



Part D ► Business Centres

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2014
DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter D1

Neighbourhood Centres

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Contents

D1.1	INTRODUCTION	1
1.1.1	Land where this chapter applies	1
1.1.2	Development to which this chapter applies	1
1.1.3	Objectives	3
1.1.4	Relationship to other parts of the DCP	3
1.1.5	How to use this chapter	4
D1.2	HOPETOUN AVENUE, VAUCLUSE	6
1.2.1	Centre character statement	6
1.2.2	Desired future character	8
1.2.3	Objectives and controls	8
D1.3	SOUTH HEAD ROUNDABOUT, VAUCLUSE	11
1.3.1	Centre character statement	11
1.3.2	Desired future character	13
1.3.3	Objectives and controls	14
D1.4	VAUCLUSE SHOPPING VILLAGE, VAUCLUSE	15
1.4.1	Centre character statement	15
1.4.2	Desired future character	17
1.4.3	Objectives and controls	17
D1.5	PLUMER ROAD, ROSE BAY	21
1.5.1	Centre character statement	21
1.5.2	Desired future character	23
1.5.3	Objectives and controls	24
D1.6	O’SULLIVAN ROAD, ROSE BAY	27
1.6.1	Centre character statement	27
1.6.2	Desired future character	30
1.6.3	Objectives and controls	30
D1.7	STREATFIELD ROAD	31
1.7.1	Centre character statement	31
1.7.2	Desired future character	33
1.7.3	Objectives and controls	33
D1.8	BELLEVUE HILL SHOPS	37
1.8.1	Centre character statement	37
1.8.2	Desired future character	39
1.8.3	Objectives and controls	40
D1.9	MANNING ROAD, WOOLLAHRA	44
1.9.1	Centre character statement	44
1.9.2	Desired future character	46
1.9.3	Objectives and controls	46

D1.10 DARLING POINT ROAD, DARLING POINT	49
1.10.1 Centre character statement	49
1.10.2 Desired future character	51
1.10.3 Objectives and controls.....	51

D1.1 Introduction

This is Chapter D1 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres.

This chapter contains controls for nine centres, zoned B1 Neighbourhood Centre under the Woollahra Local Environmental Plan 2014 (Woollahra LEP).

This chapter seeks to ensure that development has regard to its context and is compatible with the desired future character of each centre as described in this chapter.

1.1.1 Land where this chapter applies

This chapter applies to the following centres, as identified on Map A (see next page):

- ▶ Hopetoun Avenue, Vaucluse
- ▶ South Head Roundabout, Vaucluse
- ▶ Vaucluse Shopping Village, Vaucluse
- ▶ Plumer Road, Rose Bay
- ▶ O'Sullivan Road, Rose Bay
- ▶ Streatfield Road, Bellevue Hill
- ▶ Bellevue Hill Shops, Bellevue Hill
- ▶ Manning Road, Woollahra
- ▶ Darling Point Road, Darling Point.

1.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

A key objective of the B1 zone is to provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

The B1 zone permits a limited range of retail premises including shops, restaurants and cafes, take-away food and drink premises; the zone also permits business premises, office premises, community facilities and shop top housing. (Refer to Woollahra LEP for all the types of development permitted in the zone.)

MAP A Land where Chapter D1 applies



1.1.3 Objectives

The objectives of this chapter are:

- O1 To support the long term retail health of the neighbourhood centres.
- O2 To facilitate development in a way that reflects desired future character objectives for each centre.
- O3 To preserve the small shop character of each centre.
- O4 To ensure a high standard of architectural and landscape design.
- O5 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.
- O6 To ensure that the design and siting of development is compatible with the surrounding built form.
- O7 To encourage active ground floor uses that contribute to the vitality of the centre.
- O8 To encourage a complementary mix of small scale retail, business, office and residential uses compatible with the desired future character of the centre.
- O9 To facilitate people living in mixed use developments in the centres, and provide for good residential amenity.
- O10 To provide a range and mix of dwellings that are compatible with shops and/or business and office uses.
- O11 To minimise adverse impacts of development on the amenity of adjoining and neighbouring properties.
- O12 To retain significant views and vistas.
- O13 To improve the amenity of public domain and pedestrian safety.

1.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part D: Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

1.1.5 How to use this chapter

The primary controls for the neighbourhood centres are contained in two chapters:

- ▶ Chapter D1 Neighbourhood Centres; and
- ▶ Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

Chapter D1 Neighbourhood Centres

Each section in this chapter represents an individual centre. Applicants need only refer to the particular centre that is relevant to their site.

The controls for each centre comprise the following elements:

- ▶ map showing the extent of the centre;
- ▶ centre character statement, providing a brief description of the centre;
- ▶ desired future character, establishing the direction and outcomes to be achieved through development in the centre; and
- ▶ table of objectives and controls relating to uses, built form, amenity, the public domain etc. The controls represent specific ways in which a development proposal can meet the objectives. A street section diagram is also provided for some centres to illustrate certain controls.

The objectives and controls in this chapter are to be read in conjunction with the general controls in Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

Chapter D3 General Controls for Neighbourhood and Mixed Use Centres

The general controls apply to all B1 zoned land addressed in Chapter B1, regardless of the centre in which the land is located.

Development is required to fulfil the relevant requirements of all general controls. Unless otherwise indicated, where there is a disparity between the objectives and controls in Chapters D1 and D3, the centre specific objectives and controls in this chapter take precedence over the general controls.

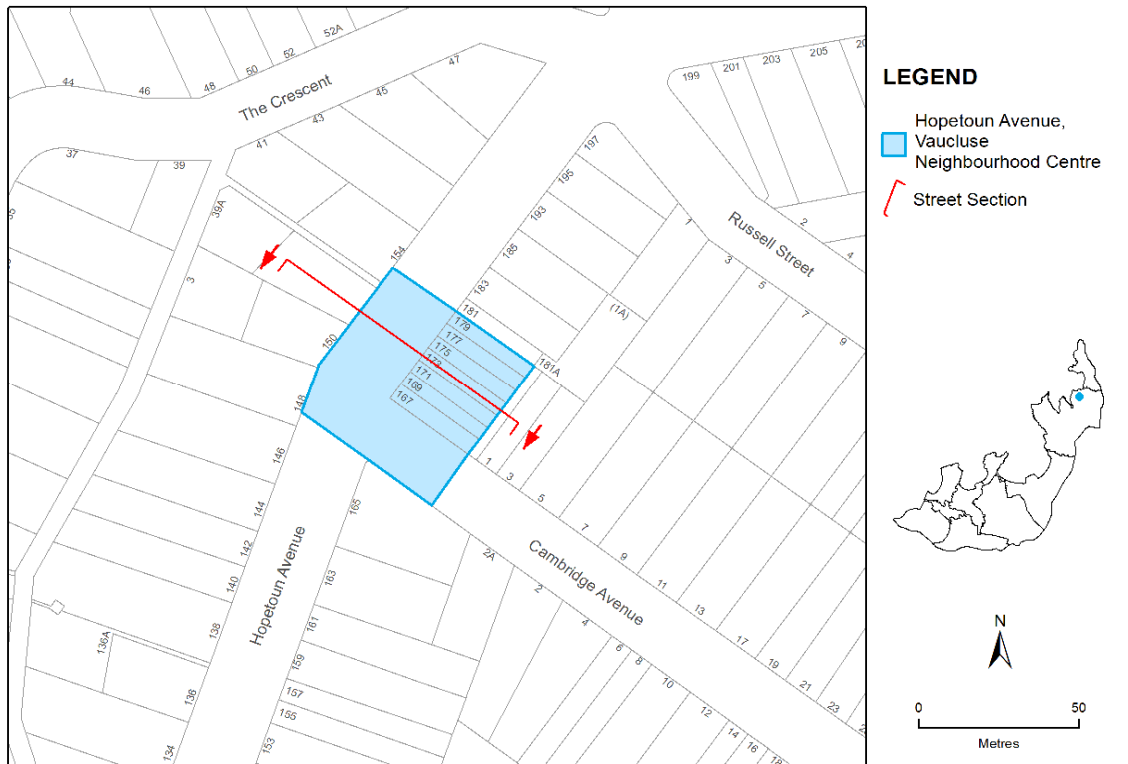
Applicants need to demonstrate how their development fulfils the relevant objectives and preserves or enhances the important character elements for the centre, having particular regard to:

- ▶ surrounding building height, bulk and scale;
- ▶ any predominant architectural styles, roof forms, materials and colours;
- ▶ prevailing building lines;
- ▶ existing and proposed uses;
- ▶ landscape and vegetation features;
- ▶ topography;
- ▶ view corridors;

- ▶ pedestrian access and amenity;
- ▶ cumulative traffic and parking impacts;
- ▶ interface between the private and public domain; and
- ▶ adjacent residential areas and heritage conservation areas.

D1.2 Hopetoun Avenue, Vacluse

MAP 1 Hopetoun Avenue centre map



1.2.1 Centre character statement

The Hopetoun Avenue neighbourhood centre is located on an elevated slope on Hopetoun Avenue, at the corner of Cambridge Street Vacluse; it is within a kilometre of Watsons Bay.

This is a relatively small centre, comprising a row of seven shop top premises, including a neighbourhood shop. Other businesses currently located in the centre are a pool shop and food catering business. Some of the ground floor shopfronts do not provide active uses, and one of these appears to contain a residential use. These inactive shopfronts detract from the role of the centre, its vitality and amenity.

Historical development of the area

Land in and near the centre was subdivided in the early 1900s. Access to Vacluse was by ferry landing at nearby Parsley Bay or near Gibson Reserve. Larger waterfront blocks were released and built upon first. Substantial housing development followed in the 1920s and 1930s, whilst Vacluse Council resisted residential flat building in the municipality. The nearby Vacluse Primary School opened in 1925.

Built form

The centre comprises a short row of Inter-war two storey shop top housing with some recent three storey additions. The shop top buildings are all built to the street alignment with continuous awnings and parapets. The building stock around the centre is represented by larger detached residential dwellings of generally high quality and set in generous gardens.

Heritage and contributory buildings

The centre comprises two groups of contributory buildings: 167-171 Hopetoun Avenue, 173-179 Hopetoun Avenue. These groups form a cohesive street wall and establish the scale and character of the centre.

Public parks and community facilities

Gibson Park, Parsley Bay Reserve and Vaucluse Public School are located close to the centre.

Public domain

The asphalt footpath and minimal street furniture provide a basic standard of pedestrian amenity.

Access and circulation

The centre is on the Watsons Bay bus route, although most shoppers would use car transport or arrive on foot from nearby residences. On street parking is adequate for the low levels of retail activity.

Views and aspect

The centre enjoys a pleasant elevated north-westerly aspect. The church steeple of Our Lady Star of the Sea on New South Head Road at Watsons Bay may be seen when looking north-east from the upper levels of the shop top housing in the centre.

Hopetoun Avenue



1.2.2 Desired future character

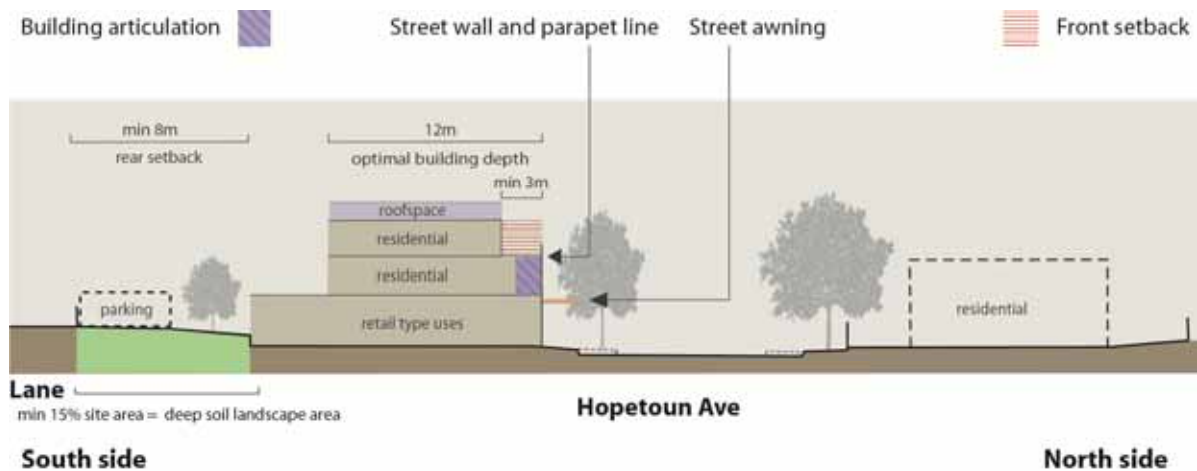
The Hopetoun Avenue neighbourhood centre is a small centre located within a continuous row of shop top housing. These Inter-war buildings make an attractive contribution to the streetscape. Redevelopment within the centre should protect the fabric and character of these buildings.

The centre is located within an established residential area and there is great potential for the centre to become more of a community hub. The ground floor uses are to establish active frontages with small scale shops and services, particularly those that provide for the daily convenience needs of surrounding residents, such as a cafe, bakery and grocers. Residential uses will occur on the upper levels.

1.2.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 1 Hopetoun Avenue street section

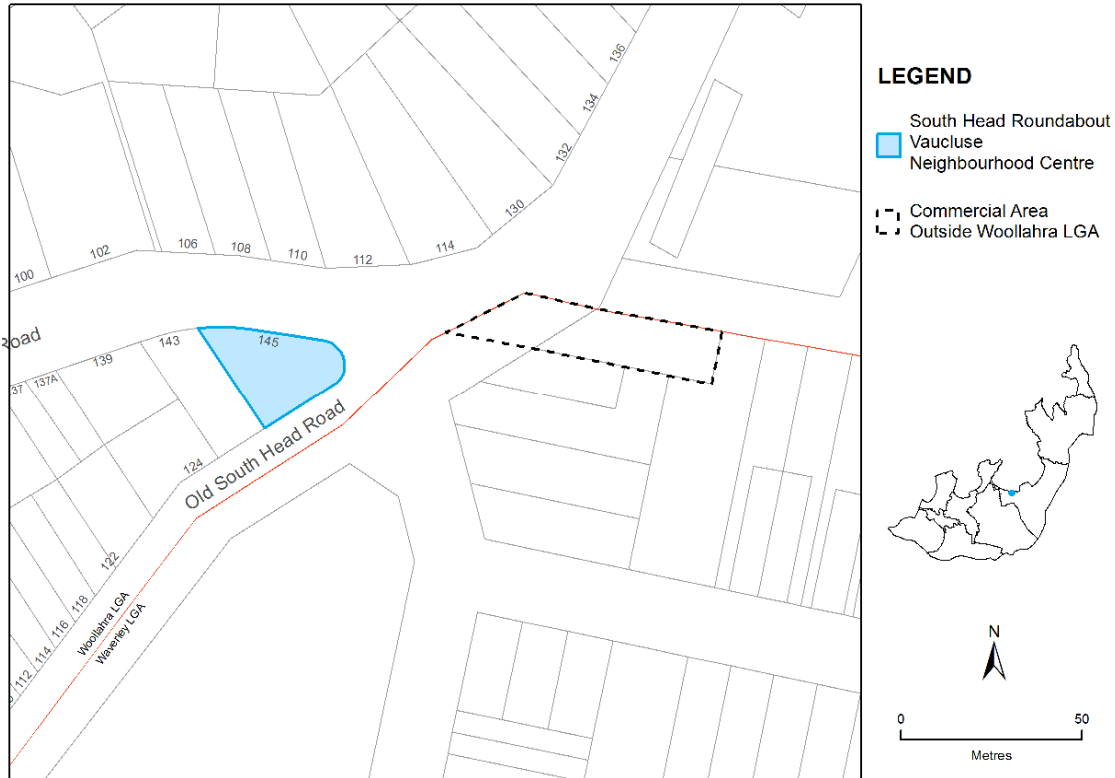


Objectives		Controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	Development supports the adaptive re-use of existing shop top units.
		C2	The ground level contains active uses, preferably shops, and cafés including outdoor dining, that meet the daily convenience needs of the local community.
		C3	Residential uses located above street level in the form of shop top housing.
O2	To protect the fabric and character of the existing Inter-war shop top buildings.	C4	Development does not include infill of original verandahs.
		C5	Development includes a continuous solid suspended awning over the public footpath and along the return into Cambridge Street.
O3	To retain a coherent streetscape with a consistent street wall and parapet line.	C6	Development is a maximum three storeys.
		C7	Development retains two storeys built to the street alignment, as well as the continuous parapet line.
		C8	Development on the third level is setback from the street boundary as shown.
		C9	Development does not include vehicular access off Hopetoun Avenue.
O4	To encourage good building design and limit building bulk.	C10	Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets.

Objectives		Controls	
O5	To provide for the amenity of occupants and adjoining properties.	C11	The building depth for storeys above the ground floor level is generally not more than 12m.
		C12	The building is setback from the rear boundary by at least 8m.
		C13	At least 15% of the site is provided as deep soil landscaped area.
O6	To improve the pedestrian environment.	C14	Development includes advanced tree planting as a formal row of shade trees.
O7	To encourage footpath dining in areas with good solar access.	C15	Footpath dining areas receive a minimum 2 hours solar access each day.

D1.3 South Head Roundabout, Vaucluse

MAP 2 South Head Roundabout centre map



1.3.1 Centre character statement

South Head Roundabout shops are located on New South Head Road at the junction with Old South Head Road. The centre provides a small selection of specialty shops and personal services, such as a hair dresser, clothes alterations, art gallery, homewares shop and fitness studio. Residential uses occur on the upper level.

This centre is located across the road from a small group of two shopfronts currently used as a café and bakery, located in the Waverley Council area. The connections and relationship between these centres are compromised by the relatively busy roundabout at the intersection New South Head Road and Old South Head Road.

Historical development of the area

New South Head Road was constructed as a link to Watsons Bay during the 1830s. The South Head Cemetery was dedicated in 1845. Land in and near the centre was subdivided in the early 1900s at the same time as a tramline along New South Head Road was introduced. However, substantial housing development did not proceed until the 1920s and 1930s. Vaucluse Council resisted residential flat building in the municipality, but there were some Inter-war flat buildings built on New South Head Road near the centre. Vaucluse High School adjacent to the centre opened in 1960, the same year that the tram service ceased.

Built form

This neighbourhood centre is contained in a single well conserved Inter-war building that includes a sympathetic third floor addition for residential use. The building addresses the corner at the roundabout and New South Head Road, and has a continuous parapet line and a series of canvas awnings. Across the roundabout in the Waverley Municipality is a mix of 20th century architecture of varying quality and scale, and a recent five storey residential flat building facing Christison Park.

Heritage and contributory buildings

South Head Roundabout neighbourhood centre is located within an Inter-war building which provides a significant landmark at this broad open intersection. The building is a good intact example of the ocean liner style, although the original face brickwork has been painted and the original awning replaced.

Public parks and community facilities

Christison Park and the South Head Cemetery are both within 100m of the site. Christison Park offers recreational opportunities in proximity to the neighbourhood centre.

Public domain

The standard asphalt footpath pavement and the exposed corner situation on the roundabout afford little pedestrian amenity.

Access and circulation

The centre is well located on bus routes operating on both New South Head Road and Old South Head Road. It is accessible by car and provides a limited number of off-street car parking spaces. The speed and volume of vehicles moving through the roundabout compromise pedestrian amenity and safety.

Views and aspect

To the north-east, beyond the roundabout, the centre has a distant outlook to Christison Park. To the north, harbour views are afforded from the upper storeys of the Inter-War building.

New South Head Road and Old South Head Road



1.3.2 Desired future character

The South Head Roundabout neighbourhood centre will continue to be a relatively small centre that provides a range of specialty shops and personal services that service the local community, and supplement the nearby Vaucluse village which provides a greater range of local convenience shops and services. Office and residential uses will occur on the upper levels.

The built form of this neighbourhood centre provides a strong and visually attractive landmark at this major intersection of New South Head Road and Old South Head Road. It is important that the building and key elements, such as the continuous parapet line, stay intact. Although the original awning has been removed, the consistent canvas awnings and under-awning signage make a positive contribution to the streetscape and this visual unity should be retained.

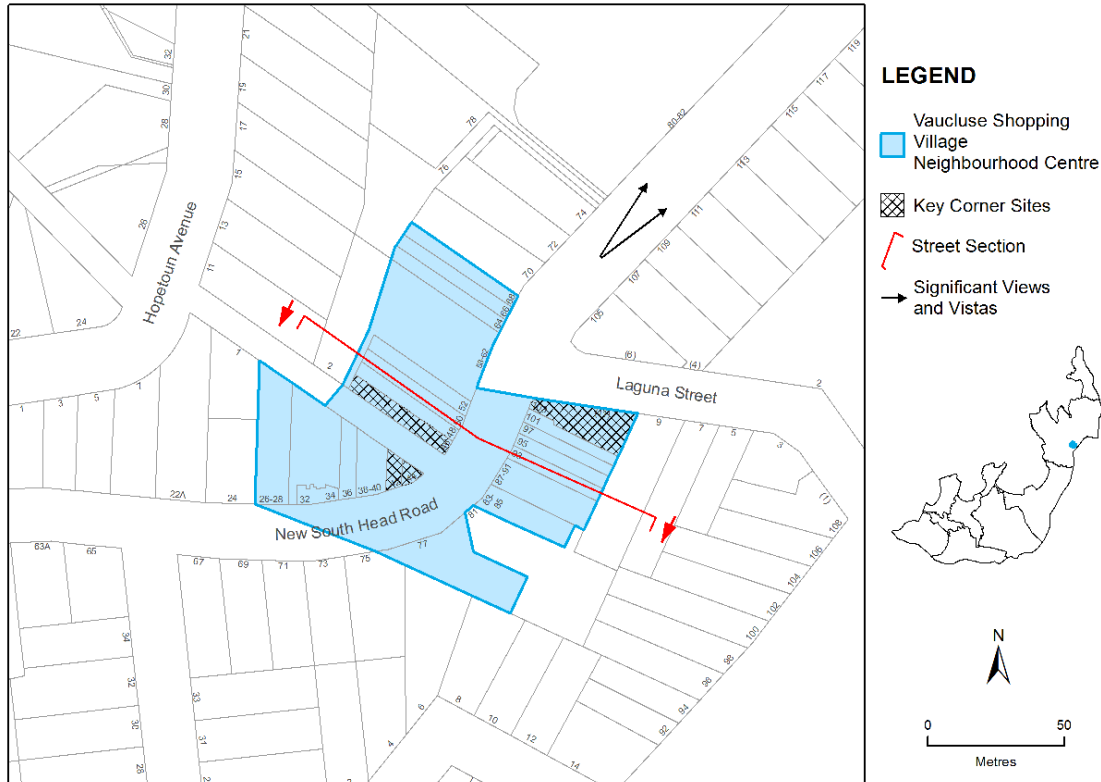
At the street level, large glass shop frontages provide great opportunity for interesting and attractive shopfront displays that contribute to the amenity of the pedestrian environment; the surface area of these windows should generally remain transparent to provide for permeability into shopfronts and promote active street frontages.

1.3.3 Objectives and controls

Objectives		Local controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	Development supports adaptive re-use of existing retail units.
		C2	The ground level contains active uses, preferably a range of local and speciality shops and business premises that meet the needs of the local community.
		C3	The upper levels generally contain office uses, and/or residential uses.
O2	To protect the fabric and character of the existing Inter-war building.	C4	Development is sympathetic to the existing character and fabric of the Inter-war building.
		C5	Development retains a coherent streetscape with a consistent street wall and parapet line.
		C6	Development is a maximum three storeys.
		C7	Development reinstates a fixed stepped awning, on its original alignment, to the building façade. The colour and materials of the awning respect the architecture and character of the building.
O3	To improve the pedestrian environment and connections to commercial activity on the eastern side of the roundabout.	C8	Development improves the existing landscape treatment and includes streetscape improvements.

D1.4 Vaucluse Shopping Village, Vaucluse

MAP 3 Vaucluse Shopping Village centre map



1.4.1 Centre character statement

Vaucluse Shopping Village is located on the ridgeline on a curved section of New South Head Road. It provides a good mix of local convenience retailing and services, including a post office, newsagent, fruit and vegetable grocer, butcher, cafes, bottle shop and florist.

The centre is characterised by two storey shop top housing, with some recent three storey infill development on the western side.

Historical development of the area

New South Head Road was constructed as a link to Watsons Bay during the 1830s. In 1880 the Shaftesbury Institute was opened on land currently occupied by Samuel Park and the site known as the former Vaucluse High School. The Shaftesbury Institute operated as a girls' reformatory and then was used an institution for non-criminal men in 1915.

Land in and near the centre was subdivided in the early 1900s and at the same time the tram line along New South Head Road was introduced. However, substantial housing development did not occur until the 1920s and 1930s.

In 1930 three acres of land from the Shaftsbury Institute grounds was dedicated to Council for public recreation purposes and named "Samuel Park".

Although Vaucluse Council resisted residential flat building in the municipality, some Inter-war flat buildings were built on New South Head Road near the centre. In 1960, the Vaucluse High School opened. In that same year the tram service ceased.

Built form

The building stock in and around the centre includes 20th century architecture of varying quality.

The built form generally consists of:

- ▶ shop top housing in the form of predominantly two storey Inter-War buildings interspersed with more contemporary buildings;
- ▶ two and three storey mixed use developments at the north-eastern and south-western end of the centre; and
- ▶ a two storey mixed use building on the corner of New South Head Road and Laguna Street.

The buildings generally address the street, provide continuous awnings, and have parapet or hipped rooflines.

Heritage and contributory buildings

There are no heritage or contributory buildings in the centre.

Public parks and community facilities

Samuel Park, which also includes the Vaucluse Bowling Club, is located close to the centre.

Public domain

The centre provides a relatively good standard of pedestrian amenity, and fairly consistent footpath treatment, street furniture and planting.

Access and circulation

The centre is on the Watsons Bay bus route. However, most shoppers access the centre by car and are reliant on car transport and turnover of on-street car parking spaces. Pedestrian safety is somewhat compromised by the restricted sightlines on New South Head Road.

Views and aspect

The north-eastern end of the shopping centre has views towards the Vaucluse Bowling Club and Samuel Park.

New South Head Road and Laguna Avenue



1.4.2 Desired future character

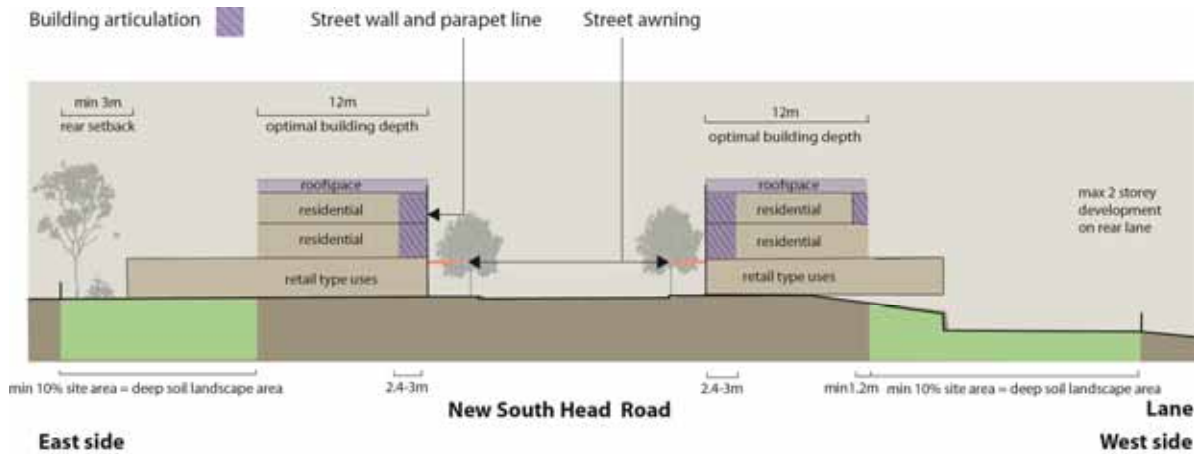
The Vaucluse neighbourhood centre is a lively village that provides for the daily convenience needs of the local community. It is expected that this role will continue and strengthen. Higher order retailing, such as banking and weekly shopping, will be provided at larger centres such as the Rose Bay local centre.

The redevelopment of the former Vaucluse High School site for seniors living will increase the residential population within walking distance of the centre and increase the demand for daily goods and personal services. Possible redevelopment on the carwash site for mixed use development will also provide for a small extension of the centre along the eastern side. New and infill development will reinforce the village feel of the centre, providing well designed buildings that reflect the scale and rhythm of the existing built form and shopfronts.

1.4.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 2 Vaucluse Village street section



Note: Street section does not apply to 26-36 New South Head Road

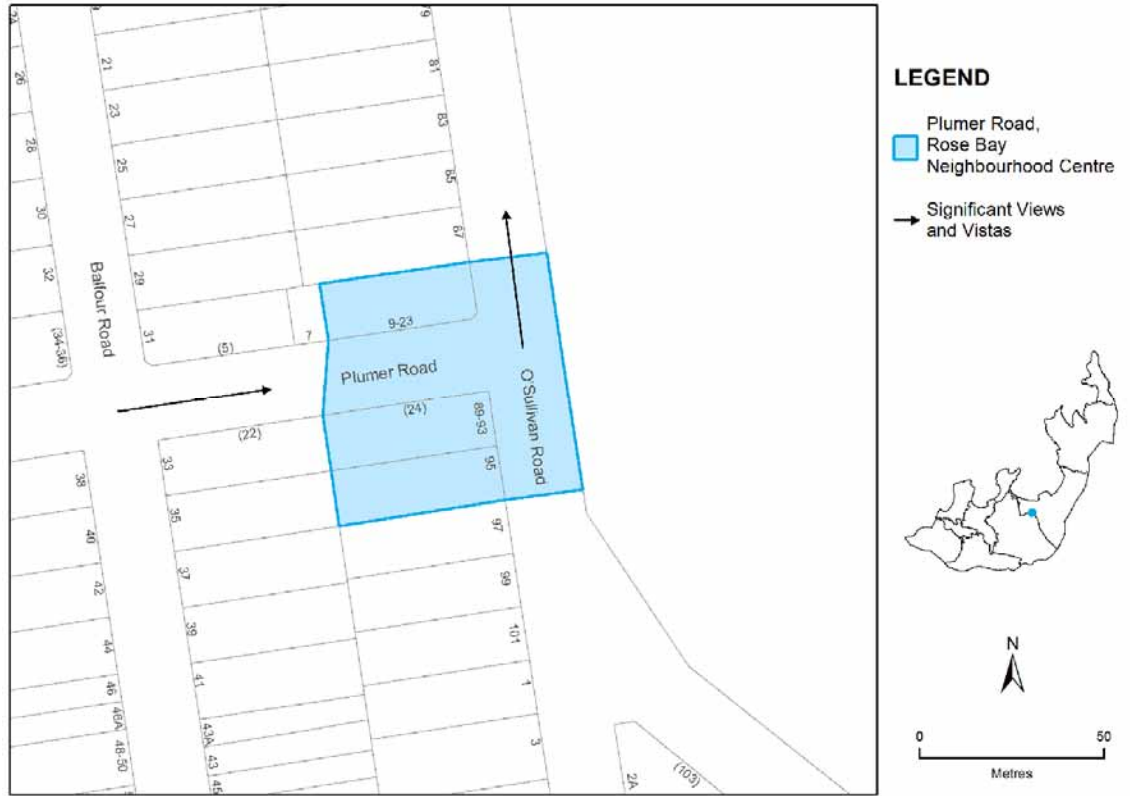
Objectives	Local controls
<p>O1 To provide uses that are consistent with the desired future character of the centre.</p>	<p>C1 Development supports adaptive re-use of existing retail units.</p> <p>C2 The ground level contains active uses, preferably local and speciality shops, business premises and cafes and restaurants that meet the needs of the local community.</p> <p>C3 Residential uses located above street level in the form of shop top housing.</p>
<p>O2 To develop a coherent streetscape with a consistent street wall.</p>	<p>C4 Development is a maximum three storeys at the New South Head Road frontage.</p>
<p>O3 To ensure consistency of built form and presentation to the street.</p>	<p>C5 For properties 26-36 New South Head Road, development provides:</p> <ul style="list-style-type: none"> a) two storey street wall built to the street alignment, with a continuous and consistent parapet line; and b) an upper level setback of at least 1.2m for at least 80% of the frontage, where setback walls are aligned parallel to the street boundary. <p>C6 For all sites other than 26-36 New South Head Road, development provides a three storey street wall built to the street</p>

Objectives	Local controls
	<p>alignment, with a continuous and consistent parapet line above.</p> <p>C7 For development on the west side of the street, as identified in the street section diagram:</p> <ul style="list-style-type: none"> a) building form responds to the fall of the land; and b) development is a maximum two storeys to the rear lane. <p>C8 Development includes a continuous solid suspended awning over the public footpath of New South Head Road and along the secondary frontage of corner sites.</p> <p>C9 Development does not include vehicular access off New South Head Road.</p>
<p>O4 To define and reinforce the corner sites in the centre.</p>	<p>C10 Development on corner sites provides three storeys built to the street alignment with a continuous and consistent parapet line above.</p>
<p>O5 To encourage good building design and limit building bulk.</p>	<p>C11 Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets.</p> <p>C12 At the street alignment, the depth of these balconies and loggia is between 2.4m to 3m.</p>

Objectives	Local controls
<p>O6 To provide for the amenity of occupants and adjoining properties.</p>	<p>C13 The building depth for storeys above the ground floor level is generally not more than 12m.</p> <p>C14 For development on the eastern side of New South Head Road, the building is setback from the rear boundary by at least 3m.</p> <p>C15 For development on the western side of New South Head Road, the building may be built to the rear lane.</p> <p>C16 At least 10% of the site is provided as deep soil landscaped area.</p>
<p>O7 To increase tree planting in the public domain.</p>	<p>C17 Development which includes public domain use, includes advanced tree planting in the footpath.</p>

D1.5 Plumer Road, Rose Bay

MAP 4 Plumer Road centre map



1.5.1 Centre character statement

The Plumer Road neighbourhood centre is a group of purpose built shops with residential uses above, located at the intersection of Plumer and O'Sullivan Roads opposite Woollahra Public Golf Course. This is a vibrant neighbourhood centre for the local community, providing a good range of convenience shops, including a local store, bakery, butcher and cafes.

The area has a flat topography and is characterised by mature fig trees along O'Sullivan Road. The centre is located within the Balfour Road Heritage Conservation Area, characterised by Inter-war flat buildings built between Powell Road, Salisbury Road, Plumer Road and O'Sullivan Road.

Historical development of the area

Speculation to create an exclusive marine estate along the esplanade at Rose Bay was commenced in the 1830s, but apart from the 1835 construction of Rose Bay Lodge (in what is now Salisbury Road) the district remained substantially undeveloped throughout the 19th century. More intensive subdivision of the land surrounding Rose Bay Lodge commenced after the introduction of the Rose Bay tram service in 1903, but again development in the area was slow.

The Plumer Road shops were part of the Beresford Estate and were subdivided from 1925 to 1928 as business sites. Development of residential blocks occurred in the area from the early to mid-1920s. The Balfour Road Heritage Conservation Area represents the intensified residential development of Rose Bay during the Inter-war period.

Built form

Like most buildings in the Balfour Road Heritage Conservation Area, the Plumer Road shops are two and three storey builder's blocks of flats (i.e. speculative, not architect designed) built in the 1920s and mid 1930s displaying distinctive architectural characteristics of the Inter-war art deco style.

The buildings form a highly distinctive collection of traditionally detailed retail building forms, dating back to the Inter-war period. Some of the important built form characteristics include continuous awnings and a hipped roof form, buildings built to the street alignment with large display windows on the ground floor, and windows and balconies overlooking the street.

Heritage and contributory buildings

The centre is located within the Balfour Road Conservation Area. The shop top housing at Nos 89-93 O'Sullivan Road and 9-23 Plumer Road are contributory buildings identified in the Balfour Road Centre Heritage Conservation Area Study as being significant to the Balfour Road HCA as they form a gateway to the centre.

Public parks and community facilities

Woollahra Public Golf Course is located immediately opposite the shops on O'Sullivan Road.

Public domain

The centre has high visual amenity. The continuous awnings, common fascia signage and well maintained concrete footpaths and buildings provide good amenity for pedestrians. The fig tree planting on O'Sullivan Road provides a leafy backdrop to the centre. The setback area on O'Sullivan Road facilitates outdoor dining.

Access and circulation

The centre is located close to the Bondi Junction to City bus route and routes on New South Head Road. However, most shoppers access the centre by foot or are reliant on car and a turnover of the on-street car parking spaces.

Views and aspect

The centre enjoys views to Woollahra Public Golf Course, and from O'Sullivan Road there is a tree canopied vista to the harbour.

Plumer Road and O'Sullivan Road



1.5.2 Desired future character

The Plumer Road neighbourhood centre will remain a small but lively village providing for the daily convenience shopping needs of the local community, and serving as a social hub for the community to meet and interact. Higher order retailing, such as banking and weekly shopping, will be provided at larger centres including the Rose Bay and Double Bay local centres.

The centre has a high aesthetic value, predominantly derived from the Inter-War shop top buildings. These character buildings should not be altered, and the consistent colour schemes applied to these buildings, awnings and signage are to be retained, as these provide a unifying theme throughout the centre and contribute to its visual amenity and character.

The existing development at 95 O'Sullivan Road detracts from the centre and any future redevelopment on this site should more suitably respond the character of the centre and the significance of the adjoining HCA.

1.5.3 Objectives and controls

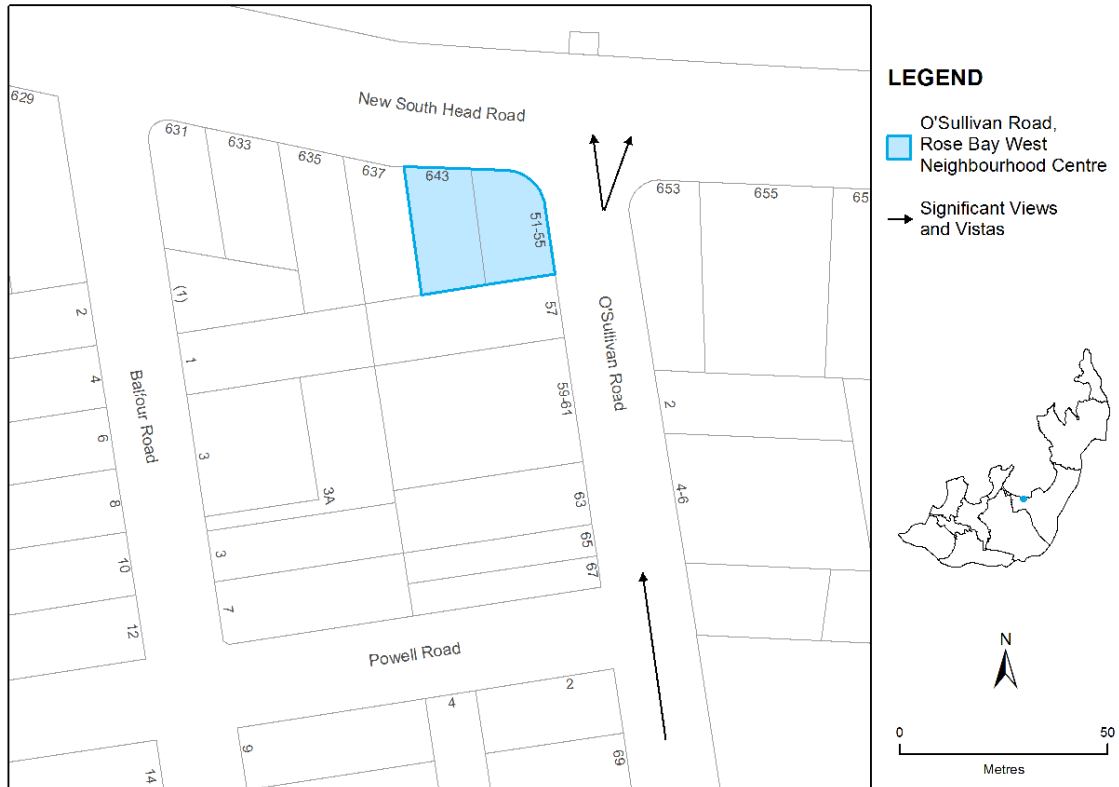
Objectives		Local controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	Development supports the adaptive re-use of existing shop top units.
		C2	The ground level contains active uses, preferably local shops, cafes and restaurants that meet the needs of the local community.
		C3	Residential uses are located above street level in the form of shop top housing.
		C4	Development provides high amenity outdoor dining in the O'Sullivan Road setback area.
O2	To maintain the existing built form so that the centre remains the "gateway" to the Balfour Road Centre Heritage Conservation Area.	C5	Development at 89-93 O'Sullivan Road and 9-23 Plumer Road maintains existing building height, scale and form.
		C6	Parking is located at the rear of the building. No parking spaces or garages permitted in the front setback area.
		C7	Development maintains the existing building separation pattern to neighbouring residential lots by retaining the existing driveway crossovers on the edge of the centre.
O3	To retain and enhance the contributory buildings and ensure these retain their streetscape context.	C8	Development at 89-93 O'Sullivan Road and 9-23 Plumer Road maintains and retains the original fabric.
		C9	Development provides a continuous awning to the street frontage to match existing awnings at 89-93 O'Sullivan Road and 9-23 Plumer Road.
		C10	Development does not include habitable space in the roof structure of an existing building, and does not include any dormer window.
		C11	Any replacement of original building fabric is of similar material and type

Objectives	Local controls
	<p>(e.g. timber for timber).</p> <p>C12 Development reinstates architectural detailing as appropriate.</p> <p>C13 Development retains and conserves any original chimneys.</p> <p>C14 Development does not include any painting, bagging or rendering of original face brickwork.</p> <p>C15 Development retains original window and door hardware.</p> <p>C16 Development does not include any infill (by glazing or otherwise) of original verandas or balconies.</p> <p>C17 Security grilles on windows and doors, if installed, complement frame and glazing pattern, and are fitted on the inside of windows or doors, and should not be visually intrusive.</p> <p>C18 Security fly screens, if installed, are retractable.</p> <p>C19 Skylights, solar panels and the like, are not visible from any street frontage.</p>
<p>O4 To support redevelopment of buildings that detract from the streetscape character.</p>	<p>C20 Development at 95 O’Sullivan Road is a maximum three storeys.</p> <p>C21 Development at 95 O’Sullivan Road presents a similar roof form and pitch as adjoining buildings, when viewed from the public domain.</p> <p>C22 Development is setback from O’Sullivan Road to match existing commercial buildings and does not include structures within the setback area.</p>

Objectives		Local controls	
O5	To maintain the leafy character and ambience of O'Sullivan Road.	C23	Development which includes public domain use provides advanced tree planting in the O'Sullivan Road setback area that reinforces and complements the existing avenue of mature trees.
O6	To minimise the impact of signs on the amenity and character of the buildings and the significance of the heritage conservation area.	C24	New signage is of a compatible design and colour to existing signage in the centre. A coordinated approach to the signs within the centre is preferred.
		C25	Colours used in signs are consistent with the architectural style of the building. Fluorescent and iridescent colours are not permitted.
		C26	Fonts used in signs are consistent with the style of the building and the historic character of the area.

D1.6 O'Sullivan Road, Rose Bay

MAP 5 O'Sullivan Road centre map



1.6.1 Centre character statement

This small group of shops, located within two buildings, is sited at the junction of New South Head Road and O'Sullivan Road. The corner site contains a single storey heritage listed building, which was originally established as a service station and is now used as a drive through dry cleaning business. The other uses in the centre are restaurants and cafes.

The location enjoys views overlooking the Rose Bay waterfront and promenade. However, the quality of the public realm is compromised by the proximity of the busy New South Head Road and a streetscape which would benefit from street trees and a consistent footpath treatment to soften the environment.

Historical development of the area

The Rose Bay area was originally part of the Cooper Estates. Speculation to create an exclusive Marine Estate along the esplanade commenced in the 1830s, but apart from the construction of Rose Bay Lodge in 1835, the district remained substantially undeveloped throughout the 19th century.

More intensive subdivision of the land surrounding Rose Bay Lodge commenced after the introduction of the Rose Bay tram service in 1903, but again development in the area was slow. Early residential flat development in the area dates from the early to mid-1920s. The nearby Balfour Road Heritage Conservation Area represents the intensified residential development of Rose Bay during the Inter-war period.

This small neighbourhood centre occupies land subdivided from the grounds of Rose Bay Lodge in 1900, called the Beresford Estate. The three lots created at O'Sullivan Road and New South Head Road were subsequently merged and re-subdivided in 1928. In that same year, land now known as 51-55 O'Sullivan Road was developed as a service station and shops in response to the increasing number of motorists in the area. The building was constructed in the Spanish Mission style, popular at the time, and is now a heritage item.

Built form

The O'Sullivan Road shops occupy a single storey Spanish Mission style corner building with driveway apron (that was previously a garage and service station), and a two storey late 20th century shop top built to the New South Head street alignment.

Surrounding buildings are typically three storey brick builder's blocks of flats with hipped roof form, setback from the boundary on both O'Sullivan Road and New South Head Road.

Heritage and contributory buildings

The Spanish Mission style building at 51-55 O'Sullivan Road is a heritage item. It has significance as a rare and representative surviving example of early service station architecture influenced by Californian design.

Public parks and community facilities

The Rose Bay Promenade is located across the road from the centre on the northern side of New South Head Road. The Woollahra Public Golf Course is located immediately opposite the Plumer Road shops in O'Sullivan Road.

Public domain

The site has excellent north and east sun access and exposure to harbour breezes. High traffic volumes, fragmented pavement areas, lack of street trees or continuous awnings and the poorly defined corner adversely affect the public domain.

Access and circulation

The centre is well served by bus routes on New South Head Road. However, most people dining at the restaurants or collecting dry cleaning walk to the centre, or access the centre by car.

There is an existing parking bay for three cars immediately in front of the centre on New South Head Road. Additional on-street parking is available on the other side of New South Head Road, as well as O'Sullivan Road.

Views and aspect

The centre enjoys broad views over Rose Bay and a green outlook to tree lined O'Sullivan Road.

New South Head Road and O'Sullivan Road



1.6.2 Desired future character

This centre has recently emerged as a small café centre with outdoor dining. There is opportunity for the amenity of the centre to improve if the existing building stock is redeveloped and improvements are made to the public domain to help soften the impact of traffic along New South Head Road, whilst maintaining views across the road to the Rose Bay promenade and Sydney Harbour.

Any redevelopment of the Spanish Mission style building must respect the existing façade elements on O'Sullivan Street, which are built to the boundary. The existing setback of the building to New South Head Road should be maintained to preserve the corner forecourt. For example this area may be suitable as an outdoor dining area.

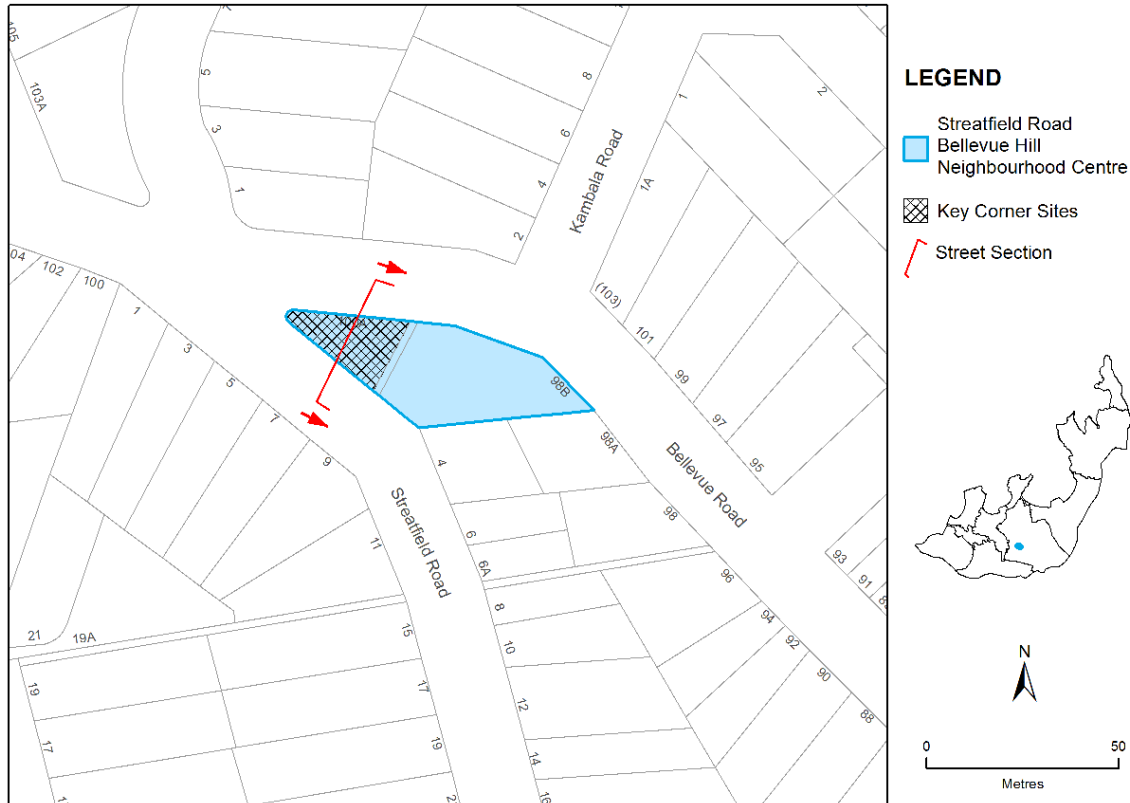
This building is a heritage item and has a prominent corner location; development is to have regard to the original character of the building.

