Bank / Thomas Streets
4	Union Street	McMahons Point	Union / Bank / Thomas Streets
6	Union Street	McMahons Point	Union / Bank / Thomas Streets
8	Union Street	McMahons Point	Union / Bank / Thomas Streets
10	Union Street	McMahons Point	Union / Bank / Thomas Streets
14	Union Street	McMahons Point	Union / Bank / Thomas Streets
16	Union Street	McMahons Point	Union / Bank / Thomas Streets
18	Union Street	McMahons Point	Union / Bank / Thomas Streets
20	Union Street	McMahons Point	Union / Bank / Thomas Streets
22	Union Street	McMahons Point	Union / Bank / Thomas Streets
24	Union Street	McMahons Point	Union / Bank / Thomas Streets
35	Union Street	McMahons Point	Union / Bank / Thomas Streets
41	Union Street	McMahons Point	Union / Bank / Thomas Streets
42	Union Street	McMahons Point	Union / Bank / Thomas Streets
47	Union Street	McMahons Point	Union / Bank / Thomas Streets
49	Union Street	McMahons Point	Union / Bank / Thomas Streets
51	Union Street	McMahons Point	Union / Bank / Thomas Streets
61	Union Street	McMahons Point	Union / Bank / Thomas Streets
63	Union Street	McMahons Point	Union / Bank / Thomas Streets
65	Union Street	McMahons Point	Union / Bank / Thomas Streets

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
67	Union Street	McMahons Point	Union / Bank / Thomas Streets
69-71	Union Street	McMahons Point	Union / Bank / Thomas Streets
80	Union Street	North Sydney	Union / Bank / Thomas Streets
82	Union Street	North Sydney	Union / Bank / Thomas Streets
83	Union Street	McMahons Point	Union / Bank / Thomas Streets
84	Union Street	North Sydney	Union / Bank / Thomas Streets
85	Union Street	McMahons Point	Union / Bank / Thomas Streets
86	Union Street	McMahons Point	Union / Bank / Thomas Streets
87	Union Street	McMahons Point	Union / Bank / Thomas Streets
88	Union Street	McMahons Point	Union / Bank / Thomas Streets
89	Union Street	McMahons Point	Union / Bank / Thomas Streets
90	Union Street	McMahons Point	Union / Bank / Thomas Streets
91	Union Street	McMahons Point	Union / Bank / Thomas Streets
92	Union Street	McMahons Point	Union / Bank / Thomas Streets
94	Union Street	McMahons Point	Union / Bank / Thomas Streets
95	Union Street	McMahons Point	Union / Bank / Thomas Streets
96	Union Street	McMahons Point	Union / Bank / Thomas Streets
97	Union Street	McMahons Point	Union / Bank / Thomas Streets
98	Union Street	McMahons Point	Union / Bank / Thomas Streets
103	Union Street	McMahons Point	Union / Bank / Thomas Streets
105	Union Street	McMahons Point	Union / Bank / Thomas Streets
107	Union Street	McMahons Point	Union / Bank / Thomas Streets
109	Union Street	McMahons Point	Union / Bank / Thomas Streets
111	Union Street	McMahons Point	Union / Bank / Thomas Streets
113	Union Street	McMahons Point	Union / Bank / Thomas Streets
115	Union Street	McMahons Point	Union / Bank / Thomas Streets
117	Union Street	McMahons Point	Union / Bank / Thomas Streets
119	Union Street	McMahons Point	Union / Bank / Thomas Streets
63	Upper Pitt Street	Kirribilli	Kirribilli
7	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
8	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
10	Victoria Street	McMahons Point	Union / Bank / Thomas Streets

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
11	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
12	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
13	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
14	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
16	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
26	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
28	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
38	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
3	Waiwera Street	Lavender Bay	McMahons Point North
5	Waiwera Street	Lavender Bay	McMahons Point North
6	Waiwera Street	Lavender Bay	McMahons Point North
8	Waiwera Street	Lavender Bay	McMahons Point North
10	Waiwera Street	Lavender Bay	McMahons Point North
12	Waiwera Street	Lavender Bay	McMahons Point North
14	Waiwera Street	Lavender Bay	McMahons Point North
17	Waiwera Street	Lavender Bay	McMahons Point North
24	Waiwera Street	Lavender Bay	McMahons Point North
26	Waiwera Street	Lavender Bay	McMahons Point North
28	Waiwera Street	Lavender Bay	McMahons Point North
10-14	Warringa Avenue	Kurraba Point	Kurraba Point
6	Warringa Road	Cammeray	Cammeray
8	Warringa Road	Cammeray	Cammeray
10	Warringa Road	Cammeray	Cammeray
12	Warringa Road	Cammeray	Cammeray
14	Warringa Road	Cammeray	Cammeray
16	Warringa Road	Cammeray	Cammeray
18	Warringa Road	Cammeray	Cammeray
20	Warringa Road	Cammeray	Cammeray
22	Warringa Road	Cammeray	Cammeray
24	Warringa Road	Cammeray	Cammeray
26	Warringa Road	Cammeray	Cammeray
28	Warringa Road	Cammeray	Cammeray





TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
34	Warringa Road	Cammeray	Cammeray
46	Warringa Road	Cammeray	Cammeray
1	Waruda Street	Kirribilli	Kirribilli
10	Waruda Street	Kirribilli	Kirribilli
11	Waruda Street	Kirribilli	Kirribilli
12	Waruda Street	Kirribilli	Kirribilli
14-16	Waruda Street	Kirribilli	Kirribilli
1	Webb Street	McMahons Point	Union / Bank / Thomas Streets
3	Webb Street	McMahons Point	Union / Bank / Thomas Streets
5-7	Webb Street	McMahons Point	Union / Bank / Thomas Streets
9	Webb Street	McMahons Point	Union / Bank / Thomas Streets
21	West Street	North Sydney	Holtermann Estate D
23	West Street	North Sydney	Holtermann Estate D
31	West Street	North Sydney	Holtermann Estate D
47	West Street	North Sydney	Holtermann Estate D
49	West Street	North Sydney	Holtermann Estate D
50	West Street	North Sydney	Holtermann Estate D
51	West Street	North Sydney	Holtermann Estate D
52	West Street	North Sydney	Holtermann Estate D
53	West Street	North Sydney	Holtermann Estate D
54	West Street	North Sydney	Holtermann Estate D
55	West Street	North Sydney	Holtermann Estate D
56	West Street	North Sydney	Holtermann Estate D
57	West Street	North Sydney	Holtermann Estate D
59	West Street	North Sydney	Holtermann Estate D
60	West Street	North Sydney	Holtermann Estate D
61	West Street	North Sydney	Holtermann Estate D
62	West Street	North Sydney	Holtermann Estate D
63	West Street	North Sydney	Holtermann Estate D
64	West Street	North Sydney	Holtermann Estate D
65	West Street	North Sydney	Holtermann Estate D
66	West Street	North Sydney	Holtermann Estate D
68	West Street	North Sydney	Holtermann Estate D

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
69	West Street	Crows Nest	Holtermann Estate D
70	West Street	North Sydney	Holtermann Estate D
71	West Street	Crows Nest	Holtermann Estate D
71A	West Street	Crows Nest	Holtermann Estate D
72	West Street	North Sydney	Holtermann Estate D
73	West Street	Crows Nest	Holtermann Estate D
73A	West Street	Crows Nest	Holtermann Estate D
74	West Street	North Sydney	Holtermann Estate D
76	West Street	North Sydney	Holtermann Estate D
77	West Street	North Sydney	Holtermann Estate D
78	West Street	North Sydney	Holtermann Estate D
79	West Street	North Sydney	Holtermann Estate D
80	West Street	North Sydney	Holtermann Estate D
81	West Street	North Sydney	Holtermann Estate D
82	West Street	North Sydney	Holtermann Estate D
83	West Street	North Sydney	Holtermann Estate D
84	West Street	North Sydney	Holtermann Estate D
85	West Street	North Sydney	Holtermann Estate D
91	West Street	Crows Nest	Holtermann Estate D
95	West Street	Crows Nest	Holtermann Estate D
97	West Street	Crows Nest	Holtermann Estate D
98	West Street	Crows Nest	Holtermann Estate D
100A	West Street	Crows Nest	Holtermann Estate D
101	West Street	Crows Nest	Holtermann Estate D
102	West Street	Crows Nest	Holtermann Estate D
102A	West Street	Crows Nest	Holtermann Estate D
104	West Street	Crows Nest	Holtermann Estate D
106	West Street	Crows Nest	Holtermann Estate D
108	West Street	Crows Nest	Holtermann Estate D
110	West Street	Crows Nest	Holtermann Estate D
112	West Street	Crows Nest	Holtermann Estate D
114	West Street	Crows Nest	Holtermann Estate D
116	West Street	Crows Nest	Holtermann Estate D