1.6.3 Objectives and controls

Objectives		Local controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	Development provides active shop frontage and high amenity outdoor trading.
O2	To provide a high amenity pedestrian and outdoor trading area overlooking Rose Bay and the promenade.	C2	The ground level contains active uses, preferably cafes and restaurants that meet the needs of the local community.
		C3	Residential uses are located above street level in the form of shop top housing.
O3	To protect the fabric, character and significance of the existing Spanish Mission style heritage building.	C4	Key original architectural features of the building are retained.
		C5	The spatial relationship of the existing forecourt to the building is retained.
O4	To support redevelopment of buildings to enhance the streetscape character.	C6	Development is a maximum three storey.
		C7	Development is sympathetic to the existing character, fabric and heritage significance of the Spanish Mission style building.
O5	To protect identified views within the centre.	C8	Development retains views from the centre across New South Head Road to the Rose Bay promenade and Sydney Harbour.

D1.7 Streatfield Road

MAP 6 Streatfield Road centre map



1.7.1 Centre character statement

The Streatfield Road shops are a small group of shops on the western side of Bellevue Road, approximately halfway between Double Bay and Bellevue Hill, at the junction with Streatfield Road. The centre provides a small selection of local and specialty shops, personal services and cafes.

The appearance and amenity of this neighbourhood centre is largely defined by the Inter-War shop top building at 98B Bellevue Road, but the centre also contains two other buildings at 100A Bellevue Road. These have a single storey elevation to Bellevue Hill Road and contain a bottle shop, dwelling house and café.

Historical development of the area

In the early 19th century the Bellevue Hill area was part of the Point Piper Estate, an extensive private land grant made to Cooper and Levey in 1820. The Bellevue Hill and Bellevue Park Estates were subdivided and re-subdivided from the estate between 1883 and 1912, producing smaller lots on the higher slopes and areas away from the harbour. Early urban development intensified in 1909 following the extension of the tramline along Old South Head Road.

The Streatfield Road centre is located on Point Piper Estate land subdivided in 1920. The Inter-war building at 98B Bellevue Road was purpose built shop top housing and dates from 1929.

Built form

The neighbourhood centre is contained in three buildings: a well conserved two to three storey Inter-War residential retail complex that follows the curve and grade of Bellevue Road, a single storey flat roof building of poorer quality, and a two storey cottage on the corner.

These buildings contain active frontages to Bellevue Road, while presenting a more residential character to the Streatfield Road elevation.

Heritage and contributory buildings

The building at 98B Bellevue Road is a contributory building. It is an intact face brick Inter-war residential retail complex with a two storey frontage to Bellevue Road.

This building is in good condition with much of the external fabric sympathetically maintained. The building establishes a strong street wall and parapet line that responds sensitively to the grade and curve of the site and establishes a landmark presence. The original stepped awning has been replaced with lightweight structures of varying colours and styles.

Access and circulation

The centre is well located adjacent to a bus stop for services operating on Bellevue Road. It is readily accessible by car with a limited number of on-street parking spaces. Pedestrian amenity and safety is compromised by vehicular traffic speeds and limited sight lines on Bellevue Road.

Views and aspect

The centre has a pleasant outlook along Bellevue Road.

New South Head Road and O'Sullivan Road



1.7.2 Desired future character

The Streatfield Road shops will retain its role as a small but vibrant neighbourhood centre that meets the needs of the local community by providing a mix of daily convenience shopping, cafes as well as specialty shops and personal services.

Development should ensure a visually attractive and coherent physical environment recognising the character of the existing built environment, with a built form that addresses Bellevue Road and the corner of Bellevue Road and Streatfield Road.

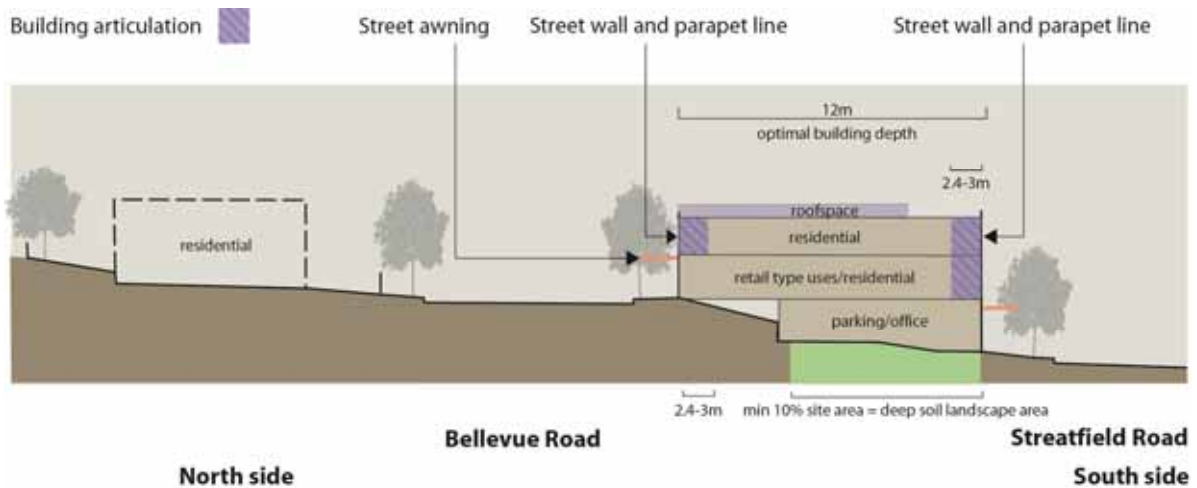
It is envisaged that the contributory item at 98B Bellevue Road will remain largely intact. The appearance of this building would be enhanced if the awnings, including the style and colour, were consistent and more sympathetic to the original character of the building.

Redevelopment at 100A Bellevue Road is to complement the built form and character of the built form at 98B Bellevue Road.

1.7.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 3 Streatfield Road street section



Note: Street section refers to 100a Bellevue Road only

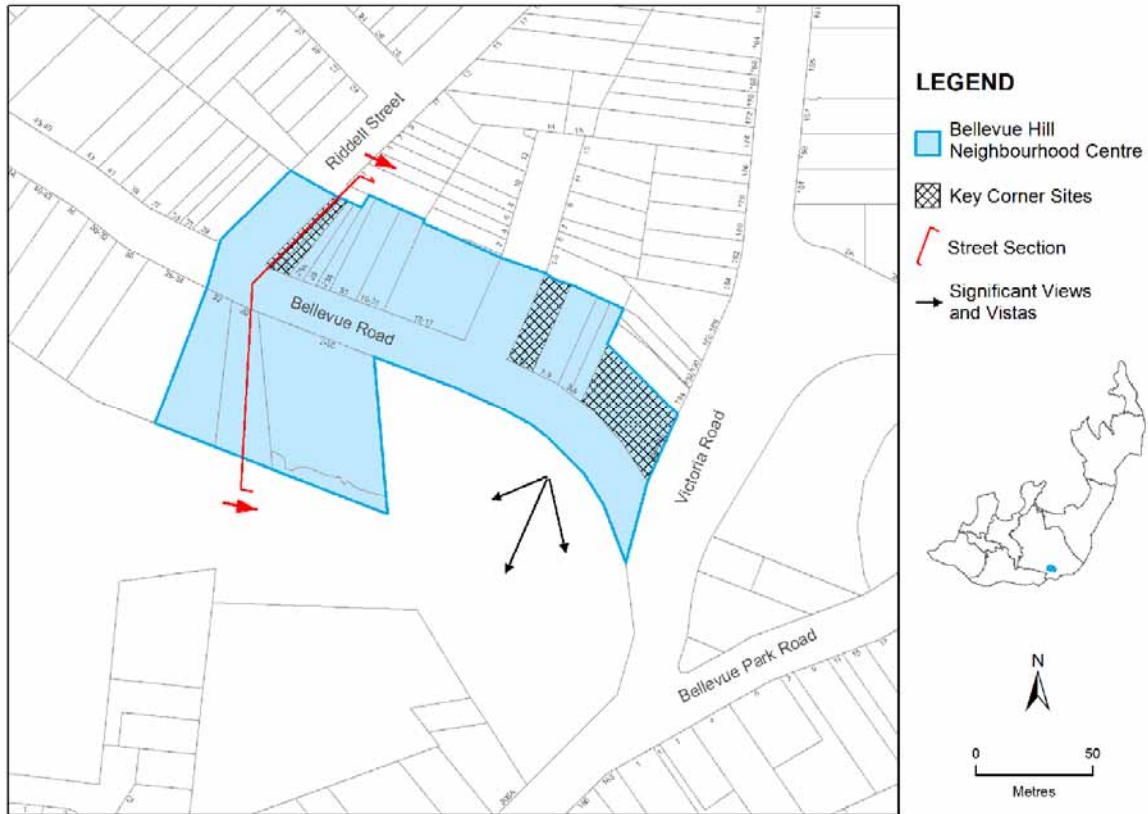
Objectives	Local controls
<p>O1 To provide uses that are consistent with the desired future character of the centre.</p>	<p>C1 Development supports the adaptive re-use of existing shop top units at 98B Bellevue Road.</p> <p>C2 The ground level contains active uses, preferably local and speciality shops, business premises and cafes and restaurants that meet the needs of the local community.</p> <p>C3 Residential uses are located above the street level in the form of shop top housing.</p> <p>C4 Office uses may be located at the Streatfield Road frontage.</p>
<p>O2 To establish a strong and continuous built form that addresses both Bellevue Road and Streatfield Road.</p>	<p>C5 Development provides two storeys built to the Bellevue Road street alignment, with a continuous and consistent parapet line above (refer to the street section diagram).</p> <p>C6 Development provides three storeys built to the corner intersection at Streatfield Road, with a continuous but stepped parapet line above.</p> <p>C7 Development provides a built form with small scale shopfronts that step with the street grade.</p> <p>C8 Development includes a continuous but stepped awning over the public footpath of Bellevue Road and around the corner radius into Streatfield Road.</p> <p>C9 Development at 100A Bellevue Road complements the built form and character of 98B Bellevue Road.</p>

Objectives		Local controls	
O3	To protect the fabric and character of the Inter-war building at 98A Bellevue Road.	C10	Key original architectural features of the building are retained, or if required synthetically restored or replaced.
		C11	Development re-instates the fixed stepped awning at 98B Bellevue Road.
		C12	Colours used in signs are consistent with the architectural style of the building. Fluorescent and iridescent colours are not permitted.
		C13	Fonts used in signs are consistent with the style and character of the building.
O4	To encourage good building design and limit building bulk.	C14	At both street frontages at least 80% of the articulation zone is occupied by floor area elements or recessed balconies.
		C15	The depth of the floor area elements and recessed balconies is between 2.4 to 3m.
O5	To provide for the amenity of occupants.	C16	The building depth is generally not more than 12m.
O6	To provide good pedestrian access, amenity and connectivity between Bellevue Road and Streatfield Road.	C17	Development of 100A Bellevue Road includes no more than one single width vehicle access crossing that is located on Streatfield Road.
		C18	Development of 100A Bellevue Road maintains a direct public accessway from Streatfield Road to Bellevue Road between properties at 98B and 100A Bellevue Road.
		C19	Development of 100A Bellevue Road provides at least 10% of the site as deep soil landscaped area on the boundary to 98B Bellevue Road adjacent to the accessway.

Objectives	Local controls
O7 To improve the public domain for outdoor uses.	C20 Development enhances the amenity of the footpath area. C21 Development includes tree planting along both the Bellevue Road and Streatfield Road frontages, where this can be accommodated with the provision of awnings.

D1.8 Bellevue Hill Shops

MAP 7 Bellevue Hill Shops centre map



1.8.1 Centre character statement

The Bellevue Hill Shops neighbourhood centre is a relatively large group of shops located on the ridgeline at the junction of Bellevue Road and Victoria Road (both of which are important urban collector roads linking New South Head and Old South Head Roads). To the south, the centre overlooks the upper extent of Cooper Park.

The centre provides a good mix of local convenience shopping and personal services, such as a post office, newsagent, fruit and vegetable grocer, butcher, chemist, hairdressers, real estate agents, cafes, bottle shop, and dry cleaner.

Historical development of the area

Hill top 'BelleVue' (now Bellevue Park) was known in the early 19th century for its panoramic views to the harbour and the ocean. The area was then part of the Point Piper Estate, an extensive private land grant to Cooper and Levey. The Bellevue Hill and Bellevue Park Estates were subdivided and re-subdivided from the estate between 1883 and 1912, producing smaller lots on the higher slopes away from the harbour. Following the extension of the tramline along Birriga Road in 1909 urban development intensified.

Residential flats were built on larger sites overlooking Cooper Park from the end of World War I. However, retail and business uses were not permitted on the northern side of Bellevue Road between Victoria Road and Riddell Street until 1929. Around this time the Bellevue Hill Primary School (1925) and St Stephens Church (1928) were also established close to the centre on Victoria Road.

The centre has seen a continuous process of development, creating a vibrant mix of retail, business and residential uses.

Built form

The building stock in and around the centre is represented by a cross section of 20th century architecture of varying quality. This includes:

- ▶ Inter-War shops with one storey above for residential or commercial uses, typically built to the boundary with a street parapet line and a deep solid suspended awning over the footway.
- ▶ One free standing mixed use Inter-war building comprising shops at street level with two storeys of residential above at 22 Bellevue Road.
- ▶ A 1960s-70s large mixed use building on the western corner of Buller Street and Bellevue Road with shops at street level and a nine storey tower setback from Bellevue Road. This building has a porte cochere to Buller Street.
- ▶ Contemporary mixed use buildings comprising shops at street level with two to three storeys of residential above at street level, such as development at 11 Bellevue Road and the development on the corner of Bellevue Road and Victoria Road. More recent development at 2-16 Bellevue Road is three storeys built to the street alignment with approximately six levels stepping down the hillside.

Parks and community facilities

Bellevue Hill Public School is immediately east of the centres with Bellevue Hill Park beyond. The eastern part of the retail centre overlooks the extensive gully of Cooper Park which runs down to Double Bay.

Public domain

The pedestrian amenity varies depending on the location of awnings and shade trees; for example, there is limited solar access to the footpath on the northern side.

At street level there is a variety of building setbacks, alcoves, colonnades and recessed entrances and driveways that could attract antisocial behaviour. Opportunities exist for the improvement of public domain.

Access and circulation

The centre is well served by buses although most shoppers drive to the centre and are reliant on turnover of limited on-street car parking spaces. Angle parking has been introduced in Riddell Street to increase yield.

A few properties on the northern side of Bellevue Road have rear lane access from Riddell Lane and can provide on-site parking.

Views and aspect

Good views of Cooper Park are available from upper levels at the eastern end of the centre, and from the southern side of Bellevue Road.

Bellevue Road and Riddell Street



1.8.2 Desired future character

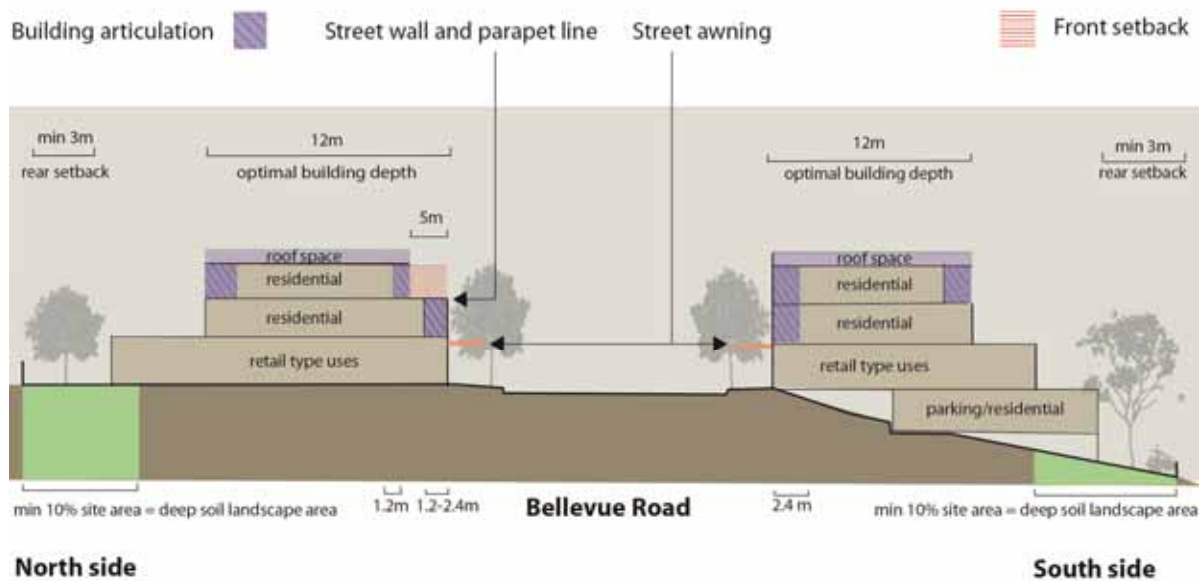
The Bellevue Hill Shops neighbourhood centre should continue to provide a good mix of daily convenience shopping, food premises and personal services. The development of outdoor dining will also help create a more vibrant centre.

Mixed use developments with active street frontages and residential uses above are encouraged and will promote the ongoing vitality of this centre. Street plantings and street furniture will contribute to a more visually attractive environment.

1.8.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 4 Bellevue Hill Shops street section



Objectives	Local controls
O1 To provide uses that are consistent with the desired future character of the centre.	<p>C1 The ground level contains active uses, preferably local and speciality shops, business premises and cafes and restaurants that meet the needs of the local community.</p> <p>C2 Residential uses are located above the street level in the form of shop top housing.</p>

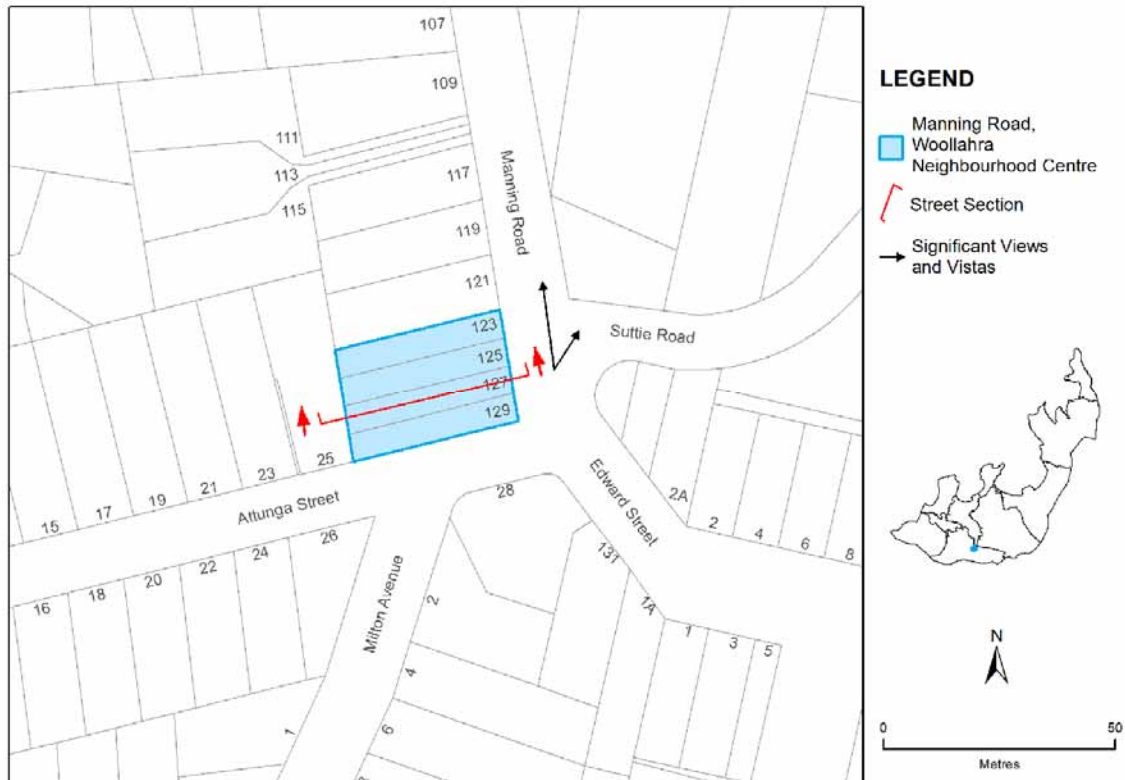
Objectives	Local controls
<p>O2 To develop a coherent streetscape with a consistent street wall and consistent upper level setbacks.</p>	<p>C3 Development on the south side of Bellevue Road:</p> <ul style="list-style-type: none"> a) is a maximum three storeys at the street frontage; b) is built to the street alignment, with a continuous and consistent parapet line above; and c) building form responds to the fall of the land, but does not exceed maximum LEP height for this site at any point at the rear. <p>C4 Development on the north side of Bellevue Road:</p> <ul style="list-style-type: none"> a) is a maximum 3 storeys; b) is two storeys built to the street alignment, with a continuous and consistent parapet line above; and c) development above the second storey is set back from the street alignment by at least 5m. <p>C5 Development includes a continuous solid suspended awning over the footpath at Bellevue Road and along the secondary frontage of corner sites.</p> <p>C6 Development on the north side of Bellevue Road does not include vehicular access from Bellevue Road.</p>
<p>O3 To encourage good building design and limit building bulk.</p>	<p>C7 At least 80% of the articulation zone is occupied by floor area elements or balconies.</p> <p>C8 Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets.</p> <p>C9 At the street alignment on the southern side, the depth of the balconies and loggia is at least 2.4m.</p>

Objectives		Local controls	
		C10	At the street alignment on the northern side, the depth of the balconies and loggia is: <ul style="list-style-type: none"> a) between 2.4 to 3m for the first floor; and b) at least 1.2m for the upper floor.
O4	To improve the architectural quality of building stock.	C11	Alterations and additions to 13-17 Bellevue Road provide a three storey retail or commercial corner element built to both street alignments.
O5	To strengthen poorly defined corners.	C12	Development upgrades and reinforces the landmark corner of Victoria and Bellevue Roads by: <ul style="list-style-type: none"> a) building to the street alignment up to three storeys; b) improving the awning; c) increasing frontage glazing; and d) introducing a parapet line.
		C13	Development on corner site provides three storeys built to the street alignment with a continuous and consistent parapet line above.
O6	To provide for the amenity of occupants.	C14	The building depth for storeys above the ground floor level is generally not more than 12m.
		C15	The building is setback from the rear boundary by at least 3m.
		C16	At least 10% of the site is provided as deep soil landscaped area.
O7	To encourage outdoor dining to improve the vitality of the centre.	C17	Development provides a small north facing outdoor dining space with good sun access.

Objectives	Local controls
O8 To enhance the visual connections between the centre and Cooper Park.	C18 At the eastern end of Bellevue Road, on the northern side, development introduces outdoor dining that has an outlook to Cooper Park. C19 Development on the south side of Bellevue Road provides retailing units designed with an elevated outlook over Cooper Park.

D1.9 Manning Road, Woollahra

MAP 8 Manning Road centre map



1.9.1 Centre character statement

The Manning Road neighbourhood centre is located at the lower end of the Cooper Park Gully at the junction of Manning Road and Edward Street. It is a very small centre situated about midway between Double Bay and the Edgecliff Road centre.

The centre comprises four ground floor premises, currently occupied by a café and specialist services.

Historical development of the area

Edgecliff Road was formed in 1844 as the eastern boundary of the Cooper Estate that skirted around the top of the slopes of the Double Bay valley. The Harbour View Estate was released in 1900 and extends from Edgecliff Road down to the lower end of Cooper Park (dedicated in 1919). Following the introduction of the tram on Edgecliff Road in 1909, Inter-war subdivision of land occurred along Manning Road.

Built form

The small group of business and retailing premises occupy two double storey residential buildings that have been modified by the addition of awnings and hard pavement to the front setback area.

South-east of the centre along Edward Street, the built form is mainly attached housing (terraces) and cottages on small allotments with little or no front setback. Development to the north and west of the centre generally comprises large two storey detached houses and a few small residential flat blocks of three to four storeys, set in established treed gardens.

Heritage and contributory buildings

The Cooper Park Garage, which is a single storey stone block shed located within the public reserve at the corner of Suttie Road and Manning Road, is a contributory building.

Public parks and community facilities

The Manning Road neighbourhood centre overlooks the Lough Playing Field and treed slopes in the filled gully of Cooper Park.

Public domain

The centre has reasonable pedestrian amenity with deep awnings, small street trees and a wide paved setback area for outdoor dining. The resolution of pavement levels and accessibility from the street is generally poor. Pedestrian movement to and from Cooper Park is compromised by speed of vehicular traffic and limited sightlines.

Access and circulation

The centre is served by buses running along Manning Road, although most people who use the centre either walk to the centre or drive, relying on the turnover of on-street car parking spaces.

Views and aspect

The centre faces east to the Lough Playing Field and Cooper Park.

Manning Road and Attunga Street



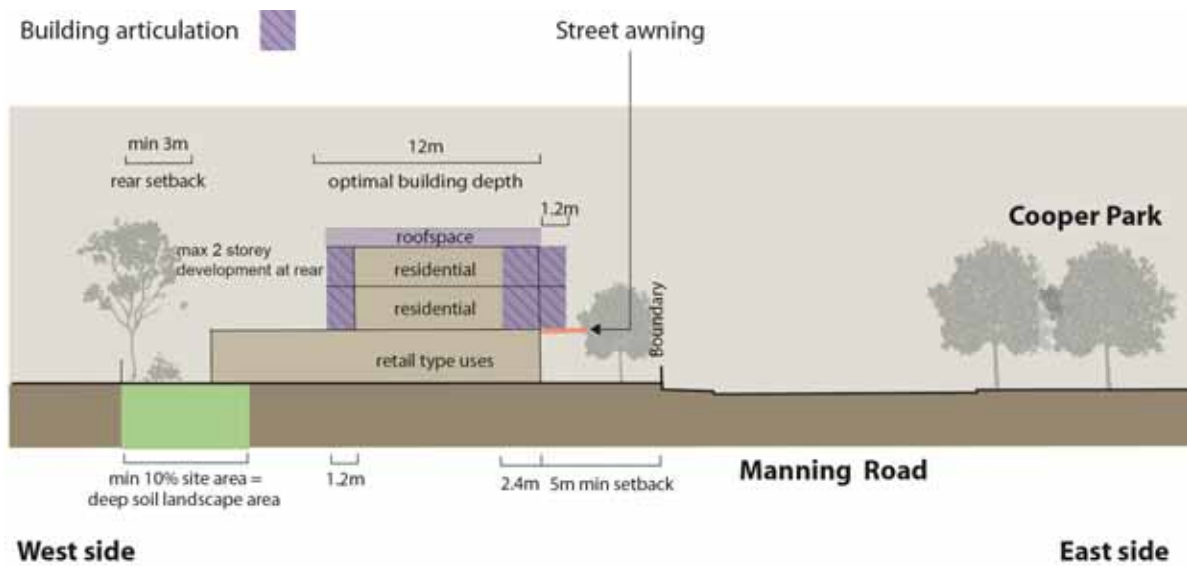
1.9.2 Desired future character

The Manning Road shops are a small centre that will continue to serve the needs of the local community, particularly with uses such as cafes and neighbourhood shops. Redevelopment of the existing buildings should retain the large setback from Manning Road to provide continued opportunity for outdoor dining, as well as enhance the public realm through improved landscaping and pavement treatments.

1.9.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 5 Manning Road street section

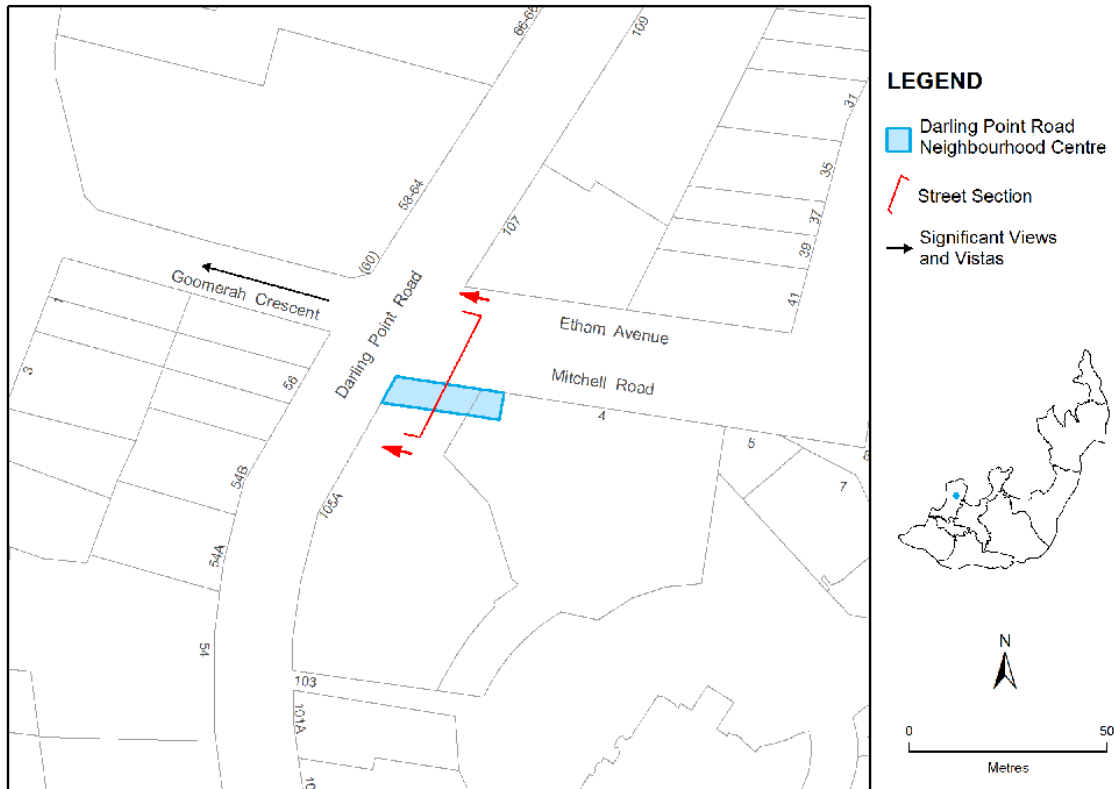


Objectives		Local controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	The ground level contains active uses, preferably local shops and cafes and restaurants that meet the needs of the local community.
		C2	Residential uses are located above the street level in the form of shop top housing.
		C3	The existing traditional small shop front widths are maintained.
O2	To retain a coherent streetscape with a consistent street wall.	C4	Development is a maximum three storeys at the Manning Road frontage.
O3	To minimise impact on adjoining residential land.	C5	Development is a maximum two storeys at the rear of the site.
O4	To encourage good building design and limit building bulk.	C6	Building articulation is in the form of: <ul style="list-style-type: none"> a) projecting balconies over the front awning; and b) recessed balconies and loggia within the building mass.
		C7	At the street alignment: <ul style="list-style-type: none"> a) the projecting balconies extend from the building line onto the awning by no more than 1.2m; and b) the depth of the recessed balconies and loggia is at least 2.4m.
		C8	At the rear alignment, the depth of the balconies and loggia on the upper levels is at least 1.2m.
O5	To provide for the amenity of occupants and adjoining properties.	C9	The building depth for storeys above the ground floor level is generally not more than 12m.
		C10	The building is setback from the rear boundary by at least 3m.
		C11	At least 10% of the site is provided as deep soil landscaped area.

Objectives		Local controls	
O6	To retain the setback areas to Manning Road for outdoor dining and public use.	C12	Development is setback at least 5m from the Manning Road boundary.
O7	To improve the pedestrian connection between the centre and Cooper Park.	C13	Development does not include vehicular access from Manning Road.
O8	To improve the amenity of pedestrian and outdoor trading areas.	C14	Development includes a continuous solid suspended awning over the Manning Road setback area (refer to street section diagram).
		C15	Development includes advanced tree planting and landscape works to improve amenity of the setback area, where this can be accommodated with the provision of awnings.
O9	To protect views from the centre to Cooper Park.	C16	Development, including any public domain improvements, maintains the views to Cooper Park.

D1.10 Darling Point Road, Darling Point

MAP 9 Darling Point Road centre map



1.10.1 Centre character statement

This is a very small centre comprising just the Darling Point Village Store. This is a local shop offering daily convenience goods and services and a cafe.

This centre is located on the corner of Darling Point Road, facing Mitchell Street on the perimeter of the former Babworth House Estate. The gardens and tree canopy immediately behind the centre provide an understanding of the site's relationship to the adjoining Babworth House Estate.

Historical development of the area

Significant subdivision of Darling Point occurred in the early 1830s with a number of large estates established at that time. Its position and aspect to Sydney Harbour ensured that the wealthy reserved this small promontory for their grand residences.

However, by the late 1800s, smaller residences were also numerous, and during the 20th century development intensified as more allotments were subdivided from the grounds of the great houses and gentleman's villas. The Etham Estate (1900) was one such subdivision located close to this centre.

During the second half of the 20th century, a number of high rise units were built throughout Darling Point. The Darling Point neighbourhood centre was constructed during this period.

Built form

This shop is located in a single storey flat roofed building. It is built to the street alignment with a small canvas awning. High rise apartment blocks are located within the grounds of the former Babworth House Estate.

There are a diverse mix of dwelling types in walking distance to the centre, including grand 19th century two storey dwelling houses, attached dwellings (terraces) and residential flat buildings.

Heritage and contributory buildings

The centre does not have any heritage significance, but it is located on the grounds of the Babworth House estate, which is listed as a heritage item.

Public domain

The centre has reasonable pedestrian amenity with a northerly aspect and a wide paved area for outdoor uses. Mature street trees in Darling Point Road and nearby gardens provide the centre with a leafy ambience. Amenity would be further improved if street trees were planted in the footpath outside the centre.

Access and circulation

The centre is served by buses running along Darling Point Road, although people tend to walk or drive to the centre.

Views and aspect

There is a view of the harbour looking west down Goomerah Crescent.

Mitchell Street at Darling Point Road



1.10.2 Desired future character

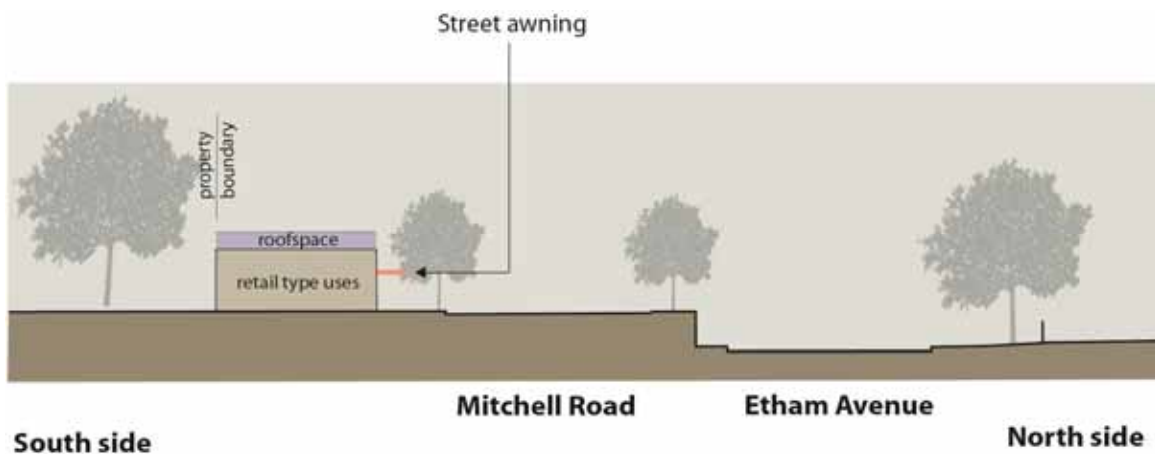
The Darling Point Road centre will be a small neighbourhood centre, providing for the daily needs of the local community.

Any redevelopment of the existing shop should be in the form of a contemporary one storey building which retains the existing front setback to accommodate footpath dining. Public domain improvements, such as street trees would also enhance public amenity.

1.10.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 6 Darling Point Road section



Objectives		Local controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	Development provides active uses, preferably a neighbourhood shop and café that meet the daily convenience needs of the local community.
O2	To ensure that the building form and scale does not detract from the Babworth House and grounds.	C2	Development provides for an interpretation of the perimeter walling to Babworth House.
		C3	Development is maximum one storey.
		C4	Development establishes a low scale and profile.
		C5	The roof form respects the perimeter walling to Babworth House (refer to street section diagram).
O3	To retain views to the leafy backdrop provided by the gardens of the Babworth Estate.	C6	Development maintains views of the garden of the former Babworth Estate from Darling Point Road.
O4	To protect views from the public spaces within the centre to the harbour.	C7	Development maintains the views and vista corridors towards the harbour from Goomerah Crescent.
O5	To improve the amenity of the pedestrian and outdoor dining area.	C8	Development includes all weather protection to the shop entrance (refer to street section diagram).
		C9	Development includes advanced broad canopy tree planting in the footpath to provide shade and shelter (refer to street section diagram).
		C10	Development does not include vehicular access from Mitchell Street.

Chapter D2

Mixed Use Centres

Part D ▶ Business Centres

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter D2 ► Mixed Use Centres

Contents

D2.1	INTRODUCTION	1
2.1.1	Land where this chapter applies	1
2.1.2	Development to which this chapter applies	2
2.1.3	Objectives	2
2.1.4	Relationship to other parts of the DCP	3
2.1.5	How to use this chapter	3
D2.2	NEW SOUTH HEAD ROAD CORRIDOR, EDGECLIFF	5
2.2.1	Centre character statement	5
2.2.2	Desired future character	7
2.2.3	Objectives and controls.....	8
D2.3	ROSE BAY NORTH	11
2.3.1	Centre character statement	11
2.3.2	Desired future character	13
2.3.3	Objectives and controls.....	13
D2.4	ROSE BAY SOUTH	16
2.4.1	Centre character statement	16
2.4.2	Desired future character	18
2.4.3	Objectives and controls.....	18

D2.1 Introduction

This is Chapter D2 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres.

This chapter contains controls for three centres, zoned B4 Mixed Use under the Woollahra Local Environmental Plan 2014 (LEP).

This chapter seeks to ensure that development has regard to its context and is compatible with the desired future character of each centre as described in this chapter.

2.1.1 Land where this chapter applies

This chapter applies to the following centres, as identified on the map below:

- New South Head Road corridor, Edgecliff
- Rose Bay North, Rose Bay
- Rose Bay South, Rose Bay.



2.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

A key objective of the B4 Mixed Use zone is to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The B4 zone permits a wide range of retail premises, business premises, office premises, community facilities, restaurants and cafes and shop top housing. (Refer to Woollahra LEP for all the types of development permitted in the zone.)

2.1.3 Objectives

The objectives of this chapter are:

- 01 To support the long term retail health of the mixed use centres.
- 02 To facilitate development in a way that reflects desired future character objectives for each centre.
- 03 To preserve the small shop character where this is indicative of the traditional streetscape.
- 04 To ensure a high standard of architectural and landscape design.
- 05 To ensure that the design and siting of development is compatible with the surrounding built form.
- 06 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.
- 07 To encourage active ground floor uses that contribute to the vitality of the centre.
- 08 To encourage a complementary mix of retail, business, office and residential uses compatible with the desired future character of the centre.
- 09 To facilitate people living in mixed use developments in the centres, and provide for good residential amenity.
- 010 To provide a range and mix of dwellings that are compatible with retail and/or commercial uses.
- 011 To minimise adverse impacts of development on the amenity of adjoining and neighbouring properties.
- 012 To retain significant views and vistas.
- 013 To improve the amenity of public domain and pedestrian safety.

2.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part D: Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.
- ▶ Part G: Site Specific Controls - for land at 73-79 New South Head Road, Edgecliff, the provisions of this chapter are supplemented by the relevant provisions for the land in Part G on White City. The provisions of Part G prevail in the event of any inconsistency with Chapter D2.

2.1.5 How to use this chapter

The primary controls for the mixed use centres are contained in two chapters:

- ▶ Chapter D1 Neighbourhood Centres; and
- ▶ Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

Chapter D2 Mixed Use Centres

Each section in this chapter represents an individual centre. Applicants need only refer to the particular centre that is relevant to their site.

The controls for each centre comprise the following elements:

- ▶ map showing the extent of the centre;
- ▶ centre character statement, providing a brief description of the centre;
- ▶ desired future character objective describing the direction and outcomes to be achieved through development in the centre; and
- ▶ table of objectives and controls relating to uses, built form, amenity, the public domain, etc. The controls represent specific ways in which a development proposal can meet the objectives. A street section diagram is also provided for the Rose Bay North and Rose Bay South centres to illustrate certain controls.

The objectives and controls in this chapter are to be read in conjunction with the general controls in Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

Chapter D3 General Controls for Neighbourhood and Mixed Use Centres

The general controls apply to all B4 zoned land addressed in Chapter D2, regardless of the centre in which the land is located.

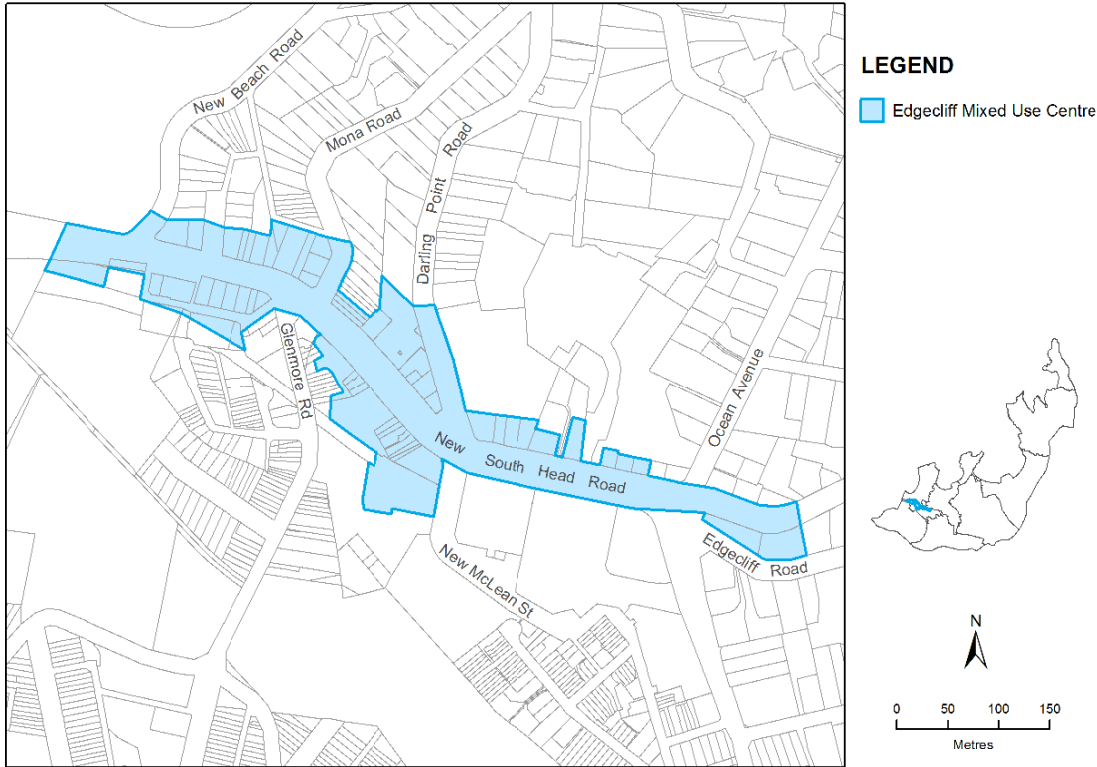
Development is required to fulfil the relevant requirements of all general controls. Unless otherwise indicated, where there is a disparity between the objectives and controls in Chapters D2 and D3, the centre specific objectives and controls in this chapter take precedence over the general controls.

Applicants need to demonstrate how their development fulfils the relevant objectives and preserves or enhances the important character elements for the centre, having particular regard to:

- ▶ surrounding building height, bulk and scale;
- ▶ any predominant architectural styles, roof forms, materials and colours;
- ▶ prevailing building lines;
- ▶ existing and proposed uses;
- ▶ landscape and vegetation features;
- ▶ topography;
- ▶ view corridors;
- ▶ pedestrian access and amenity;
- ▶ traffic and parking impacts;
- ▶ interface between the private and public domain; and
- ▶ adjacent residential areas and heritage conservation areas.

D2.2 New South Head Road corridor, Edgecliff

MAP 1 Edgecliff centre map



Notes:

The controls in this chapter do not apply to Zone B4 Mixed Use land on the eastern and western sides of Glenmore Road at Edgecliff; this land is located within the Paddington Heritage Conservation Area (HCA). The controls for business centres in the Paddington HCA are contained in Part C of this DCP, Chapter C1 Paddington HCA.

For land at 73-79 New South Head Road, Edgecliff, the provisions of this chapter are supplemented by the relevant provisions for the land in Part G of this DCP, regarding White City. The provisions of Part G prevail in the event of any inconsistency with this chapter.

2.2.1 Centre character statement

The mixed use corridor at Edgecliff applies to both sides of New South Head Road, and generally extends from New Beach Road to Edgecliff Road, excluding the land zoned B1 Local Centre between New McLean Street and Ocean Street.

The mixed use corridor developed along the tram line. Originally businesses were dependent on passing traffic, however with increased traffic volumes on street parking was replaced by transit clearways in peak periods and the retail component contracted. As a consequence, this location has tended to attract office premises, residential flat buildings, hotel accommodation, and comparison furniture or homewares stores rather than convenience retailing.

Historical development

Edgecliff was extensively quarried in the early days of European settlement. The development of Edgecliff west of Ocean Street began along New South Head Road. The area was dominated for some time by the Glenrock Estate on the north side of New South Head Road, where the Ascham School is now located.

Early photographs dating from the 1860s reveal clusters of dwellings and businesses along the southern side of New South Head Road, followed by the subdivision of new areas behind the main road. Bentley's Bridge was a stone structure built to cross the watercourse which drained the valley behind Rushcutters Bay. A toll gate was established for the privilege of using New South Head Road.

In September 1894 a cable tram service opened; it operated from King Street in the city to Ocean Street in Edgecliff. The tramline was extended past Edgecliff in 1898. In 1905 the tram line was electrified, but ceased operating in 1960. Edgecliff railway station opened in 1979 when the Illawarra line was extended from Town Hall railway station to Bondi Junction.

Built form

Development along New South Head Road includes residential flat buildings, commercial and mixed use buildings. These present a diverse mix of architectural styles as well as building heights, which range from single storey to approximately 12 storeys.

Heritage and contributory buildings

There are no contributory items in this corridor. Woollahra LEP identifies heritage items at 2a Mona Road and on New South Head Road (Nos. 136, 188, and 287-289). The New South Head Road corridor adjoins the Paddington HCA around Glenmore Road.

Public parks and community facilities

There are no public parks within the New South Head Road mixed use corridor, however, Rushcutters Bay Park is located at the western end of the corridor.

Access and circulation

The New South Head Road mixed use corridor has excellent access to public transport. The Edgecliff train station and bus interchange is within walking distance, and the corridor contains a major road serviced by a number of bus routes.

On-street parking is limited due to transit clearways operating during peak hours. Some sites have vehicular access from a secondary street and opportunity to include on-site parking.

Views

The centre is located on a ridgeline and has views west to the city and east to Double Bay.



2.2.2 Desired future character

This mixed use corridor is a highly urban environment and it is important that it meets high standards of visual quality and pedestrian amenity.

This part of New South Head Road is a main entry point to the Municipality and it is important that the experience and journey through the centre makes a positive impression. Everything that can be seen and experienced in the street is therefore relevant.

Development fronting New South Head Road will generally contain four to six storey mixed use buildings. Building facades, in terms of detailing and building materials, should be well designed, with particular consideration to how the buildings are interpreted from moving vehicles, so that the view driving along New South Head Road contributes to the public domain. At street level, buildings should respond to pedestrians by providing human scale design elements, interesting frontages and awnings for protection.