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
122	West Street	Crows Nest	Holtermann Estate D
124	West Street	Crows Nest	Holtermann Estate D
126	West Street	Crows Nest	Holtermann Estate D
128	West Street	Crows Nest	Holtermann Estate D
130	West Street	Crows Nest	Holtermann Estate D
154	West Street	Crows Nest	Holtermann Estate B
156	West Street	Crows Nest	Holtermann Estate B
158	West Street	Crows Nest	Holtermann Estate B
160	West Street	Crows Nest	Holtermann Estate B
162	West Street	Crows Nest	Holtermann Estate B
164	West Street	Crows Nest	Holtermann Estate B
166	West Street	Crows Nest	Holtermann Estate B
180	West Street	Crows Nest	Holtermann Estate B
182	West Street	Crows Nest	Holtermann Estate B
184	West Street	Crows Nest	Holtermann Estate B
192	West Street	Crows Nest	Holtermann Estate B
204	West Street	Crows Nest	Holtermann Estate B
206	West Street	Crows Nest	Holtermann Estate B
208	West Street	Crows Nest	Holtermann Estate B
210	West Street	Crows Nest	Holtermann Estate B
212	West Street	Crows Nest	Holtermann Estate B
214	West Street	Crows Nest	Holtermann Estate B
216	West Street	Crows Nest	Holtermann Estate B
218	West Street	Crows Nest	Holtermann Estate B
220	West Street	Crows Nest	Holtermann Estate B
224	West Street	Crows Nest	Holtermann Estate B
226	West Street	Crows Nest	Holtermann Estate B
230	West Street	Crows Nest	Holtermann Estate B
232	West Street	Crows Nest	Holtermann Estate B
234	West Street	Crows Nest	Holtermann Estate B
236	West Street	Crows Nest	Holtermann Estate B
246	West Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
248	West Street	Crows Nest	Holtermann Estate B
248A	West Street	Crows Nest	Holtermann Estate B
7	West Crecent Street	McMahons Point	McMahons Point South
2	Whaling Road	North Sydney	Whaling Road
12	Whaling Road	North Sydney	Whaling Road
14	Whaling Road	North Sydney	Whaling Road
16	Whaling Road	North Sydney	Whaling Road
17	Whaling Road	North Sydney	Whaling Road
18	Whaling Road	North Sydney	Whaling Road
20	Whaling Road	North Sydney	Whaling Road
21	Whaling Road	North Sydney	Whaling Road
22	Whaling Road	North Sydney	Whaling Road
23	Whaling Road	North Sydney	Whaling Road
24	Whaling Road	North Sydney	Whaling Road
25	Whaling Road	North Sydney	Whaling Road
26	Whaling Road	North Sydney	Whaling Road
28	Whaling Road	North Sydney	Whaling Road
29	Whaling Road	North Sydney	Whaling Road
30	Whaling Road	North Sydney	Whaling Road
31	Whaling Road	North Sydney	Whaling Road
32	Whaling Road	North Sydney	Whaling Road
33	Whaling Road	North Sydney	Whaling Road
34	Whaling Road	North Sydney	Whaling Road
35	Whaling Road	North Sydney	Whaling Road
36	Whaling Road	North Sydney	Whaling Road
37	Whaling Road	North Sydney	Whaling Road
38	Whaling Road	North Sydney	Whaling Road
39	Whaling Road	North Sydney	Whaling Road
40	Whaling Road	North Sydney	Whaling Road
42	Whaling Road	North Sydney	Whaling Road
43	Whaling Road	North Sydney	Whaling Road
44	Whaling Road	North Sydney	Whaling Road



TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
46	Whaling Road	North Sydney	Whaling Road
48	Whaling Road	North Sydney	Whaling Road
25	Willoughby Street	Kirribilli	Careening Cove
27	Willoughby Street	Kirribilli	Careening Cove
27A	Willoughby Street	Kirribilli	Careening Cove
33	Willoughby Street	Kirribilli	Careening Cove
35	Willoughby Street	Kirribilli	Careening Cove
37	Willoughby Street	Kirribilli	Careening Cove
39	Willoughby Street	Kirribilli	Careening Cove
47	Willoughby Street	Kirribilli	Careening Cove
50	Willoughby Street	Kirribilli	Careening Cove
51	Willoughby Street	Kirribilli	Careening Cove
52	Willoughby Street	Kirribilli	Careening Cove
54	Willoughby Street	Kirribilli	Careening Cove
55	Willoughby Street	Kirribilli	Careening Cove
56	Willoughby Street	Kirribilli	Careening Cove
56A	Willoughby Street	Kirribilli	Careening Cove
58	Willoughby Street	Kirribilli	Careening Cove
1	Wilona Avenue	Lavender Bay	Lavender Bay
2	Wilona Avenue	Lavender Bay	Lavender Bay
3	Wilona Avenue	Lavender Bay	Lavender Bay
4	Wilona Avenue	Lavender Bay	Lavender Bay
5	Wilona Avenue	Lavender Bay	Lavender Bay
6	Wilona Avenue	Lavender Bay	Lavender Bay
7	Wilona Avenue	Lavender Bay	Lavender Bay
8	Wilona Avenue	Lavender Bay	Lavender Bay
9	Wilona Avenue	Lavender Bay	Lavender Bay
10	Wilona Avenue	Lavender Bay	Lavender Bay
11	Wilona Avenue	Lavender Bay	Lavender Bay
12	Wilona Avenue	Lavender Bay	Lavender Bay
13	Wilona Avenue	Lavender Bay	Lavender Bay
14	Wilona Avenue	Lavender Bay	Lavender Bay
2	Wilson Street	Cammeray	Plateau

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
4	Wilson Street	Cammeray	Plateau
6	Wilson Street	Cammeray	Plateau
8	Wilson Street	Cammeray	Plateau
28	Wilson Street	Cammeray	Plateau
30	Wilson Street	Cammeray	Plateau
34	Wilson Street	Cammeray	Plateau
2	Winslow Street	Kirribilli	Careening Cove
3	Winslow Street	Kirribilli	Careening Cove
5	Winslow Street	Kirribilli	Careening Cove
7	Winslow Street	Kirribilli	Careening Cove
8	Winslow Street	Kirribilli	Careening Cove
9	Winslow Street	Kirribilli	Careening Cove
10	Winslow Street	Kirribilli	Careening Cove
11	Winslow Street	Kirribilli	Careening Cove
12	Winslow Street	Kirribilli	Careening Cove
13	Winslow Street	Kirribilli	Careening Cove
14	Winslow Street	Kirribilli	Careening Cove
15	Winslow Street	Kirribilli	Careening Cove
16	Winslow Street	Kirribilli	Careening Cove
18	Winslow Street	Kirribilli	Careening Cove
20	Winslow Street	Kirribilli	Careening Cove
22	Winslow Street	Kirribilli	Careening Cove
1	Wulworra Avenue	Cremorne Point	Cremorne Point
6	Wulworra Avenue	Cremorne Point	Cremorne Point
8	Wulworra Avenue (4 storey apartment building on north- western part of site)	Cremorne Point	Cremorne Point
25	Wycombe Road	Kurraba Point	Kurraba Point
27	Wycombe Road	Kurraba Point	Kurraba Point
29	Wycombe Road	Kurraba Point	Kurraba Point
43	Wycombe Road	Kurraba Point	Kurraba Point
44	Wycombe Road	Neutral Bay	Kurraba Point
45	Wycombe Road	Kurraba Point	Kurraba Point