Development within this corridor must consider its impact on the adjoining Paddington heritage conservation area, including Glenmore Road, which is an important gateway entry to Paddington. Development should protect and respond to the character and scale of the heritage conservation area.

The New South Head Road mixed use corridor permits a range of residential and commercial land uses, including restaurants and cafes which should contribute to a more vibrant centre, particularly at night. Though certain types of convenience retailing opportunities are constrained by the restricted parking, it is expected that comparison specialist retailing, such as homewares and furniture shops, and complementary offices, such as medical suites, will capitalise on the excellent access to public transport, high visual exposure and proximity to the Sydney CBD.

2.2.3 Objectives and controls

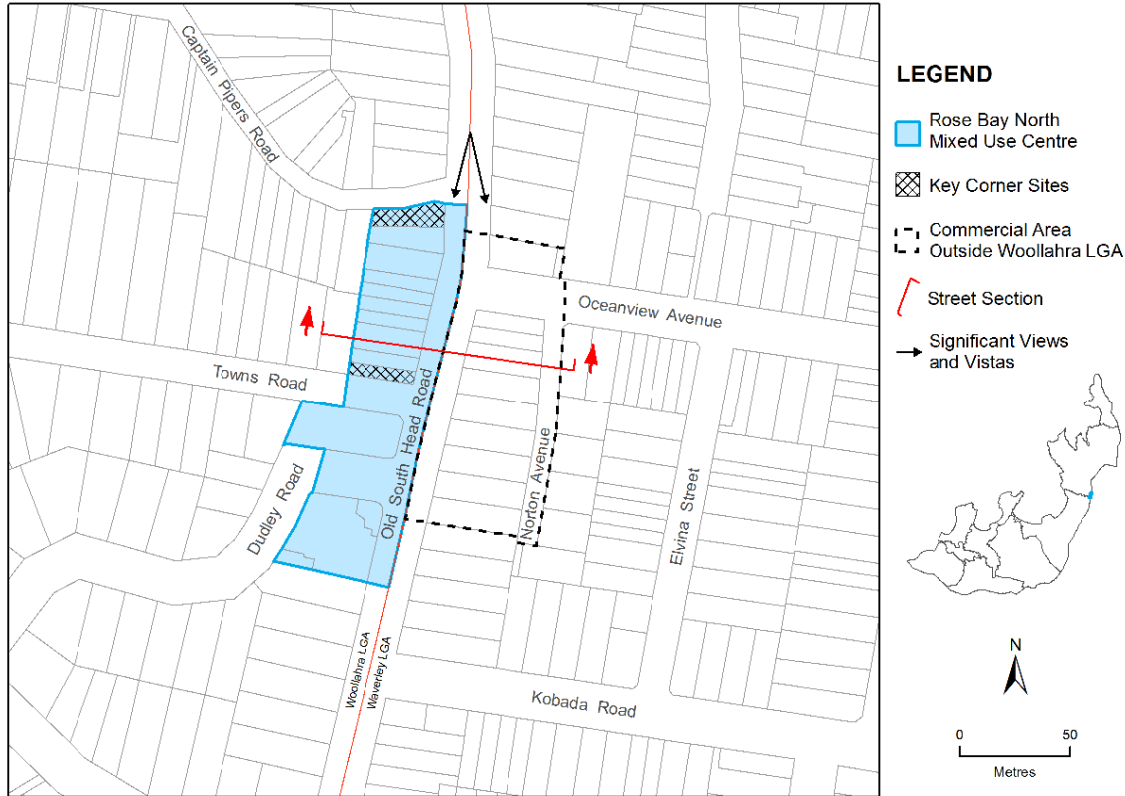
Objectives		Local controls	
O1	To support the integration of appropriate retail and commercial uses with housing.	C1	The ground level contains active uses, preferably speciality retailing and personal services that do not generate high parking demand.
O2	To provide active street frontages.	C2	Offices and residential uses are generally located above street level.
O3	To promote an attractive street wall along New South Head Road.	C3	Facade design is of high aesthetic quality, and complements the form, roofline, fenestration, material, finishes and colour of adjoining buildings.
O4	To promote an urban environment which meets high standards of visual quality.	C4	Facade design incorporates similar proportions of glazed and non-glazed surfaces and achieves a balance between vertical and horizontal divisions. The extensive use of glass is avoided.
O5	To improve the relationship of buildings to the public domain.	C5	Facade elements are generally contained in vertical planes aligned with the street. Sloping facades are avoided.
		C6	Side and rear facades are the same visual quality as street facades. Large areas of blank unrelieved walls are avoided.
		C7	The design of the lower part of the street facade relates to the scale of pedestrians.
		C8	Large expanses of highly reflective, brightly coloured or black surfaces are not used on facades.
		C9	The front setback defines a coherent and consistent alignment to the public

Objectives	Local controls
	<p>domain.</p> <p>Note: For land affected by the arterial road reservation, the street alignment is determined from the reservation.</p> <p>C10 Structures below ground level may be permitted underneath the setback area.</p>
<p>O6 To improve the visual quality of the streetscape and provide for attractive and comfortable pedestrian areas.</p>	<p>C11 Awnings are provided for mixed use and commercial buildings.</p> <p>C12 The design of the awnings is in harmony with the facade of the building and with other awnings in the immediate vicinity.</p> <p>C13 Awnings may be permitted above the setback area.</p> <p>C14 Public domain improvements, including street tree planting and pavement upgrading are consistent and unify the corridor.</p> <p>C15 Street tree planting and footpath works reduce the sensory impact of the traffic on New South Head Road.</p>
<p>O7 To ensure development is sympathetic to the adjoining development.</p> <p>O8 To protect access to natural light and ventilation of adjoining sites.</p> <p>O9 To provide for the amenity of occupants and adjoining residential uses.</p>	<p>C16 At ground level, the building may have a zero setback to side and rear boundaries.</p> <p>C17 A side boundary setback of at least 1.8m applies to the fifth storey and above, if relevant.</p> <p>Note: This control is relevant to sites where the maximum building height is 20.5m in the LEP.</p> <p>C18 A rear setback of 2.4m applies to all levels of the building above ground level.</p> <p>C19 A 2.4m building articulation area applies at the rear to all levels above the first floor. The articulation area is occupied by a combination of external and internal elements.</p> <p>Note: This articulation area is calculated</p>

Objectives	Local controls
	<p>from the rear setback established in C18 above.</p> <p>Note: Part D3.7 Acoustic and Visual Privacy also applies.</p>
<p>O10 To recognise the role of Glenmore Road as an important entry to Paddington and ensure that development protects and enhances the character of the adjoining heritage conservation area.</p>	<p>C20 Development on land in proximity to the adjoining heritage conservation area is in architectural harmony with the adjoining historical buildings in respect of massing, modelling of facades, fenestration and external materials, colours and finishes.</p> <p>Note: Zone B4 Mixed Use land on Glenmore Road is located within the Paddington heritage conservation area. The planning controls for that land are in Part C of this DCP, Chapter C1 Paddington HCA.</p>
<p>O11 To ensure that signage and structures do not compromise the visual amenity of the streetscape.</p>	<p>Refer to Part E of the DCP, Chapter E7 Signage.</p> <p>Note: Advertising signage is not permitted.</p>

D2.3 Rose Bay North

MAP 2 Rose Bay North centre map



2.3.1 Centre character statement

Rose Bay North shopping centre is located on Old South Head Road at the junction of the suburbs of Vaucluse, Rose Bay and Dover Heights. The business area is split between the Waverley Council area to the east of Old South Head Road and the Woollahra Council area to the west, with Old South Head Road forming the boundary between the two councils.

The centre, including the retail strip on the Waverley side, provides a reasonable range of services and facilities to meet the daily needs of local residents. In particular, it includes a Coles supermarket located on the southern side of Dudley Road in the Kings Theatre building. The traditional main street development provides a range of shops including cafés, take away food stores, grocer, chemist, bakery and newsagent.

Historical development

Old South Head Road was formed in 1811 to provide access to the signal station at Watsons Bay. The subdivision of larger estates into town allotments occurred in the 1920s and 1930s. The Kings Theatre was constructed on the corner of Dudley Street and Old South Head Road in 1935, and was likely to be the commercial hub at that time.

Built form

Aside from the Coles supermarket located in the former Kings Theatre, the centre is characterised by two to four storey shop top buildings which address the street with continuous awnings. The scale and form of buildings is generally consistent with the buildings on the Waverley side of Old South Head Road.

Heritage and contributory buildings

The former Kings Theatre at 694-696 Old South Head Road, built in 1935 in the Art Deco style, is a heritage item. It is a strong corner building and contributes to the character of the centre.

Public parks and community facilities

There are no community facilities or public parks in the centre.

Access and circulation

The centre is well serviced by buses and is located on a bike route on Towns Road and Old South Head Road.

There are opportunities for short stay parking of up to one hour on both sides of Old South Head Road.

Rear lane access for service vehicles is provided from Dudley Avenue for the Coles supermarket. Few other sites on the western side of Old South Head Road have rear lane access. To address this, Woollahra LEP provides a bonus floor space ratio for corner sites between Captain Pipers Road and Towns Road if vehicular access is provided to adjoining sites.

Views

The centre is located at the top of a south-facing slope and has a distant view of Bellevue Hill.

Old South Head Road and Towns Road



2.3.2 Desired future character

The Rose Bay North centre provides a mix of residential and non-residential land uses with active street frontages that preserve and enhance the commercial viability of the centre.

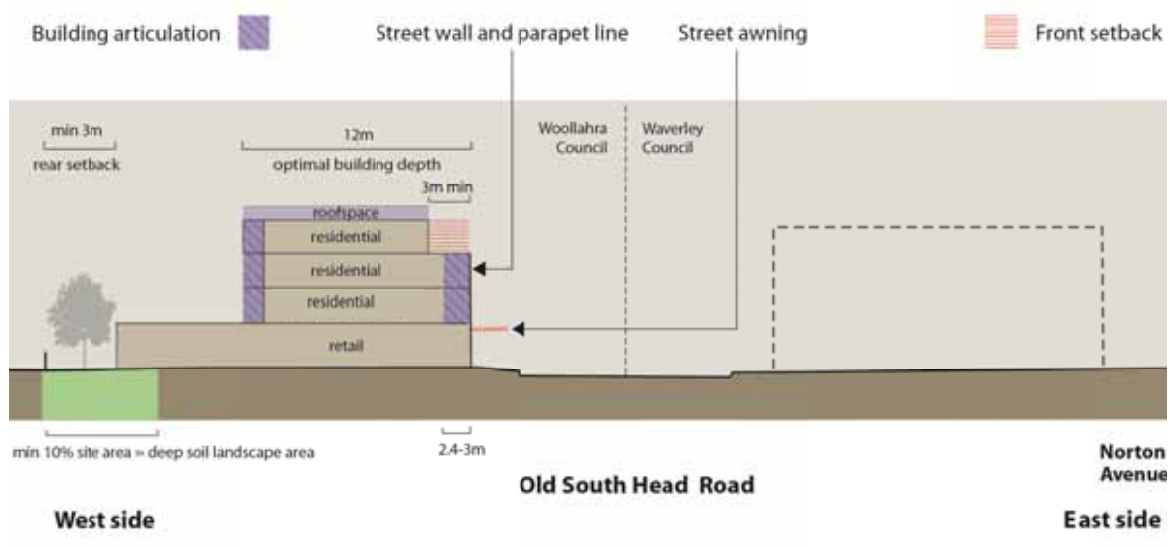
The focus for future development is on upgrading or replacing the existing building stock with well designed contemporary buildings. These will be four storey mixed use developments, predominantly containing residential or office space above ground floor retailing. Buildings should address the street, in keeping with the traditional main street development pattern, and retain the continuous street awnings. The design, materials and colour schemes of new buildings is to be sympathetic to the character of the existing buildings.

Development in the Rose Bay North mixed use centre should not detract from the amenity of the adjoining Rose Bay and Vaucluse East residential centres.

2.3.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 1 Rose Bay North section

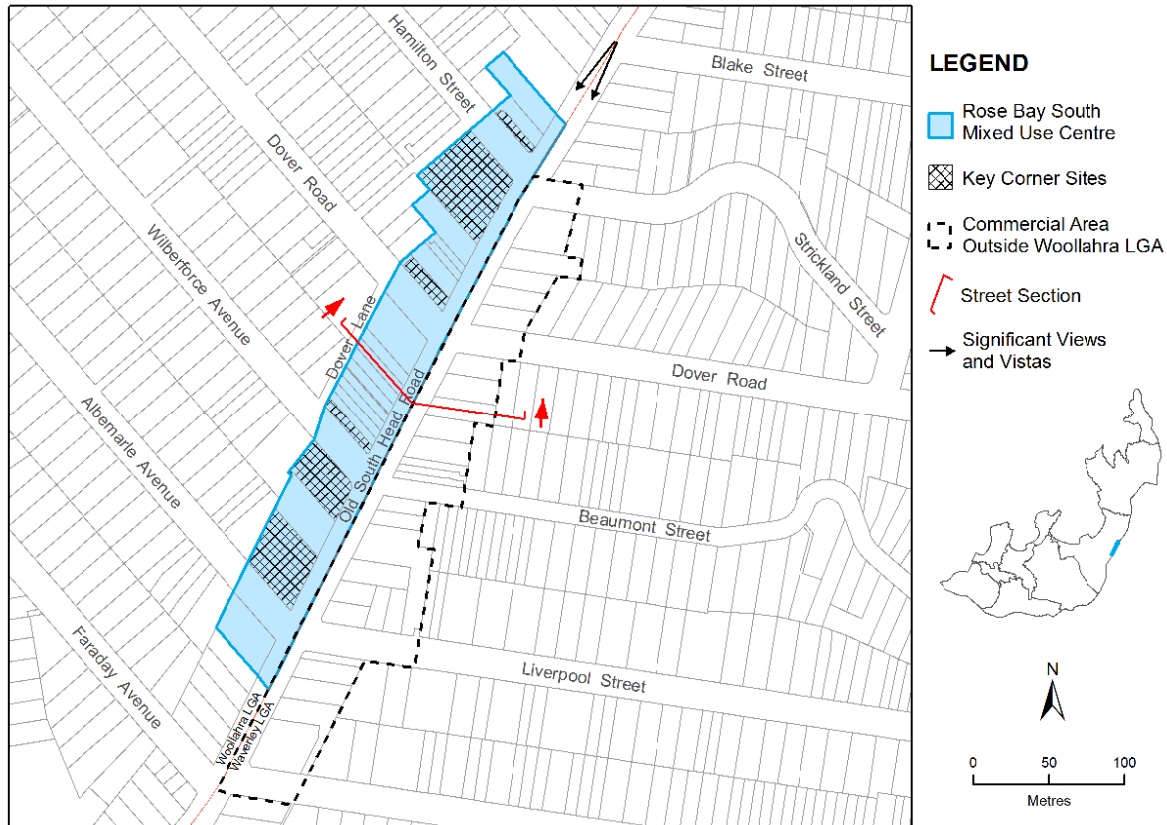


Objectives	Controls
<p>O1 To provide uses that are consistent with the desired future character of the centre.</p>	<p>C1 The ground level contains active uses, preferably retail, business and personal services that address the needs of the local community.</p> <p>C2 Offices and residential uses are generally located above street level.</p>
<p>O2 To achieve a consistent built form and presentation to the street.</p>	<p>C3 Development is a maximum four storeys.</p> <p>C4 Development provides three storeys built to the street alignment, with a continuous and consistent parapet line above.</p> <p>C5 Development on the fourth level is setback at least 3m from the street boundary.</p> <p>C6 Development includes a continuous, solid, suspended awning over the public footpath of Old South Head Road and along the secondary frontage of corner sites.</p>
<p>O3 To encourage good building design and limit building bulk.</p>	<p>C7 Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets.</p> <p>C8 At the street alignment, the depth of the recessed balconies and loggia is between 2.4m to 3m.</p>
<p>O4 To define and reinforce corner sites.</p>	<p>C9 Development on the key corner sites to Captain Pipers Road and Towns Road (as shown in the centre map above) provides four storeys built to the street alignment with a continuous and consistent parapet line above.</p> <p>Note: A bonus floor space ratio applies to these corner sites. Refer to Woollahra LEP clause 4.4B.</p>

Objectives		Controls	
O5	To encourage continuous active retail street frontages.	C10	Development does not include vehicular access from Old South Head Road.
O6	To provide for the amenity of occupants and adjoining properties.	C11	The building depth for storeys above the ground floor level is generally not more than 12m.
		C12	The building is setback from the rear boundary by at least 3m.
		C13	At least 10% of the site is provided as deep soil landscaped area.

D2.4 Rose Bay South

MAP 3 Rose Bay South centre map



2.4.1 Centre character statement

Rose Bay South mixed use centre is less than 2km from the Rose Bay local centre travelling east along Dover Road. It extends over at least four blocks along Old South Head Road. The centre provides a good mix of services including a range of health services for local residents, as well as a number of shops serving the cultural requirements of the local community.

As with Rose Bay North, the mixed use centre is split between Woollahra and Waverley Council areas. The traditional main street development provides a broad range of shops including cafés, take-away food stores, hair dresser, a church and a petrol station.

Historical development

Old South Head Road was formed in 1811 to provide access to the signal station at Watsons Bay. The tram was extended along Old South Head Road in 1903, and this was followed by the subdivision of larger estates into town allotments in the 1920s and 1930s. The Rose Bay Uniting Church and hall at the corner of Dover Road and Old South Head Road was constructed in 1924.

Built form

The centre contains a mix of architectural styles, but is generally characterised by two to four storey shop top housing, with buildings addressing the street with continuous awnings.

The building stock between Wilberforce and Hamilton Streets was largely constructed in the Inter-War period and is characterised by strong rectilinear parapet lines, continuous awnings and shopfronts built to the street alignment.

Heritage and contributory buildings

The Uniting Church at 518A Old South Head Road is a contributory building and provides a local landmark at the Dover Road intersection.

Public parks and community facilities

The church, adjacent hall and the kindergarden are a focus for community activity.

Access and circulation

The centre is well serviced by buses and is located on a bike route along Old South Head Road.

There are opportunities for short stay parking of up to one hour on both sides of Old South Head Road.

Rear lane access for service vehicles is available between Wilberforce Avenue and Dover Road, and from Short Lane off Hamilton Street. To address this, Woollahra LEP provides a bonus floor space ratio for corner sites if vehicular access is provided to adjoining sites.

Views

The centre is located on a south-west facing slope and has a distant view of Bellevue Hill.

Old South Head Road



2.4.2 Desired future character

The Rose Bay South centre provides a good mix of cafés and restaurants and personal services to address the local community’s needs.

As with the Rose Bay North mixed use centre, the existing building stock is due for upgrading or replacement. The focus for future development is on upgrading or replacing the existing building stock with well designed contemporary buildings. These will take the form of four storey mixed use development containing residential or office space above ground floor retailing.

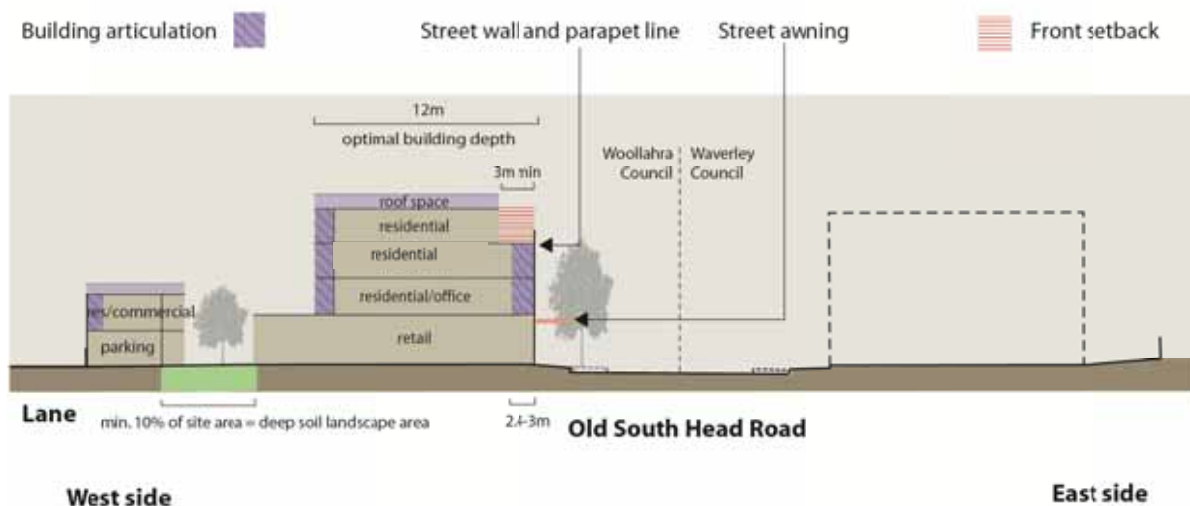
Buildings should be built to the Old South Head Road street alignment, address the street, and provide continuous street awnings. Redevelopment of the southern corner of Wilberforce Avenue at 498 Old South Head Road provides a significant opportunity to create a strong corner building built to the street alignment and a consistent parapet line to 494-496 Old South Head Road.

Development in the Rose Bay South mixed use centre must not detract from the amenity of the adjoining Rose Bay residential centre.

2.4.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. (Note, the maximum building height and FSR are in Woollahra LEP.)

FIGURE 2 Rose Bay South section



Objectives		Local controls	
O1	To provide uses that are consistent with the desired future character of the centre.	C1	The ground level contains active uses, preferably retail, business and personal services that address the needs of the local community.
		C2	Offices and residential uses are generally located above street level.
O2	To achieve a consistent built form and presentation to the street.	C3	Development is a maximum four storeys.
		C4	For street wall and parapet line, development provides three storeys built to the street alignment, with a continuous and consistent parapet line above.
		C5	Development on the fourth level is setback at least 3m from the street boundary.
		C6	For the street awning, development includes a continuous, solid, suspended awning over the public footpath of Old South Head Road and along the secondary frontage of corner sites.
O3	To achieve a consistent built form along Dover Lane.	C7	Development is a maximum two storeys and 7m height built to the lane.
O4	To support the evolution of building styles through the introduction of well designed contemporary buildings.	C8	Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets.
O5	To encourage good building design and limit building bulk.	C9	At the street alignment, the depth of the recessed balconies and loggia is between 2.4m to 3m.
O6	To define and reinforce corner sites.	C10	Development on corner sites provides four storeys built to the street alignment with a continuous and consistent parapet line above.
O7	To support redevelopment of the key site at the intersection Wilberforce Avenue and Old South Head Road.		

Objectives		Local controls	
O8	To encourage continuous active retail street frontages.	C11	Development does not include vehicular access from Old South Head Road.
O9	To provide for the amenity of occupants.	C12	The building depth for storeys above the ground floor level is generally not more than 12m.
		C13	At least 10% of the site is provided as deep soil landscaped area.

Chapter D3 General Controls for Neighbourhood and Mixed Use Centres

Part D ▶ Business Centres

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter D3 ► General Controls for Neighbourhood and Mixed Use Centres

Contents

D3.1	INTRODUCTION	1
3.1.1	Land where this chapter applies	1
3.1.2	Relationship to other parts of the DCP	1
3.1.3	How to use this chapter	3
D3.2	USES	4
D3.3	STREET CHARACTER	6
D3.4	BUILT FORM	9
D3.5	BUILDING ARTICULATION	14
D3.6	HERITAGE AND CONTRIBUTORY BUILDINGS	16
D3.7	ACOUSTIC AND VISUAL PRIVACY	18
D3.8	LANDSCAPED AREA AND PRIVATE OPEN SPACE	22
D3.9	CAR PARKING AND VEHICULAR ACCESS	24
D3.10	SITE FACILITIES	28

D3.1 Introduction

This is Chapter D3 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres.

This chapter contains controls for twelve centres, zoned either B1 Neighbourhood Centre or B4 Mixed Use under the Woollahra Local Environmental Plan 2014 (LEP).

The controls in this chapter must be read in conjunction with the controls in Chapter D1 Neighbourhood Centres and Chapter D2 Mixed Use Centres.

3.1.1 Land where this chapter applies

This chapter contains controls for the following centres, as identified on Map A (see next page):

- ▶ Hopetoun Avenue, Vaucluse;
- ▶ South Head Roundabout, Vaucluse;
- ▶ Vaucluse Shopping Village, Vaucluse
- ▶ Plumer Road, Rose Bay;
- ▶ O'Sullivan Road, Rose Bay;
- ▶ Streatfield Road, Bellevue Hill;
- ▶ Bellevue Hill Shops, Bellevue Hill;
- ▶ Manning Road, Woollahra;
- ▶ Darling Point Road, Darling Point;
- ▶ New South Head Road corridor, Edgecliff;
- ▶ Rose Bay North, Rose Bay; and
- ▶ Rose Bay South, Rose Bay.

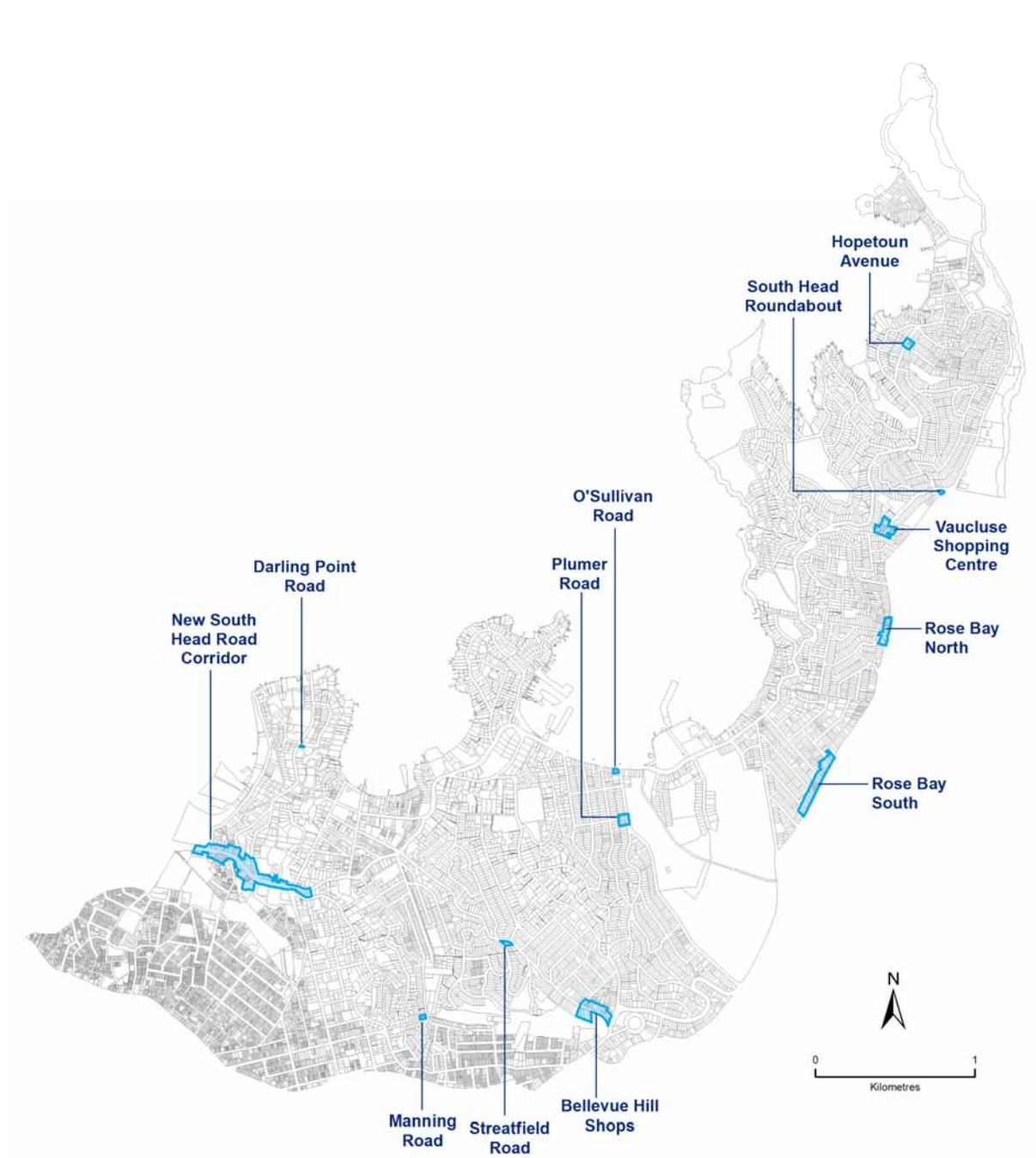
3.1.2 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part B: Chapter B3 General Development Controls, but only if the proposal relates to an Inter-War flat building (refer to Section B3.8 Additional controls for development other than dwelling houses).
- ▶ Part D: Chapter D1 Neighbourhood Centres OR Chapter D2 Mixed Use Centres, depending on the location of the proposed development.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

MAP A Land where Chapter D3 applies



3.1.3 How to use this chapter

This chapter establishes controls for:

- ▶ uses;
- ▶ street character;
- ▶ built form;
- ▶ building articulation;
- ▶ heritage and contributory buildings;
- ▶ acoustic and visual privacy;
- ▶ landscaped area and private open space;
- ▶ car parking and vehicular access; and
- ▶ site facilities.

The controls in this chapter comprise the following elements:

- ▶ Explanation of the topic:
This provides background information on why the topic is important and how it is relevant to building design. The explanation helps determine how the general controls should be applied to development.
- ▶ Table of objectives and controls:
The objectives describe the outcomes that proposed development is required to achieve. Applicants need to demonstrate how their development fulfills the relevant objectives for each topic. The controls represent specific ways in which a development proposal can meet the objectives. The intent of the controls must be interpreted in the context of the topic's objectives.

Development is required to address all the relevant controls. Where there is a disparity between these general controls and the centre specific controls in Chapters D1 and D2, those centre specific controls take precedence over the general controls.

D3.2 Uses

Land zoned B1 Neighbourhood Centres and B4 Mixed Use generally consists of a mix of small scale shops and commercial premises at street level with residential dwellings or offices above.

Centres with continuous ground level retail frontage offer the benefits of safety, commercial activity and street life. Incorporating housing on the upper levels can also make a significant contribution to the local character, provide street surveillance and contribute to after hours activity in the centres.

Objectives		Controls	
O1	To promote a mix of residential and non-residential land uses that helps preserve the commercial viability of centres	C1	At ground floor, the building is designed for retail or other active uses on the primary street frontage.
O2	To maintain continuous retail or commercial uses at street level.	C2	Residential uses on the ground floor are limited to areas providing access to residential uses above, or areas to the rear of the retail or other active uses. These areas for residential use must not compromise the achievement of active street frontages, or the commercial viability of the ground floor area that provides the active street frontage.
O3	To ensure that buildings and spaces are designed to be durable and adaptable.	C3	At the first floor, the building is generally designed to accommodate residential uses.
		C4	At the second floor, the building is designed to accommodate residential uses.
		C5	Development provides a range of residential accommodation types and forms (such as multi-level dwellings on the upper storeys).
O4	To encourage activities are compatible with mixed use developments that contain residential.	C6	The land use is consistent with the desired future character of the centre.
		C7	Development minimises conflict between the functional and access demands of residential and non-residential occupants.

Objectives	Controls
O5 To preserve the small shop character of neighbourhood centres.	C8 The commercial frontage at street level for individual commercial and retail units matches the traditional subdivision pattern. C9 Commercial and retail premises less than 200m ² have a depth to width ratio between 1:1 and 3:1.

D3.3 Street character

The streetscape refers to the collection of visible elements that form the street, including the form and treatment of buildings, setbacks, fences and walls, landscaping and trees, driveway and street layout and surfaces, utility services and street furniture such as lighting, signs, barriers and bus shelters.

Streetscape quality helps to provide local amenity and identity. Good quality street environments are particularly important in our business centres where the community gathers and interacts. Safeguards are needed to ensure that the streetscape qualities of new development are compatible with the desired future character of the centre.

Good development contributes to cohesive streetscapes and desirable pedestrian environments. New development should recognise predominant streetscape patterns, such as building form, roof design, front setbacks, awnings and predominant materials to ensure a cohesive streetscape character.

Creating attractive and lively street environments can help to slow traffic, foster the use of streets as places for social interaction and encourage pedestrian and cyclist activity.

Objectives		Controls	
O1	To ensure development contributes to active and desirable pedestrian environments.	C1	The building is located as close to the street alignment as possible to promote interaction between pedestrians and shopfronts.
O2	To create an active interface between ground level retail or commercial properties and the street.	C2	Development includes display windows with clear glazing to ground floor retail and commercial premises, with a maximum window sill height of 0.7m.
		C3	The building has a clear street address and the entry to upper level development is well defined at the street frontage.
		C4	Access to upper level uses does not occupy more than 20% of the ground floor frontage.
		C5	Vehicle access is not off the active street frontage. Vehicular entries are from a secondary street, are discrete and minimise conflicts with pedestrians.

Objectives		Controls	
O3 O4	To ensure development contributes to cohesive streetscapes. To ensure development responds to predominant streetscape qualities and contributes to the desired future character of the centre.	C6	Development continues the predominant built form character of the street, including front setbacks, awnings, parapet lines, floor to ceiling heights and roof pitches.
		C7	Development maintains the predominant balance of horizontal and vertical proportions in the street.
		C8	Development to re-use an existing building reinstates missing façade elements and decorative details.
		C9	The design of the building facade uses materials that are compatible with the existing development context.
O6	To ensure that the colour of the building facade is not intrusive or unreasonably dominant within the streetscape, and is compatible with the desired future character of the centre.	C10	The external painting of a building in bright colours, corporate colours or fluorescent colours is avoided.
		C11	Any individual business branding and identity in external painting and colour schemes is subordinate to the main colour schemes in the street. Note: Also refer to the signage controls in Part E7 of the DCP, Section 7.2.2 When external painting of a building constitutes a wall sign.
O7	To provide an attractive and comfortable pedestrian environment.	C12	Development provides awnings as indicated for each centre in Chapter D1 or D2 and the street sections where relevant.
		C13	Awning design is a solid suspended steel box type section, with a minimum soffit height of 3.2m.
		C14	Awning height provides continuity with adjoining properties, follows the street grade, and is of sufficient depth to provide good shade and shelter to pedestrians (see Figure 1 below).
		C15	Under awning lighting is included; either recessed into the soffit of the awning or

Objectives	Controls
	<p>wall mounted on the building.</p> <p>C16 Development protects existing street trees and includes streetscape improvements.</p> <p>C17 Development includes advanced tree planting in the footpath.</p>
<p>O8 To ensure a safe environment by promoting crime prevention through design.</p>	<p>C18 Building design incorporates windows to overlook the public domain on all street frontages.</p> <p>C19 Security features at ground level complement the design of the façade and allow window shopping and the spill of light into the street out of business hours.</p> <p>C20 Building design avoids dead edges at ground floor level, such as car parking frontages, blank walls and recessed spaces.</p>
<p>O9 To ensure that signage and structures do not compromise the visual amenity of the streetscape.</p>	<p>C21 Refer to Part E of the DCP, Chapter E7 Signage.</p>

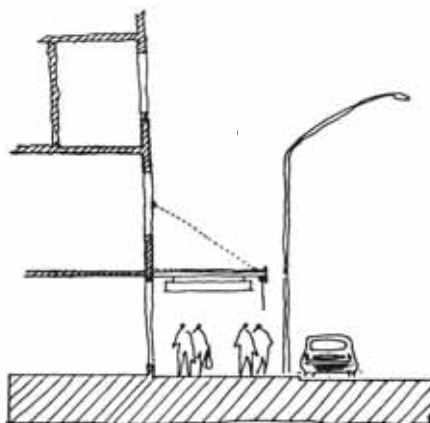


FIGURE 1 Awning design – suspended steel box section type with a minimum soffit height of 3.2m

D3.4 Built form

The building height, floor space ratio (FSR) and setbacks establish the building envelope. The built form of the development sits within the envelope and is moulded to respond to the site context.

The maximum building height and FSR are set by the Woollahra LEP. This part of the DCP contains front, side and rear setbacks and articulation controls, as well as design guidelines for streetscape presentation, roof forms and amenity.

The maximum floor space ratios in the Woollahra LEP are not “as of right”. To achieve the maximum permissible floor space ratios, a development should satisfy the relevant controls applicable to the land.

The gross floor area of a development is to be contained wholly within the building envelope generated by the maximum building height in Woollahra LEP and the controls for building footprint, building storey height, and front, side and rear setbacks specified in this chapter of the DCP.

The permissible gross floor area for each site is generally 80% of the theoretical floor space achievable within the building envelope. The 20% balance allows for building articulation and design elements which contribute to well designed buildings and allow for design flexibility to address amenity issues for both existing and new buildings.

The desired built form for the B1 neighbourhood and B4 mixed use centres is illustrated in the street sections (in Parts D2 and D3). These have been prepared having regard to the following key characteristics of the centres:

- ▶ Buildings are generally row buildings with the massing concentrated to the street frontage. Typically built from side boundary to side boundary along the street frontage, clearly defining the edges of the street. In many centres strong corner buildings provide termination to the row and emphasise the corner.
- ▶ Built form at the rear of the sites is generally less bulky and provides a transition to residential sites.
- ▶ Articulated parapets and hipped roof forms contribute to the urban character.

The built form controls in the DCP accommodate a mix of uses in the centres. The deep ground level floorplates are suitable for retail and commercial uses, whilst the upper level floorplates provide for more natural light and ventilation, and are suitable for residential uses.

Car parking above ground is not encouraged. If car parking is proposed at or above ground level (i.e. within the building envelope) the development may not achieve its maximum permissible floor space. Council will not support a larger building envelope to provide for additional floor space.

Objectives	Controls
O1 To achieve a built form of a scale and character in keeping with the desired future character of each centre.	C1 Development complies with the street section drawings for the centres in Chapter D1 and D2.
O2 To relate new development to existing building lines and grades along the street frontage.	C2 The design of the building footprint minimises cut and fill, and establishes ground floor levels that generally correspond to those of adjoining buildings.
	C3 The building achieves, but does not exceed, the height along the primary street frontage identified in the street sections in Chapter D1 and D2.
	C4 The floor to ceiling height of ground floor development is at least 3.6m, to allow for changes in tenancy.
	C5 Development complies with front setbacks identified in the street sections in Chapter D1 and D2.
	C6 The front setback defines a coherent and consistent alignment to the public domain and accentuates street corners.
	C7 Where an upper level setback is required, that setback alignment is parallel to the street boundary alignment.
	C8 A rear setback of at least 3m, increasing by a minimum of 1.5m for each level above ground floor level, is provided if the site adjoins land zoned for residential or public open space purposes.
	C9 Where development is permitted along rear lanes, it does not exceed a wall height of 7.2m.
	C10 A side setback of at least 1.5m applies at all levels above 2 storeys, where the side setback immediately adjoins residential zoned land.
	Note: For development in the New South Head Road corridor, Edgecliff, C9 and C10 do not apply, instead refer to Chapter D2 Mixed Use Centres.

Objectives	Controls
	<p>C11 Rear setbacks provide:</p> <ul style="list-style-type: none"> a) vehicle access to the rear of lots (where practical); and b) deep soil landscaped areas where blocks adjoin residential areas or public open space. <p>C12 Pergolas, sunscreens, privacy screens or planters or the like, must not:</p> <ul style="list-style-type: none"> a) increase building bulk; b) exceed the maximum building height; c) significantly affect views from adjoining properties, the immediate vicinity or from nearby ridges.
<p>O3 To protect good solar access to adjoining residential zoned land in winter.</p>	<p>C13 Where already existing, access to sunlight is maintained for a minimum period of two hours between 9am and 3pm to private open space of adjoining properties. Where existing overshadowing is greater than this, access to sunlight is not further reduced by new development.</p>
<p>O4 To protect significant views and vistas.</p>	<p>C14 Development maintains the significant views and vistas identified on the maps for the centres in Chapter D1 and D2.</p>
<p>O5 To encourage building massing and articulation that creates strong corner buildings.</p>	<p>C15 If a corner building, the design reflects the street geometry, topography, sight lines and skyline elements.</p> <p>C16 Street corners are strengthened by massing and building articulation to both frontages.</p> <p>C17 Development on a corner site achieves the maximum prescribed height to both frontages.</p> <p>Note: Bonus floor space ratio applies to some corner sites to encourage development of prominent corner buildings. Refer to Woollahra LEP Clause 4.4B.</p>

Objectives	Controls
<p>O6 To promote building forms that provide quality internal environments and allow natural day lighting, natural ventilation and visual and acoustic privacy to dwellings.</p>	<p>C18 Habitable rooms have a minimum floor to ceiling height of at least 2.7m.</p> <p>C19 Development for residential uses generally provides a building depth up to 12m including the articulation zones. Where building depth exceeds 12m, the applicant must demonstrate how satisfactory daylight and natural ventilation is to be achieved.</p> <p>C20 Development includes courtyards at ground and first floor level to provide natural lighting and ventilation. Light wells as the main source of lighting and ventilation to dwellings are avoided.</p> <p>C21 Primary door and window openings in residential living areas are located towards the street and/or rear lane and protect privacy. Living areas with primary openings that face a shared side boundary are avoided.</p> <p>C22 Roof terraces adjoin habitable space that is on the same floor level. Development does not include a rooftop terrace that is only accessed from a stairway and/or lift.</p>
<p>O7 To encourage roof design that creates a distinctive silhouette to buildings.</p> <p>O8 To ensure that plant and service equipment on roofs is not visually intrusive.</p>	<p>C23 The floor level of the uppermost habitable storey is 3.5m or more below the maximum building height to accommodate a roof form that is visually interesting and articulated.</p> <p>C24 The profile and silhouette of the parapet, eaves and roof top elements are integrated in the roof design.</p> <p>C25 Where a pitched roof is proposed, the angle of the pitch is compatible with the existing development context.</p> <p>Note: The building form including parapet and plant and lift overruns must be contained within the envelope height. Refer to LEP definition of building height. C5.3.12</p>

Objectives	Controls
	<p>C26 Communication devices, antennae, satellite dishes, chimneys, flues and the like are not readily visible from the public domain.</p>
<p>O09 To ensure that the use of glazing does not cause unreasonable glare.</p>	<p>C27 The building or its façade does not result in glare that causes discomfort or threatens safety of pedestrians or drivers.</p> <p>Note: A reflectivity report analysing potential glare from the proposed new development on pedestrians or motorists may be required to be submitted with the DA.</p>
<p>O10 To ensure that the significant characteristics of Inter-War flat buildings are retained and protected.</p>	<p>C28 If development relates to an Inter-War flat building, the additional controls for Inter-War flat buildings in Part B, Chapter B3 General Development Controls of this DCP also apply (refer to Section B3.8 Additional controls for development other than dwelling houses) .</p>
<p>O11 To ensure no adverse geotechnical or hydrogeological impacts on any surrounding property and infrastructure as a consequence of the carrying out of development.</p>	<p>C29 Excavation below 2m and/or within 1.5m of the boundary is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures.</p> <p>Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council’s guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development.</p>
<p>O12 Housing and buildings are to be accessible and useable by all people in the community, including people with disabilities.</p>	<p>Refer to the <i>Disability (Access to Premises - Buildings) Standards 2010</i>, National Construction Code, and Part E of this DCP, Chapter E8 Adaptable Housing.</p>

D3.5 Building articulation

Building articulation refers to the three dimensional modeling of a building façade. Building articulation along the street frontage establishes the relationship between a building and the street, through the use of elements like wall offsets, entry porches, loggias, balconies and bay windows.

Traditionally, buildings in the Zone B1 Neighbourhood Centres and Zone B4 Mixed Use are built to the street alignment with recessed balconies on the upper levels.

Articulation zones allow for the design of accessible and comfortable private outdoor living areas, which contribute to the liveability of residential dwellings located in business centres.

The articulation zones, through the combination of internal and external elements, also provide for more interesting and well designed buildings. Internal elements include habitable rooms, entries, bay windows and glazed balcony. External elements within the area for building articulation include balconies, terraces, verandahs, loggias, decks, porches, external access stairs, solar protection elements such as roof overhangs, external louvered walls, screens, awnings and deep reveals, decorative architectural elements such as corbelling, projecting sills and expressed window openings.

The street section drawings in Chapters D1 and D2 of this DCP identify the area for building articulation for some centres.

Objectives		Controls	
O1	To create a strong street address and enrich the character of the centre through appropriate building articulation.	C1	Building articulation is provided as indicated in the street sections for the centres in Chapter D1 and D2 of the DCP.
O2	To encourage good building design and limit building bulk through articulation.	C2	The building at the street elevation is significantly articulated to provide depth and interest to the building form. The building articulation area includes a combination of external and internal elements.
		C3	Building design responds to environmental conditions such as orientation, noise, privacy and views, natural ventilation and solar access.
		C4	The façade is richly articulated and expresses the different levels of the building and/or its functions.
		C5	Architectural detailing and balconies do not project more than 500mm beyond the prevailing building line.

Objectives	Controls
	C6 Where boundary walls are visible, these include modelling. Blank boundary walls are avoided.



FIGURE 2 Recessed balcony



FIGURE 3 Part projecting balcony

D3.6 Heritage and contributory buildings

Council supports the conservation of the rich mixture of buildings and places of special significance within the municipality. The Woollahra LEP contains controls for the conservation of heritage items and heritage conservation areas (HCA); development involving a heritage item or located within a HCA must also comply with the provisions in the LEP.

In addition to the heritage items, there are contributory buildings. These are buildings that are notable, of architectural merit, may belong to a group of buildings that together define a street corner, are well built using quality materials, or have distinguished features that remain substantially intact.

The contributory buildings are identified in the descriptions of each centre in Chapters D1 and D2.

Council promotes historic continuity to maintain the local identity of our neighbourhood and mixed use centres. Development should seek to retain these buildings and enhance their original architectural features.

Development involving a heritage item, or contributory building, may require a statement of heritage impact lodged with the development application.

Objectives		Controls	
O1	To protect and enhance items of heritage significance and contributory buildings.	C1	The significance of the heritage item or contributory building is not compromised by the proposed development, particularly in regards to building bulk, scale, design, setbacks, external colours and finishes.
O2	To ensure development conserves or enhances items and areas of special architectural, social, cultural or historic interest.	C2	The upgrade or re-use of the heritage item or contributory building retains and enhances the architectural and streetscape value of the building.
O3	To encourage ensure that contributory buildings are retained and adaptively reused in a manner that respects the significance of the building.	C3	Development involving the re-use of a contributory building reinstates missing façade elements and decorative details.
		C4	Demolition of a contributory building is avoided. Note: Council discourages the demolition of contributory buildings. An application to demolish a contributory building must clearly demonstrate that development would provide a replacement building of higher quality (than the contributory building) with respect to streetscape

Objectives	Controls
	<p>character, architectural design, internal and external amenity, flexibility of uses, material quality and construction.</p> <p>Also refer to Woollahra LEP for development involving a heritage item.</p>
<p>O4 To support new building design that responds to, and complements, the form and character of heritage and contributory buildings.</p>	<p>C5 Development adjacent to a heritage item or contributory building is sympathetic in scale, alignment, detailing and materials.</p> <p>Note: Also refer to Woollahra LEP for development in the vicinity of a heritage item.</p>

D3.7 Acoustic and visual privacy

Privacy is a major determinant of the ability of residents and neighbours to enjoy their home. Privacy refers to both acoustic and visual privacy. The privacy needs of residents and neighbours should influence all stages of design, from the location of dwellings and the placement of windows and private open space through to the selection of materials and construction techniques.

Visual privacy can be achieved by:

- ▶ layout that avoids overlooking;
- ▶ screening; and
- ▶ separation.

The level of acoustic privacy depends on the location and design of habitable rooms relative to noise sources such as common areas in the development, restaurants and cafes, late trading hours and major roads.

Residential accommodation in mixed use areas is likely to be subject to a certain level of activity noise associated with the uses that mixed use business areas accommodate such as cafes, restaurants and late hour trading. The resulting amenity impacts can be substantially mitigated by good design.

Council may require a Noise Impact Assessment as part of the development application to identify potential noise impacts and demonstrate how noise will be managed.

Objectives	Controls
O1 To ensure adequate separation between dwellings for acoustic and visual privacy.	C1 Where a development involves two or more separate buildings the minimum distance between windows facing each other is: <ul style="list-style-type: none"> a) 6m between non-habitable rooms; b) 9m between habitable and non-habitable rooms; and c) 12m between habitable rooms. Refer to Figure 4.
O2 To ensure adequate acoustic privacy for occupants and neighbours.	C2 The building is sited and designed to minimise the transmission of external noise to other buildings on the site and on adjacent land.
O3 To encourage building design, construction and use of materials that minimise conflicts between commercial and residential uses.	C3 The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, is designed to

Objectives	Controls
	<p>minimise the transmission of noise externally.</p> <p>C4 The bedroom areas are separated, by way of barriers or distance, from on-site noise sources such as active recreation areas, car parks, vehicle access-ways and service equipment areas.</p> <p>C5 Noise impact associated with goods delivery and garbage collection, particularly early morning, is minimised.</p> <p>C6 For a restaurant or café, the design and operation minimises the impact of noise associated with late night operation on nearby residents.</p> <p>C7 A rear courtyard is only permitted for restaurant or café use if Council is satisfied that the use and hours of operation will not have an unreasonable impact on residential amenity.</p> <p>Note: Council may require a Noise Impact Assessment as part of the development application.</p>
<p>O4 To ensure adequate visual privacy for occupants and neighbours.</p>	<p>C8 Views to adjacent private open space are protected and screened consistent with Figure 5 below.</p> <p>C9 Visual privacy is protected by providing adequate distance between opposite windows of neighbouring dwellings where a direct view is not restricted by screening or planting.</p> <p>C10 Windows and balconies of upper level dwellings are designed to prevent overlooking of the private open space of any lower level dwellings directly below, and within, the same development.</p> <p>C11 Balconies are located and designed to provide privacy for occupants of the building when viewed from the street or nearby public space.</p>

FIGURE 4 Minimum distances for visual and acoustic privacy in mixed use centres

Source: AMCORD, 1995

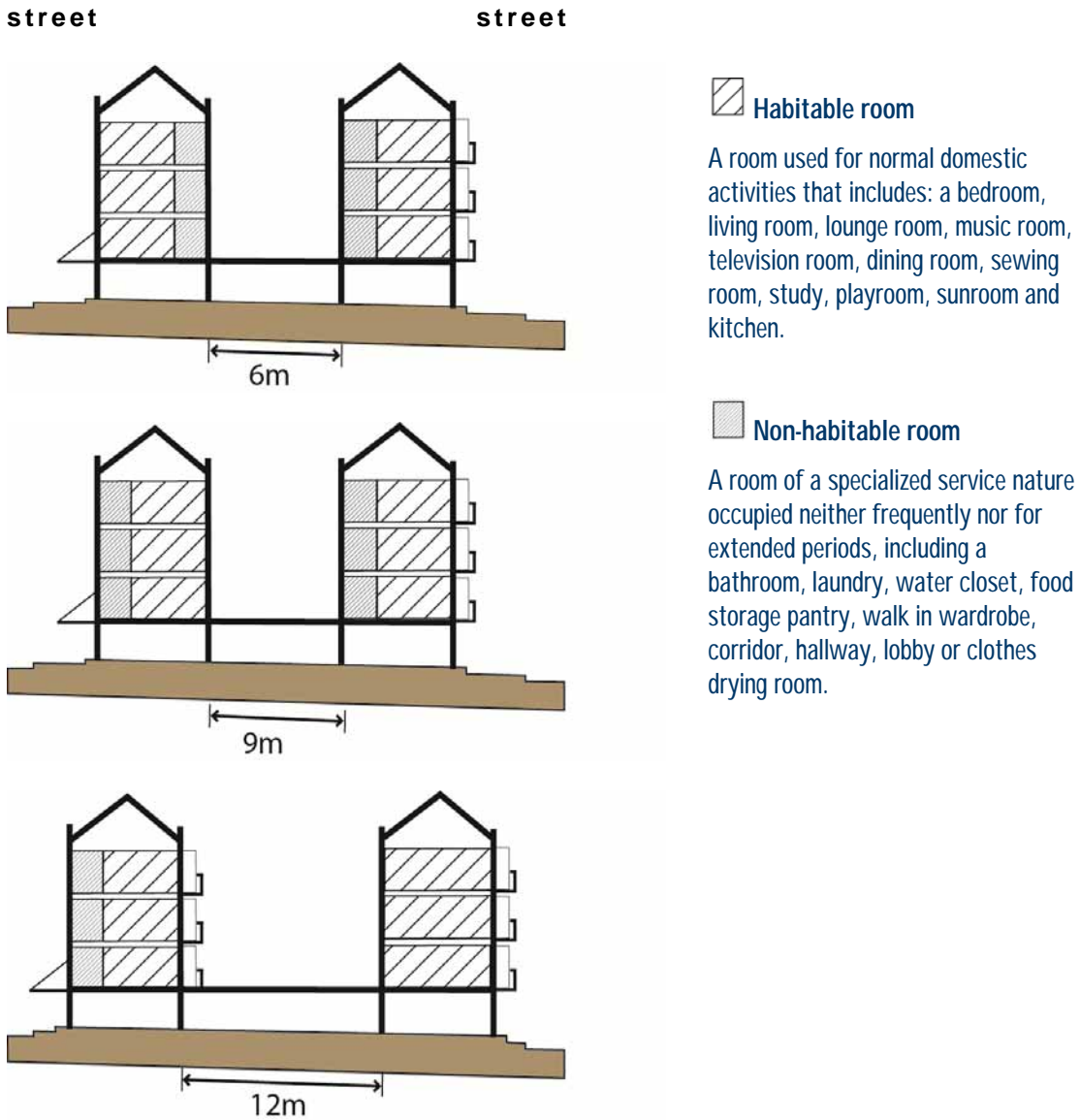


FIGURE 5 Acceptable screening of views to adjacent open spaces

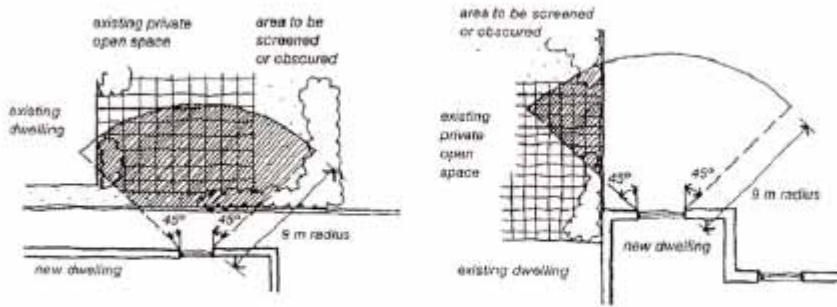


Fig 5.19
Acceptable screening of views to adjacent open spaces

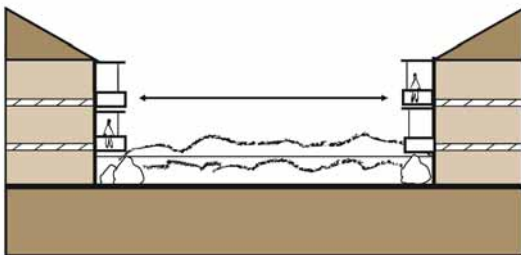


FIGURE 6

Ensure adequate separation between unscreened balconies. Privacy at ground floor level provided by suitable sill heights and planting

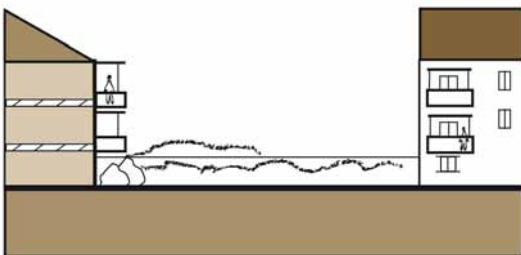


FIGURE 7

Careful location of balconies can increase privacy and reduce their separation

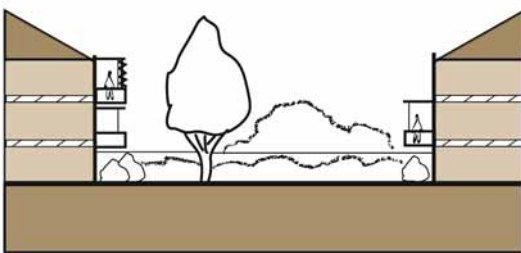


FIGURE 8

Vegetation and balcony screening can increase separation to ensure privacy

D3.8 Landscaped area and private open space

Landscaped area in Woollahra LEP means “a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area”. Deep soil landscaped area is the area of the site that contains landscaped area which has no above ground, ground level or subterranean development.

The landscaped area within developments may comprise both communal and private open space areas. Landscape treatment helps to determine the amenity of individual dwellings, define private and public areas, reinforce or screen views and define local character.

The amount and composition of landscaped area also play important roles in stormwater management, the energy efficiency of developments and access to sunlight.

Private open space is the area of land or of a building (such as a balcony or uncovered roof terrace) belonging to a dwelling and intended for the exclusive use of the occupants of the dwelling. It should be located and designed so as to offer visual privacy to the occupants.

Common open space is useable shared open space for the recreation and relaxation of residents of a development; the common space is generally under the control of a body corporate or equivalent.

The location and design of private and common open space should contribute to the amenity of the development.

Objectives		Controls	
O1	To enhance the appearance, amenity and energy efficiency of housing through landscaped area.	C1	Deep soil landscaped area comprises at least 10% of the site area, with the exception of Hopetoun Avenue, where at least 15% of the site area is deep soil landscaped area.
O2	To ensure the adequate provision of accessible and useable private and communal open space.	C2	Part of the private open space serves as an extension of the dwelling and is directly accessible from the main living area of the dwelling.
O3	To provide for the amenity of occupants.	C3	Communal open space is centrally located and easily accessed by all building occupants.
		C4	The minimum area of above ground private open space is determined by the dwelling size as outlined below: <ul style="list-style-type: none"> a) small dwelling (less than 60m²)—8m²; b) medium dwelling (60m² to 80m²)—12m²; and

Objectives		Controls	
			<p>c) large dwelling (more than 90m²)–16m².</p> <p>C5 The preferred depth of the required above ground private open space is 2.4m. The minimum permissible depth is 1.8m.</p> <p>C6 Development provides at least one balcony, terrace, loggia, roof terrace, deck or the like for each dwelling, within the area nominated for building articulation area. This open space is accessible from a main living area.</p>
O4	To retain important existing mature trees, vegetation and other landscape features.	C7	Existing significant trees and vegetation are incorporated into the proposed landscaped area and treatment.
O5	To enhance stormwater management.	C8	<p>Wherever possible car parking is located under the building footprint to maximise deep soil landscaped area.</p> <p>Note: At grade car parking will only be considered where the applicant demonstrates that it is unreasonable to locate parking below ground and the minimum deep soil landscaped area is provided elsewhere on the site.</p>
O6	To increase opportunity for landscaped areas at ground level to improve amenity for building occupants and neighbours.		

D3.9 Car parking and vehicular access

The neighbourhood centres and mixed use centres are generally located on or close to public bus transport routes. This helps limit car use and encourages other modes of transport, such as walking, cycling and public transport, helping to improve local amenity and minimise pollution and the use of non-renewable energy sources.

Council's car parking requirements aim to satisfy the parking demand likely to be generated by development, whilst recognising that opportunity for on-site parking is limited in many of the centres.

Parking areas, accessways and servicing facilities must be designed carefully so that they do not detract from the appearance of the development or the streetscape, and do not disrupt the continuity of the retail frontage or pedestrian movement.

In particular, vehicle access to a development site from the primary street is not permitted; this protects the continuous active retail frontages important for centres. Where there is no rear lane or side street access, this may restrict the potential for development that requires on-site parking or on-site loading facilities.

Where the parking involves excavation, Council will normally require geotechnical report prepared in accordance with the Council's '*Guide for preparing Geotechnical and Hydrogeological Reports*'. The preparation and submission of pre-commencement and post-completion dilapidation reports for properties adjoining and neighbouring the development will generally be applied as a standard condition of consent.

Objectives		Controls	
O1	To ensure that developments generating vehicular traffic make adequate provision for the off-street parking and servicing needs of its occupants and users, including visitors, employees and deliveries.	C1	Development complies with the provisions in Part E of the DCP, Chapter E1 Parking and Access. Note: This includes parking generation rates for the commercial and residential components of development, design requirements and loading and servicing provisions.
O2	To ensure the safe and efficient movement of vehicles within, entering and leaving properties.		A parking concession may be granted for mixed use buildings when overlapping parking demand will occur for different uses or complementary use of spaces will occur for uses with different peak parking demand times.

Objectives	Controls
<p>O3 To maximise retail frontage to primary streets and provide for continuous retail street frontages.</p>	<p>C2 Access to on-site car parking and servicing facilities is provided from rear lanes or secondary streets.</p>
<p>O4 To ensure that on-site car parking and driveways do not dominate or detract from the appearance of the development and the local streetscape.</p>	<p>C3 Access to development is provided by one driveway only. The driveway is no wider than 6m wide.</p> <p>C4 On-site parking areas are provided below ground where possible, and car parking is not located on any level above the ground level.</p> <p>C5 On-site car parking areas are not visible from the main street frontage.</p> <p>C6 Facades screening car parks from the street are of high quality and allow natural lighting and ventilation.</p> <p>C7 Access to on-site car parking and servicing facilities is designed perpendicular to the street alignment and does not ramp along a street or lane alignments.</p> <p>Note: In the case of small lots, consideration should be given to amalgamation of car parks and access and egress points.</p>
<p>O5 To maximise pedestrian and resident safety and amenity.</p>	<p>C8 Car parking and driveway areas are located and designed to:</p> <ul style="list-style-type: none"> a) minimise disruption to pedestrian movement, safety, and amenity; b) preserve existing trees and vegetation; and c) complement the desired future character for the precinct described in in Chapters D1 and D2. <p>C9 Servicing facilities for non-residential uses are located and designed to protect the amenity of residents.</p> <p>C10 Residential parking areas are secure and</p>

Objectives		Controls	
			separate from non-residential vehicle parking and servicing areas.
O6	To encourage the provision of walking and cycling facilities.	C11	A dedicated bicycle rack or area is provided in a convenient location at the rate of 1 bicycle space per 25 car spaces.
O7	To limit sub-surface excavation and impacts on adjoining properties and structures	C12	The area of site excavated for the purposes of underground car parking is limited to the building footprint of the development.
		C13	Excavation works are located on the lot subject to the development proposal only. Excavation does not occur under common walls, footings to common walls, or freestanding boundary walls, or under any other part of adjoining land with the exception of the amalgamation of parking areas for small lots.
		C14	Excavation for underground parking within 1.5m of adjacent boundaries is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures. Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development.
		C15	Permanent sub-surface support and retention structures are set back a minimum of 900mm from adjacent property boundaries.

Objectives		Controls	
O8	To minimise opportunities for surface water to flow to adjoining and adjacent properties.	C16	The ground floor levels of alterations and additions and infill development are consistent with the levels established by existing buildings and topography on adjoining site, where practical.
O9	To ensure the safe and efficient movement of vehicles within, entering and leaving properties.		Refer to Part E of the DCP, Chapter E1 Parking and Access.

D3.10 Site facilities

Site facilities include mail boxes, storage areas, garbage collection areas, clothes drying areas and laundry facilities, aerials and the like. The potential impacts of site facilities on the overall appearance of developments and the local streetscape need to be considered.

Objectives		Controls	
O1	To ensure that adequate provision is made for essential site facilities.	C1	Lockable mail boxes are centrally located and integrated with the main building.
O2	To ensure that site facilities are functional and accessible to all premises within the development.	C2	Lockable storage space of at least 8m ³ per dwelling is provided.
O3	To ensure that site facilities are thoughtfully integrated into the development and are unobtrusive.	C3	Development incorporates adequate garbage and recycling collection areas that are integrated physically and visually with other built elements such as fences, walls, buildings and garages. Refer to Part E of the DCP, Chapter E5 Waste Management.
		C4	For a mixed use development, only one common television antennae is provided.
		C5	The design and location of aerials, antennae, and communications dishes: <ul style="list-style-type: none"> a) do not have an unreasonable impact on the architectural character of the building to which it is attached; b) are not visually intrusive within the streetscape; and c) do not have an unreasonable impact on the amenity of adjoining and adjacent properties.
O4	To protect the air quality and residential amenity.	C6	The building is designed to accommodate venting from ground floor uses, to avoid potential impacts from exhaust and odour, such as cooking smells.

Objectives		Controls	
O5	To facilitate the use of natural resources to dry clothes.	C7	Development that includes a residential component provides laundry facilities, and opportunity for the provision for at least one external clothes drying area.
O6	To ensure external clothes drying areas are suitably located.	C8	External clothes drying areas have access to sunlight, and are located in a secure place away from public spaces and screened from public view. Note: External drying areas may be located in the landscaped areas.
O7	To ensure that air-conditioning units, including external condensers, do not have adverse streetscape or amenity impacts.	C9	Air-conditioning units are suitably located, enclosed or screened so the units are not visible from the streetscape or from adjoining or nearby properties.
		C10	Air-conditioning units do not have an unreasonable impact on the visual or acoustic amenity of adjoining or nearby properties. The impact on neighbours is less than the impact on the occupants of the site where the air-conditioning unit is located. Note: Noise emissions from air-conditioning units must not exceed the background noise levels when measured at the boundary of the development site. The provisions of the <i>Protection of the Environment Operations Act 1997</i> apply.

Chapter D4


Edgecliff Centre

Part D ▶ Business Centres

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter D4 ▶ Edgecliff Centre



D4.1	INTRODUCTION	1
4.1.1	Land where this chapter applies	1
4.1.2	Development to which this chapter applies	2
4.1.3	Objectives	2
4.1.5	How to use this chapter	3
D4.2	EDGECLIFF CENTRE CONTROLS	4
4.2.1	Precinct character statement	4
4.2.2	Desired future character	6
4.2.3	Objectives and controls	7

D4.1 Introduction

This is Chapter D4 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres.

This chapter contains controls for the Edgecliff Centre, zoned B2 Local Centre under the Woollahra Local Environmental Plan 2014 (LEP).

This chapter seeks to ensure that development has regard to its context and is compatible with the desired future character for the Edgecliff Centre as described in this chapter.

Oblique aerial of the Edgecliff Centre (bounded by New South Head Road, Ocean Street, New McLean Street and Arthur Street)



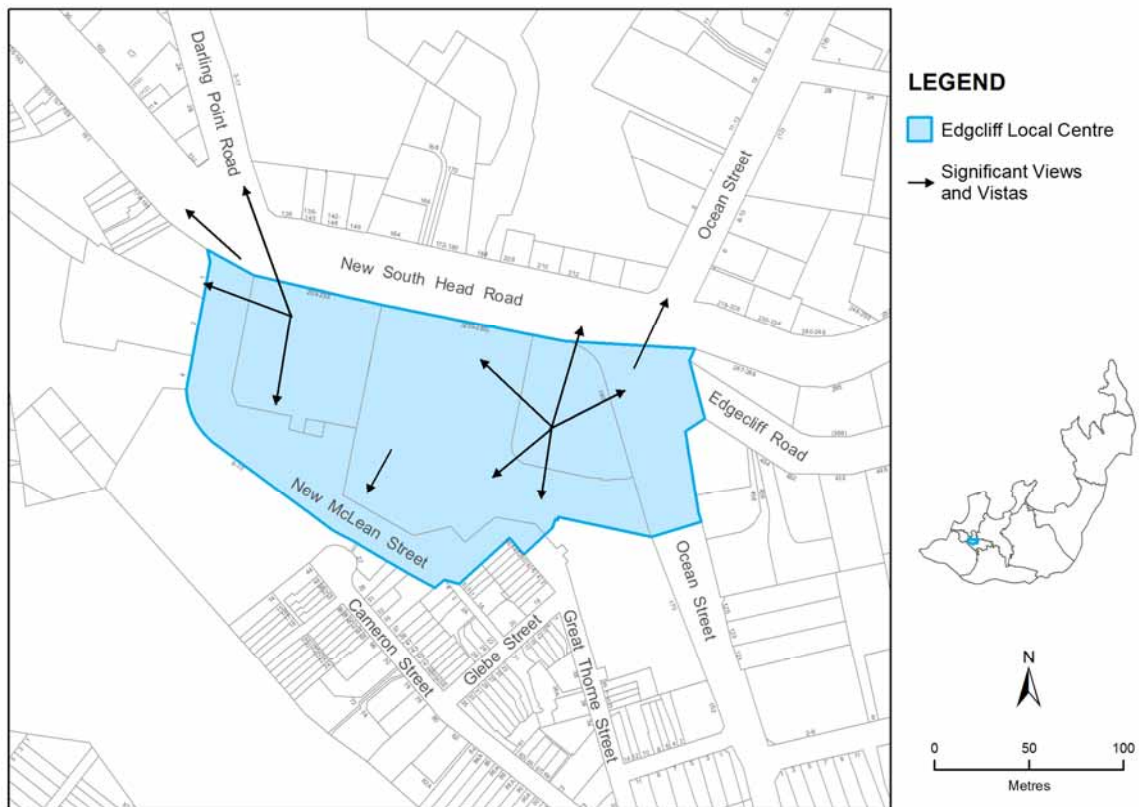
4.1.1 Land where this chapter applies

The Edgecliff Centre is located between New South Head Road to the north, New McLean Street and Arthur Street to the south and Ocean Street to the east, as identified in Map 1.

The centre comprises the following land:

- ▶ 203-233 New South Head Road (Lot 2 DP 553702, Lot 203 DP 1113922 and Lot 5 in DP 243380)
- ▶ 235-285 New South Head Road (Lot 61 DP 748554)
- ▶ 180 Ocean Street (SP 21608, SP 22762 and SP 30426).

MAP 1 Edgecliff Centre



4.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

Generally this will be mixed use retail, business, office and /or residential development, but may also include permitted uses such as child care centres, community facilities, and other uses as permitted by the Woollahra LEP.

4.1.3 Objectives

The objectives of this chapter are:

- O1 To encourage a high standard of architectural and landscape design in any new development within the centre.
- O2 To protect the amenity of residential and commercial development.
- O3 To protect the amenity of adjoining residential areas.
- O4 To improve connections within the centre and into the surrounding commercial and residential areas.

-
- O5 To encourage a diverse mix of uses in the centre, whilst maintaining its role of providing medical services.
- O6 To activate the frontage to New McLean Street and Arthur Street.

4.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

4.1.5 How to use this chapter

The controls for the Edgecliff Centre comprise the following elements:

- ▶ map showing the extent of the centre;
- ▶ a precinct character statement, providing a brief description of the centre;
- ▶ desired future character, establishing the direction and outcomes required to be achieved through development in the centre; and
- ▶ a list of controls relating to uses, built form, building articulation and streetscape, and amenity. The controls represent specific ways in which a development proposal can meet the objectives.

Applicants need to demonstrate how their development fulfills the relevant objectives and preserves or enhances the important character elements for the precinct, having particular regard to:

- surrounding building height, bulk and scale
- any predominant architectural styles, roof forms, materials and colours
- prevailing building lines
- existing and proposed uses
- landscape and vegetation features
- topography
- view corridors
- pedestrian access and amenity
- interface between the private and public domain
- adjacent residential areas.

D4.2 Edgecliff Centre controls

4.2.1 Precinct character statement

The Edgecliff Centre is part of the wider Edgecliff commercial area which includes the land zoned B4 Mixed Use along New South Head Road. New South Head Road is a major State road linking the Eastern Suburbs to the city and is the primary route for vehicles to the Edgecliff Centre.

The Edgecliff Centre comprises three main sites: two contain a multi-storey retail and commercial buildings. The centre provides a good range of convenience retailing opportunities, including supermarkets and speciality stores and services the surrounding residential suburbs including, Edgecliff, Elizabeth Bay, Darlinghurst, Darling Point, Kings Cross, Paddington, Potts Point, and Woollahra. The centre also has a high proportion of medical services and experienced a 40% increase in health care related jobs from 2006 to 2011.

The Edgecliff Bus and Rail Interchange also form part of the centre. Local and regional bus routes service the bus interchange which is located above the Eastpoint Shopping Centre.

Edgecliff bus and rail interchange and the Edgecliff Centre building



The Edgecliff Centre building

Historical development and transport

Early photographs from the 1860s reveal clusters of dwellings and business along the southern side of New South Head Road. During that era, there was a toll for using New South Head Road.

In September 1894 a cable tram service opened operating from King Street in the city to Ocean Street in Edgecliff.

In the 1960s, the shop top houses on the southern side of New South Head Road were demolished to make way for Edgecliff Station. Edgecliff railway station and bus interchange opened in 1979, when the Illawarra line was extended from Town Hall railway station to Bondi Junction.

Built form

The built form consists of:

- ▶ a building called the Edgecliff Centre—a seven storey building over one level of car parking, located at the western end of the centre, containing retail, business and office uses;
- ▶ the Eastpoint Shopping Centre—a three storey building containing retail and business uses and a car park. The railway station and bus interchange are also accessed from this building; and
- ▶ Eastpoint Tower—a 2 to 14 storey mixed use residential and commercial building on Ocean Street, located at the eastern end of the centre.

The centre primarily addresses New South Head Road. On New McLean Street, car park entries and loading bays dominate the streetscape, and the landscaping is sparse and uncoordinated. This creates an unwelcoming pedestrian environment with little visual interest and provides a harsh transition to the residential land opposite.

Connectivity across the centre is restricted as the Eastpoint Shopping Centre and Edgecliff Centre car parks are separate despite being located next to each other. This also unnecessarily increases the number of vehicle crossings on the New McLean Street frontage.

Heritage and contributory buildings

There are no heritage items or contributory buildings in the Edgecliff Centre.

Public parks

There are no public parks in the Edgecliff Centre. However, Edgecliff Square is located on the eastern side of Ocean Street and Trumper Park is 100m to the south.

Views and vistas

Due to its position on top of a hill, there are significant views from existing buildings to Port Jackson in the north, Sydney CBD to the west and generally within the region. From street level views of the local region, CBD and Harbour Bridge are possible. The key views and vistas are identified in Map 1 above.

From the residential tower and commercial offices at either end of the centre, iconic views are possible, such as to the Opera House and Harbour Bridge.

4.2.2 Desired future character

The Edgecliff Centre will reinforce its role as the focus of retail and business activity and continue to be convenient place for people to meet, work, shop and use services.

The built form will promote an urban environment which meets high standards of visual quality and pedestrian amenity.

Buildings will be up to eight storeys on New South Head Road and transition down to one to two storeys at New McLean Street frontage. At the corner of Ocean Street and New South Head Road buildings up to 10 storeys are permitted.

New McLean Street will have an active street frontage and parking and servicing arrangements will be reconfigured to be less visually intrusive. The amenity will be improved by including streetscape works, landscaping and reducing the frontage dedicated to vehicle movements.

Pedestrian links across the centre, and through the centre to the bus interchange and railway station, will be enhanced. The connections to the surrounding New South Road commercial corridor and nearby residential land will increase pedestrian activity and convenience. Where commercial development addresses a street, awnings will be provided at street level for weather protection.

Given the excellent public transport access, the centre is ideally located for increased residential and commercial land uses. Retailing, medical and health related services and professional services will continue to cater for the needs of the local community.

4.2.3 Objectives and controls

Objectives		Controls	
O1	To promote an attractive street wall.	C1	The ground floor of the building on New South Head Road is setback 3m.
O2	To ensure building articulation makes a significant contribution to the design of buildings.	C2	The building at 203-233 New South Head Road addresses New McLean Street, is related to the scale of pedestrians and provides visual interest. This may be achieved by:
O3	To improve the relationship of buildings to the public domain.		a) providing an active frontage to New McLean Street;
O4	To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.		b) reconfiguring the parking and servicing arrangements so these do not dominate the streetscape; and
			c) reducing the number and width of vehicle cross overs.
		C3	The design of the lower part of the street facade relates to the scale of pedestrians.
		C4	Facades are richly articulated and express the different levels of the building and/or its functions.
		C5	Facade design incorporates similar proportions of glazed and non-glazed surfaces and achieves a balance between vertical and horizontal divisions. The extensive use of glass is avoided.
		C6	Facade elements are generally contained in vertical planes aligned with the street. Sloping facades are avoided.
		C7	Where visible from the public domain, party walls include articulation. Blank party walls are avoided.
		C8	Large expanses of highly reflective, brightly coloured surfaces or black shading are not used on facades.
		C9	New buildings and facades do not result in glare that causes discomfort or threatens safety of pedestrians or drivers.

Objectives	Controls
	<p>Note: A reflectivity report analysing potential glare from the proposed new development on pedestrians or motorists may be required to be submitted with the DA.</p>
<p>O5 To ensure that the colour of the building facade is not intrusive or unreasonably dominant within the streetscape, and is compatible with the desired future character of the centre.</p>	<p>C10 The external painting of a building in bright colours, corporate colours or fluorescent colours is avoided.</p> <p>C11 Any individual business branding and identity in external painting and colour schemes is subordinate to the main colour schemes in the street.</p> <p>Note: Also refer to the signage controls in Part E7 of the DCP, Section 7.2.2 When external painting of a building constitutes a wall sign.</p>
<p>O6 To improve pedestrian access between the commercial buildings in the centre.</p>	<p>C12 The permeability and connectivity of the centre is improved. For example, by providing north-south thoroughfares and improving links between the retailing spaces and the public transport facilities.</p> <p>C13 Access to public car parking areas from the different buildings in the centre is integrated to improve connectivity.</p>
<p>O7 To provide an attractive and comfortable pedestrian environment.</p>	<p>C14 Development provides an active frontage to New South Head Road, New McLean Street and Arthur Street.</p> <p>C15 Development provides a continuous awning to New South Head Road and New McLean Street.</p> <p>C16 Awnings are designed and constructed to:</p> <ol style="list-style-type: none"> a) provide continuity and complement the facade and adjoining awnings; b) follow the street grade; and c) be of sufficient depth to provide good shade and shelter to pedestrians.

Objectives	Controls
	<p>C17 Where under awning lighting is included, the lighting is either recessed into the soffit of the awning or wall mounted on the building.</p> <p>C18 Public domain improvements, including street tree planting and pavement upgrading, are consistent and unify the centre and improve pedestrian amenity.</p>
<p>O8 To ensure that signage and structures do not compromise the visual amenity of the streetscape.</p>	<p>Refer to Part E of the DCP, Chapter E7 Signage.</p> <p>Note: Advertising signage is not permitted.</p>
<p>O9 To ensure that mixed use developments are designed to minimise conflict between different uses on the site.</p> <p>O10 To ensure that building design and layout provides quality residential living environments.</p>	<p>Note: <i>State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development (SEPP 65)</i> is a mandatory consideration for all applications for a residential flat building that is three or more storeys and contains four or more self-contained dwellings. This includes mixed use development with a residential component.</p> <p>C19 The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, is designed to minimise the transmission of noise externally.</p> <p>C20 Visual privacy is protected by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting.</p>

Objectives	Controls
O11 To protect the amenity of adjoining residential zoned land.	C21 The building design minimises overlooking into the habitable rooms and open space areas of adjoining residential uses.
O12 Minimise overshadowing of adjoining properties and Cooper Park Oval.	C22 Development maintains solar access to existing adjoining dwellings for a period of two hours between 9am and 3pm on 21 June to existing north facing windows of habitable rooms, and for at least two hours to at least 50% of the private open space. Where existing overshadowing is greater than this, sunlight is not to be further reduced.
	C23 Solar access to the Trumper Park Oval is provided between the hours of 10am and 2pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

Chapter D5 Double Bay Centre

Part D ▶ Business Centres

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Chapter D5 ► Double Bay Centre

Contents

D5.1	INTRODUCTION	1
5.1.1	Land where this chapter applies	1
5.1.3	Objectives	2
5.1.5	How to use this chapter	3
D5.2	UNDERSTANDING THE CONTEXT	6
5.2.1	Siting	6
5.2.2	Historical development	6
5.2.3	Built form	7
5.2.4	Public parks and facilities	7
5.2.5	Access and circulation	8
5.2.6	Building uses	8
D5.3	URBAN STRUCTURE	9
5.3.1	Structure of the Double Bay Centre	9
5.3.2	Key strategies for the Double Bay Centre	11
D5.4	STREET CHARACTER	14
5.4.1	Desired future character	14
5.4.2	Common street strategies	14
5.4.3	New South Head Road	15
5.4.4	Bay Street (south)	17
5.4.5	Bay Street (centre)	19
5.4.6	Knox Street	20
5.4.7	Cross Street	21
5.4.8	The Lanes	23
5.4.9	Knox Lane	24
5.4.10	Short Street	25
5.4.11	Gumtree Lane	26
5.4.12	Goldman Lane	27
5.4.13	Kiaora Lane	28
D5.5	BUILT FORM ENVELOPES: CONTROL DRAWINGS	29
5.5.1	Urban form methodology	29
5.5.2	Explanatory legend	31
5.5.3	Double Bay Centre built form envelopes, ground and first floors (levels 1 and 2)	32
5.5.4	Double Bay Centre built form envelopes (levels 3 and above)	33
5.5.5	Control drawing 1	35
5.5.6	Control drawing 2	37
5.5.7	Control drawing 3	39
5.5.8	Control drawing 4	41
5.5.9	Control drawing 5	43
5.5.10	Control drawing 6	45

5.5.11	Control drawing 7	47
5.5.12	View 1: 3D view of building envelopes	49
5.5.13	View 2: 3D view of building envelopes	51
D5.6	DEVELOPMENT CONTROLS	53
5.6.1	Format	53
5.6.2	Use	54
5.6.3	Urban character	56
5.6.4	Relationship to public domain	71
5.6.5	Amenity	80
5.6.6	Solar access and natural ventilation	87
5.6.7	Geotechnology and hydrogeology	90
5.6.8	Parking and servicing	92
5.6.9	Application of concessions	96
APPENDIX 1:	TRANSVAAL AVENUE HERITAGE CONSERVATION AREA	97
A1.1	Introduction	97
A1.2	Historical outline	97
A1.3	Character and description	98
A1.4	Summary statement of significance	99
A1.5	Management policy	99
APPENDIX 2:	KIAORA LANDS	102
A2.1	Background	102
A2.2	Objectives	103
A2.3	Development framework	104
A2.4	Built form envelopes	111
A2.5	Development controls	116

D5.1 Introduction

This is Chapter D5 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres. It establishes detailed controls to guide future development in the Double Bay Centre.

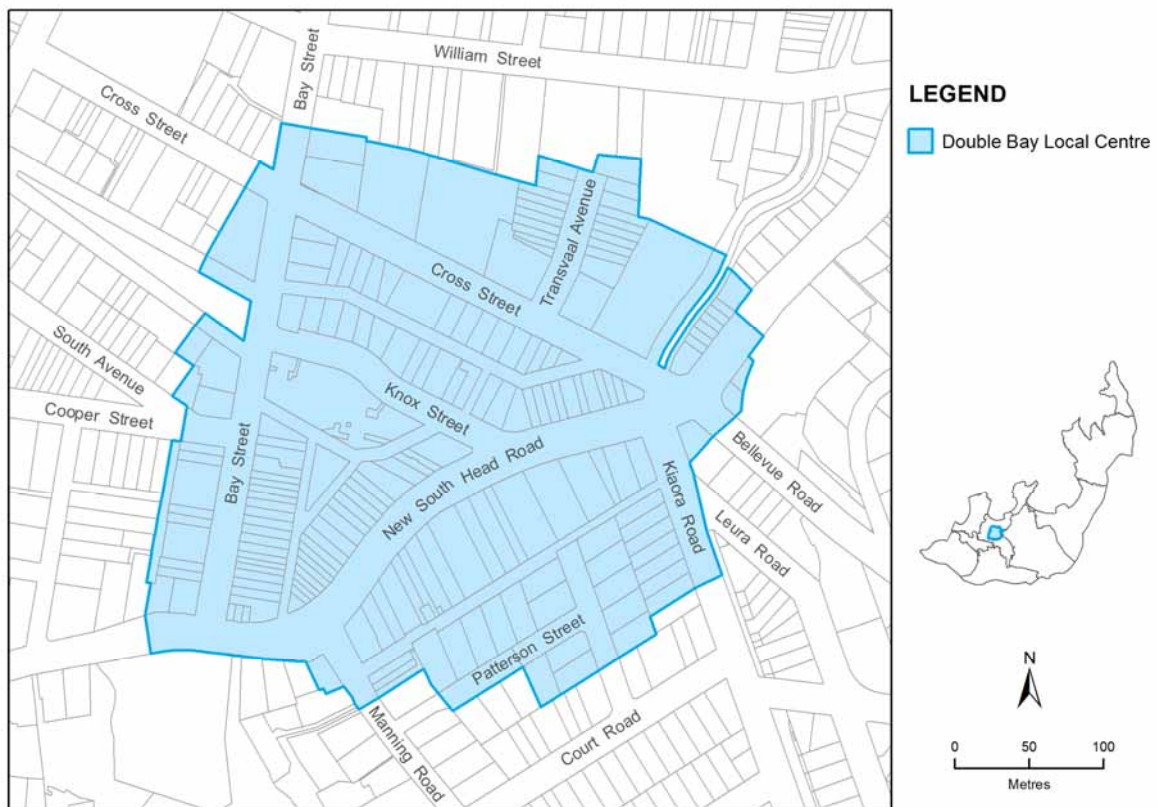
Double Bay is a unique local centre, which enjoys a privileged position near the southern edge of Sydney Harbour at the base of a large natural amphitheatre.

Its accessibility and distinctive landscape quality evoke an appealing cosmopolitan character that is warmly valued by local residents and users of the centre.

5.1.1 Land where this chapter applies

This chapter applies to the Double Bay Centre, as identified in Figure 2.

FIGURE 2 Location plan



5.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

Generally this will be mixed use retail, business, office and /or residential development, but may also include permitted uses such as child care centres, community facilities, and other uses as permitted by the Woollahra LEP.

Development should contribute to a vibrant centre that offers a unique living, working and shopping experience within a pedestrian friendly and attractive urban environment.

FIGURE 1 View along Bay Street towards New South Head Road indicating possible future development



5.1.3 Objectives

The objectives of this chapter are:

- O1 To retain and enhance through block connections which allow pedestrians to move freely within the Double Bay Centre.
- O2 To develop the particular qualities of different parts of the Double Bay Centre.
- O3 To encourage a diverse mix of uses in the Double Bay Centre and maintain retail uses at ground level.
- O4 To conserve and enhance the visual and environmental amenity of all buildings and places of heritage significance in the Double Bay Centre.
- O5 To ensure a high standard of architectural and landscape design in any new developments within the Double Bay Centre.
- O6 To preserve and enhance the diversity of uses in the Double Bay Centre.
- O7 To ensure that new development is compatible with the existing built form, and streetscape and village character.
- O8 To encourage view sharing and individual privacy.
- O9 To ensure new development is designed to be compatible with the heritage significance of listed heritage items.

5.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

5.1.5 How to use this chapter

Applicants seeking to redevelop or alter sites within the Double Bay Centre must carefully consider the context of their proposal and identify the Built Form Envelopes, Control Drawings and Development Controls in this chapter which apply.

Compliance with the provisions of this chapter does not guarantee that consent to a development application will be granted. Each development application will be assessed having regard to Woollahra LEP, this DCP, other matters listed in section 79C of the *Environmental Planning and Assessment Act 1979* and any other policies adopted by the Council.

The Double Bay Public Domain Improvements Plan (1999) should also be used as a guide to works in the public domain, and includes details of street tree planting, footpaths, street furniture, and vehicular and pedestrian crossings.

This chapter of the DCP is structured as follows:

D5.1 Preliminary

General information about the Double Bay Centre chapter of the DCP, including why it was prepared, its objectives and its relationship to other planning documents.

D5.2 Understanding the context

Provides a summary description of the existing urban context. The Double Bay Centre Urban Design Study, on which this chapter was based, provides a more detailed description and analysis of the existing urban context.

D5.3 Urban structure

Provides an understanding of the current urban structure of the Double Bay Centre. Objectives for the future character, form and function of the Double Bay Centre are also described.

D5.4 Street character

Describes the desired future character of the streets in the Double Bay Centre.

Using the built form controls

The development controls are derived from the Double Bay Centre Urban Design Study. They respond to the strategies set out in Section 5.3.2 of this chapter and the desired future character described in Section 5.4.1.

Controls have been designed for each individual site in the Double Bay Centre to optimise development, whilst taking into consideration the potential of adjoining properties and public spaces. The adopted Urban Form Methodology (Section 5.5.1) provides a greater certainty of outcome for Council, community and site owners.

Built form controls in the Double Bay Centre are expressed in graphic form as built form envelopes on the control drawings and in written and illustrated form as development controls.

D5.5 Built form envelopes: Control drawings

The controls are in the form of building envelopes, which set the position of development on each site. There are two control drawings for every site in the Double Bay Centre; one showing the ground and first floor levels and the other showing all levels above.

The control drawings are accompanied by a descriptive legend, and further explanation is provided in Section D5.6. Three dimensional images of the building envelopes assist in the interpretation of the development controls.

D5.6 Development controls

These explain in written and illustrated form the following areas of building development:

- ▶ **Use** which refers to building use such as retail, commercial and residential.
- ▶ **Urban character** which includes building envelopes, setbacks, heritage, architectural resolution, roof design, awnings, privacy, signage and advertising, and outdoor eating.
- ▶ **Relationship to public domain** which includes awnings, colonnades, arcades, outdoor eating and ground floor frontage to lanes.
- ▶ **Amenity** which includes landscaped areas, above ground open spaces such as balconies and roof terraces.
- ▶ **Solar access and natural ventilation** which addresses these two matters.
- ▶ **Access** which includes pedestrian access and mobility, on-site parking, vehicular access, and site facilities.

There is an additional section that deals with the application of concessions for cultural facilities and for corner lots.

Appendix 1: Transvaal Avenue Heritage Conservation Area

Controls relating to development in the Transvaal Avenue Heritage Conservation Area.

Appendix 2: Kiaora Lands

Controls relating to development in the Kiaora Lands site.

The provisions of Appendix 2 prevail over the diagrams, figures, controls and other provisions in Sections D5.3 to D5.5 that relate to Kiaora Lands unless otherwise specified.

D5.2 Understanding the context

5.2.1 Siting

The Double Bay Centre is located in Sydney's Eastern Suburbs, in a large natural amphitheatre close to, but visually separated from the harbour foreshore. It sits at the base of a valley, cradled between the two ridges of Darling Point/Edgecliff and Bellevue Hill.

The principal entry into Double Bay is New South Head Road which traverses the centre. Other street connections include Ocean Avenue, Bellevue, Kiaora and Manning Roads and Greenoaks Avenue. New South Head Road is characterised by its unique street geometry, views to extensive landscape elements beyond, and a sense of spatial containment from the street edge building and surrounding landscape.

5.2.2 Historical development

The settlement of Double Bay was established in 1834 by the creation of five streets between Ocean Avenue and Bay Street, forming the blocks containing 50 generously sized allotments. The catalyst for the establishment of the Double Bay village was the opening of New South Head Road as a private tollway.

FIGURE 3 Historical plan circa 1950



The development of Double Bay intensified and shifted toward New South Head Road around the time of the tramline extension past Edgecliff in 1898. This shift is revealed by the extension of Cross Street east to connect to New South Head Road, the creation of Short Street, and the tightly knit terrace house subdivision on the corner of Bay Street and New South Head Road.

Development between the wars concentrated along the New South Head Road corridor. During the 1960s and 1970s, the commercial area expanded into the adjoining predominantly residential areas of Bay, Cross, Knox and Patterson Streets.

Woollahra LEP identifies heritage listed properties in the centre, such as the Inter-War Golden Sheaf Hotel. An archaeological site containing sewerage infrastructure is located underground at the corner of Cross Street and New South Head Road. A heritage conservation area in Transvaal Avenue comprises single storey semi-detached cottages, and is a remnant of the centre's former housing stock.

5.2.3 Built form

The building stock in and around the centre reveals a cross section of architecture of varying quality. The built form of the centre reflects a mix of periods, building types and scale with no particular period predominating. The architectural and streetscape quality is generally undistinguished, with a few exceptions.

The buildings between New South Head Road, Bay and Short Streets have retained the fine grain evident in the early subdivision pattern. The allotments and buildings between Knox Street and Cross Streets are generally wider and shallower, but are coherent as a group in terms of grain, scale and massing. These buildings are honeycombed with arcades that allow a variety of pedestrian connections between the two streets.

The amalgamation and redevelopment of some sites along the north side of Cross Street have created buildings of different height and bulk to the predominant building stock. Some site amalgamation and redevelopment has also occurred along Bay Street and south of New South Head Road. The recent Kiaora Lands development contains a three storey retail building and car park with over 440 spaces.

5.2.4 Public parks and facilities

The centre has one small park as a median in the centre of Guilfoyle Avenue. Two other parks adjoin the centre. Foster Park includes a baby health centre Woollahra Preschool and the Local History Centre, with a park which is heavily compromised by its steepness. Steyne Park on the harbour is very well used and its facilities include two playing fields, a playground and Double Bay's only public toilet. It is also regularly used by the school children attending Double Bay Public School across William Street.

The minor community buildings include the small church hall at the corner of Transvaal Avenue and Cross Street, in the centre and the synagogue nearby in Kiaora Road.

Community facilities within the centre are the three storey public library which is part of a retail arcade that opens onto and a landscaped public plaza at Kiaora Lands, and the Studio 1 meeting room which is part of the Cross Street car park site.

5.2.5 Access and circulation

The centre has limited street connections to the surrounding area along New South Head Road, Manning Road, Kiaora Road and Bellevue Road. The scarcity of connections arises from topographical constraints and very large block sizes that limit pedestrian accessibility and concentrates traffic into a few access points.

Vehicular traffic in the centre operates reasonably effectively, despite relatively few access points and the presence of through traffic. Parking is concentrated in council car parks on Cross Street and Kiaora Road. On-street parking is heavily used throughout the centre and adjoining areas.

The Double Bay Centre is serviced by a number of bus routes. Edgecliff Railway Station and the ferry wharf at the end of Bay Street provide further public transport links to the city centre and other parts of Woollahra.

The centre has an attractive ambience for pedestrians due to the generally continuous shop fronts along streets and through block arcades on shallow lots.

The harbour is accessible across Steyne Park and from Beach Street, Bay Street and Ocean Avenue. Extending improvements down to the ferry wharf will strengthen the connection of Bay Street to the waterfront.

5.2.6 Building uses

The Double Bay Centre contains a mix of retail, commercial, service and residential uses. The retail activity is concentrated between Knox and Cross Streets, and along New South Head Road, Bay Street and Cross Streets.

High quality small scale speciality retailing defines the image and character of the Double Bay Centre. And in late 2014 the InterContinental Hotel opened on the former site of the Ritz Carlton Hotel after a significant renovation of the existing building.

The provision of more local services such as the Double Bay Library, which is part of the Kiaora Lands development, will benefit residents in and near the centre.

D5.3 Urban structure

5.3.1 Structure of the Double Bay Centre

These maps provide an understanding of the current urban structure of the Double Bay Centre including key elements and features in the centre.

FIGURE 4
Urban structure

The extent of the Double Bay Centre showing significant places and the axis of New South Head Road.



FIGURE 5
Layout - major streets

Four or five storey buildings built to the street boundary are encouraged along the major streets to provide spatial definition.



FIGURE 6
Layout - lanes

The lanes are considerably narrower than the streets. Generally, 2 storey buildings are encouraged to spatially define lanes. Lanes provide discrete service access necessary for retail centres.

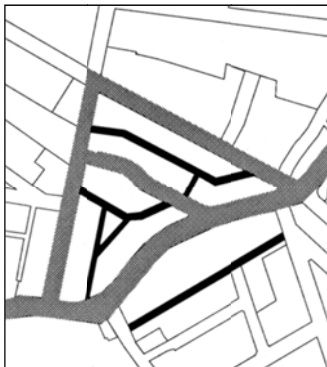


FIGURE 7
Layout - pedestrian connections

The pedestrian connections shown in this diagram indicate their most desirable locations. They supplement the existing layout of streets and lanes, increasing their accessibility. Through block connections are encouraged in most locations but not on corner sites.



FIGURE 8
Layout - pedestrian axis

This plan recognises the importance of the structure of public places from Guilfoyle Park along Knox Street to New South Head Road. Extending this pedestrian axis to the new library and square on Kiaora Lane should be encouraged to strengthen the connection between places on each side of New South Head Road.



FIGURE 10
Built form - building to the street boundary

Buildings built to the street boundary spatially define the street. Building controls in this plan respond to street width and orientation, and adopt a consistent rationale relating to:

- street alignment
- building lines
- building height
- building articulation depth.



FIGURE 9
Subdivision layout - small lots

This plan encourages the continuity of the fine building grain of Double Bay by applying a rationale of controls for lots that are less than 6m wide and/or less than 30m deep which differ from controls for other lots



FIGURE 11
Built form - prominent corners

The unusual street geometry creates prominent corner sites and significant urban spaces. This plan recognises the importance of these places and encourages well designated buildings built to the street boundary which contribute to their spatial definition.



Note: Figure 4 (*Urban structure*), Figure 6 (*Layout - lanes*), Figure 8 (*Layout - pedestrian axis*) and Figure 10 (*Built form -building to the street boundary*) do not apply directly to Kiaora Lands. Refer to Appendix 2 for the relevant provisions for Kiaora Lands.

5.3.2 Key strategies for the Double Bay Centre

Our vision for Double Bay is as a vibrant centre that offers a unique living, working and shopping experience within a pedestrian friendly and attractive built environment.