<b>TABLE App-1.1: Contributory Items</b>			
<b>St. No</b>	<b>Street</b>	<b>Suburb</b>	<b>Conservation Area</b>
57	Wycombe Road	Neutral Bay	Cremorne
63	Wycombe Road	Neutral Bay	Cremorne
65	Wycombe Road	Neutral Bay	Cremorne
72	Wycombe Road	Neutral Bay	Cremorne
78	Wycombe Road	Neutral Bay	Cremorne
80	Wycombe Road	Neutral Bay	Cremorne
84	Wycombe Road	Neutral Bay	Cremorne
153	Wycombe Road	Neutral Bay	Cremorne



TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
83	Atchison Street	Crows Nest	Holtermann Estate A
85	Atchison Street	Crows Nest	Holtermann Estate A
99	Atchison Street	Crows Nest	Holtermann Estate A
101	Atchison Street	Crows Nest	Holtermann Estate A
108	Atchison Street	Crows Nest	Holtermann Estate A
110	Atchison Street	Crows Nest	Holtermann Estate A
124	Alexander Street	Crows Nest	Holtermann Estate A
140-144	Alexander Street	Crows Nest	Holtermann Estate A
146	Atchison Street	Crows Nest	Holtermann Estate A
155	Alexander Street	Crows Nest	Holtermann Estate A
2	Bannerman Street	Cremorne	Cremorne
2A	Bannerman Street	Cremorne	Cremorne
4	Bannerman Street	Cremorne	Cremorne
6	Bannerman Street	Cremorne	Cremorne
10-12	Bannerman Street	Cremorne	Cremorne
14	Bannerman Street	Cremorne	Cremorne
16	Bannerman Street	Cremorne	Cremorne
18	Bannerman Street	Cremorne	Cremorne
65	Bay Road	Waverton	Bay Road
83	Bay Road	Waverton	Bay Road
51	Bellevue Street	Cammeray	Cammeray
83-87	Bellevue Street	Cammeray	Cammeray
2	Bells Avenue	Cammeray	Cammeray
10	Bells Avenue	Cammeray	Cammeray
1	Bennett Street	Neutral Bay	Cremorne
43-45	Bennett Street	Cremorne	Cremorne
22	Bertha Road	Cremorne	Cremorne
1	Billong Street	Neutral Bay	Kurraba Point
3	Billong Street	Neutral Bay	Kurraba Point
49	Blues Point Road	McMahons Point	McMahons Point South
126	Blues Point Road	McMahons Point	McMahons Point North
33	Burlington Street	Crows Nest	Holtermann Estate B

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
37	Burlington Street	Crows Nest	Holtermann Estate B
39	Burlington Street	Crows Nest	Holtermann Estate B
51	Burlington Street	Crows Nest	Holtermann Estate B
57	Burlington Street	Crows Nest	Holtermann Estate B
59	Burlington Street	Crows Nest	Holtermann Estate B
81	Burlington Street	Crows Nest	Holtermann Estate B
85-87	Burlington Street	Crows Nest	Holtermann Estate B
86	Burlington Street	Crows Nest	Holtermann Estate B
92	Burlington Street	Crows Nest	Holtermann Estate B
93	Burlington Street	Crows Nest	Holtermann Estate B
120	Burlington Street	Crows Nest	Holtermann Estate B
136	Burlington Street	Crows Nest	Holtermann Estate B
19-23	Cairo Street	Cammeray	Plateau
32	Cairo Street	Cammeray	Plateau
74	Cairo Street	Cammeray	Plateau
18	Carabella Street	Kirribilli	Kirribilli
20	Carabella Street	Kirribilli	Kirribilli
29	Carabella Street	Kirribilli	Kirribilli
33	Carabella Street	Kirribilli	Kirribilli
49	Carr Street	Waverton	Union / Bank / Thomas Streets
29	Carter Street	Cammeray	Cammeray
2A	Carter Street	Cammeray	Plateau
2B	Carter Street	Cammeray	Plateau
2C	Carter Street	Cammeray	Plateau
2D	Carter Street	Cammeray	Plateau
110	Chandos Street	Crows Nest	Holtermann Estate A
112	Chandos Street	Crows Nest	Holtermann Estate A
114	Chandos Street	Crows Nest	Holtermann Estate A
116-118	Chandos Street	Crows Nest	Holtermann Estate A
119	Chandos Street	Crows Nest	Holtermann Estate A
120	Chandos Street	Crows Nest	Holtermann Estate A
121	Chandos Street	Crows Nest	Holtermann Estate A

**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
123	Chandos Street	Crows Nest	Holtermann Estate A
136	Chandos Street	Crows Nest	Holtermann Estate A
138	Chandos Street	Crows Nest	Holtermann Estate A
164	Chandos Street	Crows Nest	Holtermann Estate A
169	Chandos Street	Crows Nest	Holtermann Estate A
172	Chandos Street	Crows Nest	Holtermann Estate A
174	Chandos Street	Crows Nest	Holtermann Estate A
201	Chandos Street	Crows Nest	Holtermann Estate A
201A	Chandos Street	Crows Nest	Holtermann Estate A
203A	Chandos Street	Crows Nest	Holtermann Estate A
17	Claude Avenue	Cremorne	Cremorne
24-32	Colin Street	Cammeray	Plateau
12	Commodore Street	McMahons Point	Union / Bank / Thomas Streets
15	Commodore Street	McMahons Point	Union / Bank / Thomas Streets
11	Cremorne Road	Cremorne Point	Cremorne Point
44	Cremorne Road	Cremorne Point	Cremorne Point
67	Cremorne Road	Cremorne Point	Cremorne Point
48	Crows Nest Road	Waverton	Crows Nest
54	Crows Nest Road	Waverton	Crows Nest
54A	Crows Nest Road	Waverton	Crows Nest
2	Devonshire Street	Crows Nest	Holtermann Estate A
2A	Devonshire Street	Crows Nest	Holtermann Estate A
17	Devonshire Street	Crows Nest	Holtermann Estate A
23	Devonshire Street	Crows Nest	Holtermann Estate A
24	Devonshire Street	Crows Nest	Holtermann Estate A
24A	Devonshire Street	Crows Nest	Holtermann Estate A
29	Devonshire Street	Crows Nest	Holtermann Estate A
30	Devonshire Street	Crows Nest	Holtermann Estate A
33	Devonshire Street	Crows Nest	Holtermann Estate A
34	Devonshire Street	Crows Nest	Holtermann Estate A
36	Devonshire Street	Crows Nest	Holtermann Estate A
42	Devonshire Street	Crows Nest	Holtermann Estate A

**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
11	Dumbarton Street	McMahons Point	Union / Bank / Thomas Streets
13	Dumbarton Street	McMahons Point	Union / Bank / Thomas Streets
45-47	Dumbarton Street	McMahons Point	Union / Bank / Thomas Streets
9	Ellalong Road	Cremorne	Montague Road
6	Emmett Street (fronting David Lane)	Crows Nest	Holtermann Estate C
50	Emmett Street	Crows Nest	Holtermann Estate C
32	Ernest Lane	Crows Nest	Holtermann Estate B
65-71	Ernest Street (That part comprising the two storey brick townhouses fronting Burlington Lane)	Crows Nest	Holtermann Estate B
118-120	Ernest Street	Crows Nest	Holtermann Estate B
130	Ernest Street	Crows Nest	Holtermann Estate B
50	Ernest Street	Crows Nest	Holtermann Estate B
62	Ernest Street	Crows Nest	Holtermann Estate B
66	Ernest Street	Crows Nest	Holtermann Estate B
78	Ernest Street	Crows Nest	Holtermann Estate B
99	Ernest Street	Crows Nest	Holtermann Estate B
99A	Ernest Street	Crows Nest	Holtermann Estate B
1	Florence Street	Cremorne	Cremorne
20	Florence Street	Cremorne	Cremorne
4	Green Street	Cremorne Point	Cremorne Point
2A	Guthrie Avenue	Cremorne	Cremorne
25	Harriette Street	Kurraba Point	Kurraba Point
46	Harriette Street	Neutral Bay	Cremorne
25	Hayberry Street	Crows Nest	Holtermann Estate C
59	Hayberry Street	Crows Nest	Holtermann Estate C
59A	Hayberry Street	Crows Nest	Holtermann Estate C
9	Hayes Street	Neutral Bay	Kurraba Point
1	Hazelbank Road	Wollstonecraft	Crows Nest





TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
22	Hodgson Avenue	Cremorne Point	Cremorne
42	Holtermann Street	Crows Nest	Holtermann Estate B
49	Holtermann Street	Crows Nest	Holtermann Estate B
58	Holtermann Street	Crows Nest	Holtermann Estate B
59	Holtermann Street	Crows Nest	Holtermann Estate B
61-69	Holtermann Street	Crows Nest	Holtermann Estate B
62-64	Holtermann Street	Crows Nest	Holtermann Estate B
68	Holtermann Street	Crows Nest	Holtermann Estate B
78	Holtermann Street	Crows Nest	Holtermann Estate B
80	Holtermann Street	Crows Nest	Holtermann Estate B
82	Holtermann Street	Crows Nest	Holtermann Estate B
86	Holtermann Street (That part comprising the 2 x two storey townhouses fronting Huntington Street – No.s 39 and 41 Huntington Street)	Crows Nest	Holtermann Estate B
100	Holtermann Street (That part comprising the two storey detached dwelling fronting Huntington Street – No.53A Huntington Street)	Crows Nest	Holtermann Estate B
101	Holtermann Street	Crows Nest	Holtermann Estate B
103	Holtermann Street	Crows Nest	Holtermann Estate B
114	Holtermann Street	Crows Nest	Holtermann Estate B
29	Huntington Street	Crows Nest	Holtermann Estate B
30	Huntington Street	Crows Nest	Holtermann Estate B
36	Huntington Street	Crows Nest	Holtermann Estate B
42	Huntington Street	Crows Nest	Holtermann Estate B
40	Huntington Street	Crows Nest	Holtermann Estate B

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
67	Huntington Street	Crows Nest	Holtermann Estate B
1	Iredale Avenue	Cremorne Point	Cremorne
2	Kareela Road	Cremorne Point	Cremorne Point
4-8	Kareela Road	Cremorne Point	Cremorne Point
12	Kareela Road	Cremorne Point	Cremorne Point
14-18	Kareela Road	Cremorne Point	Cremorne Point
30	Kareela Road	Cremorne Point	Cremorne Point
58	Kareela Road	Cremorne Point	Cremorne
60	Kareela Road	Cremorne Point	Cremorne
44-50	Kirribilli Avenue	Kirribilli	Jeffreys Street
63	Kirribilli Avenue	Kirribilli	Kirribilli
71	Kirribilli Avenue	Kirribilli	Kirribilli
73	Kirribilli Avenue	Kirribilli	Kirribilli
120	Kurraba Road	Kurraba Point	Kurraba Point
162	Kurraba Road	Kurraba Point	Kurraba Point
32-40	Lavender Street	Lavender Bay	Lavender Bay
3	Lower Wycombe Road	Neutral Bay	Kurraba Point
5-7	Lower Wycombe Road	Neutral Bay	Kurraba Point
16	Mackenzie Street	Lavender Bay	Lavender Bay
5	McLaren Street	North Sydney	McLaren Street
4-6	Margaret Street (That part comprising the dwelling house fronting Margret Street)	North Sydney	Whaling Road
26	McHatton Street	North Sydney	Crows Nest
5	Milson Road	Cremorne Point	Cremorne Point
123	Milson Road	Cremorne Point	Cremorne Point
1	Montague Road	Cremorne	Montague Road
1-3	Morden Street	Cammeray	Cammeray

**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
2A	Morden Street	Cammeray	Cammeray
15	Morden Street	Cammeray	Cammeray
24	Morden Street	Cammeray	Cammeray
26	Morden Street	Cammeray	Cammeray
19	Murdoch Street	Cremorne	Cremorne
27	Murdoch Street	Cremorne	Cremorne
29	Murdoch Street	Cremorne	Cremorne
36	Murdoch Street	Cremorne	Cremorne
35	Myrtle Street	North Sydney	Holtermann Estate C
42-44	Myrtle Street	North Sydney	Holtermann Estate C
12	Neutral Street	North Sydney	Whaling Road
2	Oaks Avenue	Cremorne	Oaks Avenue
9	Oaks Avenue (That part comprising the two dwelling houses fronting Ernest Street)	Cremorne	Oaks Avenue
10	Oaks Avenue	Cremorne	Oaks Avenue
18	Oaks Avenue	Cremorne	Oaks Avenue
20	Oaks Avenue	Cremorne	Oaks Avenue
9	Penshurst Avenue	Kurraba Point	Kurraba Point
3	Plunkett Street	Kirribilli	Kirribilli
17	Priory Road	Waverton	Priory Road
19	Priory Road	Waverton	Priory Road
21	Priory Road	Waverton	Priory Road
2	Powell Street	Neutral Bay	Cremorne
35-37	Rangers Road	Cremorne	Cremorne
2-4	Reed Street	Cremorne	Cremorne
12	Reed Street	Cremorne	Cremorne
15	Reed Street	Cremorne	Cremorne
7-7A	Reed Street	Cremorne	Cremorne
4	Richmond Avenue	Cremorne	Montague Road
4A	Richmond Avenue	Cremorne	Montague Road

**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
6	Richmond Avenue	Cremorne	Montague Road
93	Ridge Street	North Sydney	Walker / Ridge Streets
5	Riley Street	North Sydney	Union / Bank / Thomas Streets
33A-33B	Shellcove Road	Kurraba Point	Kurraba Point
35A	Shellcove Road	Kurraba Point	Kurraba Point
35B	Shellcove Road	Kurraba Point	Kurraba Point
48	Shellcove Road	Kurraba Point	Kurraba Point
69	Shellcove Road	Neutral Bay	Cremorne
19	Shirley Road	Wollstonecraft	Wollstonecraft
23	Shirley Road	Wollstonecraft	Wollstonecraft
5	Sophia Street	Crows Nest	Holtermann Street B
2	Spofforth Street	Cremorne	Cremorne
4	Spofforth Street	Cremorne	Cremorne
22	Spofforth Street	Cremorne	Cremorne
30-40	Spofforth Street	Cremorne	Cremorne
21-25	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
1A	Waiwera Street	Lavender Bay	McMahons Point North
7	Waiwera Street	Lavender Bay	McMahons Point North
13	Waiwera Street	Lavender Bay	McMahons Point North
20-22	Waruda Street	Kirribilli	Kirribilli
1	Warung Street	McMahons Point	McMahons Point South
6	Warung Street	McMahons Point	McMahons Point South
25	West Street	North Sydney	Holtermann Estate D
37	West Street	North Sydney	Holtermann Estate D
41	West Street (Portion formerly comprising 39 West Street)	North Sydney	Holtermann Estate D
59A	West Street	North Sydney	Holtermann Estate D
46-48	West Street	North Sydney	Holtermann Estate D
97A	West Street	Crows Nest	Holtermann Estate D
93	West Street	Crows Nest	Holtermann Estate D
96	West Street	Crows Nest	Holtermann Estate D

**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
94	West Street	Crows Nest	Holtermann Estate D
102	West Street	Crows Nest	Holtermann Estate D
102A	West Street	Crows Nest	Holtermann Estate D
105	West Street	Crows Nest	Holtermann Estate D
168	West Street	Crows Nest	Holtermann Estate B
170	West Street	Crows Nest	Holtermann Estate B
178	West Street	Crows Nest	Holtermann Estate B
190	West Street	Crows Nest	Holtermann Estate B
222	West Street	Crows Nest	Holtermann Estate B
4	Whaling Road	North Sydney	Whaling Road
48-52	Wycombe Road	Neutral Bay	Kurraba Point
61	Wycombe Road	Neutral Bay	Cremorne
110	Wycombe Road	Neutral Bay	Cremorne
116	Wycombe Road	Neutral Bay	Cremorne



## APPENDIX 2 POTENTIALLY CONTAMINATING ACTIVITIES

### 2.1 INTRODUCTION

This Appendix provides a list of potentially contaminating activities.

### 2.2 RELATIONSHIP TO OTHER SECTIONS

This Appendix should be read in conjunction with Part B: Section 14 – *Contamination and Hazardous Building Materials*.