The intention of this chapter is to strengthen and enrich the existing urban structure of Double Bay and to create a memorable character for the Double Bay Centre by incorporating the following:

Enhance and improve the public domain and the provision of public facilities

- a) Enhance the public domain of Double Bay by applying a coordinated approach to the public domain and streetscape.
- b) Encourage multiple uses of Council car park sites such as providing community services and facilities at the ground floor and/or street façade and/or the roof terrace of Council's car park properties.
- c) Promote the important role that public transport plays in Double Bay.

Ensure that the centre maintains its commercial viability and competitive position within the Sydney retail market

- a) Foster the existing mix of uses of the centre such as hotels, retail and commercial and upper level residential.
- b) Encourage a flexible built form that can potentially support a diverse mix of uses in the centre.
- c) Consolidate the retail centre and intensify its usage by encouraging active retail frontage to laneways and establishing transition areas on the edge of the centre to mediate between the centre and residential areas beyond.
- d) Enhance the image of Double Bay as a premier boutique and designer fashion store destination.
- e) Encourage increased food and service retail uses.

Develop the particular qualities of different parts of the centre

- a) Encourage redevelopment of Double Bay's address to New South Head Road by:
 - intensifying the urban scale and vitality of New South Head Road;
 - encouraging development that responds to and continues to describe the strong curved form of New South Head Road through the centre; and
 - retaining the views to large areas of vegetation existing at each end of the centre, beyond Bellevue Road to the east and Manning Road to the west.
- b) Retain and enhance the sunlit block of arcades between Knox Street and Cross Street.
- c) Spatially define the distinctive street geometry of Knox Street.
- d) Reinforce the Bay Street promenade and vista to the harbour foreshore.

-
- e) Retain the scale of small lot development and street character of Bay Street south of Short Street.
 - f) Reinforce the urban space at the end of Guilfoyle Park, using built form controls.
 - g) Create a new local focus on Kiaora Lane by completing the Kiaora Lands development which includes new retail shops, a library and public plaza.

Retain and enhance pedestrian access and amenity in and around the centre

- a) Reinforce the intimate scale, active retail frontage and pedestrian amenity of the lanes and little streets in the centre.
- b) Improve the pedestrian environment by:
 - increasing connectivity through the large block bound by Cross, Bay, William Streets and Jamberoo Lane;
 - providing building setbacks and footpaths in lanes;
 - requiring continuous awnings in nominated areas.
- c) Improve the pedestrian environment by encouraging well designed arcades and open air connections at nominated locations that complement the street and lane structure and which:
 - promote public access across private land;
 - are transition spaces between public places;
 - are activated by retail frontage;
 - have through-site visibility.

Improve Double Bay's built form to provide appropriate definition to the public domain

- a) Provide direction and certainty of outcome in relation to built form to ensure:
 - a coherent street scale;
 - compatibility with existing urban fabric;
 - a variety of building types;
 - a high level of environmental amenity.
 - b) Promote high quality architectural design throughout the centre that positively contributes to the streetscape.
 - c) Ensure that new development is compatible with the existing built, streetscape and village character
 - d) Establish building envelopes that define building height and building lines (at lower and upper levels) to provide coherent street definition.
 - e) Reinforce continuous active retail frontages along street boundaries.
 - f) Reinforce the presence of corner buildings addressing the public domain, recognising their importance in the centre in terms of street vistas, urban scale and identity.
 - g) Encourage view sharing and privacy.
-

- h) Encourage discrete vehicle access from rear lanes, while retaining some active use and address to those lanes.
- i) Preserve the 'small shop' urban character of the centre by limiting the width of retail frontages.

Promote sustainable design principles and objectives in the development and use of the built environment

- a) Promote environmentally sustainable design (ESD) principles such as conserving energy, facilitating natural ventilation and lighting, limiting the depth of buildings and providing favourable orientation.
- b) Promote developments that innovatively combine ecological, social, cultural and economic objectives.

Conserve and enhance the visual and environmental amenity of all buildings and places of heritage significance in the centre.

- a) To identify contributory buildings within the Double Bay Centre.
- b) To ensure that alterations and additions to contributory items are compatible in scale, form and material with the contributory items and adjoining developments.

To improve parking in the centre

- a) Improve parking and traffic conditions in the centre.
- b) To improve traffic and parking management in the centre and minimise vehicular/pedestrian conflicts.
- c) Provide adequate parking in new developments at basement level, in the centre of blocks or in other discrete locations.
- d) Limit the impact of overflow commercial parking in predominantly residential areas.

D5.4 Street character

5.4.1 Desired future character

The street is the primary organising element of urban structure. The street edge is the place where the public and private domains meet. By defining a particular vision for each street, public domain improvements and private development can be coordinated to produce a desired outcome.

This section describes the desired future character of each street in the Double Bay Centre. The **Double Bay Centre Public Domain Improvements Plan (1999)** should be used as a reference for works in the public domain, such as street tree planting, footpath design, street furniture and traffic devices.

The following is provided for each street in the centre:

- ▶ Existing character, which describes elements such as built form, streetscape, lighting, landscape and views;
- ▶ Desired future character, which outlines the urban design criteria for each street;
- ▶ Annotated street sections, which illustrate the existing and the desired future built form.

This information sets the context for development control described in Sections D5.5 and D5.6.

5.4.2 Common street strategies

- ▶ Strengthen the spatial definition of streets by encouraging building to the street boundary.
- ▶ Provide continuous active retail frontage at ground floor level.
- ▶ Increase street surveillance and promote a safe environment.
- ▶ Strengthen all built form on corner sites.

5.4.3 New South Head Road

Existing character

New South Head Road is a historically significant road connecting the city to South Head. The road traverses the Double Bay Centre where it has a strong curved form punctuated with vistas of green at either end. The quality and scale of existing buildings do not yet realise the potential of the space.

Desired future character

- a) Accentuate the curved street geometry of New South Head Road with four and five storey buildings.
- b) Retain green vistas at each end of New South Head Road.

Location map and section direction

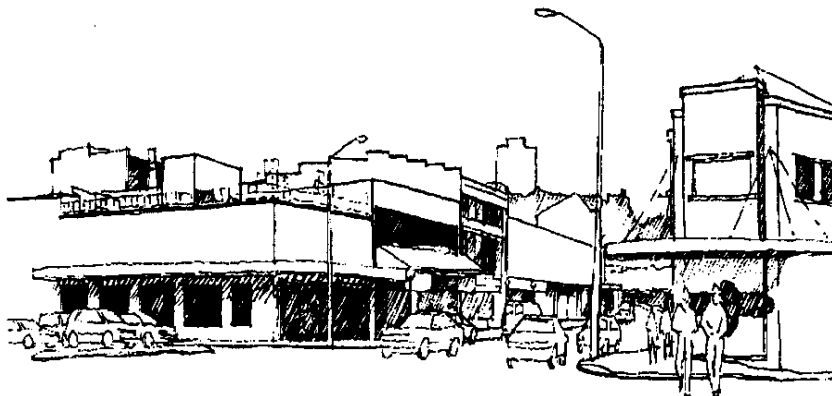


FIGURE 12
Existing view towards the south west at the five way intersection of Cross Street and New South Head Road

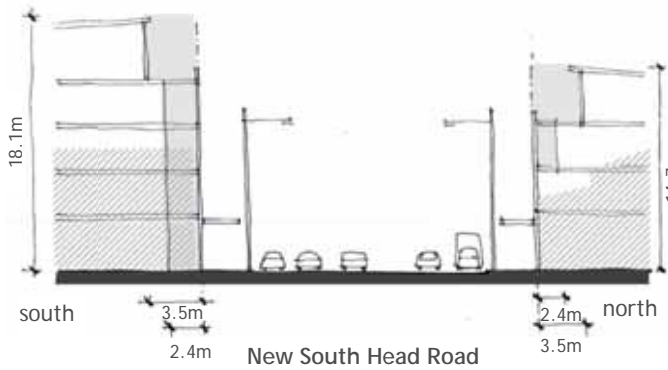


FIGURE 13
Potential development at the five way intersection and New South Head Road based on the controls in this DCP

Setback development of the upper-most floor level from the street boundary

Build to the street alignment with masonry walls, articulated with deep window reveals or punched openings

Integrate sound attenuation devices into the design of the built street edge with enclosable balconies, articulated window sills, string courses, double glazing and the like



Parapets encouraged

Use the ground floor level articulation zone to encourage transition from the street to the shop – this space could also be used for outdoor dining or shop display

Provide continuous awning

5.4.4 Bay Street (south)

Existing character

Bay Street connects New South Head Road with the harbour. Its north-south orientation results in the street being sunny throughout the day. It is lined by modest buildings on narrow lots, with irregular setbacks at street level and street trees. Together the elements contribute to an intimate and relaxed atmosphere. There are a number of buildings that have been identified as contributory in Section 5.6.3.8 Heritage and contributory character. These include several Victorian terraces that have been modified for retail use.

Desired future character

- a) Retain the existing modest, lot related building widths and retail frontages.
- b) Provide setback areas at ground level that can be used for outdoor eating or public circulation.
- c) Retain the contributory buildings along Bay Street.
- d) Maintain the avenue of trees.

Location map and section direction



FIGURE 14 Existing view down Bay Street to Cross Street



FIGURE 15 Potential architectural resolution and address on Bay Street (south) based on the controls in this chapter



A variety of roof forms is encouraged

Balconies and rooms should overlook the street

Use adjustable screening to protect rooms from low angle summer sun

Contributory buildings retain existing front setback



Partially build to the street alignment with shop fronts, projecting rooms and balconies

Outdoor dining at street level is encouraged

Contributory buildings retain existing front setback

5.4.5 Bay Street (centre)

Existing character

The central section of Bay Street is focused on Guilfoyle Park, which together with the surrounding streets, creates a generous area of open space. This space is defined and contained by the buildings on Bay Street and Guilfoyle Avenue.

Desired future character

- a) Lot amalgamations on blocks in proximity to Guilfoyle Park.
- b) Expand the public domain at street level and improve the civic character with street level building colonnades that face central Bay Street and Guilfoyle Park. Provide a built form that responds to the scale and civic importance of Guilfoyle Park.
- c) Higher buildings are permitted around the park to provide appropriate definition of the space.

Location map and section direction



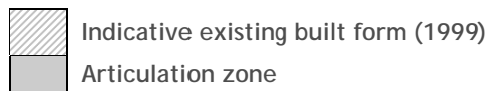
A variety of roof forms is encouraged

Build to street alignment with loggias and balconies

Provide adjustable screening to protect rooms from low angle summer sun



Design colonnades including the size and spacing of the columns integral with the building design and with regard to adjoining colonnades if they exist



5.4.6 Knox Street

Existing character

Knox Street is located at the physical centre of Double Bay, and has high value retail premises. The street section is asymmetrical with the Cosmopolitan Centre having a higher form to the south. The lower built edge to the north is fragmented and varied, and some buildings suggest street level connections to other streets. The street has a pronounced curve which is articulated by the buildings on the north side and the lower levels of the Cosmopolitan Centre.

Desired future character

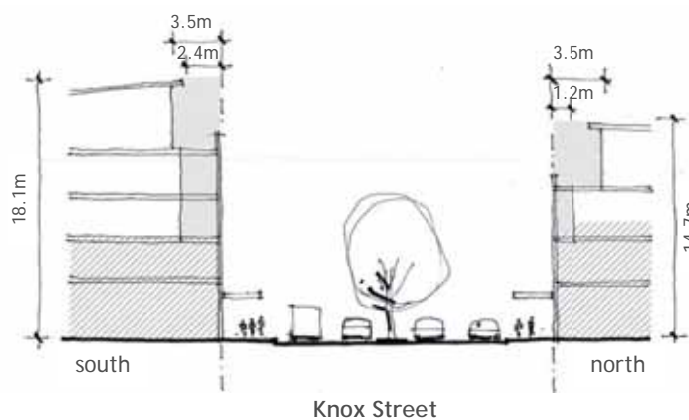
- Retain the asymmetrical street section.
- Accentuate the curved street geometry of Knox Street by encouraging building to the street boundary and continuous awning cover on the south side.
- Retain street level connections to Knox Lane.
- Allow 4 storey built forms on 50% of each site frontage to Knox Lane. See Control Drawings for more information.

Location map and section direction

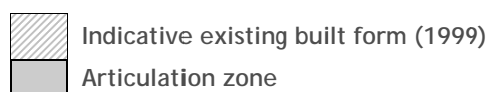


Generally setback level 5 development from the street boundary

Continuous awning
Build to street alignment with articulated deep window reveals and balconies



Extend median planting of Oriental Plane trees



5.4.7 Cross Street

Existing character

The subdivision pattern on each side of Cross Street differs significantly resulting in highly differentiated built form. The southern side of the street has wide and shallow lots, with arcades and sunny courtyards, which perforate the built form. The large buildings on the northern side are generally coarsely modelled and articulated. Corner buildings on Cross Street do not, in the main, provide good street definition.

Desired future character

- a) Unify the street on the north side by building to the street boundary.
- b) Retain street level connections to Knox Lane.
- c) Allow 4 storeys on 50% of each site frontage to Knox Lane. See Control Drawings for more information.
- d) Encourage arcades and courtyards on the south side that cater for outdoor eating and informal gathering.
- e) Strengthen built form on corner sites.

Location map and section direction



FIGURE 16 Existing view down Cross Street at the corner of Transvaal Avenue



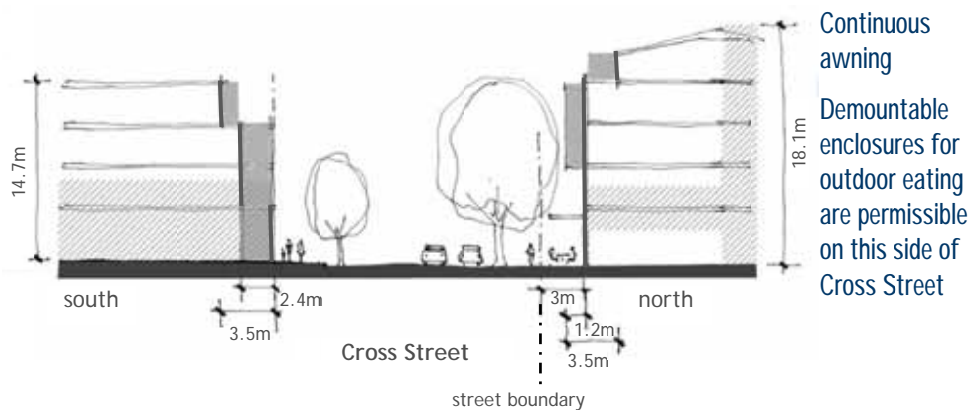
FIGURE 17 Potential street character on Cross Street based on the proposed controls



Set back level 4 development from the street boundary

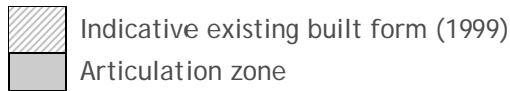
Use the ground level articulation zone to create courtyards or outdoor rooms which activate the street edge

Continuous retail frontage



Continuous awning

Demountable enclosures for outdoor eating are permissible on this side of Cross Street



5.4.8 The Lanes

Existing character

Most of the lanes are currently the “back” of lots. These are characterised by their lack of pedestrian amenity and extensive vehicle crossovers, and tend to be visually blighted by service areas and unscreened rubbish areas.

Desired future character

- a) Facilitate the service role of lanes, while encouraging increased active retail frontage.
- b) Improve pedestrian amenity by providing adequate footpaths, limiting the width and numbers of vehicle crossovers, setting buildings back on one side and preserving natural daylight to the lanes.
- c) Enhance the spatial definition of lanes with ground and first floor building lines and buildings up to two storeys in height.

5.4.9 Knox Lane

Existing character

Knox Lane has an intimate scale which is partly due to the lane's changing alignment and related spatial enclosure. Physical and visual connection to other spaces at street level is primarily via through-site connections to Knox Street and courtyards to Cross Street. The spatial definition along the lane varies although most of the buildings are two to three storeys.

Desired future character

- a) Retain and enhance the varied spatial definition of Knox Lane.
- b) Retain and enhance the honeycomb of arcades and courtyards which connect Knox Street to Cross Street.
- c) Encourage visual and physical connections between Knox and Cross Streets using:
 - arcaded and/or outdoor connections;
 - north oriented courtyards; and
 - arcade and courtyard creating buildings, which may vary from the control drawings in Section 5.5.8.

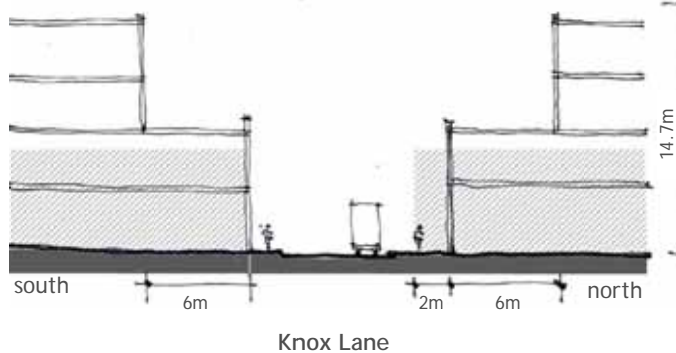
Location map and section direction




The use of roof terraces as open space is encouraged

Widen footpath to increase pedestrian activity

Increase active retail frontage



 Indicative existing built form (2000)

Two storey buildings along the lane frontage may be interspersed with arcades and courtyards.

Each development site may be permitted to build to 4 storeys on 50% of the Knox Lane frontage if it is interspersed with 2 storey development.

The build-to line is setback to expand the public domain at street level and improve pedestrian amenity

5.4.10 Short Street

Existing character

The building on the northern side of Short Street, and its extensive vehicle crossovers, establishes an overbearing scale and unmodulated façade which dominates the spatial quality of Short Street.

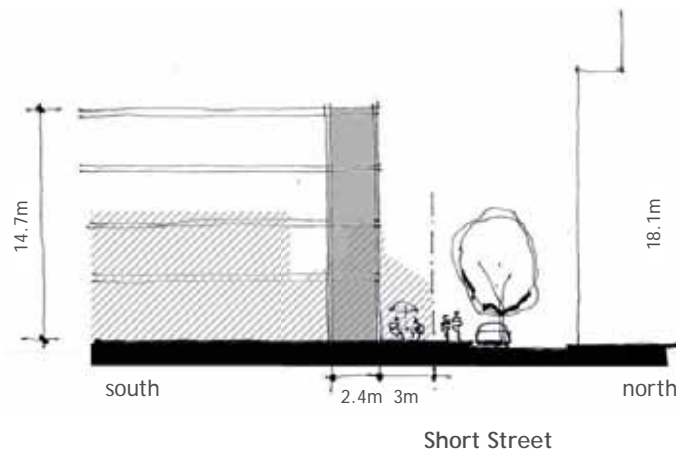
Desired future character

- a) Increase active retail frontage.
- b) Moderate the scale of built form along the north side of the lane with buildings of predominantly two storeys, set back 2m from the lane boundary, and interspersed with four storey development.
- c) Apply a 3m setback on No.2 Short Street at the Short Street frontage.
- d) Protect the amenity of the lane by preventing uninterrupted four storey buildings constructed to the street boundary along the northern built edge.
- e) Widen footpath to southern side of Short Street.

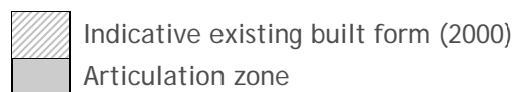
Location map and section direction



The building line is setback to expand the public domain at street level and improve pedestrian amenity



Each development site may be permitted to build to 4 storeys on 50% of Short Street frontage if it is interspersed with 2 storey development.
Increase active retail frontage



5.4.11 Gumtree Lane

Existing character

Gumtree Lane is spatially defined by the discontinuous two storey built form on its west side and the lane geometry that creates a central triangular site.

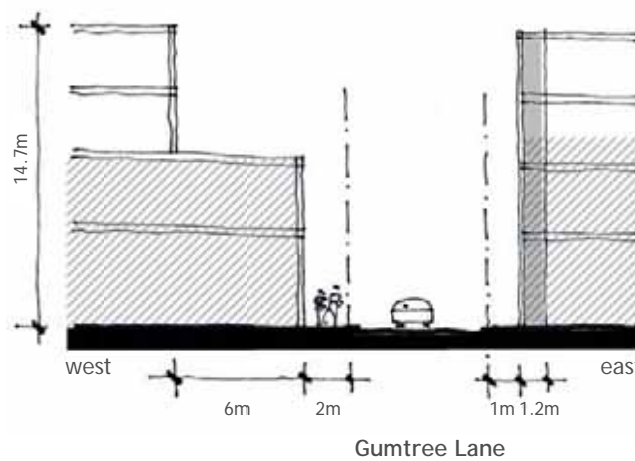
Desired future character

- a) Retain the two storey built form and 2m setback on the west side.
- b) Apply a 1m setback to the eastern side of Gumtree Lane.
- c) Increase the spatial definition of the lane, and street surveillance with an articulated building addressing the lane from the central triangular site.



Location map and section direction



The use of roof terraces as open space is encouraged
Increase active retail frontage



The building line is set back to expand the public domain at street level and improve pedestrian amenity

-  Indicative existing built form (2000)
-  Articulation zone

5.4.12 Goldman Lane

Existing character

The character of Goldman Lane is quite intimate with restaurant entrances on both sides of the lane and through-site links connecting to New South Head Road. Its spatial quality could be improved by strengthening the built form along each side.

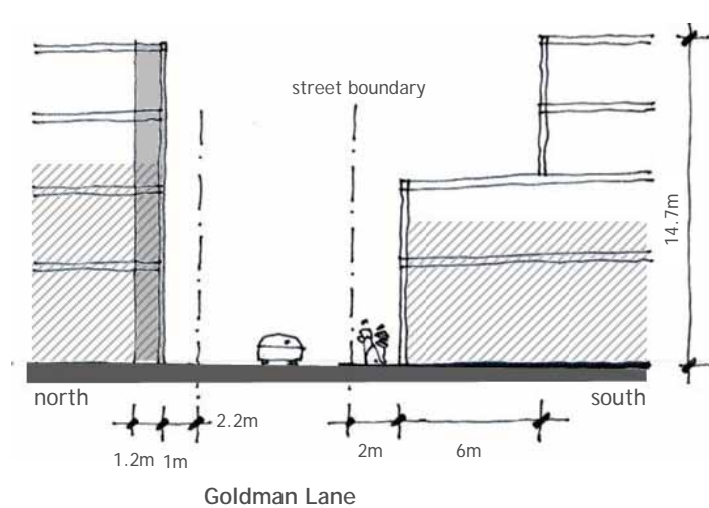
Desired future character

- a) Increase the spatial definition of the lane and street surveillance with an articulated building addressing the lane from the central triangular site.
- b) Retain and extend the 2m setback on the south-eastern side of Goldman Lane.
- c) Apply a 1m setback on the north-western side of Goldman Lane.

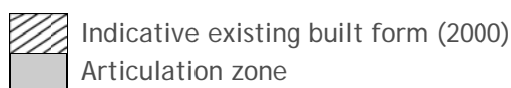
Location map and section direction



The building line is setback to expand the public domain at street level and improve pedestrian amenity



The use of roof terraces as open space is encouraged
Increase active retail frontage



5.4.13 Kiaora Lane

Existing character

The character of Kiaora Lane is compromised by its current “back of house” status, with loading vehicles, exposed on-site loading bays and rubbish bins. Recent lane widening creates a framework within which to improve the general character and particularly pedestrian amenity. A setback zone to its north side has been partially built.

Kiaora Lands occupies the southern side of the laneway. It comprises a three storey retail development with public space opposite the Double Bay Library and public car park. An arcade provides access from Kiaora Lands to New South Head Road near Knox Street.

Desired future character

- a) Improve the civic quality of the lane and this side of the centre with a public building and public square adjacent to a through-site link to New South Head Road.
- b) Enhance pedestrian amenity with a car park on the existing car park site with active retail addressing the lane.
- c) Moderate the scale of built form along the north side of the lane with buildings of predominantly two storeys, set back 2m from the lane boundary, and interspersed with four storey development.
- d) Protect the amenity of the lane by preventing uninterrupted four storey buildings constructed to the street boundary along the northern built edge.

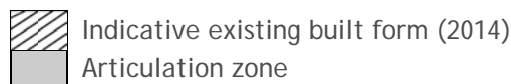
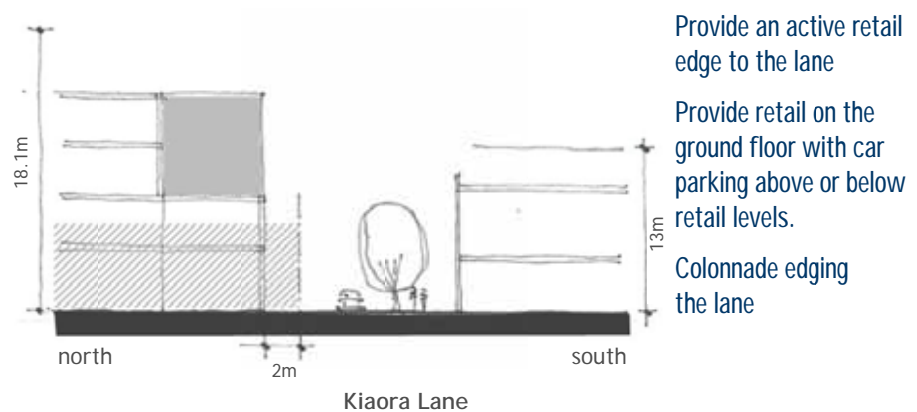
Location map and section direction



A variety of roof forms is encouraged

4 storey development may be permitted on 50% of the site frontage.

A 2m setback is required to expand the public domain at street level and improve pedestrian amenity



Note: Refer to the built form envelopes in Appendix 2 Kiaora Lands for objectives and strategy for Kiaora Lane as it relates to the Kiaora Lane site.

D5.5 Built form envelopes: Control drawings

5.5.1 Urban form methodology

This section contains control drawings which show building envelopes for every site in the Double Bay Centre.

The envelopes generally establish:

- ▶ four storey heights along streets;
- ▶ two storey heights along lanes; and
- ▶ lesser building depths above the first floor to achieve high amenity development flexible for residential or commercial uses.

This framework has been tailored to each site, taking into consideration its particular characteristics. These include:

- ▶ the relationship of buildings to the public domain such as the street, public park or square;
- ▶ the desired future character of the street in which the site is situated;
- ▶ its size and orientation;
- ▶ the significance of existing buildings and landscape;
- ▶ its optimum development potential; and
- ▶ managing the impact of its development on adjoining commercial or residential properties.

This urban form methodology defines a physical outcome for the centre, while encouraging innovative architectural design within the building envelopes. It provides more certainty of outcome for Council, community and site owners.

Controls for levels 1-2 (ground and first floor) differ to those for levels 3-5.

At street level the integration of retail and commercial uses, vehicular access and street awnings, are the primary needs to be considered. Upper floor level envelopes are designed to facilitate quality residential and commercial development.

For this reason there are two control drawings for each urban block in the Double Bay Centre, illustrating the level 1 and 2 and level 3-5 envelopes for every site. Summary built form drawings for the Double Bay Centre are provided in Sections 5.5.3 and 5.5.4.















The maximum floor space permitted is determined by the floor space ratio (FSR) in Woollahra LEP. All development must comply with the applicable FSR control.

The control drawings use building envelopes to illustrate how floor space is to be distributed over the site. The envelopes have been designed to achieve a loose fit with the FSR to encourage building articulation, through-site connections, and some variation of building form and building character. The envelopes allow varied and innovative design; they are not to be used as a justification for FSR in excess of the LEP control.

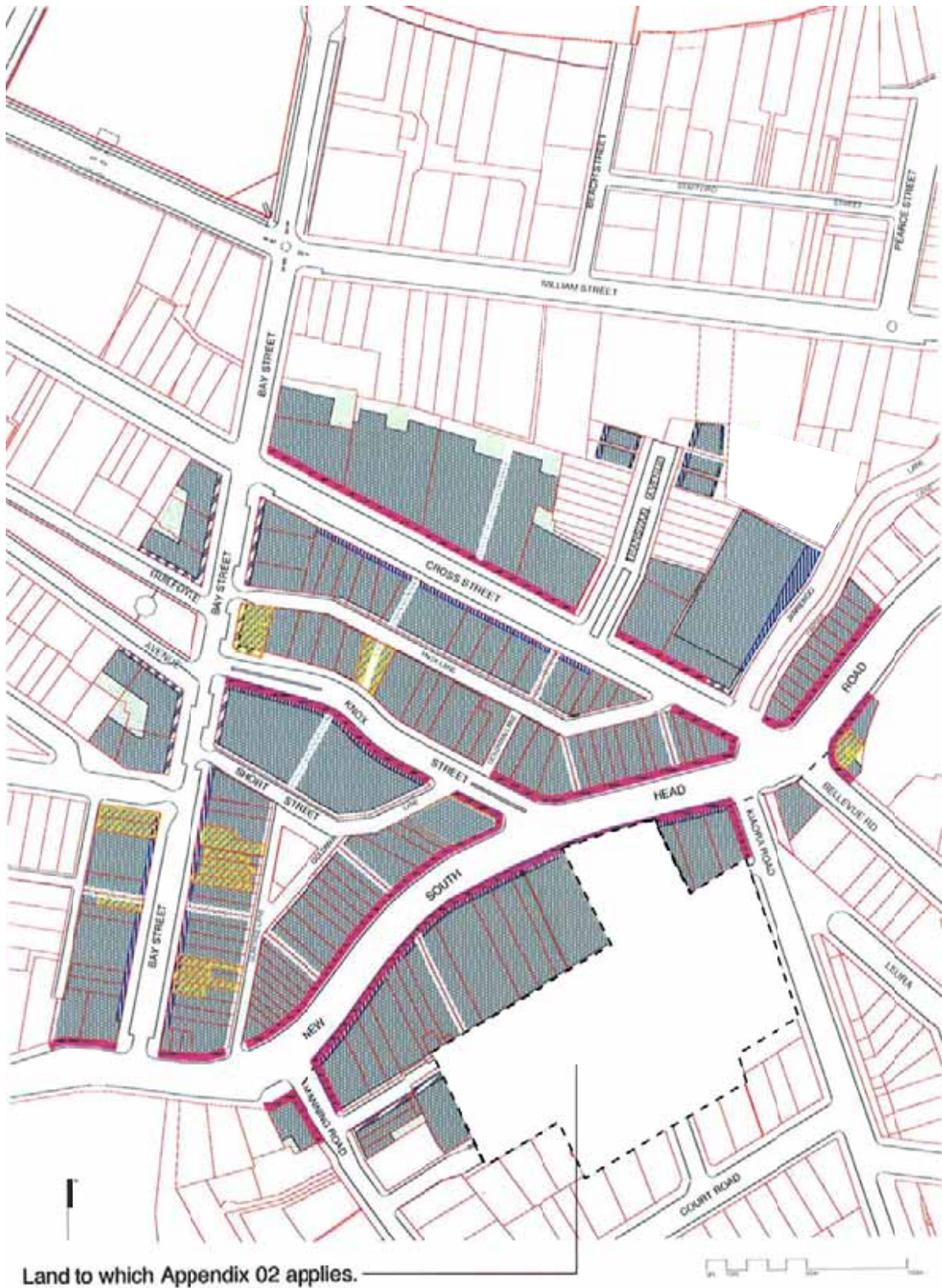
A summary of some of the development controls in Section D5.6 such as setbacks and building articulation are provided with the control diagrams. The control drawings in this section should be read in conjunction with Section D5.6 which provides further explanation, and includes other relevant controls.

5.5.2 Explanatory legend

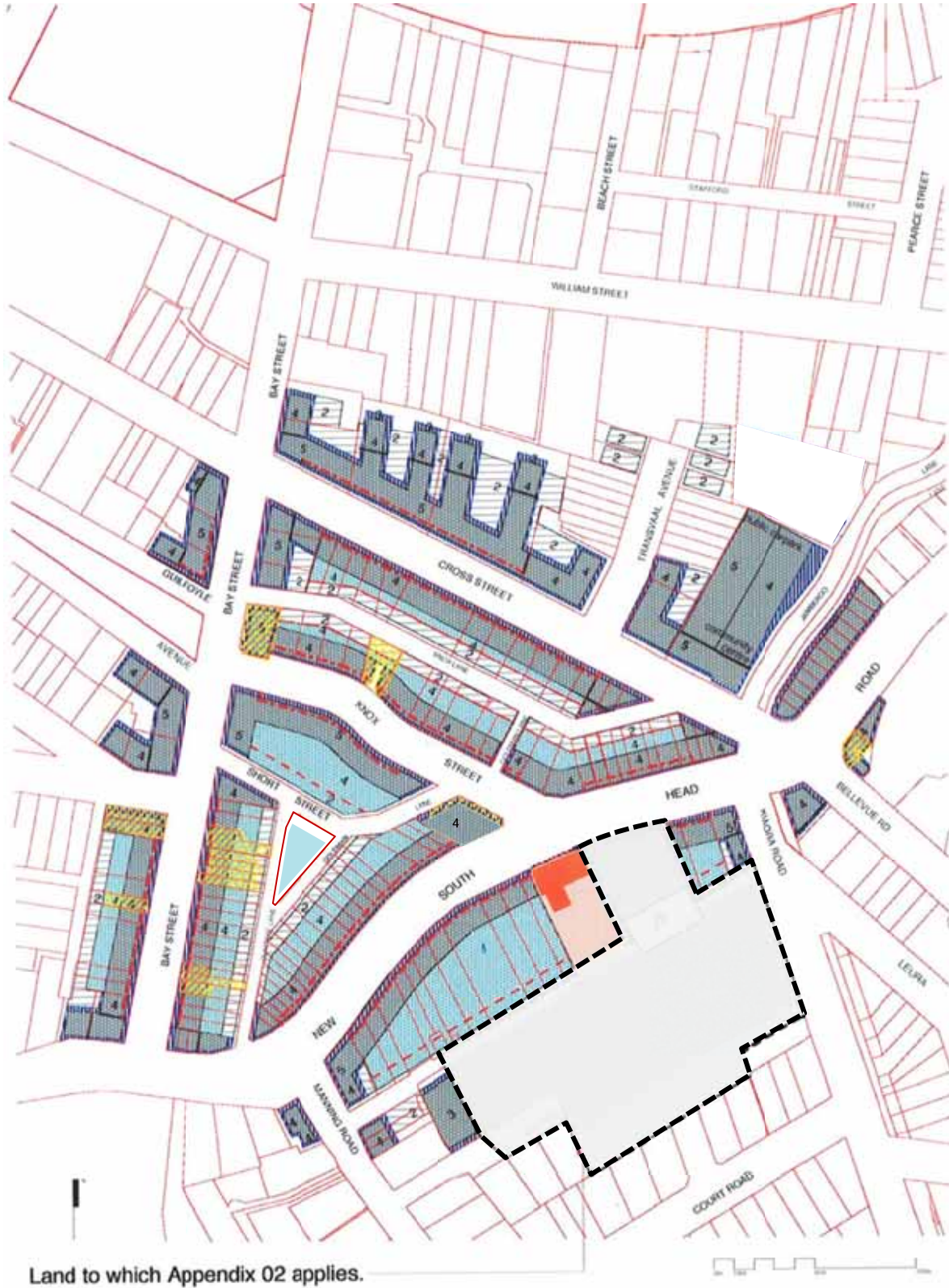
The control drawings incorporate the following graphic symbols:

BUILDING ENVELOPE	
	100% of this area per floor may be built on
	50% of this area per floor may be built on
	Area for building articulation Refer to 6.3.3 for percentage of floor space permitted
	Possible roof, roof terrace or courtyard below
No OF LEVELS	MAXIMUM PERMISSIBLE BUILDING HEIGHT
2	8m height
3	11.5m height
4	14.7m height
5	18.1m height
BUILDING LINES	
	Continuous building line - 100%
	Building line 50% - 100%
UPPER LEVEL SETBACK	
	3.5m setback of uppermost floor level (either level 4 or 5)
RELATIONSHIP TO THE PUBLIC DOMAIN	
	Colonnade
	Continuous awning
	Arcades and walkways (indicated on 5.5.3 Double Bay built form envelopes - ground and first floor)
HERITAGE + CONTRIBUTORY BUILDINGS Refer to 6.3.8 Heritage and contributory character	
	Sites with heritage listed items
	Footprint of heritage listed building
	Contributory buildings
	LANDSCAPED AREA

5.5.3 Double Bay Centre built form envelopes, ground and first floors (levels 1 and 2)



5.5.4 Double Bay Centre built form envelopes (levels 3 and above)



5.5.5 Control drawing 1



Note: The built form envelope controls for land shown on this control drawing that form part of the Kiaora Lands site are replaced by the controls shown in clause A2.4 (Built form envelopes) of Appendix 2 Kiaora Lands 2011.

No OF LEVELS	
2	8m
3	11.5m
4	14.7m
5	18.1m

BUILDING ENVELOPE	
	100% of this area per floor may be built on
	50% of this area per floor may be built on
	Area for building articulation. Refer to 6.3 for configuration
	Possible roof, roof terrace or courtyard below
BUILDING LINES	
	Continuous building line - 100%
	Building line 50% - 100%

	UPPER LEVEL SETBACK 3.5m setback of uppermost floor level (either level 4 or 5)
	RELATIONSHIP TO THE PUBLIC DOMAIN Continuous awning
	HERITAGE AND CONTRIBUTORY BUILDINGS Sites with heritage listed items
	Footprint of heritage listed building
	LANDSCAPED AREA

Control summary

5.6.3 Urban character

Articulation

At the street frontage on levels 2-5 articulation comprises 80% internal space 20% external space. For the ground floor along New South Head Road, at least 60% of the articulation zone is external space.

See Section 5.6.3.3 Building articulation for more information.

Setbacks

Zero front setback to New South Head Road, Manning Road and Kiaora Road.
2m rear setback on Kiaora Lane.

See Section 5.6.3.4 Setbacks for more information.

Corner buildings

Selected corner sites are eligible for bonus FSR under Woollahra LEP.

See Section 5.6.3.5 Corner buildings for more information.

Heritage and contributory character

New development or work to the Golden Sheaf Hotel must be compatible with the heritage significance of this heritage item.

See Section 5.6.3.8 Heritage for all heritage controls and Woollahra LEP.

Note: Section 5.6.3 also includes Architectural resolution and Roof design.

5.6.5 Amenity

Landscaped areas

357-359 New South Head Road includes 50m² of landscaped area.

See also:

- ▶ Section 5.6.4 Relationship to public domain
- ▶ Section 5.6.6 Solar access and natural ventilation



Control drawing 1

New South Head Road/
Kiaora Road/
Manning Road

Indicates location of street sections

5.5.6 Control drawing 2

Control summary



5.6.3 Urban character

Articulation

New South Head Road: On levels 2-5, up to 80% of the street façade articulation zone must be internal space with the balance of the area used for external space.

Elsewhere: At the street frontage, articulation on all levels should be comprised of up to 40% internal space with 60% external space.

See Section 5.6.3.3 Building articulation for more information.

Setbacks

Ground floor: Zero front setback to New South Head Road, Cross Lane and Transvaal Avenue, except Nos. 17-19 Transvaal Avenue which must be setback to align with adjoining cottages in the HCA.

A 2.4m setback applies on Cross Street between Transvaal Avenue and Jamberoo Lane.

Levels 2-5: Setbacks to match ground floor except at the corners of Transvaal Avenue and Jamberoo Lane as illustrated.

See Section 5.6.3.4 Setbacks for more information.

Heritage and contributory character

Contributory item: Cooper's Corner, 475 New South Head Road.

Refer to Appendix 1 for development in the Transvaal Heritage Conservation Area.

Note: Section 5.6.3 also includes Architectural resolution and Roof design.

See also:

- ▶ 5.6.4 Relationship to public domain
- ▶ 5.6.5 Amenity
- ▶ 5.6.6 Solar access and natural ventilation

No OF LEVELS	
2	8m
3	11.5m
4	14.7m
5	18.1m

BUILDING ENVELOPE	
	100% of this area per floor may be built on
	Area for building articulation. Refer to 6.3 for configuration
	Possible roof, roof terrace or courtyard below
BUILDING LINES	
	Continuous building line - 100%
	Building line 50% - 100%

HERITAGE AND CONTRIBUTORY BUILDINGS	
	Contributory buildings
	Heritage Conservation Area



Control drawing 2

Transvaal Avenue/
Cross Street/
Jamberoo Lane

5.5.7 Control drawing 3

Control summary

5.6.3 Urban character

Articulation

At the street frontage, articulation on levels 2-5 should be comprised of up to 40% internal space with 60% external space.

See Section 5.6.3.3 Building articulation for more information.

Setbacks

Ground floor: Zero front setback to Bay Street. 3m setback on Transvaal Avenue except for Nos. 18-20 which must be setback to align with adjoining cottages in the HCA. 3.5m on Cross Street between Bay Street and Transvaal Avenue.

Levels 2-5: Setbacks to match ground floor except at the corner of Cross Street and Transvaal Avenue as illustrated. Balconies on levels 3 and 4 can project 1.2m into the setback, except balconies on level 4 if it is the top level.

See Section 5.6.3.4 Setbacks for more information.

Heritage and contributory character

Refer to Appendix 1 for development within the Transvaal Avenue Heritage Conservation Area.

Note: Section 5.6.3 also includes Architectural resolution and Roof design.

See also:

- ▶ 5.6.4 Relationship to public domain
- ▶ 5.6.5 Amenity
- ▶ 5.6.6 Solar access and natural ventilation



<p>No OF LEVELS</p> <p>2 8m</p> <p>3 11.5m</p> <p>4 14.7m</p> <p>5 18.1m</p>	<p>BUILDING ENVELOPE</p> <p>100% of this area per floor may be built on</p> <p>Area for building articulation. Refer to 6.3 for configuration</p> <p>Possible roof, roof terrace or courtyard below</p> <p>BUILDING LINES</p> <p>Continuous building line - 100%</p> <p>Building line 50% - 100%</p>	<p>UPPER LEVEL SETBACK</p> <p>3.5m setback of uppermost floor level (either level 4 or 5)</p> <p>RELATIONSHIP TO THE PUBLIC DOMAIN</p> <p>Continuous awning</p> <p>Heritage Conservation Area</p>
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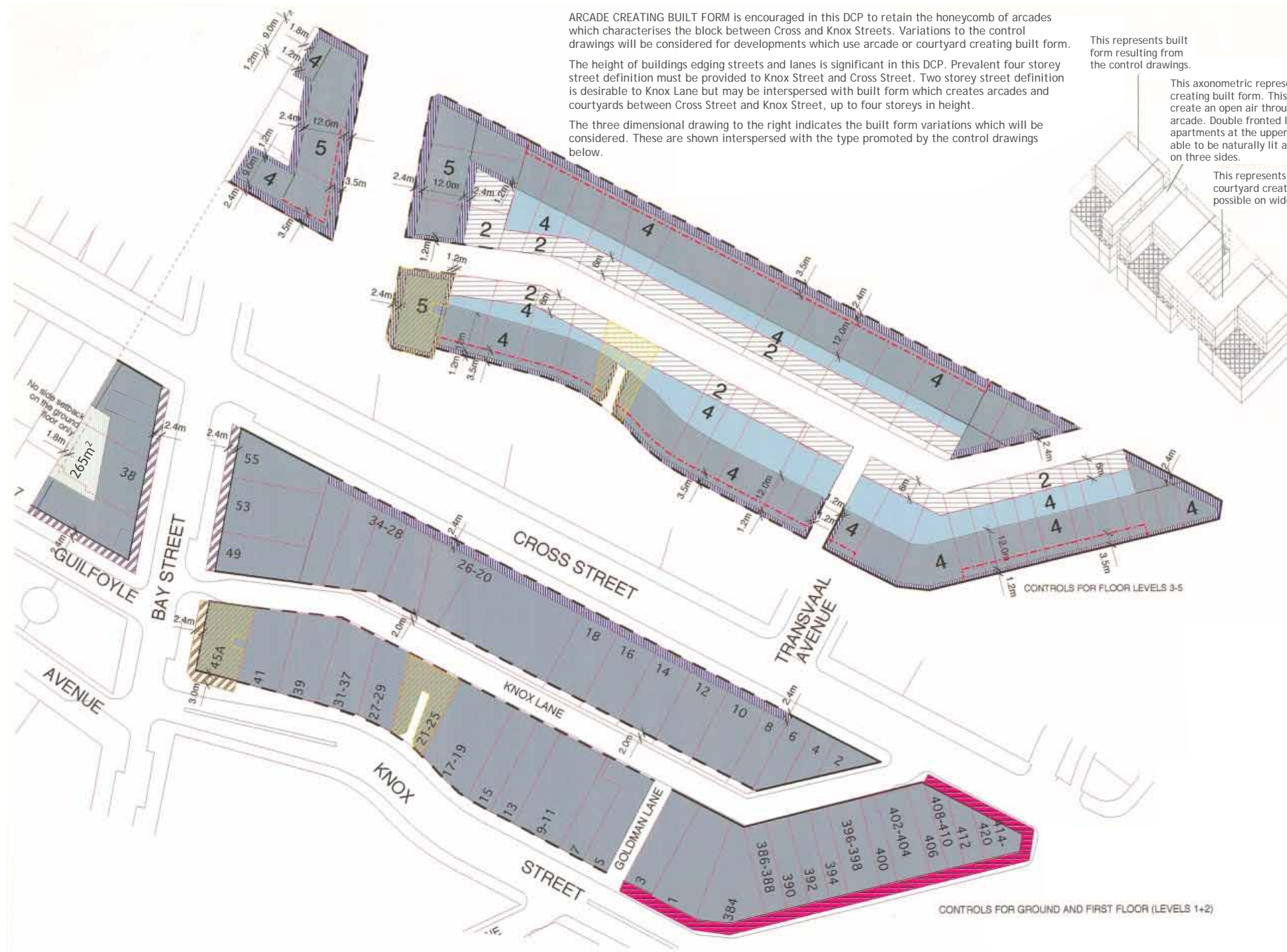


Control drawing 3

Bay Street/
Cross Street/
Transvaal Avenue

Indicates location of street sections

5.5.8 Control drawing 4



No OF LEVELS		BUILDING ENVELOPE		UPPER LEVEL SETBACK	
2	8m	[Solid Grey]	100% of this area per floor may be built on	[Red Dashed]	3.5m setback of uppermost floor level (either level 4 or 5)
3	11.5m	[Light Blue]	50% of this area per floor may be built on	[Diagonal Hatching]	Colonnade
4	14.7m	[Vertical Hatching]	Area for building articulation. Refer to 6.3 for configuration	[Red Solid]	Continuous awning
5	18.1m	[Horizontal Hatching]	Possible roof, roof terrace or courtyard below	[Yellow Diagonal Hatching]	HERITAGE AND CONTRIBUTORY BUILDINGS
		[Solid Black]	Continuous building line - 100%	[Green Solid]	LANDSCAPED AREA
		[Dashed Black]	Building line 50% - 100%		

Control summary

5.6.3 Urban character

Articulation

Cross Street: On the ground floor, internal space can occupy up to 100% of articulation zone. On levels 2-5, up to 40% of the articulation zone may be internal or external space.

New South Head Road: On levels 2-5, up to 80% of the street façade articulation zone must be internal space with the balance of the area used for external space.

Setbacks

Ground floor: A zero front setback applies except in Bay Street and Guilfoyle Avenue where a 2.4m setback applies, and at the Knox Street frontage of 45A Bay Street where a 3m setback applies.

Levels 4-5: A 3.5m setback applies to the uppermost level as indicated.

Corner buildings

Selected corner sites are eligible for bonus FSR under Woollahra LEP.

See Section 5.6.3.5 Corner buildings for more information.

Heritage and contributory character

Contributory items: 45A Bay Street and 21-25 Knox Street.

See Section 5.6.3.8 Heritage and contributory character for all heritage controls.

Note: Section 5.6.3 includes information on Architectural resolution and Roof design.

5.6.4 Relationship to public domain

Colonnades

Colonnades must be constructed on the ground floor frontage of Guilfoyle Avenue, Bay Street and at the Bay Street frontage of 45A Bay Street.

Note: Section 5.6.4 includes more information on colonnades and a section on awnings.

5.6.5 Amenity

Landscaped areas

38 Bay Street must include 265m² of landscaped area.

See Section 5.6.6 Solar access and natural ventilation also.



Control drawing 4

Knox Street/
Bay Street/
Cross Street
New South Head Road Option 1

Indicates location of street sections

5.5.9 Control drawing 5

Control summary

5.6.3 Urban character

Articulation

Bay Street: On the ground floor, internal space can occupy up to 100% of articulation zone. On levels 2-5, up to 40% of the articulation zone may be internal or external space. See Section 5.6.3.3 Building articulation for more information.

Setbacks

Ground floor: Zero front setback except for Nos. 28 and 30-36 Bay Street and 2 Guilfoyle Avenue which require a 2.4m for colonnades. A 2m rear setback applies to Gumtree Lane and a 0.7m setback applies to part of Brooklyn Lane.