### 2.3 SCHEDULE OF POTENTIALLY CONTAMINATING ACTIVITIES

Indicative land uses / activities that have potential to cause contamination:

- |                                              |                                                                                         |
|----------------------------------------------|-----------------------------------------------------------------------------------------|
| • acid/alkali plant and formulation          | • landfill sites - particularly involving 19th century and / or early 20th century fill |
| • agricultural/horticultural activities      | • metal treatment                                                                       |
| • airports                                   | • mining and extractive industries                                                      |
| • asbestos production and disposal           | • oil production and storage                                                            |
| • brewery                                    | • paint formulation and manufacture                                                     |
| • chemicals manufacture and formulation      | • pesticide manufacture and formulation                                                 |
| • defence works                              | • power stations                                                                        |
| • drum re-conditioning works                 | • railway yards                                                                         |
| • dry cleaning establishments                | • scrap yards                                                                           |
| • electrical manufacturing (transformers)    | • service stations                                                                      |
| • electroplating and heat treatment premises | • sheep and cattle dips                                                                 |
| • engine works                               | • slaughter houses                                                                      |
| • explosive industry                         | • smelting and refining                                                                 |
| • gas works                                  | • sugar refinery                                                                        |
| • iron and steel works                       | • tanning and associated trades                                                         |
|                                              | • waste storage and treatment                                                           |
|                                              | • wood preservation                                                                     |

**Note:** This table is not definitive and is meant as a guide only - a sites contamination status can only be determined after a review of the site history, and if necessary sampling and analysis.

Due to the possibility of leaching and / or transmission of airborne contaminants, sites adjacent to those with an above listed use may also be at risk of contamination and warrant further investigation.

Source: Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land, 1998, Department of Urban Affairs and Planning & NSW Environment Protection Authority.



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## APPENDIX 3 WASTE MANAGEMENT GUIDE

### 3.1 INTRODUCTION

This Appendix contains a copy of Council's Waste Management Guide.

### 3.2 RELATIONSHIP TO OTHER SECTIONS

This Appendix should be read in conjunction with:

- Part B: Section 1 – Residential Development,
- Part B: Section 2 – Commercial and Mixed Use Development, and
- Part B: Section 3 – Non-Residential Development in Residential Zones.



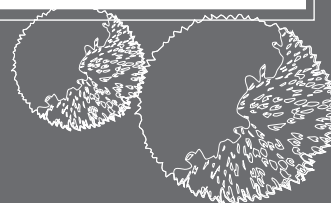
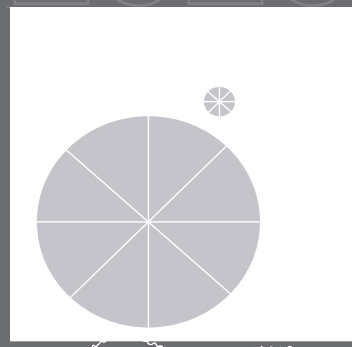
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# WASTE MANAGEMENT GUIDE

for designers  
and builders of houses,  
residential and commercial buildings

2020





# INTRODUCTION

The guide gives essential information to architects, developers and builders for the design and construction of waste handling facilities in new developments.

The guide expands on requirements for waste facilities contained in Council's Development Control Plan (DCP) and development application conditions.

The guide ensures that all waste facilities in new or existing developments comply with Council's collection service and waste minimisation policy.

Basic requirements for waste facilities are:

- > adequate size
- > integration with building design and site landscaping
- > suitable screening from public areas
- > appropriate access for collection
- > ensuring WHS requirements for waste contractors are met

To avoid subsequent alteration of plans these requirements should form part of the overall design for the new building.

To ensure your building design meets the requirements, see the checklist below prior to lodging your development application:

Does your waste facility design meet

- > The type of waste and recycling collection service conducted by Council's waste contractor?
- > Reasonable distance and accessibility from the street frontage for residents and contractors?
- > Public health standards and amenity of the surrounding area, such as odour, noise and visibility of the bins?
- > Adequate size, dimensions and finishing materials?
- > A high standard of recycling through source separation?
- > The requirements for general household and green waste collections?
- > Separate waste storage areas for mixed use buildings ie. commercial and residential?
- > The Work Health and Safety requirements of waste collectors?

## GARBAGE STORAGE AND HOLDING BAYS

New residential and mixed residential/commercial developments in the North Sydney Council area must be provided with a garbage storage and/or holding bay facility of sufficient size to accommodate all waste from the building.

Waste facilities may be:

- > a combined storage and holding bay located within 2 metres of the street alignment or public access

- > or garbage storage area at any other location on the site, provided there is a temporary holding bay located within 2 metres of the street alignment or public access.

Garbage and recycling bins must be placed within 1.5 metres from the entrance of a combined storage and holding bay or temporary holding bay, with 2 metre direct access from the street frontage to the bins. Waste contractors should not have to climb steps or enter doors to access bins.

# DESIGN OF FACILITIES

Although developments may vary widely in their individual requirements, the following minimum requirements should apply:

The standard waste service for North Sydney Council area is

- > one 80L garbage bin, collected weekly per rateable property
- > and one 140L mobile recycling bin, collected weekly per rateable property.

Multi-unit buildings may choose to upgrade to 80, 120 or 240 litre capacity mobile bins for the collection of garbage and a 240L mobile bin for the collection of recyclables. A comprehensive collection service for garden waste and household clean-up material is also provided. Additional space must be provided for the storage of household and green waste clean-up materials.

## Detached Houses

A dedicated waste holding bay area should be provided that is accessible within 2 metres of the street alignment. Where servicing is from a rear lane, the holding bay may be built into the fence structure, with direct access from the lane.

The area must be able to accommodate a minimum of

- > 1 x 140L mobile recycling bin
- > and 1 x 80L garbage bin for each dwelling.

## Villas, Townhouses and Low-Rise Developments

Villas, townhouses and low-rise developments are generally one to two storeys high with two or more dwellings on the same site.

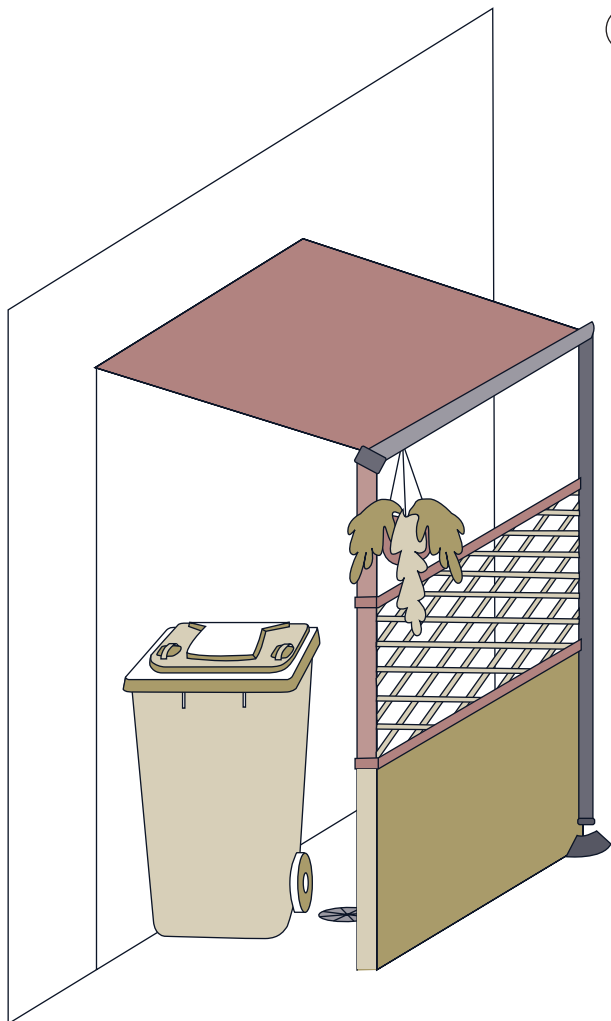
Waste facilities may be:

- > a combined storage and holding bay located within 2 metres of the street alignment or other public access
- > or a garbage storage area at any other location on the site, provided there is a temporary holding bay located within 2 metres of the street alignment or other public access.