Levels 2-5: Setbacks to match ground floor, except level 4 which must be setback 3.5m as indicated along Bay Street.

See Section 5.6.3.4 Setbacks for more information.

Heritage and contributory character

Contributory items are located at 14, 24-26, 9-15 and 29-37 Bay Street.

See Section 5.6.3.8 Heritage and contributory character for more information.

Note: Section 5.6.3 includes Architectural resolution and Roof design.

1.6.4 Relationship to public domain

Colonnades

Colonnades must be constructed on the ground floor frontage of Guilfoyle Avenue and Bay Street.

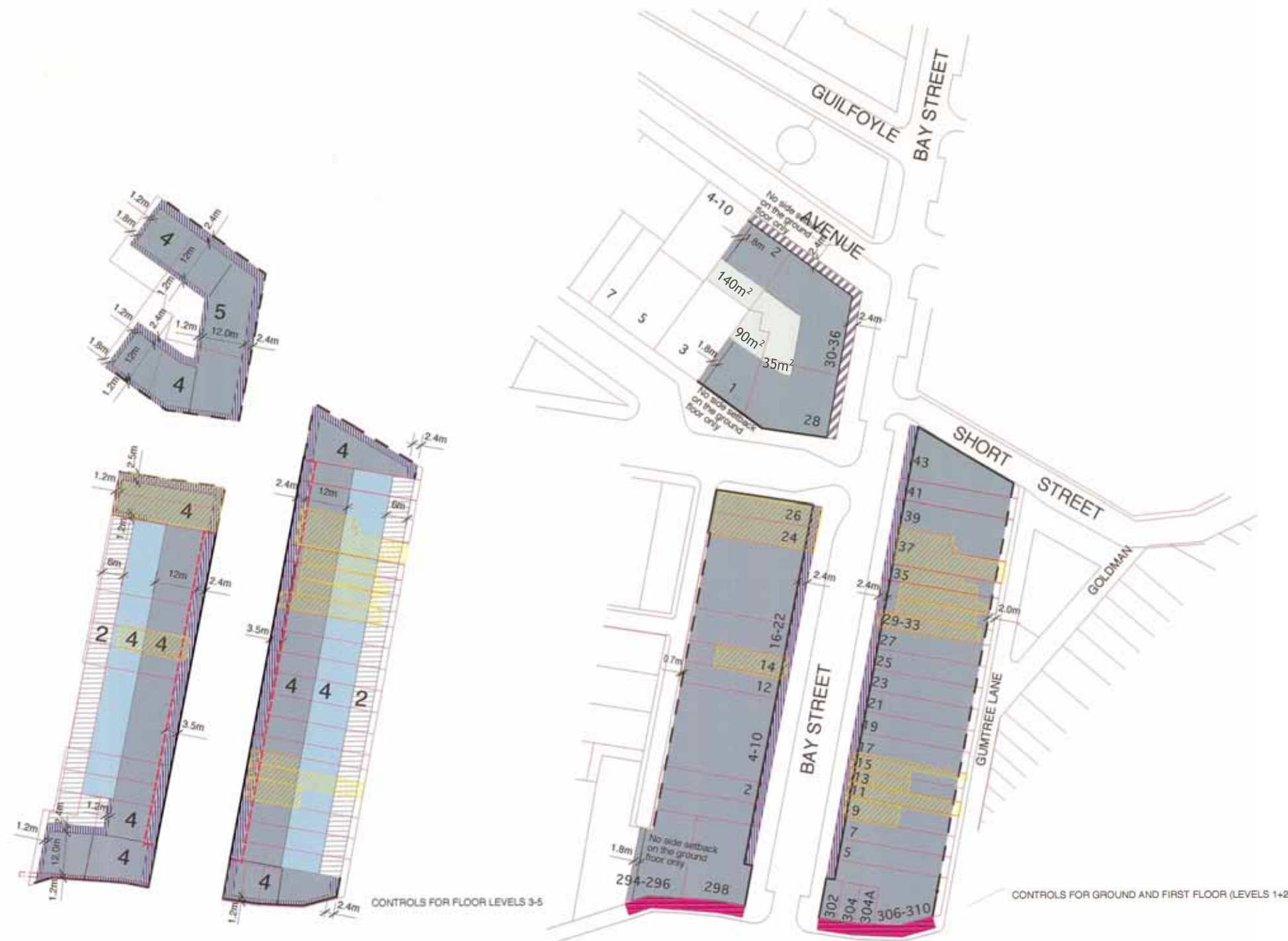
Note: Section 5.6.4 includes more information on colonnades and a section on awnings.

1.6.5 Amenity

Landscaped areas

28 and 30-36 Bay Street and 2 Guilfoyle Avenue must include landscaped areas as indicated.

See Section 5.6.6 Solar access and natural ventilation for more information.



No OF LEVELS	
2	8m
3	11.5m
4	14.7m
5	18.1m

BUILDING ENVELOPE	
	100% of this area per floor may be built on
	50% of this area per floor may be built on
	Area for building articulation. Refer to 5.6.3.3 for configuration
	Possible roof, roof terrace or courtyard below
BUILDING LINES	
	Continuous building line - 100%
	Building line 50% - 100%

	UPPER LEVEL SETBACK 3.5m setback of level 4
RELATIONSHIP TO THE PUBLIC DOMAIN	
	Colonnade
	Continuous awning
HERITAGE AND CONTRIBUTORY BUILDINGS	
	Contributory buildings
	LANDSCAPED AREA



Control drawing 5

Indicates location of street sections

5.5.10 Control drawing 6

Control summary

5.6.3 Urban character

Articulation

New South Head Road: On levels 3-5, up to 80% of the street façade articulation zone must be internal space with the balance of the area used for external space.

Knox Street: On the ground floor, internal space can occupy up to 100% of articulation zone. On levels 2-5, up to 40% of the articulation zone may be internal space

See Section 5.6.3.3 Building articulation for more information.

Setbacks

The following setbacks apply: Bay Street, ground floor - 2.4m. 320-366 New South Head Road - 2m rear setback. 2-22 Knox Street 2m to Short Street and Goldman Lane. The uppermost floor of levels 4 or 5 at 2-22 Knox Street and 316-374 New South Head Road - 3.5m.

See Section 5.6.3.4 Setbacks for more information.

Note: Section 5.6.3 also includes Architectural resolution and Roof design.

5.6.4 Relationship to public domain

Awnings

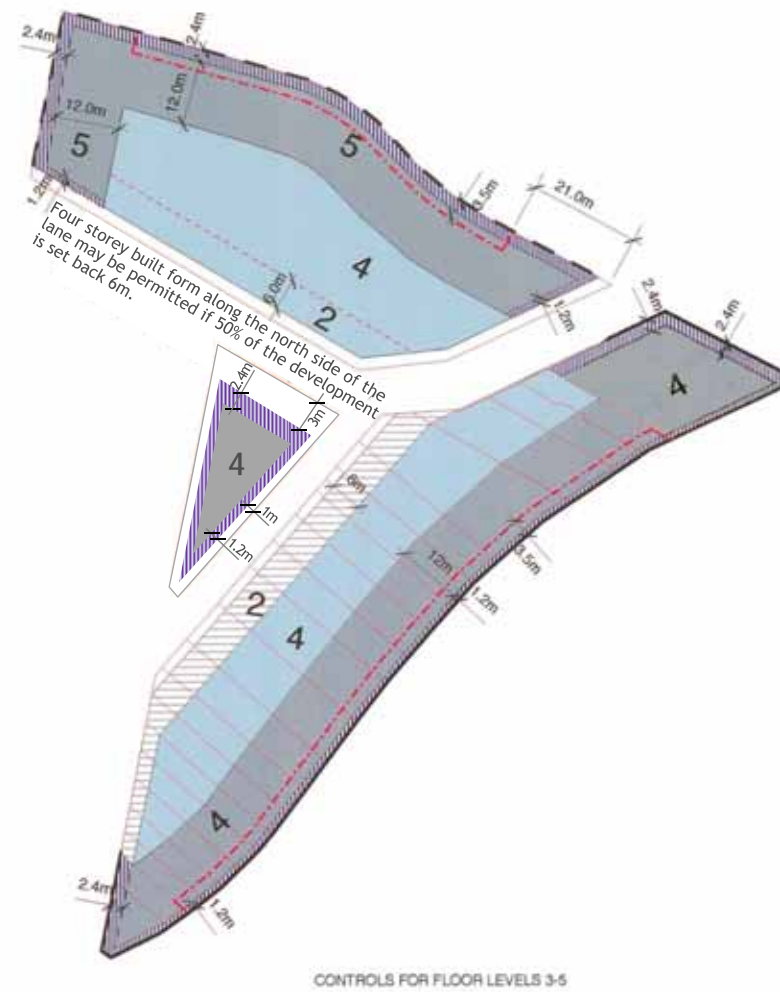
A continuous awning must be provided at the frontage of properties on New South Head Road and Knox Street.

See Section 5.6.4.1 Awnings for more information.

Colonnades

Colonnades must be constructed on the ground floor frontage of Bay Street.

See Section 5.6.4.2 Colonnades for more information.



No of LEVELS	
2	8m
3	11.5m
4	14.7m
5	18.1m

BUILDING ENVELOPE	
	100% of this area per floor may be built on
	50% of this area per floor may be built on
	Area for building articulation. Refer to 5.6.3.3 for configuration
	Possible roof, roof terrace or courtyard below
BUILDING LINES	
	Continuous building line - 100%
	Building line 50% - 100%

	UPPER LEVEL SETBACK 3.5m setback of uppermost floor level (either level 4 or 5)
	RELATIONSHIP TO THE PUBLIC DOMAIN Colonnade
	Continuous awning
	HERITAGE AND CONTRIBUTORY BUILDINGS

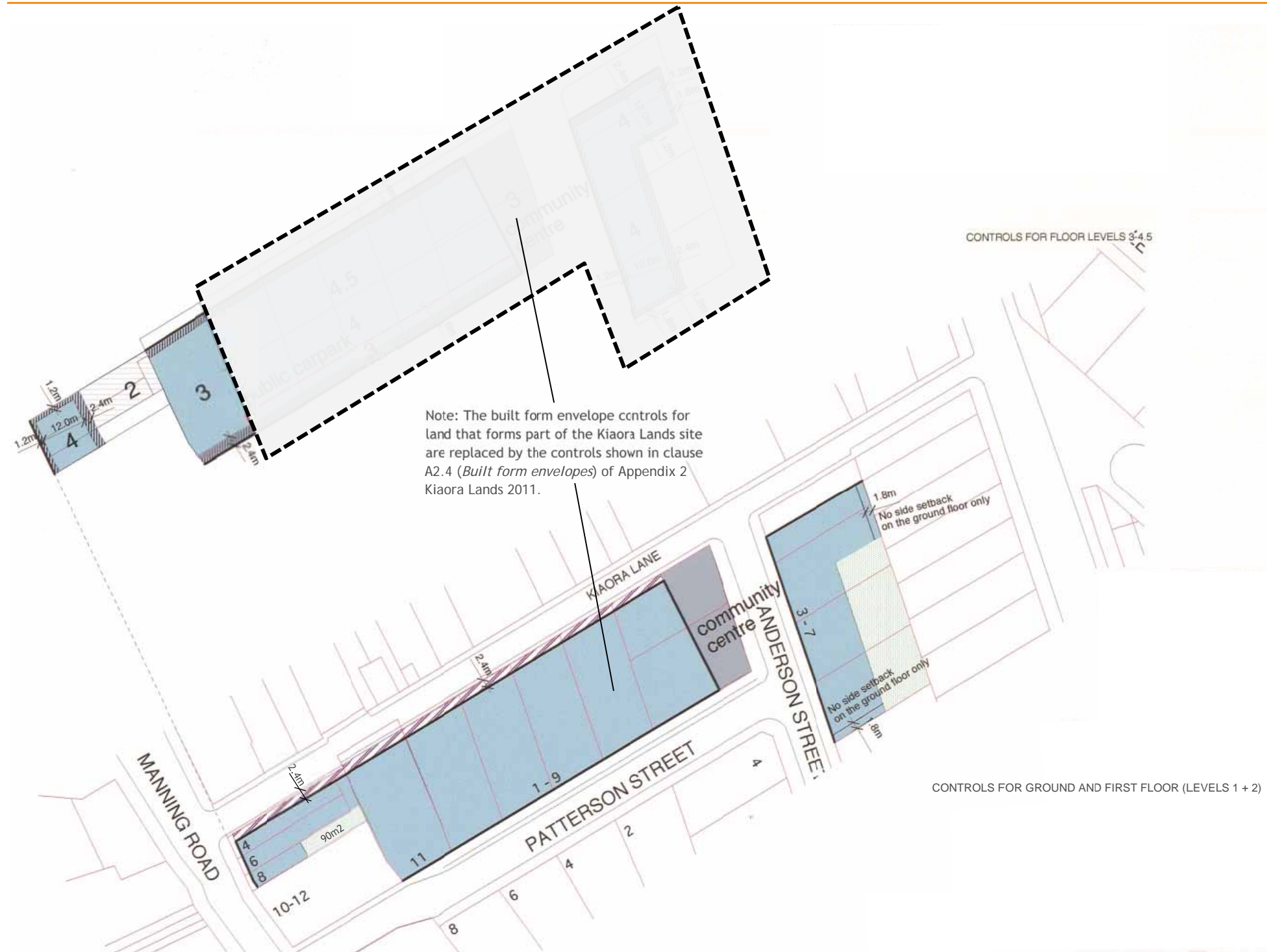


Control drawing 6

New South Head Road/
Kiaora Road/
Manning Road

Indicates location of street sections

5.5.11 Control drawing 7



Note: The built form envelope controls for land that forms part of the Kiaora Lands site are replaced by the controls shown in clause A2.4 (Built form envelopes) of Appendix 2 Kiaora Lands 2011.



No OF LEVELS	BUILDING ENVELOPE	UPPER LEVEL SETBACK
2 8m	100% of this area per floor may be built on	3.5m setback of uppermost floor level (either level 4 or 5)
3 11.5m	50% of this area per floor may be built on	RELATIONSHIP TO THE PUBLIC DOMAIN
4 14.7m	Area for building articulation. Refer to 5.6.3.3 for configuration	Colonnade
5 18.1m	Possible roof, roof terrace or courtyard below	LANDSCAPED AREA
	BUILDING LINES	
	Continuous building line - 100%	
	Building line 50% - 100%	

Control summary

5.6.3 Urban character

Articulation

On levels 3-4 up to 40% of the street façade articulation zone may be internal space with 60% external space-

See Section 5.6.3.3 Building articulation for more information.

Setbacks

2.4m setback applies to the ground floor of 4 Manning Road and 11 Patterson Street on Kiaora Lane.

See Section 5.6.3.4 Setbacks for more information.

Note: Section 5.6.3 also includes Architectural resolution and Roof design.

5.6.5 Amenity

Landscaped areas

8 Manning Road must include 90m² of landscaped area.

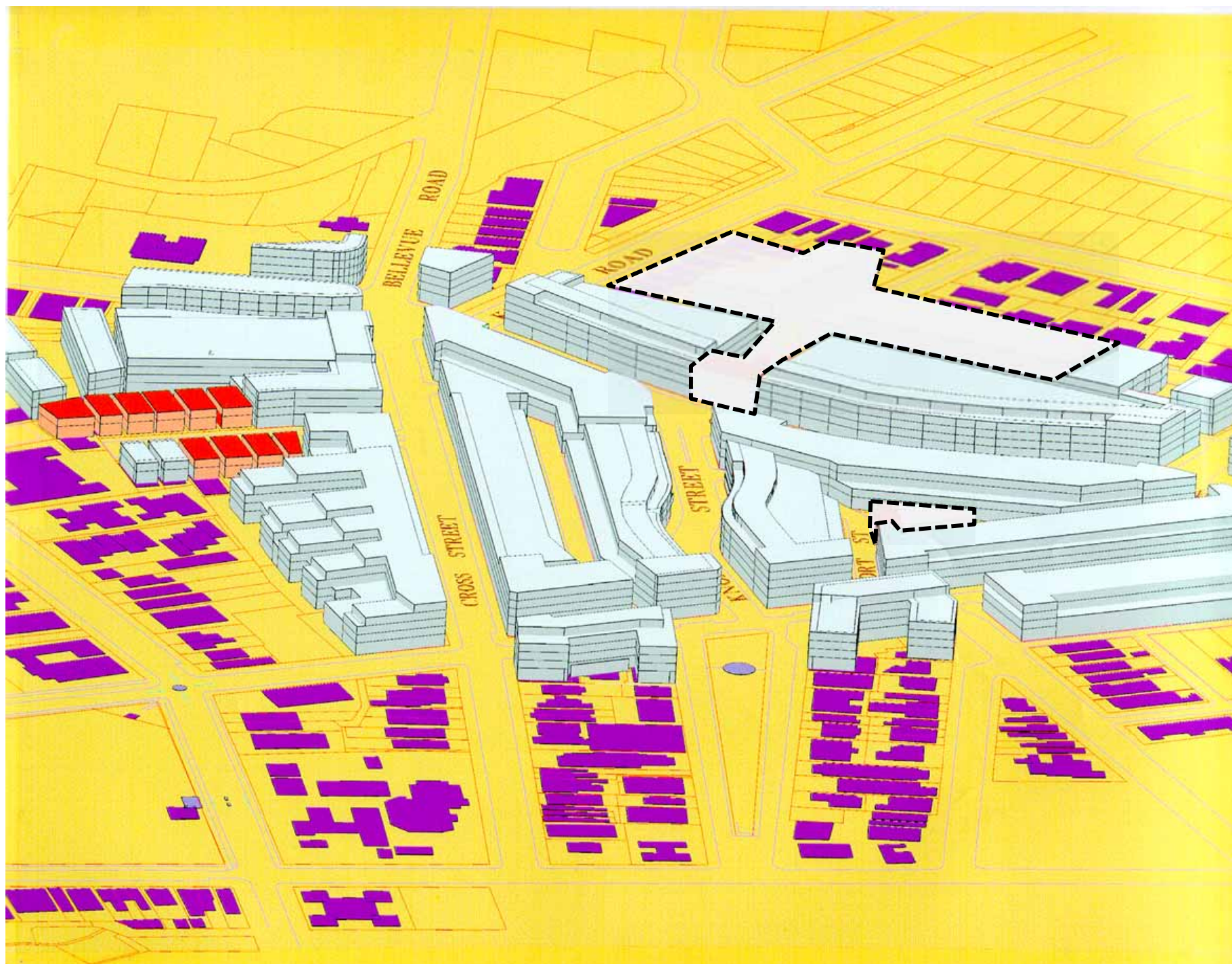
See Section 5.6.6 Solar access and natural ventilation for more information.



Control drawing 7

Indicates location of street sections

5.5.12 View 1: 3D view of building envelopes

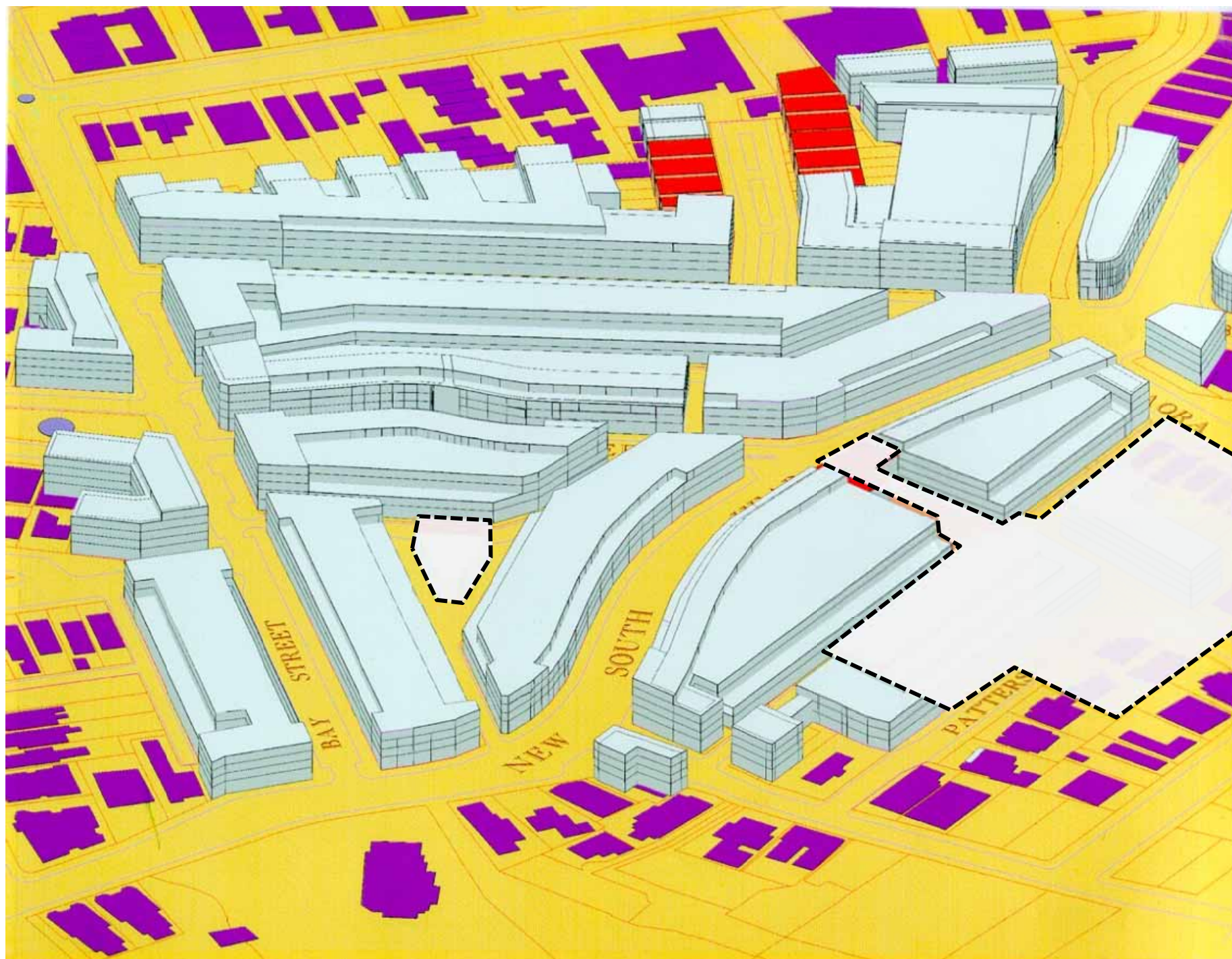


View east along Cross Street

The building envelopes illustrate the permitted distribution of floor space in the centre. The FSR controls in Woollahra LEP limit the amount of floor space in the centre.

Note: This 3D view does not illustrate building envelopes as described in Appendix 2 Kiaora Lands.

5.5.13 View 2: 3D view of building envelopes



View north along Bay Street

The building envelopes illustrate the permitted distribution of floor space in the centre. The FSR controls in Woollahra LEP limit the amount of floor space in the centre.

Note: This 3D view does not illustrate building envelopes as described in Appendix 2 Kiaora Lands.

D5.6 Development controls

5.6.1 Format

This section contains the development controls for building and site elements in the Double Bay Centre. It provides further explanation of the Section D5.5 Built Form Envelopes: Control Drawings, and introduces additional controls not described in these drawings.

The following format is used:

Introduction

For most controls there is an introduction which explains the need and importance of including that particular element.

Objectives

The objectives define Council's intention. They relate to the aims and objectives in Section D5.3 Urban structure, and the desired future character outlined in Section D5.4 Street character.

Controls

The controls establish the means of achieving the objectives. This section must be read in conjunction with the Built Form Envelopes: Control drawings that illustrate the site specific controls. Diagrams are incorporated with the development controls to assist interpretation.

Not all controls will be relevant to every development. The applicant must nominate and provide justification for any controls they consider irrelevant to their development.

If a development proposal departs from a relevant control the applicant must demonstrate how the development satisfies the underlying objectives of the control.

5.6.2 Use

The distinctive mix of small scale shops, boutiques, restaurants, cafes, hotels, commercial premises and the like in the Double Bay Centre creates a friendly street environment that caters for the daily needs of the centre's users and creates an attractive environment for visitors.

Continuous ground level retail frontage offers the benefits of safety, commercial activity and street life. The provision of mixed development can make a significant contribution to the local character, providing street surveillance and after hour activity in the centre.

Previously there was very little residential use within the Double Bay Centre. Development in the last 10 years has tended to be mixed use, with ground floor retail with residential above. Residential development is encouraged within the centre to:

- ▶ increase the areas activity and vibrancy at night;
- ▶ encourage the provision of a range of retail services, particularly food stores; and
- ▶ reduce the reliance on cars to access the centre.



FIGURE 18 Building use

Retain the range and intensity of existing retail uses in Double Bay and increase the level of activity in the centre by increasing the residential component of mixed use development

Objectives

- 01 Encourage upper storey residential development within the centre to enhance the cosmopolitan character of the Double Bay Centre.
- 02 Encourage mixed use development to reduce transport and travel requirements.
- 03 Encourage the continuation of retail and commercial uses at street level in the centre.
- 04 Encourage first floor retail and commercial use.
- 05 Encourage arcades and double fronted shops that provide through block connections for pedestrians.
- 06 Limit the width of retail frontage to preserve the small shop character of the centre.
- 07 Encourage multi-level dwellings on the upper storeys of development as a means of redeveloping small narrow allotments.

- O8 Encourage activities with appropriate levels of noise or other environmental impacts.
- O9 Ensure that buildings are designed and constructed to minimise noise and other impacts on building occupants and adjoining properties.



FIGURE 19 Reinforce existing small lot development prevalent in the centre

Site amalgamation is particularly discouraged on these lots.

Where small lots (lots that are less than 6m wide and/or less than 30m deep) are amalgamated, the façade of the new buildings should be articulated and modulated to reflect the historic subdivision pattern.

Controls

- C1 Design for a mix of uses within buildings.
- C2 Design durable and adaptable buildings, spaces and places.
- C3 Design for retail, commercial and community uses at ground and first floor levels. Consider design solutions that promote retail, commercial use at first floor level such as galleried arcades.
- C4 Access to residential uses should not occupy more than 20% of the ground floor frontage.
- C5 The maximum retail frontage at street level for individual premises identified on the diagram above must correspond with current lot widths. Other lots must not exceed 15m for each street frontage.
- C6 The architectural resolution of buildings on amalgamated small lots identified in Figure 19 must express existing lot widths.

5.6.3 Urban character

5.6.3.1 Building envelopes

Building envelopes illustrate the limits of permissible building height, depth and location and are described on the control drawings, Section 5.5.5–5.5.11. The envelopes allow development that maintains the environmental amenity of buildings and the public domain with regard to building bulk, overshadowing, access to natural light and ventilation and views.

The building envelopes have been developed to foster a mix of uses in the centre, and to promote built form not reliant on artificial lighting, heating and ventilation. The deep ground and first floor building envelopes are suitable for retail and commercial uses, while the depths of envelopes for levels 3-5 are suitable for residential uses. The depth of residential buildings promoted in this chapter is based on the guidelines contained in the Residential Flat Design Code.

The building envelopes have been considered in conjunction with FSR. The FSR controls in Woollahra LEP limit the amount of floor space in the centre. The building envelopes illustrate the permitted distribution of floor space in the centre. The permissible floor space for each site (determined by FSR) is generally 80% of the theoretical floor space achievable within the building envelopes.

Uniform FSR facilitates development equity between sites; the envelopes allow flexibility in the ways the built form will be realised including the provision of arcades and through-site links.

Car parking above ground is not encouraged. If car parking is proposed at or above ground level (i.e. within the building envelope) the development may not achieve its maximum permissible floor space, and Council will not support a larger building envelope to provide for additional floor space.

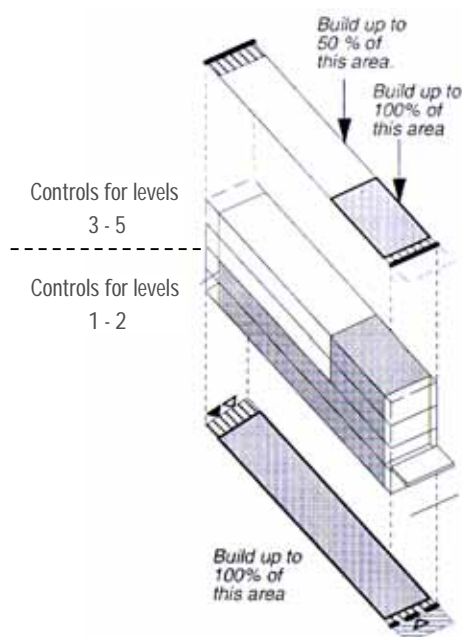


FIGURE 20 3-dimensional controls
Highlighting the building envelopes.

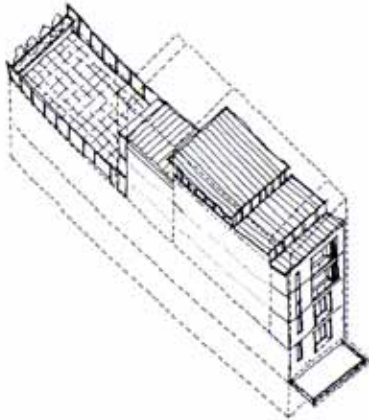


FIGURE 21 Building envelope

Potential architectural resolution within 100% and 50% building envelopes.

Objectives

- O1 Development should contribute to the desired future character of streetscapes with appropriate and consistent building forms.
- O2 Encourage courtyards and light wells at ground and first floor level of deep blocks to allow natural lighting and ventilation.
- O3 Enable the provision of through-site links and arcades.
- O4 Encourage a variety of interior volumes, i.e. split levels, double height spaces and arcades.

Controls

- C1 Development must occur within the building envelopes shown on the Built Form Envelopes: Control Drawings, Section 5.5.5–5.5.11.
- C2 To create built form which is not reliant on artificial heating and cooling:
 - a) habitable rooms should generally achieve a minimum floor to ceiling height of 2.7m; and
 - b) level 3-5 building depth is limited to 15.6m including the articulation zones. When this is difficult to achieve in the residential component of a development, Council will consider variations to the overall building depth providing a minimum 80% of dwellings have windows that can be opened and/or doors in walls with differing orientations, to facilitate cross ventilation.
- C3 Deep building footprints are permitted at the ground and first floor only.
- C4 Building forms allow for:
 - a) natural day lighting and ventilation; and
 - b) privacy between dwellings or commercial premises.

5.6.3.2 Height

The permissible height of development in the Double Bay Centre is set in Woollahra LEP. The control drawings in Section 5.5.5–5.5.11 illustrate the desired number of storeys for each part of the centre.

Building height has been determined by the need to preserve a pedestrian scale in the centre. Factors which play a role in achieving an appropriate scale relate to the width, orientation and character of streets and lanes. The envelopes generally establish three to four storey building heights along streets, and two storey building heights along lanes. Building above this height is required to be setback from the street or lane boundary to preserve amenity in the public domain.

Short Street, Kiaora Lane and Knox Lane have the potential to be more like little streets than lanes being wider than other lanes in the centre, and may include four storey buildings along the lane frontage interspersed with two storey buildings, provided that at least 50% of lane frontage is two storeys or less.

Objectives

- O1 Encourage buildings to achieve the heights along street and lane frontages described by the control drawings.
- O2 Provide floor to floor heights that provide amenity to building users and allow adaptable reuse of levels.

Controls

- C1 To reinforce the built definition of streets, buildings should be well designed and achieve the maximum prescribed height along the primary street frontage.
- C2 To achieve a variety of roof forms the floor level of the uppermost habitable storey must be at least 3.5m below the maximum permissible building height.
- C3 The building (including lift tower machinery plant rooms and storage space) must be contained within the envelope height, with the following exclusions: chimneys, flues, masts, flagpoles communication devices, satellite dishes and antennae.
- C4 The minimum floor to floor heights for the Double Bay Centre comply with the table below.

Level	Use	Height
Ground floor	Retail ¹	4m
Levels 2-5	Commercial office	3.4m
Levels 2-5	Residential	3.1m

¹ Applicants may choose to vary storey height using 3.7m height for ground floor and Level 2 to create double storey spaces with a combined floor to floor height of 7.4m.

5.6.3.3 Building articulation

Building articulation refers to the three dimensional modelling of a building facade. The control drawings indicate the area for building articulation on a site-by-site basis (see Section 5.5.5–5.5.11).

Building articulation along the street or laneway frontage establishes the relationship between a building and the street, through the use of entry porches, loggias, balconies, bay windows and the like. Building facades can be articulated to create a strong street address, and enrich the character of the street or laneway. Existing buildings along the south-eastern side of Bay Street in particular demonstrate a range of transition areas and modelled facades.

Building articulation should respond to environmental conditions such as orientation, noise, breezes, privacy and views, through the use of appropriate sun shading devices, noise barriers, privacy screens, and the careful location of balconies, terraces and loggias.

The street façade articulation zone shown on the control diagrams may be occupied by two types of space:

- ▶ External:
 - open balconies
 - void not occupied by built form
 - recessed balconies counted in proportion to the amount of the façade they are open to.
- ▶ Internal:
 - habitable rooms
 - bay windows
 - enclosed balconies
 - wintergardens.

FIGURE 22 3-dimensional controls
Highlighting the area for building articulation

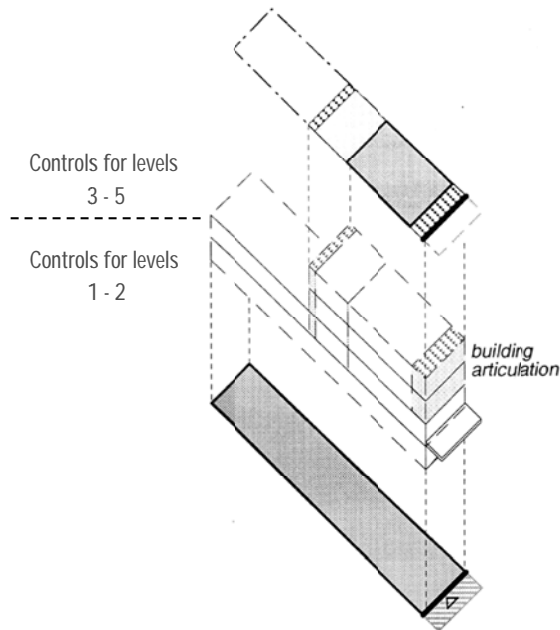
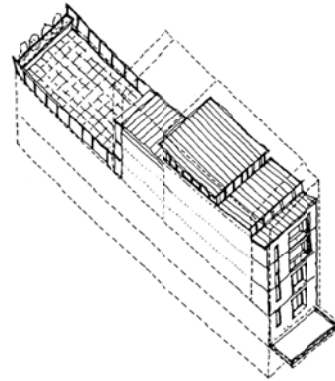


FIGURE 23 Building articulation

The written controls nominate percentages of the building articulation zone to be “external space or internal space”. These include loggias, balconies, terraces, open stairs and walkways, and the like and must be wholly contained within the envelope.



Objectives

- O1 Promote buildings of articulated design and massing, with building facades that contribute to the character of the street, and provide useable external spaces.
- O2 Use building articulation to:
 - a) generate high quality architectural resolution;
 - b) provide private open space which addresses and overlooks streets and lanes;
 - c) provide environmental amenity such as noise reduction and visual privacy through building articulation;
 - d) provide thermal amenity within buildings such as screening and balconies for summer sunshading and maximising solar access in winter, appropriately scaled to their use and context; and
 - e) encourage activity such as outdoor eating along street edges, to help animate the street.

Controls

- C1 The following percentages of internal and external space should be incorporated with the composition of the building to achieve high quality architectural resolution at the street or laneway frontage.
- C2 The mix of internal and external space for articulation areas shown on the control drawings that do not front a street or laneway may be determined by the applicant.

Note: The use of a palette of articulation elements is recommended to achieve high quality architectural resolution.

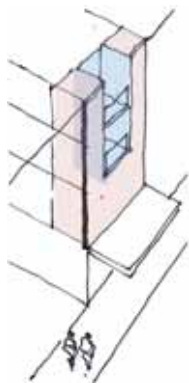


FIGURE 24 New South Head Road

On levels 2-5 up to 80% the street façade articulation zone may be internal space with the balance of the area used for external space.

On the ground floor of the south side of New South Head Road up to 40% of the street facade articulation zone should be internal space. The remaining 60% must be level with the footpath and should be part of the building or shop entry.

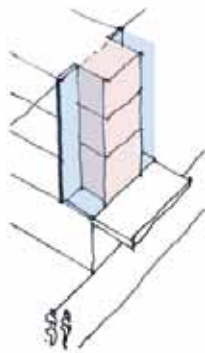


FIGURE 25 Bay Street South and south side of Cross Street

On levels 2-5 up to 40% of the street façade articulation zone must be occupied with either or both internal or external space.

On the ground floor up to 100% of the street façade articulation zone can be internal space.

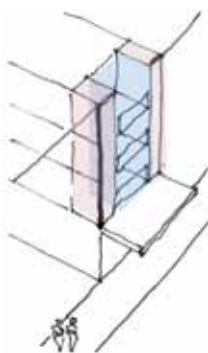


FIGURE 26 All other areas

On levels 2-5 up to 40% the street façade articulation zone can be occupied with internal space.

On the ground floor up to 100% of the street façade articulation zone can be internal space.

5.6.3.4 Setbacks

Setbacks at street level can increase pedestrian amenity. Street level setbacks are most successful when they establish continuous and consistent building alignments.

Setbacks on upper levels allow solar access to streets, and establish an appropriate relationship between building height and street width.

The controls include a continuous or discontinuous building line that requires development to meet this alignment to reinforce or create a particular street character. For example the building lines and articulation zones will create lightly articulated buildings (New South Head Road) or highly articulated buildings with recessed balconies (Knox Street).

Objectives

- O1 Encourage consistent building lines to provide coherent streetscapes.
- O2 Introduce new setbacks at street level in selected laneways to improve pedestrian amenity.
- O3 Where indicated provide street setbacks to the upper level of development to permit mid-winter sunlight.

Controls

- C1 Building alignment must comply with the building ~~to~~ lines shown on the Built Form Envelopes: Control Drawings, Section 5.5.5–5.5.11.
- C2 Front setbacks are identified as building ~~to~~ lines on the control drawings, Section 5.5.5–5.5.11. Front setbacks must define a coherent alignment to the public domain.
- C3 Side setbacks must:
 - a) protect privacy to adjoining buildings; and
 - b) protect access to natural light and ventilation to adjoining buildings and residential areas.
- C4 Rear setbacks must:
 - a) where required, accommodate vehicle access to the rear of lots, provide consolidated deep soil landscaped areas where blocks adjoin residential areas; and
 - b) protect privacy and facilitate solar access to adjoining buildings and gardens.
- C5 Upper level street setbacks are identified on the control drawings, Section 5.5.5–5.5.11. Building articulation excluding floor area elements may be used between the setback line and the street boundary. Refer to Section 5.6.3.3 Building articulation.

5.6.3.5 Corner buildings

Corner buildings are highly visible and provide the opportunity for notable design solutions. Strong corner buildings can provide valuable street definition. Existing buildings within the study area that provide this definition include the buildings on the corners of Knox Street and New South Head Road, and Coopers Corner on the intersection of Bellevue Road and New South Head Road. Due to the distinctive street geometry strong corner buildings can play an important urban design role in the Double Bay Centre.

The corner lots that may be granted additional floor space are identified in clause 4.4A of Woollahra LEP. Figure 27 is an example of a strong existing corner building. Figure 28 is an example of existing corner building that lacks scale. New development at this corner intersection should take a form similar to that illustrated in Figure 29.



FIGURE 27 376 New South Head Road
Located on the corner of Knox Street and New South Head Road, this building demonstrates good corner address



FIGURE 28 Existing corner buildings at the five way intersection near Cross Street currently lack the scale to adequately address this large space



FIGURE 29 The five way intersection could become a distinctive entry to the Double Bay Centre as illustrated, with buildings that strongly address the intersection.

Where street geometries permit entries and windows should address the corner such as shown in this example

Objectives

- O1 Encourage building massing and articulation that creates strong corner buildings.
- O2 To outline the desired future character of corner sites where applicants seek to use an FSR of 3:1 per Clause 4.4A of Woollahra LEP.

Controls

- C1 Consider the design of corner buildings in relation to street geometry, topography, sight lines and the design of skyline elements.
- C2 Distribute building massing, such as height, to enhance the corner.
- C3 Corner buildings are encouraged to achieve the maximum prescribed height along the street edge.
- C4 Developments on sites listed below that comply with the development controls may be eligible for an FSR of 3:1 (refer to the floor space provisions in clause 4.4A of Woollahra LEP):
 - a) Bay Street - 26, 28, 30/36, 38, 43, 45A, 49, 55;
 - b) Cross Street - 53; and
 - c) New South Head Road - 298, 302, 304, 304A, 306/310, 312/314, 357/359, 365, 376/382, 408/410, 412, 414/420, 422/424, 465/467, 469/473.

5.6.3.6 Architectural resolution

Buildings in the Double Bay Centre represent a mixture of 20th century buildings that are of variable style and quality. High quality architectural resolution will improve living and working environments, contribute toward an improved built definition of the public domain, and can help to define a local identity.



FIGURE 30 Architectural resolution

The masonry elements of a building can give it coherence



FIGURE 31 An existing building at Knox Lane showing an articulated upper level and roof



FIGURE 32 Architectural resolution

The building wall is set back from the street and is modelled with attached building elements



FIGURE 33 Twenty One Espresso demonstrates fine grained building form in Knox Street

Objectives

- O1 Promote high quality architectural design throughout the Double Bay Centre to create a desirable and memorable environment.
- O2 Encourage coherent streetscapes based on common design principles for each street and lane.
- O3 Minimise the negative impacts of glare and reflectivity on adjoining public and private properties.
- O4 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.
- O5 The colour of the building facade is not intrusive or unreasonably dominant within the streetscape, and is compatible with the character of the centre.

Controls

- C1 Provide a clear street address to each building. Clearly define pedestrian entries.
 - C2 Provide predominantly glazed shopfronts to ground floor retail areas. Roller shutters to shopfronts are not permitted.
 - C3 New buildings and facades do not result in glare that causes discomfort or threatens safety of pedestrians or drivers.

Note: A reflectivity report that analyses the potential glare from the proposed new development on pedestrians or motorists may be required.
 - C4 New buildings and facades must minimise the impact of glare and reflectivity on adjoining land.
 - C5 Materials must be compatible with the existing urban context, such as red face brick and rendered masonry, in street facade design.
 - C6 The external painting of a building in bright colours, corporate colours or fluorescent colours should be avoided.
 - C7 Any individual business branding and identity in external painting and colour schemes is to be subordinate to the main colour schemes in the street. (Also refer to the signage controls in Part E7 of the DCP, Section 7.2.2 When external painting of a building constitutes a wall sign.)
 - C8 The design of window and balcony openings must account for streetscape, heritage items, privacy, orientation and outlook.
 - C9 Richly articulate facades to express the different levels of the building and/or its functions.
 - C10 Blank party walls are to be avoided.
 - C11 Design commercial space to permit maximum flexibility for future uses.
-

- C12 All rooms above ground floor level, including kitchens and bathrooms, are to have windows or skylights.
- C13 The residential component of buildings must contain a variety of apartment sizes and layouts.
- C14 Vehicular entries must be discrete and minimise conflicts with pedestrians.

5.6.3.7 Roof design

The Double Bay Centre is located at the base of a large natural amphitheatre. As a result, building roof forms are highly visible, often forming the foreground to a harbour view, and require a well-considered design response.

Existing roof forms vary with building type and architectural style and include a range of hip roofs, gables, flat roofs, parapets and roof decks. A predominance of buildings with parapets contributes to the urban quality of New South Head Road.

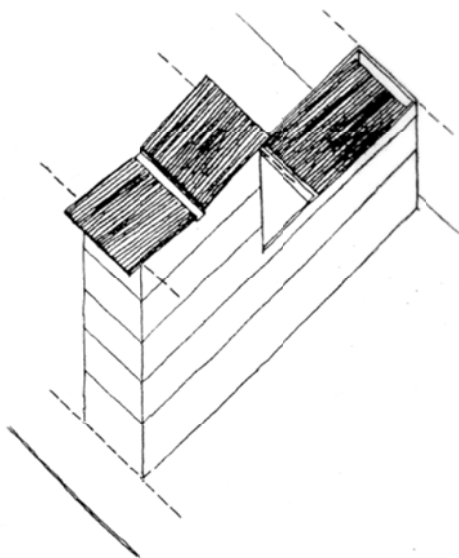


FIGURE 34 Roof design

A variety of roof types are possible in the Double Bay Centre. Roof forms need to be articulated to control the apparent scale of the building when viewed from above

Objectives

- O1 Encourage highly articulated roof design that responds to building orientation and the location and character of Double Bay.
- O2 Roof designs should create distinctive building silhouettes.
- O3 Encourage a variety of articulated roof forms for the Double Bay Centre such as hips, gables, flat roofs, parapets and roof decks.
- O4 Discourage the provision of air conditioning plant and equipment on the roofs of buildings to minimise visual impact of these services.

Controls

- C1 Roof design must form a coherent part of the whole building and be articulated.
- C2 A variety of roofs are permitted, including gabled and hipped roofs with habitable attic spaces, flat roofs and roof decks.
- C3 Buildings along New South Head Road should provide a parapet.
- C4 The profile and silhouette of parapets, eaves and roof top elements must be considered in roof design.
- C5 Roof design must minimise building bulk and overshadowing.
- C6 Air conditioning plant and equipment must be concealed from the exterior and be within the building. When roof plant is proposed it must be screened from neighbours and be integrated with the design of the roof and the composition of the building.

5.6.3.8 Heritage and contributory character

Woollahra Council supports the conservation of the rich mixture of buildings, parks and places of special significance within the Municipality. Woollahra LEP contains various controls relating to the conservation of heritage items and areas. Woollahra LEP also contains incentives for developments that include the conservation of heritage items.

Woollahra LEP lists heritage items and conservation areas within the centre. For example, the Golden Sheaf Hotel and the Transvaal Avenue Heritage Conservation Area which comprises single storey Federation semi-detached cottages. Development proposals must comply with the heritage provisions in Woollahra LEP.

In addition, a number of contributory buildings have been identified within the centre:

- ▶ Coopers Corner, 475-479 New South Head Road;
- ▶ Twenty One, 21-25 Knox Street;
- ▶ 45A Bay Street;
- ▶ 24-26 Bay Street;
- ▶ 14 Bay Street;
- ▶ 37 Bay Street;
- ▶ 35 Bay Street;
- ▶ 29-33 Bay Street;
- ▶ 9 Bay Street;
- ▶ 11 Bay Street;
- ▶ 13 Bay Street; and
- ▶ 15 Bay Street.

These buildings are considered to be of high streetscape value because of their strong architectural character and the way in which they address the street.



FIGURE 35
Contributory buildings



FIGURE 36
Golden Sheaf Hotel
The Golden Sheaf Hotel is a heritage listed building. It demonstrates the contribution buildings constructed to the street boundary can make to the public spaces they address

Objectives

- O1 Protect and enhance heritage items and conservation areas.
- O2 Encourage the sensitive adaptation or reuse of buildings that contribute to the spatial definition of the urban spaces they address.

Controls

- C1 All new developments and works to existing developments are to be designed to be compatible with the heritage significance of listed heritage items, conservation areas and nominated contributory buildings.
- C2 For development within the Transvaal Avenue Heritage Conservation Area refer to Appendix 1.
- C3 Development to a contributory building is to respect the building and complement and enhance the contributory characteristics of the building including:
 - a) street edge definition;
 - b) its material, detailing and character;
 - c) its holistic building character related to articulation, massing, and patterns and distribution of wall opening.
- C4 Variations to the building envelope will only be considered where it can be demonstrated that the variations support the sensitive adaptive reuse of contributory items relating to the building's massing.
- C5 Where a contributory building is proposed to be replaced, the architectural quality and streetscape contribution of the proposed building must be at least equal to the quality of the contributory building's material, character and detailing.
- C6 Modifications to contributory items must retain or enhance the architectural streetscape value of the building.

5.6.4 Relationship to public domain

The success of commercial centres is dependent on street edge activity. Street activation requires a safe, cohesive and attractive public domain. This section establishes objectives and controls for the street frontage elements of built form such as awnings, colonnades, arcades, walkways, courtyards, outdoor eating and address to laneways.

5.6.4.1 Awnings

Continuous awnings contribute to the street character of retail centres and provide weather protection for pedestrians. There are currently continuous awnings on both sides of New South Head Road and along a considerable part of the southern side of Knox Street. Awnings elsewhere in the centre are more varied and less continuous, and are often used to highlight building entrances.