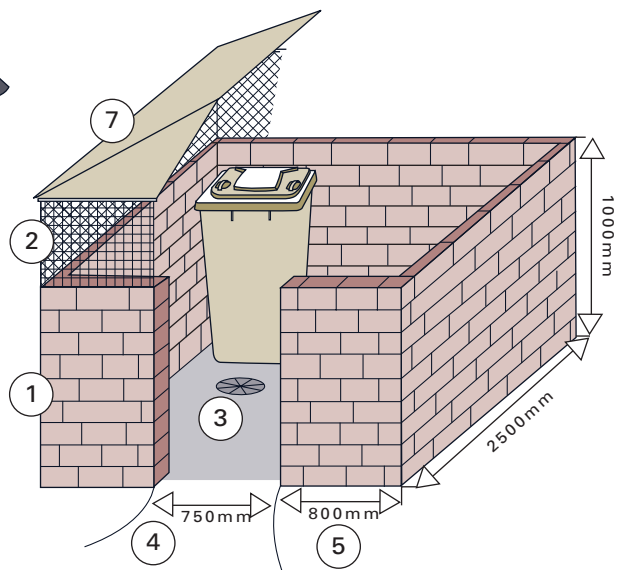
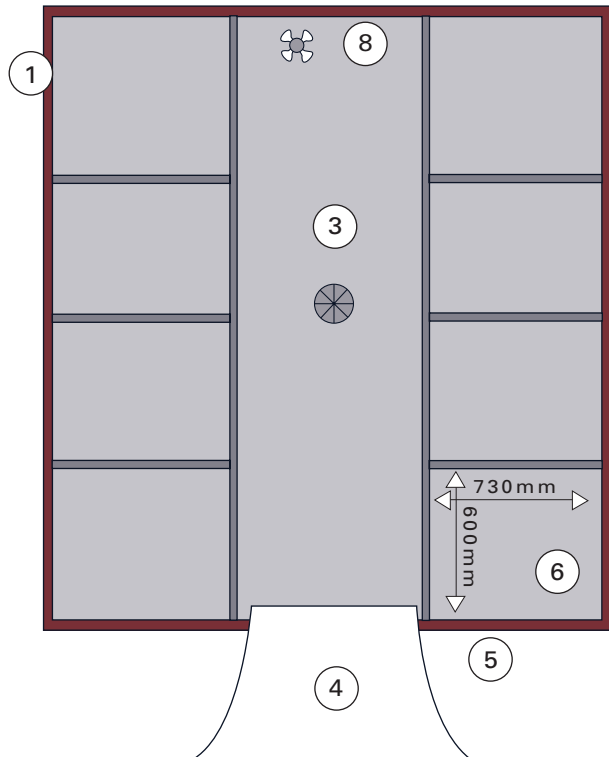
The waste facilities must ensure:

- > stored waste does not create dust, leachate, odour, or unsightliness
- > permanent storage facilities for putrescible waste must be shaded, ventilated, water-proof, verminproof and drained to sewer. Note, a building with a permanent storage facility more than 2 metres from the street alignment must also have a temporary holding bay.
- > storage bins are conveniently located both for residents and contractors
- > storage bins can be easily moved from the waste storage area to the collection vehicle
- > storage and collection systems are designed to minimise noise, especially during collection of waste

## EXAMPLE DIAGRAMS OF HOLDING BAY STYLES FOR VILLAS, TOWNHOUSES AND LOW-RISE DEVELOPMENTS



Outdoor storage/holding bay for block of 1-3 units

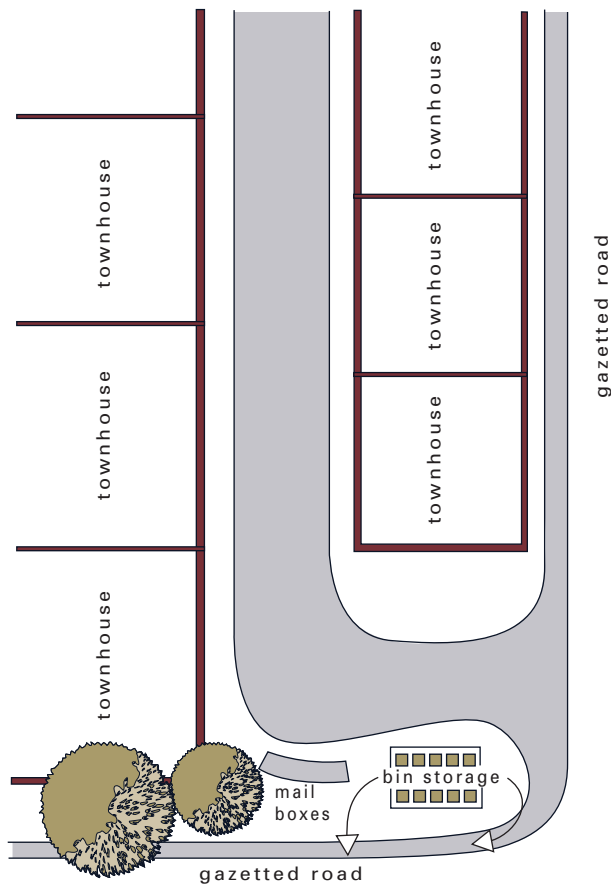


Outdoor garbage storage/holding bay for block of 4-12 units

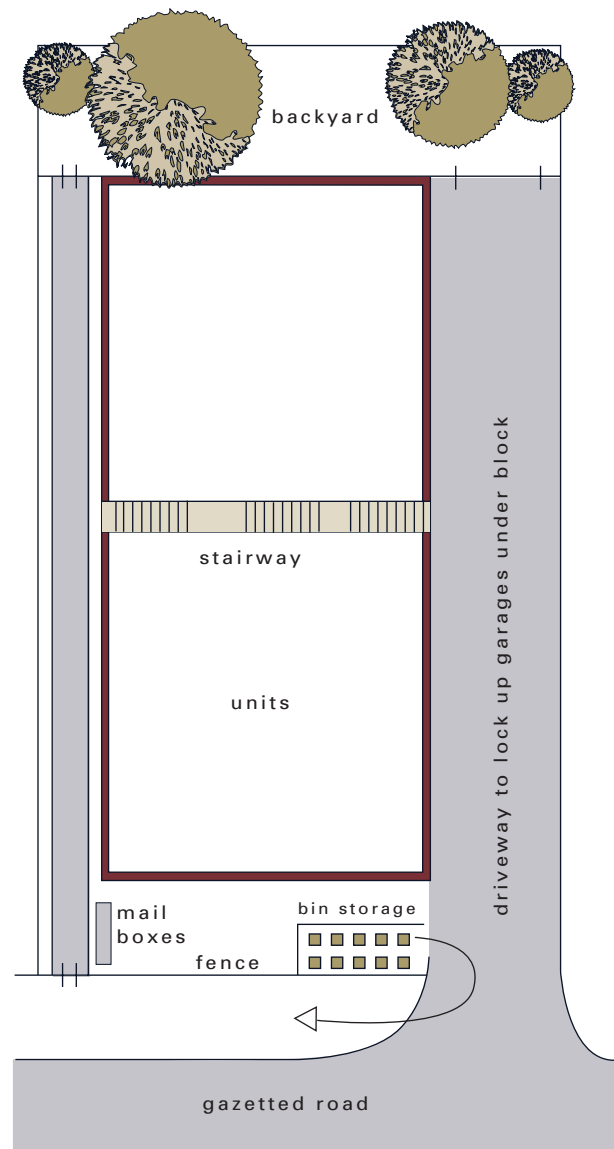
### LEGEND

- |                                                                |                                                               |
|----------------------------------------------------------------|---------------------------------------------------------------|
| 1 face brickwork to match main building                        | 5 front brickwork optional - could have completely open front |
| 2 lattice upper as visual screen                               | 6 space allocated for MGB                                     |
| 3 concrete floor graded and drained to Sydney Water connection | 7 roof over bin bay (optional)                                |
| 4 ramp or path - no steps                                      | 8 anti-vandal tap with hose fitting                           |

## EXAMPLE DIAGRAMS OF HOLDING BAY STYLES FOR VILLAS, TOWNHOUSES AND LOW-RISE DEVELOPMENTS



*Townhouse development with communal bin area within 2 metres of street alignment*



*Three storey walk up with bin area within 2 metres of street alignment*

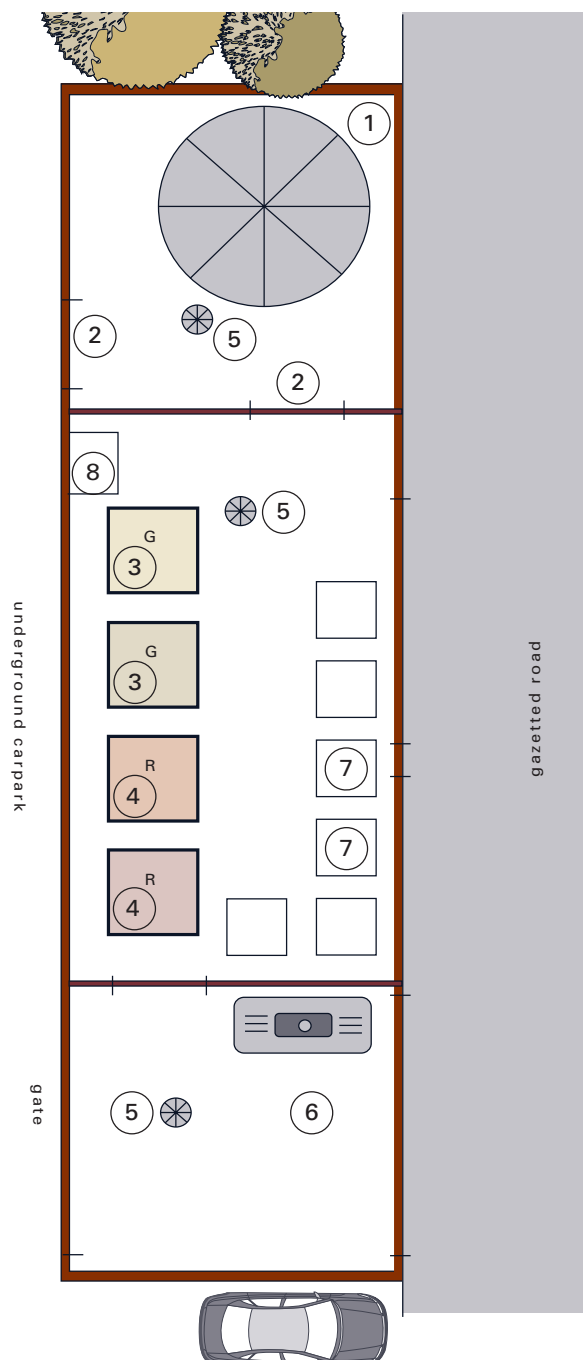
## HIGH-RISE RESIDENTIAL, MIXED RESIDENTIAL/COMMERCIAL BUILDINGS

For buildings which are served by a passenger lift, waste facilities must:

- > provide an internal garbage chute leading to a central garbage storage room that has a waste compaction unit attached. The compaction unit shall be set at a 2:1 ratio
- > provide each level of the building with at least one point of access to the chute. The access point shall be located in a signposted room, having a floor area not less than 1.5 metres square, appropriate to hold as a minimum 1 x 240L mobile recycling bin for the collection of paper and containers such as glass/plastic bottles, steel/aluminium cans
- > provide a separate bulky waste storage room for household cleanup material

In mixed residential/commercial buildings, waste facilities must:

- > ensure the garbage chute for the commercial area of the building is kept separate from the residential garbage chute or vice versa
- > provide ventilation, fire control and other services to the garbage chute room in accordance with the Building Code of Australia (BCA)
- > provide a commercial garbage storage facility, separate from the residential section of sufficient size to accommodate all waste generated from the commercial section. If a commercial section garbage facility is located within the building that is more than 2 metres from the street alignment, then a temporary holding bay must be provided that is located within 2 metres of the street alignment.



### LEGEND

- |                                               |                                        |                                                           |
|-----------------------------------------------|----------------------------------------|-----------------------------------------------------------|
| 1 carousel compactor at base of garbage chute | 4 MGBs for recycling                   | 7 doors for council access 2 metres from street alignment |
| 2 access for caretaker only                   | 5 drainage to sewer                    | 8 tap                                                     |
| 3 MGBs for garbage                            | 6 caged area for discarded bulky items |                                                           |

# GARBAGE AND RECYCLING CONTAINER REQUIREMENT

The following table is a guide only for the minimum number of garbage and recycling containers provided for waste storage and recycling in buildings such as villas townhouses, home units and low-rise developments.

The number of containers required for residential, mixed residential/commercial development buildings which have an internal garbage chute will need to be decided using 2:1 compaction ratio as stated on page 6.

**Table 1**

Number of units	Minimum number of garbage receptacles to be stored	Minimum number of recycling containers to be stored
1-3	1 x 80L bin per unit	1 x 140L comingled mobile recycling bin per unit
4-12	1 x 80L bin per unit or 1 x 240L mobile bin shared between each 3 units	2 x 240L comingled mobile recycling bin
12+	1 x 240L mobile bin per every 3 units  660L bins permitted	As a guide, generally a set of 2 x 240L mobile bins for every 15 units or part thereof  660L bins permitted

## Commercial Premises

All commercial premises are to be provided with a garbage/recycling storage area for all waste generated from the premises. The following chart is a minimum guide:

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
<b>Child care facilities</b>	All types	20L / child / week	10L / child / week
<b>Office buildings</b>	General office use	10L / 100m <sup>2</sup> GFA / day	10L / 100m <sup>2</sup> GFA / day
<b>Retail Trading</b>	Shops < 100m <sup>2</sup>	50L / 100m <sup>2</sup> GFA / day	25L / 100m <sup>2</sup> GFA / day
	Shops > 100m <sup>2</sup>	50L / 100m <sup>2</sup> GFA / day	50L / 100m <sup>2</sup> GFA / day
	Supermarkets	660L / 100m <sup>2</sup> GFA / day	130L / 100m <sup>2</sup> GFA / day
	Showrooms	40L / 100m <sup>2</sup> GFA / day	10L / 100m <sup>2</sup> GFA / day
	Greengrocers	240L / 100m <sup>2</sup> GFA / day	410L / 100m <sup>2</sup> GFA / day

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
	Florist / plant shop	900L / 100m <sup>2</sup> GFA / day (combined)	
	Butcher / Delicatessen	80L / 100m <sup>2</sup> GFA / day	Variable, but average 50L / 100m <sup>2</sup> GFA / day
	Bakery	295L / 100m <sup>2</sup> GFA / day	165L / 100m <sup>2</sup> GFA / day
	Fish	50L / 100m <sup>2</sup> GFA / day Waste receptacles shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C	Variable
<b>Food and drink premises</b>	Take away food and drink premises	80L / 100m <sup>2</sup> GFA / day	240L / 100m <sup>2</sup> GFA / day
	Restaurants and cafes	10L / 1.5m <sup>2</sup> GFA / day	120L / 100m <sup>2</sup> GFA / day
	Registered clubs	50L / 100m <sup>2</sup> bar area / day	50L / 100m <sup>2</sup> bar area / day
	Pub Small bar	80L / 100m <sup>2</sup> restaurant GFA / day	50L / 100m <sup>2</sup> dining area / day
<b>Assembly rooms</b>	Social recreational or religious premises	50L / 100m <sup>2</sup> GFA / day	10L / 100m <sup>2</sup> GFA / day
	Entertainment facilities	1L / 4 seats / screening	0.5L / 4 seats / screening
<b>Tourist and visitor accommodation</b>	Backpacker accommodation	40L / occupant space / week	20L / occupant space / week
	Hotel and motel accommodation	5L / bed space / day	5L / bed space / day
		50L / 100m <sup>2</sup> bar area / day	50L / 100m <sup>2</sup> bar area / day
		10L / 1.5m <sup>2</sup> dining area / day	50L / 100m <sup>2</sup> dining area / day
	Serviced apartments	120L / apartment / week	60L / apartment / week
<b>Industrial</b>	-	Dependant upon industry type	Dependant upon industry type

# CONSTRUCTION MATERIALS AND FINISH

## Walls

Walls of all garbage stores shall be of solid masonry construction, and shall be cement rendered to a height of 1800mm or the height of any wall, whichever is the lesser. Alternatively walls of garbage store may be tiled with glazed tiles fixed in accordance with the requirements of Australian Standard AS 3958, and the top edge of any such tile section shall be treated in such a way as not to form a ledge upon which dust or grease can accumulate. The intersection of the wall to the floor shall be coved.