FIGURE 37 Continuous awnings
Continuous awnings are required in these locations

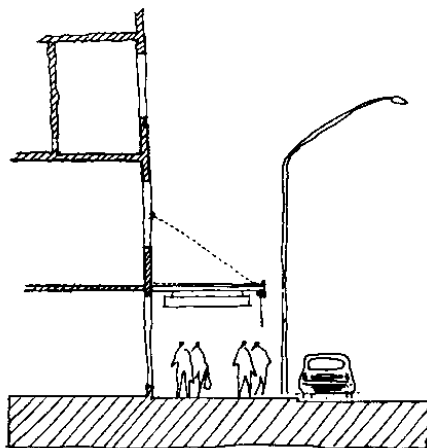


FIGURE 38 Awning design
Suspended steel box section type with a minimum soffit height of 3.2m

Objectives

- O1 Retain and supplement the existing awnings in the designated areas shown in the control drawings.
- O2 Encourage consistent awning design throughout the centre.

Controls

- C1 Development must provide continuous awnings to street frontages as indicated on the control drawings, Section 5.5.5-5.5.11.
- C2 Awning cover should be within 5° of horizontal, with a minimum soffit height of 3.2m.
- C3 The awning design should provide protection from sun and rain and be integrated with the building's architectural resolution.
- C4 Where no awnings are indicated on the control drawings, Section 5.5.5-5.5.11—the building entrances must have generous cover.
- C5 Canvas blinds along the outer edge of awnings may be used to provide sun shading to the east and west facades. No advertising is permitted, however business identification signage may be acceptable.
- C6 Under awning lighting may be recessed into the soffit of the awning or wall mounted on the building.

5.6.4.2 Colonnades

A colonnade is created when a building is set back from the boundary at street level with vertical supports such as columns supporting the building directly above. A continuous colonnade improves pedestrian amenity by extending the footpath at ground floor level, and providing shelter. Consistently spaced colonnade posts establish a pedestrian related rhythm.

Colonnades are most successful when they are continuous and consistent. Guilfoyle Park on Bay Street makes a substantial contribution to the ambience of the centre. This quality could be enhanced through appropriate built form which interprets the park's civic importance in its address to the park.



FIGURE 39 Colonnades

Colonnades are required in these locations

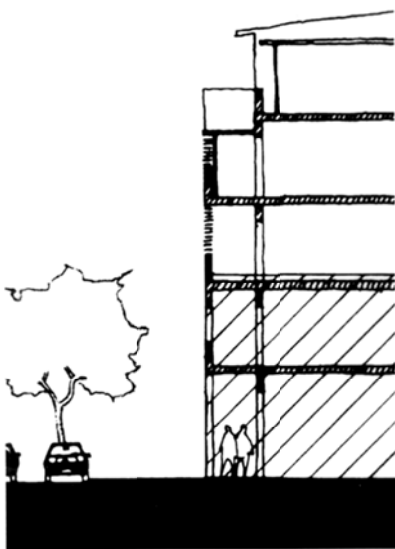


FIGURE 40 Colonnades on Bay Street articulate the importance of Double Bay's main public place – Guilfoyle Park

Objectives

- O1 Encourage colonnaded buildings in Bay Street, between Cross Street and Short Street, which interpret Guilfoyle Park's civic importance and establishes a spatial relationship between the park and the buildings which address it.

Controls

- C1 Colonnades should be provided at ground floor level to street frontages as indicated on the control drawings, Section 5.5.5–5.5.11 and the street sections.
- C2 Colonnade width must be 2.4m.
- C3 Colonnades must have a minimum soffit height of 3.6m.
- C4 Colonnade supports must be integrated with the building design and adjoining colonnades if they exist, and not unduly impact upon pedestrian thoroughfare, or obscure ground floor activity from the street.
- C5 Colonnade design must respond to the articulation of adjacent buildings, and the broader desired future character.
- C6 Colonnades must be level with the street paving, and be paved in accordance with the standard Double Bay pavers (refer to the Public Domain Improvements Plan 1999 and Council's Technical Services Division for advice).

5.6.4.3 Arcades, walkways and courtyards

One of the defining characteristics of Double Bay is its honeycomb of external walkways and arcades. Good quality arcades have active retail frontages, and contribute to a vibrant pedestrian shopping environment. The provision of good quality arcades and walkways with a light and airy character is encouraged.



FIGURE 41 Goldman Lane

This walkway off Knox Street has retail frontages on both sides and a light airy character, which is promoted in this chapter



FIGURE 42 Locations of existing arcades and through site links

When redeveloping a site, existing arcades or through site links must be retained

- arcade
- - - - - walkway



FIGURE 43 Desirable through block connections

Arcades are permitted throughout the centre except on corner lots. This drawing shows the most desirable through block connections. Consider the proximity of nearby arcades when providing a new arcaded connection

- arcade
- - - - - walkway

Objectives

- O1 Encourage new arcades and walkways that provide:
 - a) public access across private land; and
 - b) connections between streets and other parts of the public domain.
- O2 Create arcades with active retail frontages.
- O3 Encourage arcades that are supplemented with outdoor areas such as courtyards or outdoor rooms.
- O4 To provide suitable amenity within arcades.

Controls

- C1 All existing arcades and walkways must be retained or replaced when a site is redeveloped.
- C2 Arcades must be mostly naturally lit and ventilated.
- C3 External walkways must be paved in accordance with the standard Double Bay pavers (refer to the Public Domain Improvements Plan 1999 and Council's Technical Services Division for advice).
- C4 The proportions and character of arcades should reflect their importance in expanding the public domain and their location in the centre.
- C5 Arcades must have a minimum:
 - a) width of 3m; and
 - b) ceiling height of 3.6m.
- C6 Arcades must, to the extent possible, provide a clear sightline from one end to the other for surveillance and accessibility.

5.6.4.4 Outdoor eating

The Double Bay Centre is a desirable location for the provision of outdoor eating facilities due to the temperate climate, favourable orientation, leafy quality of streets and active street frontage.

Outdoor eating facilities have the potential to add to the liveliness of streets and activate other outdoor places.



FIGURE 44 Outdoor eating

Outdoor eating establishments can provide lively street activity in suitable locations

Objectives

- O1 Encourage outdoor eating establishments where they provide a pleasant outdoor eating environment with minimal disturbance to pedestrian circulation and where they comply with Councils associated codes and policies.

Controls

- C1 Development is to comply with Council’s policy for footway restaurants.

5.6.4.5 Ground floor active lane frontage

Active street frontage is characterised by liveliness and activity associated with pedestrian activity, building entrances, shop entries and attractive shop displays.

The Double Bay Centre benefits greatly from a network of lanes that work in conjunction with arcades to provide pedestrian connections. As active pedestrian environments, the laneways have unrealised potential to intensify retail activity in the centre.

Note: An active frontage is defined as one or a combination of the following: entrance to retail, retail shopfront, entrance to residential/commercial above, cafe or restaurant if accompanied by an entry.

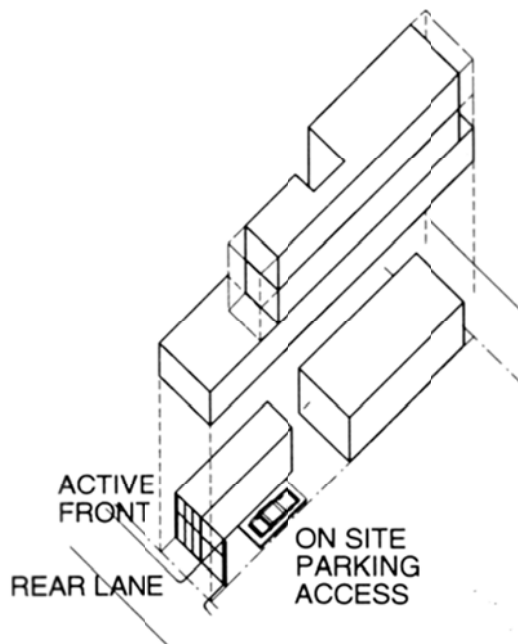


FIGURE 45 Active retail frontage

Consider using a car hoist with basement parking as a means of maximising active retail frontage. Lane address should incorporate active frontage and minimise the impact of access to on-site parking

Objectives

- O1 Provide an active frontage at the ground level of buildings facing lanes to add to the vitality, and usefulness of both lane and building.
- O2 Coordinate the provision of vehicular and service access to maximise ground floor activity along lanes.
- O3 Improve the pedestrian amenity of lanes to encourage a wide range of uses.
- O4 Improve safety and security by providing active shopfronts to improve general lane surveillance.
- O5 Discourage off-street loading facilities in laneways if on-street loading bays are available.

Controls

- C1 A minimum of 75% active frontage to lanes, measured as a linear ratio across the width of a lot, is generally required. Development on narrow lots may vary this requirement if applicants demonstrate that the vitality and usefulness of the lot frontage is maximised.
- C2 Vehicle access points and building entrances must be separate and clearly defined to avoid pedestrian and vehicular conflicts.
- C3 Ensure service areas are unobtrusive and have minimal lane presence. Preferably orientate service areas within the building envelope, perpendicular to lane frontage.

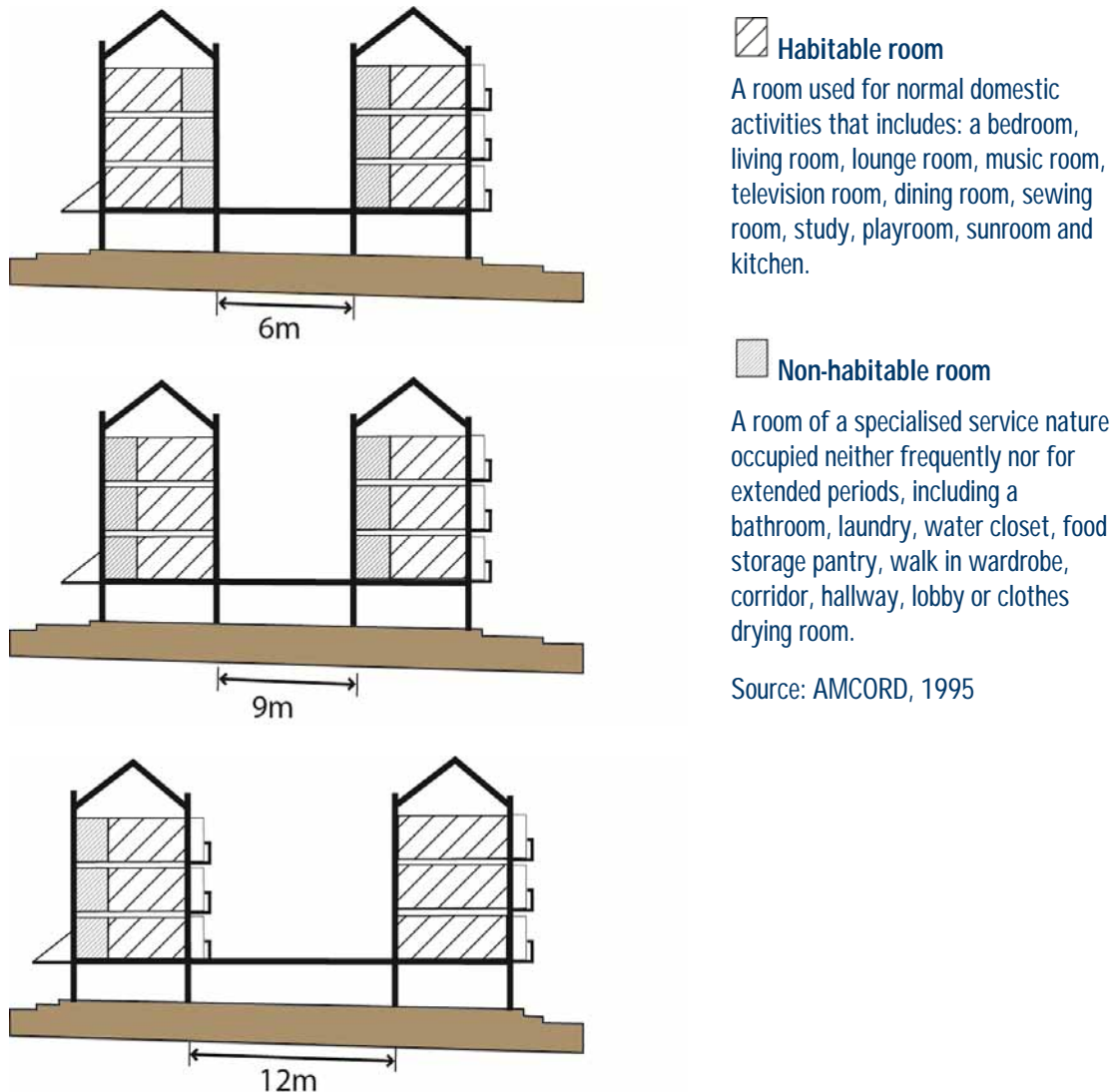
- C4 Services, such as garbage areas and electrical substations, should not dominate the laneway frontage or otherwise unreasonably reduce the opportunity to establish an active frontage to the laneway. Services should generally be located within the building envelope and integrated with the building design.
- C5 Retail, restaurant, cafe shopfronts should be glazed and able to be opened and/or provide through shop/lot visibility.

5.6.5 Amenity

5.6.5.1 Visual privacy

Visual privacy is an important consideration for residential development within the centre, and neighbours adjacent to the centre, as it is a major determinant of amenity.

FIGURE 46 Recommended minimum separations between openings to achieve visual privacy



Objectives

- O1 Ensure development protects the privacy of adjacent residential neighbours.
- O2 Ensure residential apartments and private open spaces have adequate visual privacy.

Controls

- C1 Orientate main living spaces, and their primary openings, to the street or rear garden to avoid overlooking between neighbouring properties. Living areas with primary openings facing the side boundary should be avoided.
- C2 Where openings face the side boundaries of properties, protect visual privacy between neighbouring dwellings by:
 - a) providing adequate distance between opposite windows - use the illustrations in this section as a guide;
 - b) offsetting facing windows of neighbouring dwellings; and
 - c) providing obscure glazing, screening or planting.
- C3 Protect privacy between dwellings proposed on a single development by adopting the recommended distance between openings illustrated in Figure 46. Alternatively use vegetation and balcony screening to protect privacy.
- C4 Use building articulation, particularly in required building articulation zones, to provide visual privacy between buildings and the public domain.
- C5 Primary door and window openings in residential living areas should be located towards the street and/or rear to protect privacy. Living areas with primary openings facing the side boundary should be avoided.

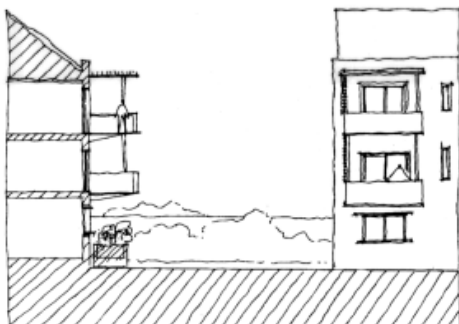


FIGURE 47 Carefully locate balconies to protect privacy

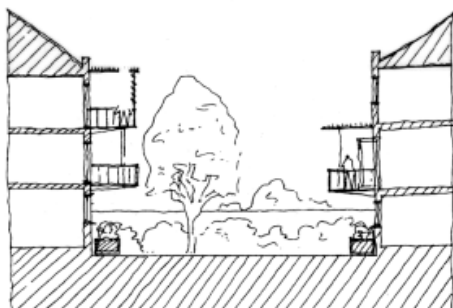


FIGURE 48 Vegetation and balcony screening must be used to enhance privacy when the recommended separations are not able to be achieved.

Source: AMCORD, 1995

5.6.5.2 Acoustic privacy

Acoustic privacy is an important consideration in relation to the residential component of the centre, and neighbours adjacent to the centre, because it is a major determinant of amenity.

Objectives

- O1 Ensure adequate acoustic privacy to residential apartments and private open spaces in the centre.
- O2 Protect the acoustic privacy of residential neighbours adjacent to the centre.
- O3 Ensure the viability of housing, and greatly increase the amenity of dwellings, by minimising the impact of external noise sources.

Controls

- C1 Building siting and layout, particularly with regard to the location of courtyards, terraces and balconies and the like, should minimise the transmission of noise to other buildings and private open space on the site and on adjacent land. The use of openings, screens and blade walls, and the choice of materials, should also be designed to minimise the transmission of noise.
- C2 Minimising the impact of external noise sources on dwellings near noise sources by:
 - a) addressing New South Head Road with recessed balconies, enclosed balconies, kitchens and/or living rooms; and
 - b) locating bedrooms away from noise sources.
- C3 Bedrooms should be located away from noise sources such as goods delivery and early morning garbage collections.
- C4 Restaurants should be designed to minimise the impact of noise associated with late night operation on nearby residents.
- C5 Rear courtyards are only permitted for restaurant use if Council is satisfied that the hours of operation do not have an unreasonable impact on residential amenity.

Note: Council may require a noise impact assessment report to accompany a development application.

5.6.5.3 Landscaped areas

Private gardens at the rear of residential blocks adjoining the centre collectively create large scale open spaces. To ensure development immediately adjoining these blocks preserves and extends these open spaces a landscaped area requirement is included in the control drawings, Section 5.5.5–5.5.11. Landscaped areas may be private, communal or publicly accessible.



Bay Street and Guilfoyle Avenue

FIGURE 49 Landscaped areas

Landscaped open space provides a transition between the commercial area and adjoining residential properties.



Manning Road

Objectives

- O1 Ensure development immediately adjoining residential blocks continues the pattern of built form and open space established in the block.
- O2 Provide landscaped areas, typically in the centre of blocks, to preserve and extend established open spaces.
- O3 Provide landscaped areas that preserve neighbouring residences' access to day light and natural ventilation and provides visual privacy.
- O4 Mature trees and other planting is encouraged within landscaped areas to maintain Double Bay's existing leafy quality. Permeable surfaces are also encouraged to maximise the on-site infiltration of stormwater.

Controls

- C1 Above ground development may not occur within the landscaped area shown on the control drawings, Section 5.5.5–5.5.11. 50% of the area designated as landscaped area must be a deep soil landscaped area.
- C2 Car parking should be located under the building footprint to maximise deep soil landscaped areas.
- C3 Plantings over underground structures should have sufficient soil depth to allow sustainable planting.

Note: A site-specific landscape specification is to be prepared for landscaping above underground structures. The specification should include considerations such as plant species, soil depth and drainage.
- C4 One large mature tree, planted in deep soil, is required for every 100m² of landscaped area.

5.6.5.4 Private open space

Private open space includes ground floor garden areas and above ground open spaces such as terraces, loggias, balconies, or decks. The availability and accessibility of comfortable private and communal outdoor living areas is a major determinant of the ability of occupants to enjoy living and working in the Double Bay Centre.

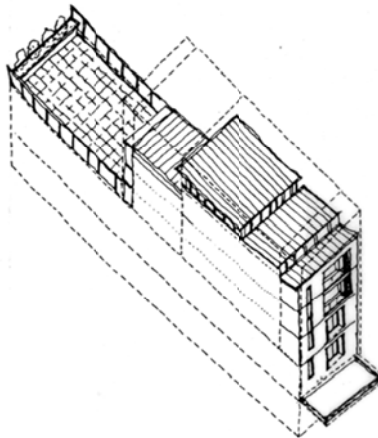


FIGURE 50 Above ground open space

Above ground open space may be created as a roof terrace

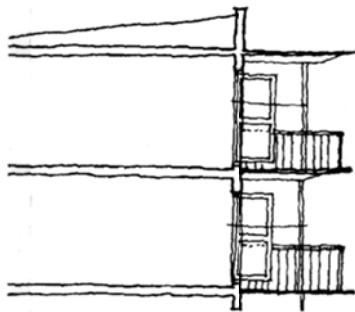


FIGURE 51 Above ground open space

Above ground open space may be created within the articulation zone and should utilise prevalent breezes



FIGURE 52 Lightweight pergolas, sun screens and planters can enhance the quality of roof spaces, and provide privacy

Objectives

- O1 Ensure every dwelling in the Double Bay Centre has direct access to private open space.
- O2 Encourage occupied roof areas with roof gardens behind parapets where private open space at ground level is not available.

Controls

- C1 Provide at least one balcony, terrace, verandah, loggia, roof terrace or deck for each dwelling, within the area nominated for building articulation. This open space must be accessible from a principal living area.
- C2 The preferred depth of the required open space is 2.4m and the minimum permissible depth is 1.8m. The minimum area of private open space is determined by the dwelling size:

Dwelling size	Minimum required area of above ground open space
Small dwelling: less than 60m ²	8m ²
Medium dwelling: 60m ² - 90m ²	12m ²
Large dwelling: more than 90m ²	16m ²

- C3 Roof terraces and balconies must be designed and orientated to protect the privacy of neighbours.
- C4 Lightweight pergolas, sunscreens, privacy screens and planters are permitted on roof terraces provided they do not increase the bulk of the building. These elements should not significantly affect the views available from adjoining properties, the immediate vicinity or on the nearby ridges.
- C5 The profile and silhouette of parapets, eaves and roof top elements must be considered in roof terrace design to provide an attractive building finish when viewed from the public and private domain.

5.6.6 Solar access and natural ventilation

5.6.6.1 Solar access

Solar access is a major determinant of environmental comfort and residential amenity. Good passive solar design offers financial and environmental benefits, by reducing the need for artificial heating and cooling.

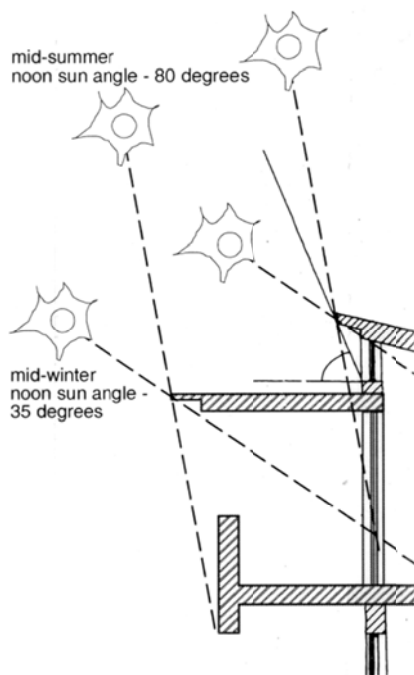


FIGURE 53 Mid-winter and mid-summer solar angles for openings facing true north

The design of north facing balconies and rooms should aim to admit low angle winter sunlight, and exclude high angle summer sunlight

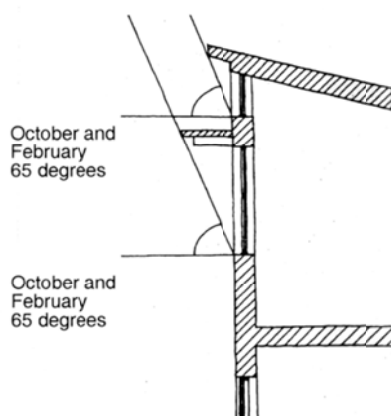


FIGURE 54 Solar angles for windows facing true north

Eaves, screens and the size of openings for north facing balconies and rooms, should be designed with regard to the noon 17 October / 26 February sun angles to maximise winter sunlight penetration, and minimise summer sunlight penetration

Source: Energy Information Centre information sheet, May 1994

Objectives

- O1 Minimise overshadowing of adjoining properties or publicly accessible spaces.
- O2 Building form, separation and plan layout should facilitate good solar access to internal and external living spaces, to maximise natural heating and cooling and minimise the use of artificial systems.

Controls

- C1 Preserve solar access to Guilfoyle Park and the footpath on the south side of Knox Street, Cross Street, and New South Head Road between 12 noon and 2pm on 21 June.
- C2 Development should comply with the control drawings in Section D5.5 to ensure adequate solar access is provided to neighbouring properties.
- C3 Development which does not comply with the control drawings must maintain existing solar access to existing development for at least three hours between 9am and 3pm on 21 June to north facing windows of habitable rooms, and at least two hours to at least 50% of the private open space.
- C4 Access to sunlight should be achieved for a minimum period of three hours between 9am and 3pm on 21 June to windows of habitable rooms and two hours to private open space of new development.
- C5 Locate main living spaces including lounge, dining, kitchen and family rooms toward north where possible.
- C6 Skylights which provide the sole source of daylight and ventilation to habitable rooms are not permitted in residential or commercial development.

5.6.6.2 Cross ventilation

The design of buildings provides an opportunity to reduce long term energy consumption. Building envelopes in this plan promote thin cross section buildings which do not rely on artificial lighting and ventilation. Building design for natural ventilation should capitalise on Double Bay's harbour side location and on-shore breezes.

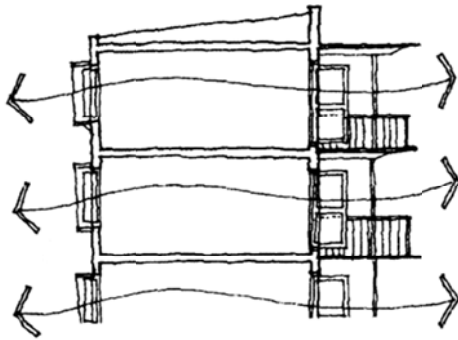


FIGURE 55 Cross ventilation

Thin cross-section design achieves good cross ventilation and assists day lighting of rooms

Objectives

- O1 All buildings should be designed to achieve natural ventilation.
- O2 Design buildings with naturally lit habitable rooms.

Controls

- C1 The maximum building depth of development for levels 3-5 is 15.6m to achieve buildings that are substantially naturally lit and ventilated.
- C2 Encourage the provision of windows to all rooms, including kitchens and bathrooms, to facilitate natural light and ventilation. Avoid or minimise the reliance on mechanical ventilation or air conditioning.
- C3 Encourage building articulation, such as light wells and courtyards, that allows daylight into ground and first floor levels.
- C4 All dwellings in each development must have windows that can be opened and /or doors in walls with differing orientations, to facilitate cross ventilation by locating windows opposite each other. When this is difficult to achieve on non-rectangular lots with limited street address, at least 80% of dwellings within that development must comply.
- C5 Skylights that provide the sole source of daylight and ventilation to habitable rooms are not permitted.

5.6.7 Geotechnology and hydrogeology

Council will normally require geotechnical and hydrogeological reports for development applications which include below ground structures.

This is because the subsurface conditions within the Double Bay Commercial Centre generally comprise water charged alluvial sediments to great depth. The alluvium is predominantly sand which is typically loose near the surface but may at some locations be interlayered with soft compressible clay or peat bands at depth.

The groundwater level in the valley area is generally high and varies between RL 1.0 and RL 2.5.

Any proposed development with below ground structures must consider the sub-surface conditions and the effects of construction on adjacent properties. In addition, those which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the effect of any changes induced in the sub-surface water levels and the groundwater flow patterns on adjacent properties. Unless site specific information exists to the contrary, excavations deeper than 1m must be assumed to have this potential to intersect the groundwater level.

Council's principal objective is to ensure there are no adverse geotechnical and hydrogeological impacts on any surrounding property and infrastructure as a result of development, during and after construction. Typically, adverse geotechnical impacts may include vibration induced settlements from construction methods and equipment and inadequate support of adjacent land during and after construction. Typically adverse hydrogeological impacts may include settlement induced by changes in the groundwater level and seepage problems.

Objectives

Buildings must be designed and constructed with appropriate support and retention systems to ensure that:

- O1 There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on adjoining properties and infrastructure.
- O2 There will be no change to the ground water level, during and after construction, sufficient to cause an adverse impact on surrounding properties and infrastructure.
- O3 Vibration during construction is minimised or eliminated to ensure no adverse impact on surrounding properties and infrastructure.
- O4 The risk of damage to adjacent existing property and infrastructure by the new development will be reduced to a level no greater than that from an event with an "unlikely" likelihood of occurrence and "minor" consequence.

In this clause "adverse impact" means any damage caused to the improvements on adjoining properties by the demolition, excavation or construction on the development site.

Controls

- C1 Excavation below 1m is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures.

Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development.

Development applications include a design statement and supporting drawings (if necessary) that show the proposed design measures minimise risk and ensure that no adverse impacts will occur.

5.6.8 Parking and servicing

5.6.8.1 On-site parking

The opportunity for on-site parking is restricted in many areas of the Double Bay Centre. The narrow width of some lots makes it impossible to accommodate more than two spaces on-site, and the level of the existing water table in the centre may make site excavation for underground parking difficult. This chapter aims to satisfy the parking demand likely to be generated by future development, whilst facilitating the redevelopment of narrow lots and discouraging over-reliance on cars.

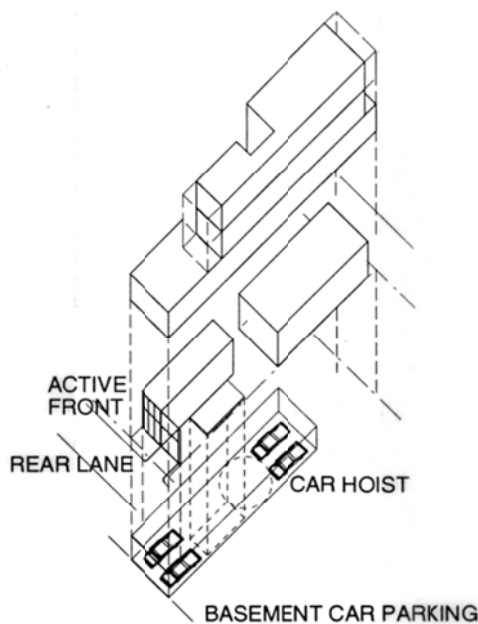


FIGURE 56 On-site parking

If on-site parking is provided consider using a car hoist and turntable to maximise the efficiency of basement parking

Objectives

- O1 Ensure the impact of car parking on the site and streetscape is handled discretely.
- O2 Ensure the design of on-site car parking is safe and efficient, and integrated with the overall site and building design.
- O3 Maximise natural light and ventilation to parking areas where possible.
- O4 Encourage cooperative approaches to car parking provision between adjoining lots that are less than 6m wide and/or less than 30m deep.
- O5 Ensure underground car parking facilities do not collectively create a continuous barrier to subsurface water flow.

Controls

- C1 Parking provision must comply with Part E of this DCP, Chapter E1 Parking and Access, except where detailed below.
- C2 Consolidated parking areas are preferred below ground level where possible and concentrated under building footprints to maximise the area for landscaping areas.
- C3 Basement parking should be naturally ventilated if possible.

Notes:

Part E of this DCP, Chapter E1 Parking and Access provides the parking generation rates for the Double Bay Centre. In certain circumstances on-site parking is not required. See the Parking and Access chapter for details.

Major developments on the north-western side of New South Head Road are encouraged to provide spaces additional to their development requirements for public parking. This should be negotiated with Council during the pre-DA stage.

A cooperative approach to parking provision, where car parks may be amalgamated and share access and egress points, are encouraged between two or three lots that are less than 6m wide and/or less than 30m deep.

5.6.8.2 Vehicular access

The continuity of retail frontages is essential to the liveliness of the Double Bay Centre and its urban character. Vehicular crossings interrupt street activity, diminish amenity, and reduce the area for public on-street parking.

Objectives

- O1 Maximise retail frontage in streets and lanes.
- O2 Maximise pedestrian safety and amenity by minimising conflict between pedestrians and vehicles.
- O3 Entrances to parking and servicing should not dominate the streetscape. The design, size and location of access to parking and servicing areas are to be discrete.
- O4 Encourage cooperative approaches to car parking provision to reduce the number of vehicle access and egress points.
- O5 Coordinate vehicular access with the provision of active frontages to lanes.

Controls

- C1 Vehicular access to a building is only permitted via a rear lane or rear right of way where possible.
- C2 If loading facilities are provided they must be located in a rear lane or side street.
- C3 Driveway widths should be kept to minimum dimensions. Driveway crossings should generally be 3m, however a maximum width of 6m may be considered depending on the site, the location of the access point, and the capacity of the car park. Wider driveways are permitted only when it is necessitated by compliance with Australian Standards.
- C4 Driveways to car parking above, below and at the ground floor level should be designed with minimal visual impact on the street, and maximum pedestrian safety. Pedestrian access to the development should be separate and clearly defined.
- C5 Garage doors should be set back from the building line.
- C6 Access ways to car parking should not be located in direct proximity to doors or windows to habitable rooms.
- C7 Devices such as car hoists and turntables may be incorporated to provide access to car parking above and below the ground floor.

Note: Driveways and kerb crossings must be sited to have minimum impact on the root zone of existing street trees, and be designed having regard to the Public Domain Improvements Plan (1999) and Streetscape Design Manual and advice from Council's Technical Services Division.

5.6.8.3 First floor car parking

This chapter aims to maximise the active frontage at street level throughout the Double Bay Centre. As car parking is an inactive space that can disrupt the vitality of a street, the provision of street level car parking should be minimised. Where basement car parking is not possible, first floor car parking may be permitted. Where first floor car parking is necessary, careful design should ensure it is unobtrusive and does not detract from the streetscape.

Objective

- O1 Ensure first floor car parking is unobtrusive and does not have a negative impact on streetscapes.

Controls

- C1 First floor car parking is not permitted to address street fronts. Parking space must be located in the middle of blocks or toward the rear of the allotment.
- C2 First floor car parking that is incorporated within the building must be behind the building alignment and screened from the street.

- C3 Facades screening car parks from the street must be high quality and allow natural lighting and ventilation.
- C4 Vehicle access to first floor car parking must be integrated with the provision of active frontage to laneways. Vehicle access may not ramp along the street or lane alignments.
- C5 Innovative approaches to car access and changing level, that minimise street impact and use space efficiently, such as car hoists, are encouraged.

5.6.8.4 Site facilities

Site facilities include loading areas, garbage areas, mailboxes, external stores, laundries and clothes drying areas. Development should provide appropriate site facilities for retail, commercial and residential uses, and minimise impact on the streetscape.

Objectives

- O1 Ensure adequate provision of site facilities.
- O2 Ensure site facilities are accessible, functional and unobtrusive.

Controls

- C1 Site facilities, particularly garage areas, are to be visually integrated with the development to minimise their visibility from the street. Preferably orientate service areas within the building envelope, perpendicular to lane frontage. Such facilities must be located away from operable windows to habitable rooms to avoid amenity problems associated with smell. They must be located close to rear lanes where access is available.
- C2 Ensure service areas are unobtrusive and have minimal lane presence. Preferably orientate service areas within the building envelope, perpendicular to lane frontage.
- C3 Fire hydrants and booster pumps must be integrated into the front of the building façade and enclosed with doors. The enclosure should be clearly identified in a colour that suitably contrasts the façade.
- C4 Lockable mailboxes must be provided close to the street, integrated with front fences or building entries.
- C5 Buildings are designed to accommodate venting from ground floor uses to avoid potential impacts from exhaust and odour such as cooking smells.
- C6 Air conditioning units and other plant equipment should not be readily visible from the public domain.

5.6.9 Application of concessions

Concessions for cultural facilities

Cultural facilities are encouraged within the Double Bay Centre. Where applicants can demonstrate that the building form required for a cultural facility does not comply with the building envelope, flexibility with regard to the building envelopes may be granted.

- ▶ The following building uses are considered cultural facilities:
 - entertainment facilities; and
 - community facilities.
- ▶ Cultural facilities may be granted concessions with regard to permissible building envelope. No concessions to the LEP height and FSR controls will be permitted.
- ▶ To warrant concessions applicants need to demonstrate the proposed cultural facility:
 - maintains a building form compatible with the surrounding built form and streetscape;
 - meets the objectives of solar access; and
 - provides natural lighting and ventilation where possible.

Concessions for corner buildings

Strong corner buildings, which enhance the spatial definition of the public spaces they address, are encouraged. Selected corner buildings are eligible for an additional 0.5:1 of FSR under Woollahra LEP, subject to meeting certain requirements.

Refer to Section 5.6.3.5 Corner buildings in this chapter and Clause 4.4A of Woollahra LEP, which outlines the controls that relate to corner buildings.

Appendix 1: Transvaal Avenue Heritage Conservation Area

A1.1 Introduction

Objectives

- O1 To retain and enhance the existing contributory buildings in Transvaal Avenue and to ensure that they retain their visual prominence in the streetscape.
- O2 To conserve the characteristics which give the Transvaal Avenue group of former residences its special sense of identity.
- O3 To encourage replacement of buildings that detract from the townscape character of Transvaal Avenue.

Application of management policy

The management policy contained in clause A1.5 applies to the Transvaal Avenue Heritage Conservation Area.

A1.2 Historical outline

The property developer Edward Knox Harkness established Transvaal Avenue in 1900. The residential street was developed in the early 1900s with eight pairs of semi-detached houses, each named after the Transvaal victories that the British forces were enjoying in South Africa in the Boer War. The houses on the east side, Nos. 1-13 were named after the battles of the campaign and the houses on the west, Nos. 2-16 after the victorious British commanders, including Colonel Robert Baden Powell.

Transvaal Avenue was extended to its current length in the early 1920s, with the subdivision of the Lowlands Estate and the construction of six new detached dwellings. The avenue remained a quiet residential street until the 1970s when pressure mounted to develop the area. The ensuing debate finally resulted in the street being declared a conservation area under Woollahra LEP 1995 and it remains so today.

A1.3 Character and description

Existing character

The character of Transvaal Avenue is formed by a unique relationship between the consistent and richly decorated Federation style semi-detached cottages, the street trees and landscaped central garden, the subdivision pattern which does not allow for car parking on site and its distinctive building form.

Each cottage has a steeply pitched terracotta hipped roof with chimneys and a gable with decorative timber barges. Occasionally bays occur at the street frontage. Low roof forms occurring towards the rear are covered in corrugated sheet metal.

The combination of these factors makes the shapes of buildings in relation to the street highly visible and its general bulk and massing critical.

The façade treatment and consistency of detailing are very important contributors to the streetscape character. The lack of awnings, the single storey building mass and close proximity of each pair of buildings tie the buildings together into a cohesive group within the street, while the variety of façade decoration adds visual interest and creates diversity within that overall cohesiveness.

Description of former residential building groups – Nos. 2-16 and 3-13

Roof	Terracotta hipped roof form with projecting gables at street front. Chimneys in face brickwork with unpainted stucco detail and terracotta chimney pots.
Verandahs	Verandahs with timber fretwork across the width of the building as a continuation of the main roof plane with a tiled projecting bay or gable. End blade walls with decorative brackets and urns. Tessellated tiled verandahs with marble thresholds.
Walls	Tuck pointed face brickwork with rendered base course.
Entrance doorways	Separated by projecting party walls.
Fences	Dividing front fences with timber square top palings.
Windows	Vertically proportioned double hung in painted timber.
Small front gardens	Now all paved.
Original interiors to the front two rooms	Coffered plaster ceilings with marble fireplaces separating the front two rooms.

A1.4 Summary statement of significance

The Transvaal Avenue retail strip provides a physical record of a significant historical phase in the evolution of the Double Bay Commercial Centre.

The group of buildings provides physical evidence of the working class residential boom at the end of the 19th century by a renowned local developer, Edward Knox Harkness, who was responsible for many fine Federation styled semi-detached cottages within the Double Bay area.

The quality and distinction of the architectural decoration of the turn of the century buildings exemplifies the economic boom in that period and the expansion of residential development after the introduction of the tram service to the City in 1894 and from Rose Bay in 1898.

The area provides an historical record of the time through the naming of each of the properties and the avenue after the victories of the British force in the South African Boer War. Transvaal is the alternate name of the South African Republic.

The consistency and relative intactness of the cottages with their fine Federation but Gothic style brick and tile construction, stucco details and timber fretwork creates a distinctive and aesthetically pleasing character.

The uniformity of form and scale within the Harkness development of the single storey brick and tile semi-detached cottages contributes to the unique qualities of the housing group within the Double Bay commercial precinct.

The streetscape has high aesthetic value which is enhanced by the closed vistas and the carefully maintained street trees and landscape works at the northern end.

The area has social significance to the local community, demonstrated through the involvement of the local community during the 1980s when the area was granted heritage conservation area status after the number of objections raised to the proposed redevelopment of the group.

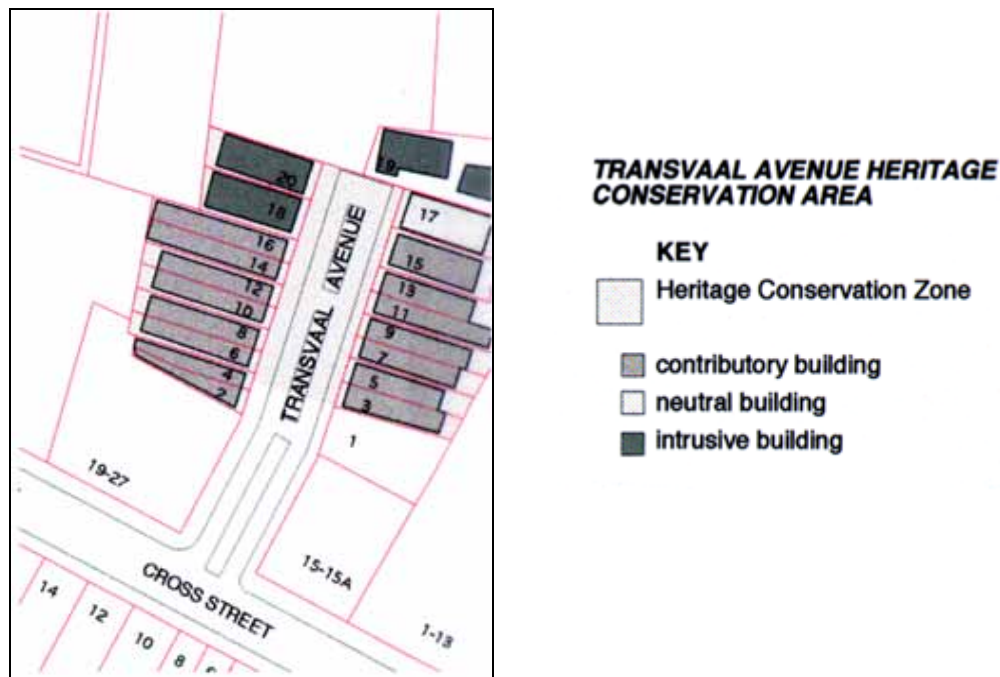
A1.5 Management policy

The following policy statement encapsulates the approach to the development and care of the heritage significance of the Transvaal Avenue Heritage Conservation Area:

In recognition of the heritage significance of the Transvaal Avenue Heritage Conservation Area and its contributory buildings, the impact of proposed development on individual buildings, on the character of the streetscape and on the overall significance of the area must be considered as part of the assessment of all development applications in the area.

A heritage impact statement must accompany all development applications involving proposed changes to the external appearance of properties within the area, unless those proposed changes are deemed by Council to be of a minor nature and to not result in adverse heritage impacts.

Evidence of the historical fabric of the buildings must be retained and conserved, including evidence of the previous residential historical uses. Former place names and the decorative architectural features of the front two rooms and of the front roof form and elevations are of particular interest and must be retained and conserved.



The original terracotta roof forms, chimneys and chimney pots must be retained and conserved.

Significant and contributory shopfronts and interiors must be retained and conserved. Other shopfronts may either be retained or replaced unless identified as intrusive, in which case, replacement is the preferred option.

Contributory buildings in the Transvaal Avenue Heritage Conservation Area map, must be retained and conserved - specifically Nos. 2-16 and 3-15 Transvaal Avenue. These buildings must comply with the diagram of proposed controls below.

Contributory buildings which have been structurally altered should be reconstructed to their original appearance as viewed from the street front.

Buildings whose contribution is ranked as neutral in the Transvaal Avenue Heritage Conservation Area map shall (preferably) be retained and enhanced, but alternatively, may be redeveloped.

Buildings whose contribution is ranked as intrusive or neutral which are proposed to be redeveloped must comply with Section D5.5 Built form envelopes: Control drawings and D5.6 Development controls.

Additions must be located at the rear behind an extension of the existing terra cotta tile roof form, screened by a gablet form as indicated in the diagram of proposed controls. Additions must have regard to their potential impact on the character of the streetscape and should not result in changes in the apparent scale, form or bulk of existing buildings.

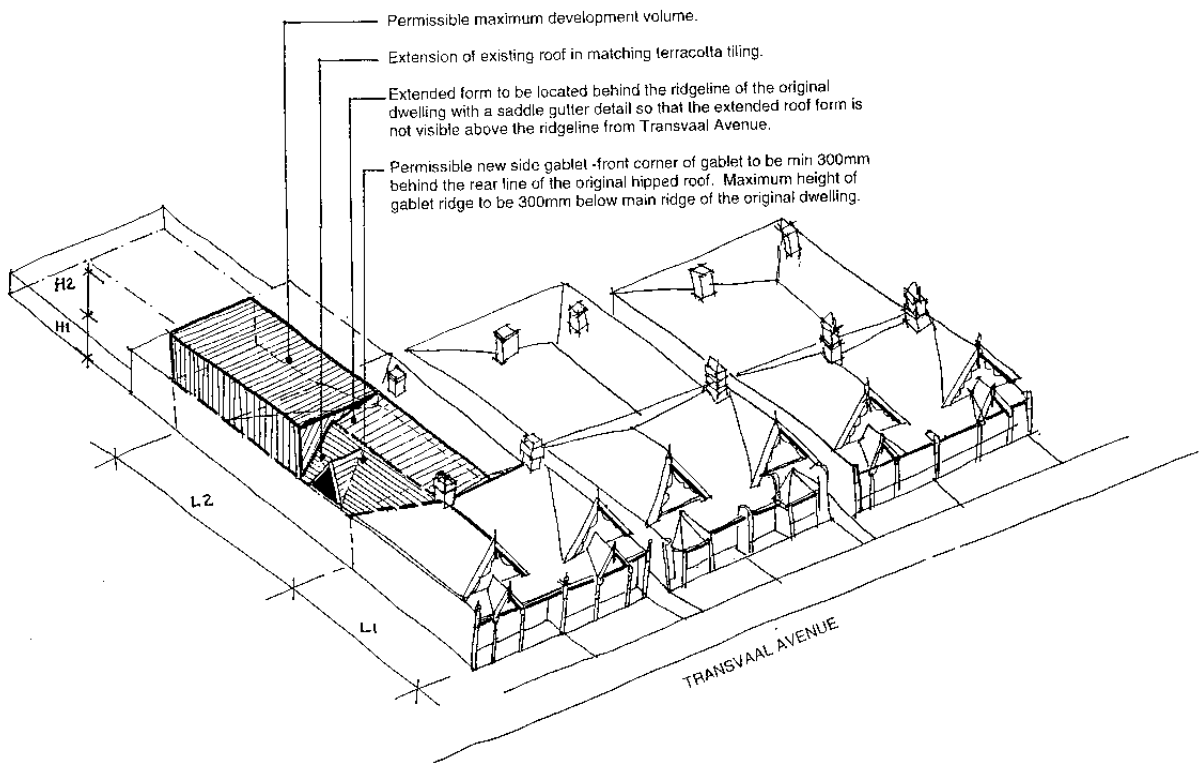
Off-street car parking is not permitted.

Significant street trees must be retained. The planting of trees and shrubs on the verges by property owners is discouraged unless the species and location is in accordance with Council’s Street Tree Master Plan.

Diagram of proposed controls

KEY

- L1 Existing main section with tiled hip roof
- L2 Existing secondary wing with corrugated steel roof
- H1 Height to be equal to existing eaves
- H2 Maximum permissible height to be equal to the height of the existing front ridgeline



Appendix 2: Kiaora Lands

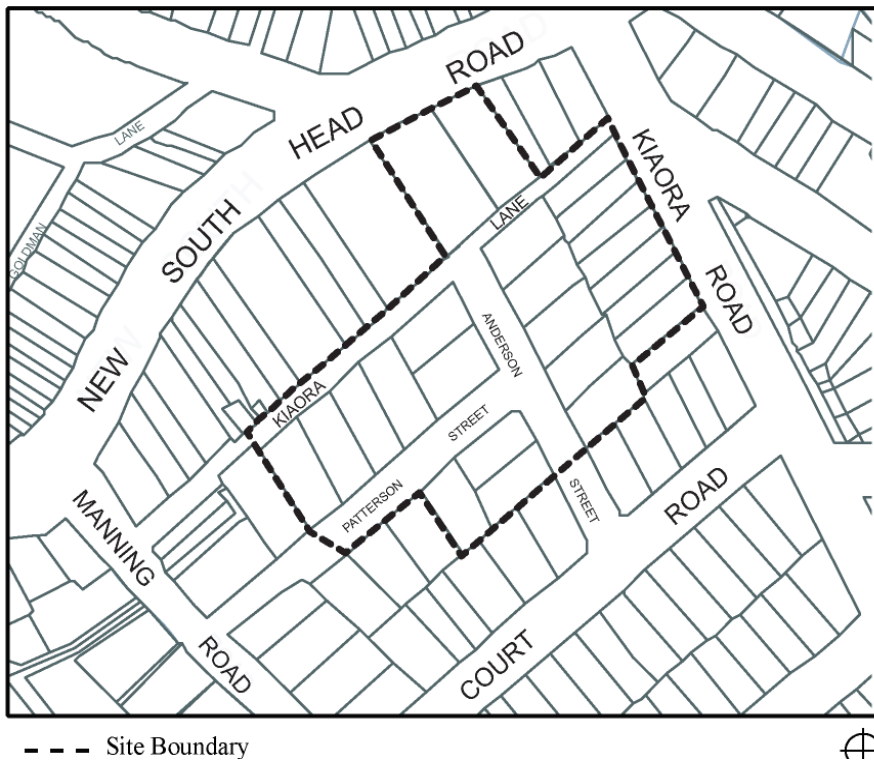
A2.1 Background

The Kiaora Lands site shown in Figure 1 is a significant local precinct within the Double Bay Commercial Centre. The site comprises substantial public and private land holdings. In recognition of the precinct’s importance to the Double Bay Centre’s function and commercial vitality special provisions have been prepared.