Walls of temporary holding bays need to be integrated with the development and streetscape and adequately conceal containers from being viewed from public places and the road.

## Floors

Floors are to be constructed of materials which are impervious, non slip, non abrasive, resistant to chemicals, capable of withstanding heavy duty operation, coursing of steam, hot water, soap and detergent; and include ceramic tiles of approved size and type properly affixed with impermeable cement render or similar topping over concrete, or approved material.

The floor finish is to be smooth and even with no protrusions that would prevent easy cleaning. It should be graded and drained, with the approval of the Sydney Water, to the sewer.

The intersection of the floor with the walls and any exposed pipes are to be coved.

Service access to waste storage areas must be continuous paving and not contain steps or ramps with a grade steeper than 1 in 8.

## Ceilings

Where provided within a fully enclosed garbage store room, the ceiling is to be constructed of a rigid smooth faced non absorbent material which may include plaster board, fibrous cement, cement render, smooth finish off form concrete or other approved material with washable, gloss paint of a light colour.

The intersection of walls and ceilings are to be tight joined, sealed and dust proof. Drop in panel ceilings are not permitted.

## Doors and Gates

Waste storage rooms and garbage bays shall be provided with close fitting doors or gates so as to prevent the entry of trespassers, vermin or other animals into the area. The waste storage area must not be located behind lockable security grilles/roller garage doors/gates etc, unless an additional lockable door is located next to the grill/garage roller door etc, so that waste collectors can access the waste storage area other than through any security/roller systems. Doors/gates to waste storage rooms must provide a minimum clearance of 900mm.

The waste storage room should allow sufficient area and door openings for manoeuvring of containers.

## Window Openings

Window openings shall be sufficiently protected so as to prevent the entry of animals or other vermin into the store.

## Storage Racks

Where required racks may be provided for the storage of garbage bins and recyclable materials. They may be fixed or free standing, with the lower shelf 300mm above floor level. Racks are to be constructed in galvanised piping, solid flat iron, or solid flat steel, compressed fibre cement or other approved material that are capable of easy cleaning.

## VENTILATION

Fully enclosed waste facilities must be ventilated by natural or artificial means complying with AS 1668.

## WATER SUPPLY

Facilities must be provided to allow for the wash down of the garbage store areas and also for the disinfection of containers on site. Wash down water from either the floor or containers must be disposed of in the sewer.

It is an offence to discharge wash down water to the stormwater drainage system.

## Residential Premises

A cold water hose cock must be located within the waste facility or nearby.

## Commercial Premises

Hot and cold water hose cocks must be located within the waste facility or nearby.

## GREASE ARRESTERS

The installation of grease arresters within waste facilities is permitted, provided that the area dedicated to access hatchways is additional to the floor area requirement for the garbage bays and store rooms.

## IDENTIFICATION

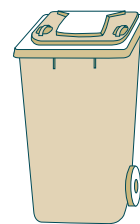
The storage area or holding bay must be adequately signposted, with a description of storage facilities within the area.

## LIGHTING

Lighting in the waste facility room should be in accordance with AS 1680.

### Mobile Garbage Bins (MGBs)

Bin Type	80L MGB	120L MGB	240L MGB
Height	935mm	960mm	1080mm
Depth	510mm	555mm	735mm
Width	445mm	485mm	580mm



*Mobile Garbage Bin*

## Chutes

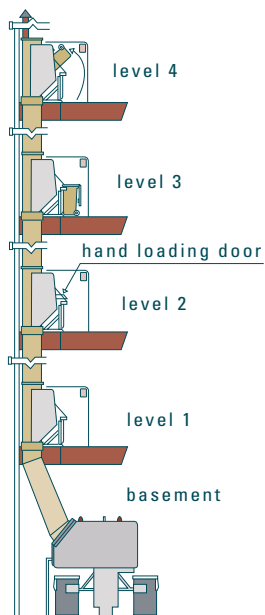
Chutes are only suitable for transfer of garbage, and are unsuitable for the transfer of recyclables. Firstly, the drop generally results in the damage, or even destruction, of the recyclable material - particularly glass. Secondly, cardboard can become stuck in the chute and cause a fire hazard. Other recyclables, such as paper and plastics are also highly flammable. Having large quantities of recyclables stored at the bottom of a long shaft could constitute a fire hazard.

Chutes should be designed to reduce noise and fire risks associated with their use. They should be cylindrical in section, with a diameter of 500mm or greater.

A service room (or compartment) must be provided on each floor of the development to allow access to the garbage chute. Chutes must not open onto any habitable or public space. Hopper doors are to be fitted with door closers and have an effective self-sealing system.

Chutes must terminate in a garbage and recycling room and discharge directly into a container or waste compactor to avoid spillage and overflow.

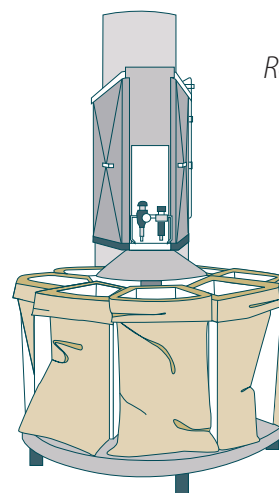
Chutes must be completely enclosed in a fire shaft constructed of approved material and fitted with sprinklers in accordance with the BCA. See manufacturer's instructions for exact specifications.



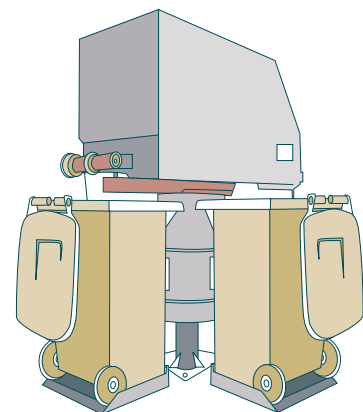
## Compactors

Compactors are used to compress the waste into smaller collection containers. The compaction ratio is typically set at 2:1. As a result of the 2:1 compaction ratio, the requirement for storage bins is halved. Higher ratios are not used as they may result in heavier collection containers, endangering workers or damaging bins. Best practice compaction systems compact directly into a 240 litre mobile bin, reducing the need to manually load the compacted waste into the bins.

Compactors require regular maintenance. In particular, systems fed from a chute can be prone to blockages or failure of the "electronic eye", which can result in overflowing or backing up of the chute.



*Rotational bag carousel with compactor*



*Rotational MGB carousel with compactor*

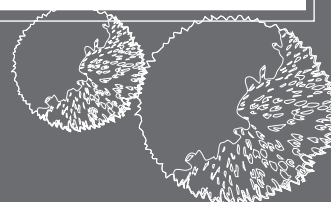
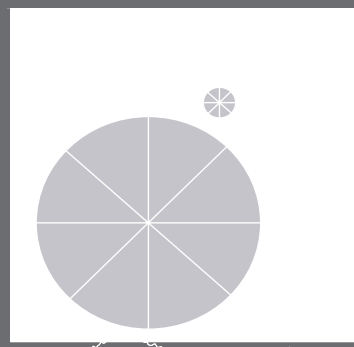


# 2020



## WASTE MANAGEMENT GUIDE

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## **APPENDIX 4 BUSHLAND BUFFER MAP**

### **4.1 INTRODUCTION**

This Appendix contains a copy of Council's Bushland Buffer Map.

### **4.2 RELATIONSHIP TO OTHER SECTIONS**

This Appendix should be read in conjunction with:

- Part B: Section 1 – Residential Development,
- Part B: Section 2 – Commercial and Mixed Use Development,
- Part B: Section 3 – Non-Residential Development in Residential Zones,
- Part B: Section 15 – Bushland.



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# Bushland Buffer Map

**LEGEND:**

- E2 - Environmental Conservation
- Buffer Area A (100m)
- Buffer Area B (300m)
- Cadastre