Appendix 2 provides development objectives, strategies, principles and controls for the Kiaora Lands site. Other relevant objectives and controls are provided in Sections D5.1 to D5.6 of this plan. The provisions of Appendix 2 prevail over those in other parts unless otherwise specified.

Land beyond the boundary shown on Figure 1 may be included within the site for the purpose of development such as awnings, signs, architectural features, public domain improvement works and car parking.

FIGURE 1 Kiaora Lands



A2.2 Objectives

The objectives for development of the Kiaora Lands site are:

- O1 To maximise the public benefit from ownership and development of the Council owned lands that form part of the site.
- O2 To develop a high quality public domain that demonstrates a high standard of planning, urban design and landscape architecture.
- O3 To protect and enhance the commercial role of the Double Bay Centre both locally and generally throughout Metropolitan Sydney.
- O4 To provide a catalyst for increased business activity and private sector development in Double Bay.
- O5 To increase the attractiveness of Double Bay as a place to live, work and shop.
- O6 To improve traffic and pedestrian safety in Kiaora Lane.
- O7 To minimise the effects of traffic, car parking and loading on local residents.
- O8 To provide sufficient accessible and safe public and private car parking for development on the site.
- O9 To provide additional public car parking that assists with meeting future needs within the Double Bay Centre.
- O10 To establish high quality community facilities and public domain.
- O11 To establish high quality commercial and retail development, including an expanded supermarket.
- O12 To integrate the new private and public domain development with Double Bay's existing public spaces and built form.
- O13 To maintain or improve the amenity of adjoining residential areas and to protect the surrounding environment.
- O14 To minimise the impact of development on adjoining properties and properties in the immediate locality.
- O15 To ensure that development on private and public land is accessible.
- O16 To provide a prominent public connection between Kiaora Lane and the public spaces of Knox Street and Guilfoyle Park.
- O17 To ensure that the development meets best practice standards in environmentally sustainable design.

A2.3 Development framework

A2.3.1 Urban structure of Kiaora Lands site

Layout and street pattern

- ▶ Provides pedestrian connections.
- ▶ Provides a large footprint for a potential supermarket.
- ▶ Allows the closure of public roads to provide for a large footprint supermarket and car parking.

Built form

- ▶ Reinforces the form of buildings constructed to the street boundary along New South Head Road.
- ▶ Provides a transition between commercial and residential areas.

Public domain

- ▶ Provides a new arcade between Kiaora Lane and New South Head Road.
- ▶ Upgrades Kiaora Lane.
- ▶ Provides a public plaza adjoining Kiaora Lane.
- ▶ Provides new street tree planting.
- ▶ Provides an integrated pedestrian network.

FIGURE 2 Existing structure

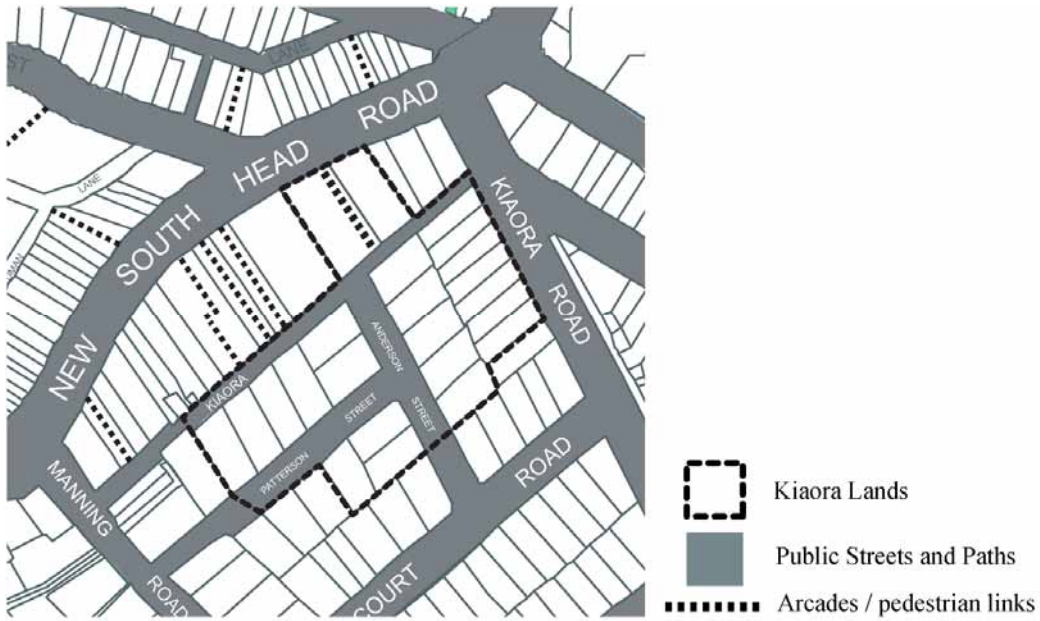
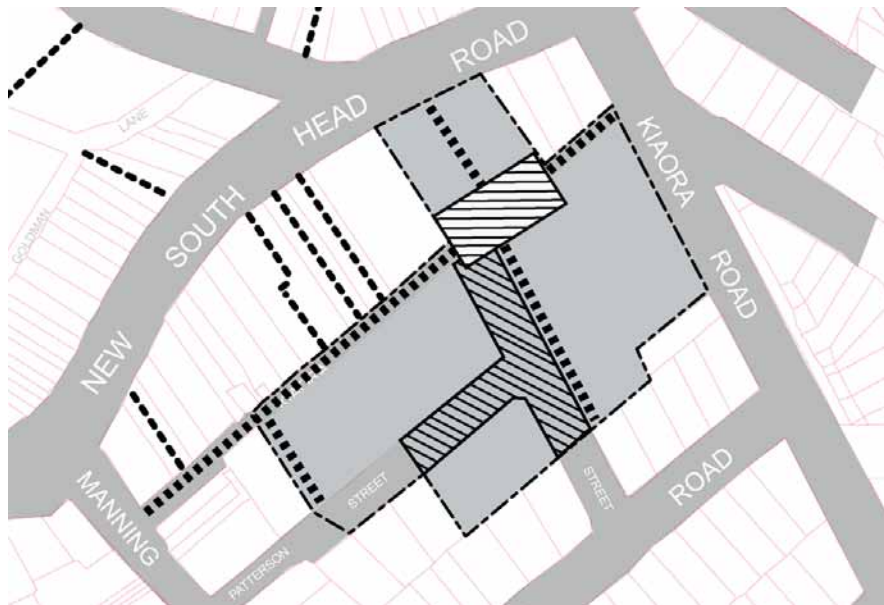


FIGURE 3 Future structure



A2.3.2 Street character

This section describes the desired future character of existing streets within the Kiaora Lands site.

It takes into consideration the scale of each street and the interface between the public and private domains. The redevelopment of the Kiaora Lands site will bring about changes to the character of the existing streets.

The Double Bay Centre Public Domain Improvements Plan (1999) should be used as a guide to works in the public domain such as street tree planting, pavement design and street furniture. Applicants should also speak with Council's Technical Services staff prior to submitting applications for work in the public domain.

The description of street character is to be read in conjunction with the built form envelope controls in Section A2.4 of this appendix.

Kiaora Road

Existing character

The Kiaora Road section of the Kiaora Lands site is currently residential and is dominated by modest scaled attached and detached bungalows. It is located opposite the Jamberoo Creek stormwater channel, which has been identified as one of several urban projects in the Double Bay Centre Public Domain Improvements Plan. Kiaora Road forms an edge of the commercial centre and reads as a continuum of the important Post Office intersection on New South Head Road.

Desired future character objectives

- O1 Ensure that the built form on Kiaora Road is integrated with the desired future character of the commercial centre.
- O2 Create a distinctive and identifiable edge to the commercial centre.

Strategy

- a) Provide highly articulated buildings constructed to the street boundary.
- b) Strengthen the built form at the corner of Kiaora Road and Kiaora Lane.
- c) Design loading docks to minimise conflicts between pedestrian and vehicles. Pedestrians are to be given priority where car park and loading dock crossovers occur.
- d) Provide new street planting to contribute to the tree lined nature of Kiaora Road.

Patterson Street

Existing character

Patterson Street is currently a leafy residential street with detached single storey dwellings on the south side with the Council car park and a three storey residential flat building on the north side.

Desired future character objectives

- O1 Allow the closure of the eastern part of Patterson Street to accommodate a suitable footprint for a supermarket and car parking.
- O2 Reinforce the existing leafy character at the western part of Patterson Street.
- O3 Provide a transition between the commercial centre and the adjacent residential areas.

Strategy

- a) Retain the existing London Plane tree on the northern side of Patterson Street opposite No.4 Patterson Street.
- b) Retain existing street trees where feasible and supplement with new street tree planting.
- c) Minimise conflict between pedestrians and vehicles.
- d) Provide a dedicated pedestrian connection between Patterson Street and the car park.
- e) Built form should be designed to contribute to the street. Outlook from the supermarket retailing area should be considered at the end of these streets as a means of providing surveillance along the street, hence increasing safety and animating and enlivening the building, particularly at night.

Anderson Street

Existing character

Anderson Street is currently a leafy tree lined street with car parks to both sides at the northern end.

Desired future character objectives

- O1 Allow for the closure of part of the street to provide a suitable footprint for a supermarket and car parking.
- O2 Reinforce the existing leafy character at the southern end of Anderson Street.

Strategy

- a) Provide a dedicated pedestrian access and egress point between Anderson Street and the car park.
- b) Built form should be designed to contribute to the street. Outlook from the supermarket retailing area should be considered at the end of these streets as a means of providing surveillance along the street, hence increasing safety and animating and enlivening the building, particularly at night.

New South Head Road

Existing character

The New South Head Road frontage is currently occupied by the single storey Woolworths supermarket.

This building provides a blank single storey frontage which is setback from the back of pavement approximately 1.2m.

Desired future character objectives

- O1 Reinforce the character of building to the street boundary along New South Head Road.
- O2 Provide a built form that recognises, and is sympathetic to, the adjacent heritage item.
- O3 Establish a new civic building and presence.
- O4 Provide a new, clearly visible arcade which connects New South Head Road to development south of Kiaora Lane.

Strategy

- a) Comply with the street edge profile specified in Section D5.5 Built form envelopes: Control Drawings, except as stated in the following:
 - Clearly indicate the entry point to the arcade on the elevation. Refer to Section A2.5.7 The new arcade.
 - Setback the building to the west of the arcade at least 1.35m from the street boundary. Refer to edge condition D (West).
 - Omit the 3.5m setback at the upper level of the New South Head Road frontage east of the arcade. Refer to edge condition D (East).
- b) Provide a sophisticated high quality design response that reflects the civic role of the building.

Kiaora Lane

Existing character

The existing character of Kiaora Lane is compromised by its 'back of house' status, with loading vehicles, exposed on-site loading bays and rubbish bins. The lane lacks containment and activity on its south side due to the at-grade car park.

Pedestrian activity is generated by the car park and the four existing arcades that feed onto the lane from New South Head Road. Narrow and inadequate pathways on the lane cause conflict between vehicles and pedestrians.

Desired future character objectives

O1 To make Kiaora Lane into a significant part of the public domain in the Double Bay Centre.

The controls for Kiaora Lane are located in Section A2.5.5 The new public domain.

A2.3.3 Street trees

Existing character

The existing character of Kiaora Lands is strongly influenced by the mature trees on the site.

Desired future character objectives

O1 Retain the tree lined character of streets on and surrounding Kiaora Lands.

Strategy

Retain the following trees:

	Tree type	Botanical name	Location
1	London Plane	<i>Plantanus orientalis</i>	Road verge north side of Patterson Street approx. 85m east of Manning Road
2	London Plane	<i>Plantanus orientalis</i>	Road verge south side of Patterson Street approx. 85m east of Manning Road
3	London Plane	<i>Plantanus orientalis</i>	Road verge south side of Patterson Street approx. 65m east of Manning Road
4	London Plane	<i>Plantanus orientalis</i>	Road verge north side of Patterson Street approx. 45m east of Manning R Road
5	London Plane	<i>Plantanus orientalis</i>	Road verge east side of Anderson Street approx. 40m north of Court Road
6	London Plane	<i>Plantanus orientalis</i>	Road verge west side of Anderson Street approx. 35m north Court Road
7	London Plane	<i>Plantanus orientalis</i>	Road verge west side of Anderson Street approx. 20m north of Court Road
8	London Plane	<i>Plantanus orientalis</i>	Road verge east side of Anderson Street approx. 15m north of Court Road
9	Swamp Mahogany	<i>Eucalyptus robusta</i>	Road verge west side of Kiaora Road approx. 20m south of Kiaora Lane
10	Southern Mahogany	<i>Eucalyptus botryodios</i>	Road verge west side of Kiaora Road approx. 30m south of Kiaora Lane
11	Oak	<i>Genus quercus</i>	Road verge south side of Kiaora Lane approx. 55m east of Manning Road

A2.4 Built form envelopes

Building envelopes illustrate the limits of permissible building height, depth and location and are described on the control drawings for New South Head Road and Kiaora Lane/Patterson Street.

Note: The statutory maximum building heights are in the Woollahra LEP. The maximum building heights are also shown in the chapter to provide detail to the envelope controls.

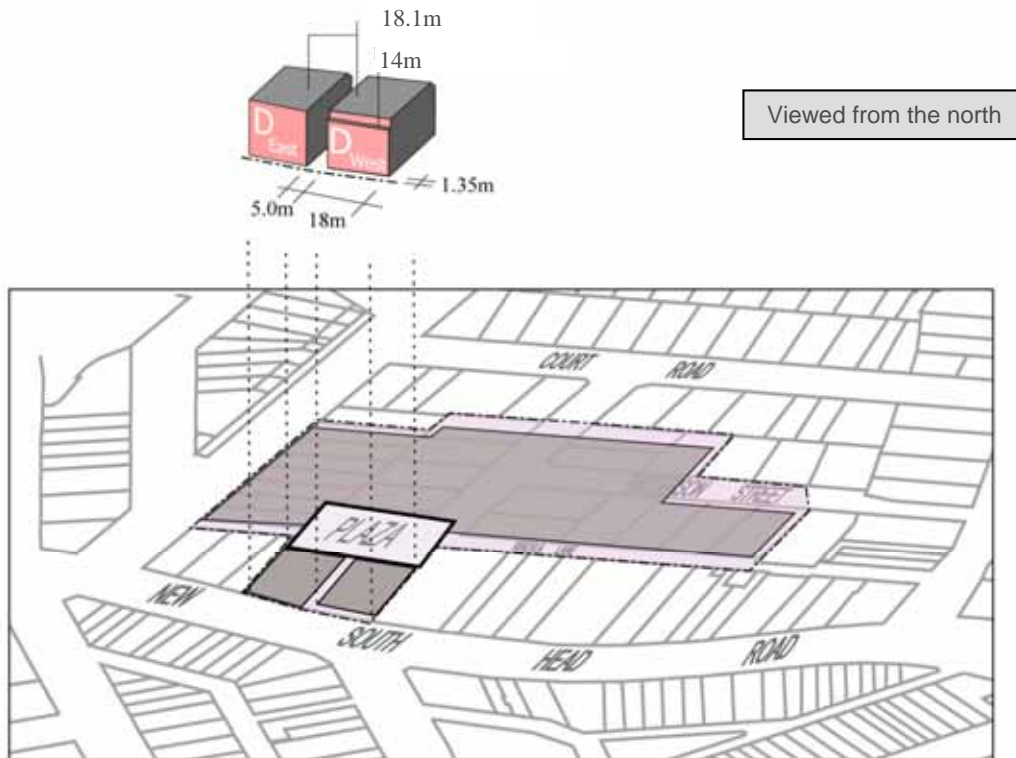
FIGURE 4

Edge conditions

D (East) – Boundary edge façade up to 18.1m to the east part of the frontage.

D (West) – A 1.35m setback to west part of frontage up to 14m and with a 3.5m setback up to 18.1m.

E – 32° inclined plane springing from the southern edge of the Plaza. Frontage a minimum of 18m from the southern edge of the Plaza. Variation to the inclined plane may be considered if the principal dining /public area on the south side of the plaza has sunlight access at 12 noon in mid-winter.



Note: The shape and location of the plaza in the diagram above is indicative only

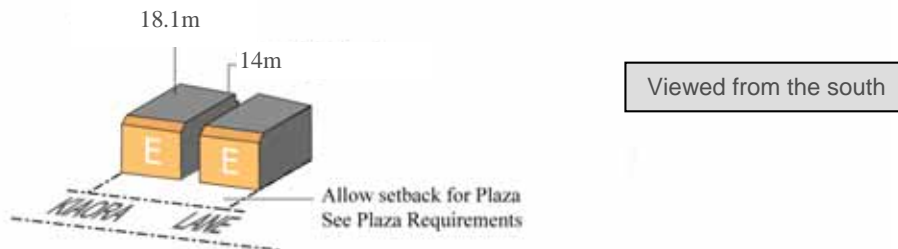


FIGURE 5

Edge conditions

A – 32° inclined plane springing from 3.5m south of the boundary, and with a building setback from the boundary of 7m for the ground floor level and 13.8m for levels above.

B – 64° inclined plane springing from the boundary, and a building setback of 1.5m from the boundary.

C – 32° inclined plane springing from the southern side of Patterson Street.

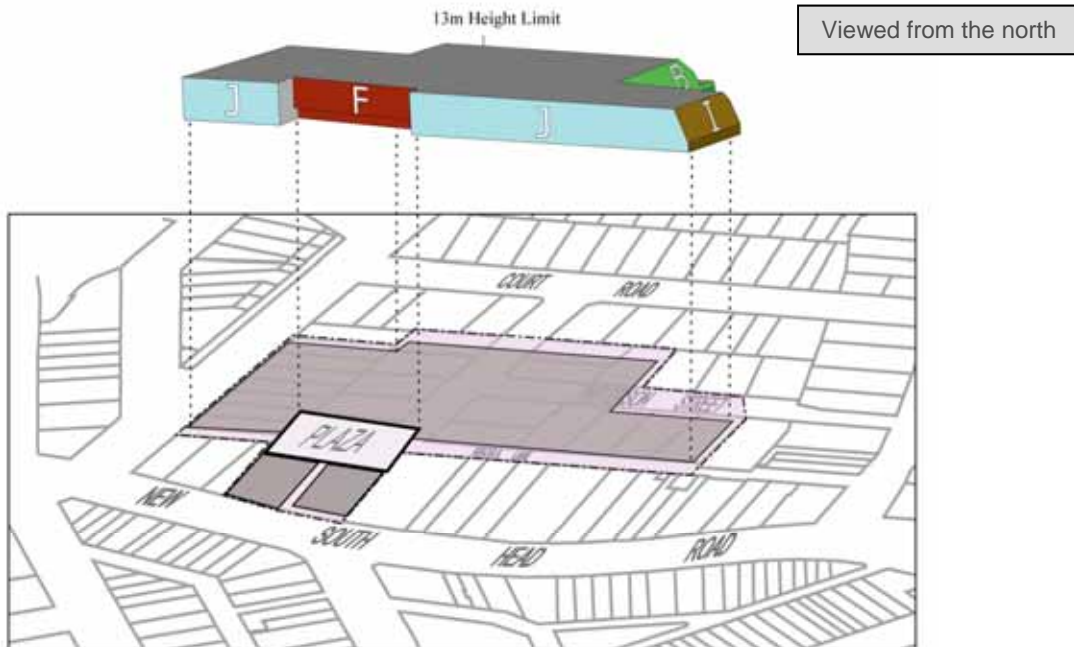
F – Plaza edge façade up to 13m. 2m deep colonnade at ground level.

G – Kiaora Road edge frontage up to 13m.

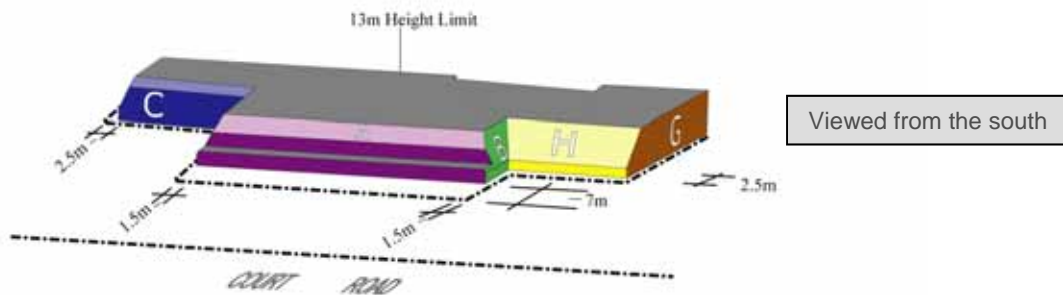
H – 45° inclined plane springing from a point 3m above ground level and 2.5m from the boundary to the adjacent property.

I – 64° inclined plane springing from the boundary, and a building setback of 2.5m from the boundary.

J – Kiaora Lane edge frontage up to 13m. A minimum of 7.9m from northern boundary of Kiaora Lane.



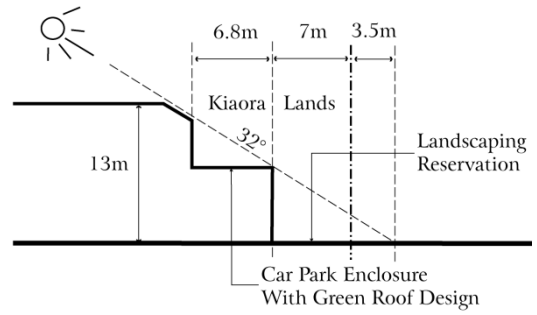
Note: The shape and location of the plaza in the diagram above is indicative only





Condition A

Location

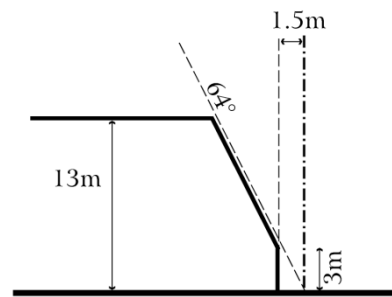


Section



Condition B

Location

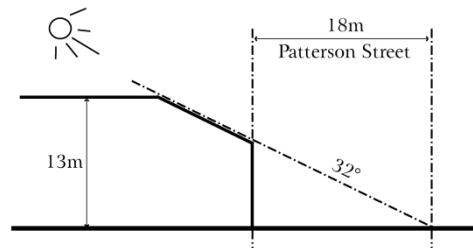


Section



Condition C

Location

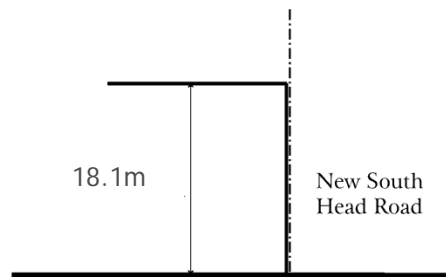


Section

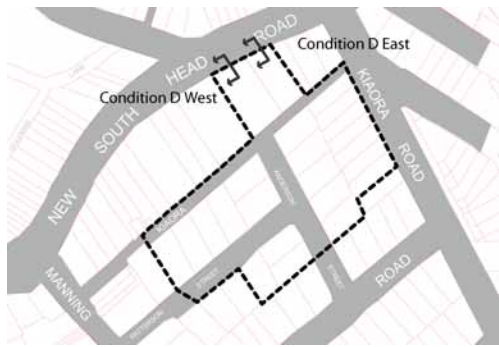


Condition D (East)

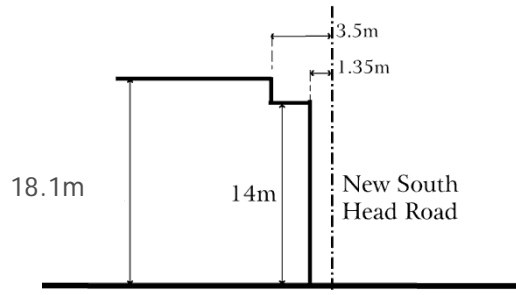
Location



Section



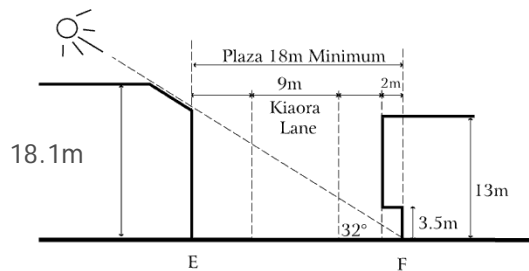
Condition D (West) Location



Section



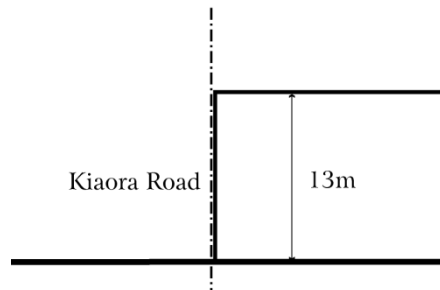
Conditions E + F Location



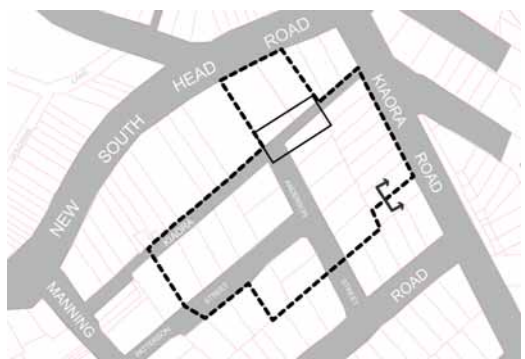
Section



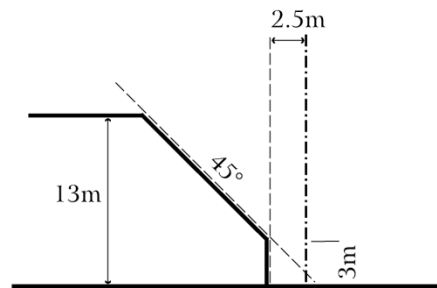
Condition G Location



Section



Condition H Location

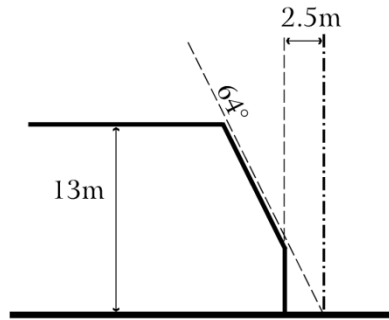


Section



Condition I

Location

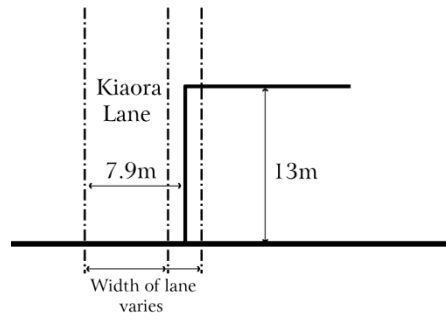


Section



Condition J

Location



Section

A2.5 Development controls

This section contains development controls that apply specifically to the Kiaora Lands site. These are to be read in conjunction with the relevant development controls in Sections 5.6.1–5.6.7 of this chapter.

A2.5.1 Use

The image and vitality of the Double Bay Centre will benefit from the mix of uses that is permissible on the Kiaora Lands site.

These uses include:

- ▶ shopping facilities such as a major supermarket, specialty food outlets and additional retail floor space, all of which supplement the existing distinctive mix of small scale shops, boutiques, restaurants, cafes and commercial premises that characterise the centre;
- ▶ community facilities that will give a civic presence to the centre;
- ▶ commercial premises; and
- ▶ parking.

A2.5.2 Height

The height of the building envelope for the Kiaora Lands site is indicated on the control drawings in Section A2.4 Built form envelopes.

The following table provides the approximate floor to floor heights for different uses:

Retail (small footprint)	4m
Supermarket	6m
Library	5.5m
Commercial	3.5m
Car parking	3m

A2.5.3 Built form south of Kiaora Lane

Principles

- P1 The functional and operational requirements of large retail outlets should not compromise the qualities of the adjacent public domain.
- P2 The built form should not compromise the amenity of adjoining properties.
- P3 The built form should be compatible with producing attractive public domain.

Controls

- C1 Comply with edge conditions in Section A2.4 Built form envelopes, Figure 5.
- C2 The building setback included in edge condition A is to accommodate deep soil landscaped areas to mitigate the impact of the built form. The minimum width for deep soil landscaped area is 4.5m.
- C3 The supermarket should not present uninterrupted blank walls onto streets and public spaces.
- C4 The building frontage facing Kiaora Lane, Patterson Street and Kiaora Road is to be articulated so as to break up the length of the built form and reflect the vertical proportions of development in the Double Bay Centre.
- C5 The main frontage of the supermarket is to be highly transparent and activated.
- C6 Access to specialty retail outlets is to be directly from the public domain.
- C7 Awnings are to be provided along the Kiaora Road and Kiaora Lane retail frontages.
- C8 Provide wet weather protection at the entrance of the supermarket.
- C9 The retail and office development at Kiaora Road should provide articulated walls and windows to street.
- C10 All mechanical plant is to be designed on the basis that if that equipment could operate at any time of the day or night, then its noise emission component, when measured at the nearest, or at any other residential property façade, must not exceed the nocturnal background level.

The cumulative noise level from all relevant items of mechanical plant and equipment, when measured at the same location must not exceed the nocturnal background level by more than 5dB(A).

Note: The background noise level is to be measured on a windless Tuesday night which is normally the quietest night of the week. The results of this measurement must not be degraded by the noise of passing traffic, or by the noise from vehicles entering, or exiting the Anderson Street entry and exit. This may require the background noise level to be measured when the Anderson Street entry and exit is closed.

-
- C11 The use of the premises must not give rise to noise which exceeds the relevant nocturnal background sound levels by more than 5dB(A) when measured at the façade of the nearest, or any other residential premises.
- C12 External pipes, vents, fans or other items of plant must be individually specified to produce components of noise emission which are less than the relevant background sound level at the façade of the nearest of any other residential property. All such plant is to be located as far away as possible from residential properties. In the event that pipes, high velocity air discharge outlets or other pipe work are installed on the face of the building or extend through the rooftop, those outlets must be equipped with acoustically effective discharge silencers and have their directional discharge pointing in a north-westerly direction.
- C13 The façade to Patterson Street is to be highly articulated with the use of a variety of materials and finishes to mitigate its bulk and visual impact.
- C14 Screen landscaping sufficient to mitigate the bulk of the building is to be provided in the perimeter landscape areas.
- C15 The landscaped area between the Court Road property boundaries and the proposed supermarket is to be a minimum of 7m wide.
- C16 The landscaped area is to be free of car parking.
- C17 The ground floor car parking where it faces residential properties to the south is to be completely enclosed.
- C18 The ground floor level car park roof is to have a green roof design.

A2.5.4 Built form north of Kiaora Lane

Principles

- P1 The building is to be of exemplary design commensurate with its civic function.
- P2 The building should not compromise the adjoining heritage item.
- P3 The pedestrian connection between New South Head Road and Kiaora Lane is to be strengthened.

Controls

- C1 Comply with edge conditions in Section A2.4 Built form envelopes, Figure 4.
- C2 At the New South Head Road frontage, the setback between the adjacent heritage item to the west and the northern end of the arcade is to be a minimum of 1.35m from the street boundary to reflect that point on the adjoining heritage item where the gable parapet wall springs up from the façade parapet.
- C3 The building is to accommodate a clearly visible arcade which connects New South Head Road to development south of Kiaora Lane (see Section A2.5.7 The new arcade).
- C4 A public plaza is to be provided to the south of the building (see Section A2.5.8 The new public plaza).
- C5 Active retail or civic frontages are to be provided to the New South Head Road frontage, the plaza and the arcade.
- C6 Access to specialty retail outlets is to be directly from the public domain.

A2.5.5 The new public domain

The public domain of Double Bay is characterised by an intricate pedestrian network of streets, lanes, walkways and arcades, making it a highly permeable shopping centre.

The planning and urban design provisions for the Kiaora Lands site reinforce this permeability with requirements for a new arcade between New South Head Road and Kiaora Lane, a new plaza, restrictions on vehicle movements along Kiaora Lane and the maintenance of pedestrian links between Kiaora Lane and Anderson Street.

The Double Bay Centre is also characterised by a series of distinctive public places such as Knox Street, Bay Street, Guilfoyle Park and Transvaal Avenue.

The public domain of the Kiaora Lands site will be a premier public space within the centre's hierarchy of spaces. The character of the public domain is largely derived from the relationship between the buildings that address and form the public domain. It is also dependent upon the nature and quality of streetscape elements such as paving, street furniture, lighting and planting material.

Principles for all public domain on Kiaora Lands

- P1 Ensure the public domain is of a high standard and exemplary urban design.
- P2 Provide a high level of pedestrian amenity and create improved public spaces with a community focus.
- P3 Consider the needs of people with access difficulties.
- P4 Reduce conflicts between pedestrians and vehicles.
- P5 Enrich and enliven the main spaces by providing high quality design elements and/or works of contemporary art.

Controls

- C1 The public domain design should consider the Double Bay Centre Public Domain Improvement Plan 1999 and seek advice from Council's Technical Services staff prior to submitting a development application.
- C2 The pavement system used in the main spaces is to be of predominantly segmental stone elements (laid on a suitable concrete base).
- C3 The pavement system is to comply with AS/NZS 4586 Slip resistance classification of pedestrian surface materials for safety and slip resistance.
- C4 Ensure that shops are level with the adjacent external public spaces.
- C5 Reinstate the tree lined nature of the streets and lanes.
- C6 Awnings must be designed to accommodate street trees.
- C7 Minimise the presence of vehicles in Kiaora Lane and the plaza.

- C8 Use bollards to allow freedom of pedestrian movement while preventing vehicular access to specific areas. Bollards are to be used sparingly and are not to be used simply to define edges to vehicular paths.
- C9 Minimise use of signage.
- C10 The Davis Cup commemorative plaque is to be reinstated and is to be explained with interpretive signage. The position of the plaque is to be determined with regard to the location of the original tennis courts.

A2.5.6 Kiaora Lane

Kiaora Lane is to function as a shared pedestrian and vehicular way for the whole of its length. Its role as a service lane will continue but this is to be subservient to its primary role as a high quality public space. The predominant character of the lane is to be that of a high quality, pedestrian dominated space that maximises pedestrian connections between other public spaces and building entrances.

Principles

- P1 Ensure that Kiaora Lane has good connections to existing arcades.
- P2 Enhance the pedestrian experience and amenity of the lane.
- P3 Reinforce the spatial definition of the lane.
- P4 Encourage a mix of uses onto the lane including community facilities and food retailing.
- P5 Enhance public safety and security of the lane.
- P6 Encourage an active shared zone.
- P7 Provide a high quality urban space.

Controls

- C1 Frontages to Kiaora Lane are to be active retail or civic functions.
- C2 Kiaora Lane is to be a shared zone as defined by the Roads and Traffic Authority.
- C3 Provide a high quality unified pavement treatment along the full length of Kiaora Lane from Manning Road to Kiaora Road.
- C4 The selection of materials for the shared zone in Kiaora Lane is to identify it as a space where pedestrians have priority.

A2.5.7 The new arcade

A major arcade is to be provided between New South Head Road and Kiaora Lane.

Principles

P1 Provide a major public pedestrian link between New South Head Road and Kiaora Lane.

Controls

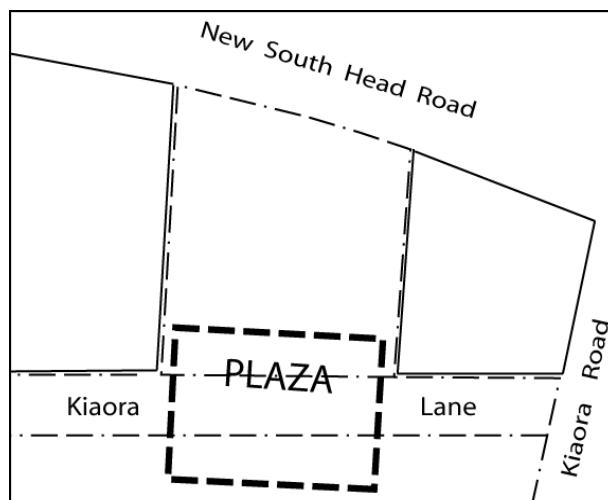
- C1 The arcade must be naturally lit from above and naturally ventilated.
- C2 The arcade is to be a minimum width of 5m at the ground and upper levels.
- C3 The arcade is to be designed for 24 hour public access.
- C4 The entrance to the arcade at New South Head Road is to be clearly identified through architectural design.
- C5 The shop frontages to the arcade are to be designed to create a visually unified whole.
- C6 The floor treatment to the arcade should read as a continuation of the adjacent public spaces.

A2.5.8 The new public plaza

A new pedestrian plaza is required as part of the redevelopment of the site. The plaza is to be designed as a special place. It will require site specific design elements and the incorporation of public art. The space should be modulated to allow for defined areas of public circulation, seating areas and potential outdoor eating areas.

FIGURE 6 Location of plaza

Note: The shape and location of the plaza in the diagram below is indicative only



Principles

- P1 Ensure that the plaza has a distinctive character that is commensurate with its importance as a key civic space in the Double Bay Centre and the civic role of the adjoining building which fronts New South Head Road.
- P2 Active retail and civic uses are to face the plaza.
- P3 Ensure the plaza is animated by sunlight.

Controls

- C1 Provide a space which accommodates the section diagram (see edge condition diagram E + F in Section A2.4 Built form envelopes).
- C2 Ensure that the floor of the plaza receives solar access at midday on June 21.
- C3 Provide a 32° inclined plane as a component of the building envelope controls to ensure solar access during winter. Refer to condition E of Section A2.4 Built form envelopes.
- C4 The plaza is to be designed as an identifiable public space, allowing 24 hour access.
- C5 The plaza is to be designed primarily as a place for people, but will permit vehicles to pass through under the shared zone arrangements for Kiaora Lane.
- C6 The plaza is to be a minimum of 18m in any direction. It is to have an area of at least 500m² which is a single space such that people in any two places in the plaza can see each other.
- C7 Frontages to the plaza are to accommodate active retail or civic functions.
- C8 The majority of the area of the plaza is to be uncovered and free of overhanging buildings, colonnades and awnings.
- C9 An overhang of 2m, 3.5m above the finished ground level of the plaza is permitted on the southern side of the plaza.
- C10 Overhanging balconies of 2.4m on the first floor level are permitted on up to 30% of the building on the northern side of the plaza.
- C11 The northern edge of the supermarket, where it adjoins the plaza, should provide windows overlooking the plaza.
- C12 The plaza shall have a distinctive unified ground treatment.

A2.5.9 Public toilets

Public toilets are to be provided.

Principles

- P1 Provide public toilet facilities on the Kiaora Lands site.
- P2 Public toilets are to be in a safe and convenient location.

Controls

- C1 Position the public toilets close to the plaza in a safe and convenient location.
- C2 Ensure adequate surveillance to the entries of the public toilets.
- C3 Access from the plaza to the public toilets is to comply with the performance criteria in the Building Code of Australia DP1 DP2 DP3.

A2.5.10 Car park and loading dock design

Principles

Ensure the design of the car park:

- P1 Facilitates ease of access.
- P2 Facilitates walking and bicycle use.
- P3 Provides a high level of safety for all uses.
- P4 Minimises opportunities for crime to property and persons through consideration of crime prevention through environmental design principles.
- P5 Minimises the amenity impacts of the car parking and loading docks on surrounding properties and public domain.

Controls

- C1 Provide a car park layout that maximises visibility and legibility.
- C2 Ensure dedicated pedestrian entry and egress points to the public car parking are available from the plaza, Kiaora Lane, Patterson Street, Anderson Street and the supermarket entry.
- C3 Access to liftwells and stairways or directions to the car park access points must be clearly visible from every car parking space.
- C4 Car parking spaces for disabled people should be located in highly visible and accessible locations and in proximity to lifts and ramps.

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- C5 Dedicated bicycle parking is to be provided in a convenient location at the rate of 1 bicycle per 25 car spaces.
- C6 Dedicated motorbike parking is to be provided in a convenient location at the rate of 1 motorbike per 25 car spaces.
- C7 Lighting throughout the car park must conform to the requirements of AS 2890 *Off Street Car parking* and AS 1680.2 *Interior Lighting*.
- C8 Pedestrian access ways to, from and around the car park must be well lit.
- C9 A ground level through-site pedestrian footpath linking the plaza and Anderson Street must, as a minimum, incorporate the following design and operational features:
- a) dignified, direct and unobstructed access from the plaza to Anderson Street;
 - b) have a minimum clear width of 2.5m;
 - c) have a minimum headroom of 3m.
- C10 Vehicular access to the car park and loading docks south of Kiaora Lane is not to be provided from Kiaora Lane, unless it can be demonstrated that a turntable solution for the Kiaora Lane/Patterson Street loading dock is not feasible.
- C11 Access to loading docks may be from Kiaora Road and Patterson Street only, unless it can be demonstrated that a turntable solution for the Kiaora Lane/Patterson Street loading dock is not feasible.
- C12 If a loading dock is located off Patterson Street, the design and size of the dock must be limited to accommodate fixed rigid vehicles only (i.e. not semi-trailers).
- C13 Vehicle ramps between car parking levels are to be enclosed to contain noise and light spill impacts. The walls and ceiling of the ramp enclosure are to be provided with an appropriately selected and effective fire resistant, sound absorbing facing (an approved acoustical spray, or modular acoustical panels/tiles) to provide an effective reduction of the reverberant characteristics of that area.
- C14 Loading docks are to be designed to minimise conflict between pedestrians and vehicles.
- C15 Loading docks are to be as unobtrusive as reasonably possible.
- C16 Loading dock doors are to be no larger than the dimensions required for functional operation.
- C17 Loading docks must be fully enclosed.
- C18 The loading docks are to provide for the forward entry and exit of service vehicles. The docks are to be designed so that all truck reversals can take place within the loading docks with the loading dock doors closed.
- C19 The loading docks are to be provided with automated doors with a surface mass greater than 3kg/m² and the sides, head and thresholds of each is to be designed to obviate, or minimise any undesirable sound leakage.
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- C20 The loading dock doors are to be designed so that their noise emission components when either opening or closing are no more than 5dB(A) above the background sound level when measured at the façade of the nearest, or any other residential property.
- C21 The ceiling, as well as significant areas of the walls of the loading docks are to be provided with an appropriately selected and effective fire resistant, sound absorbing facing (an approved acoustical spray, or modular acoustical panels/tiles) to provide an effective reduction of the reverberant characteristics of that area and ensure there is minimum possibility of the loading docks impacting on neighbours.
- C22 The consent authority may impose conditions restricting the operation of the loading docks and car parks to specified hours.
- C23 A *Carparking and Loading Dock Plan of Management* is to be prepared and submitted with the development application for the comprehensive redevelopment of the site. The Plan of Management must address the following matters:
- a) the designated areas in which motorcycles will be permitted to park;
 - b) the areas within the car park from which motorcycle traffic will be excluded;
 - c) the hours of operation, or restrictions, that may be imposed in relation to the use of the upper level car park and the mechanisms through which any such restrictions may be further strengthened in order to deal with unexpected situations;
 - d) explicit restrictions in relation to times of use of specific entries or exits which may be imposed to control, or minimise potentially intrusive nocturnal noise emission. This requirement most aptly applies to the Anderson Street entry and exit because vehicular movement both within, and outside the car park will be exacerbated by the nocturnal use of that entry and exit;
 - e) signage to identify entry restrictions for vehicles which may be too large, too high or too noisy to enter the car parks; and
 - f) appropriate signage and designated areas of the ground floor car park where patrons of licensed premises should park their vehicles in order to minimise the potential for neighbour noise at night.
- C24 Appropriately designed and acoustically effective barriers are to be provided around the perimeter of the ground floor car park. The uppermost 2m or 3m section of the acoustic barrier is to be angled inwards. The acoustic barriers are to be provided with a sound absorbing lining to reduce the sound reflections and reverberant characteristics of the car park.
- C25 To achieve the noise goal referred to in C11 Section A2.5.3 Built form south of Kiaora Lane, a roof is to be provided over the car park, adjacent to the Kiaora Road vehicular entry and exits at the rear of 8 Kiaora Road. The underside of that roof is to be provided with an appropriately selected and effective fire resistant, sound absorbing facing (an approved acoustical spray, or modular acoustical panels/tiles) to provide an effective reduction of the reverberant characteristics of that area.
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- C26 The soffit of the supermarket floor is to be provided with an appropriately selected and effective fire resistant, sound absorbing facing (an approved acoustical spray, or modular acoustical panels/tiles) to provide an effective reduction of the reverberant characteristics of that area.
- C27 The car park floors, as well as the interconnecting ramp between the ground level and rooftop car park are to have a surface that will not generate tyre squeal. The development application must include the specifications for the quality of the surface finish which may be achieved by the addition of an appropriate and functionally effective particular dusting or surface coating or by the application of fine sand on the finished floor surface before it has cured which will ensure positive tyre adhesion, and preclude tyre squeal problems.
- C28 The interconnecting ramp between the ground level and rooftop car park is to have a smooth primary surface and not parallel ribbed surfaces. The ramp should incorporate small angled parallel grooves in a chevron pattern which may be cut into the surface of the cured concrete. The surface must be designed to preclude structural vibration and adverse related intrusive noise levels (or noise radiation from the main building structure) as well as provide positive tyre adhesion in the presence of water or oil.
- C29 The car park is to be equipped with an effective electronic vacant car space identification system through which a driver may more rapidly find an empty car space to minimise the need to circle around the car park to find where they can park.
- C30 Appropriately designed and effective acoustic barriers are to be provided around the perimeter of the rooftop car park to prevent noise impact on surrounding residential properties.
- C31 The car park ramp is to be fully enclosed as required to meet the noise goal set out in C11 Section A2.5.3 Built form south of Kiaora Lane. If necessary, the enclosure is to extend beyond the point where the ramp surface intersects with the upper level car park floor.
- C32 The ceiling and walls of the entry and exit structure to Kiaora Road are to be provided with an appropriately selected and effective fire resistant, sound absorbing facing (an approved acoustical spray, or modular acoustical panels/tiles) to provide an effective reduction of the reverberant characteristics of that area.
- C33 The south-eastern wall of the car park entry/exit to Kiaora Road must extend to the street alignment.

A2.5.11 Roof design

The roofscape is a significant visual component of the development and can be seen from the surrounding suburbs of Edgecliff, Darling Point and Bellevue Hill. These controls seek to reduce potential visual and amenity impacts of the roof top parking.

Principles

- P1 The roofscape should not present as an obtrusive and single unarticulated mass.
- P2 The roof is to be designed to minimise the amenity impacts to surrounding residences.

Controls

- C1 A combination of landscape treatments and shade structures should be used so that the roofscape does not present as an obtrusive and single unarticulated mass.
- C2 A combination of landscape treatments and shade structures should be used to minimise glare from the surface of the roof top and the cars parked on the roof.
- C3 The roof treatment is to provide shade structures for vehicles.
- C4 Surface treatments which minimise noise are to be used to minimise tyre squeal.
- C5 To contain noise, motorbike parking should be limited to the ground level.
- C6 The roof design should minimise light spill from cars.
- C7 The design of fixed lighting on the roof should comply with AS 428-1997 *Control of the Obtrusive Effects of Outdoor Lighting* (urban standards).

A2.5.12 Flooding and water sensitive urban design

The Kiaora Lands site is flood prone land. Major redevelopment of the site will affect existing overland flow paths. The new plaza should provide an overland flow path for stormwater. Thorough and informed consideration of flooding issues at the design stage is essential to ensure that redevelopment does not have detrimental impacts on the surrounding development, infrastructure and public domain.

Principles

- P1 Ensure there is no increase in stormwater runoff from the site.
- P2 Ensure the built form on the site does not block overland flow, in such a way as to impact on adjoining properties.
- P3 Use water sensitive urban design techniques to reduce demand on the Sydney water supply and to provide water for plant irrigation.
- P4 Ensure development on the site is adequately protected from flooding.
- P5 The new plaza should act as a part of the overland flow path for stormwater.

Controls

- C1 Development is to be designed having regard to the recommendations of a flood study prepared by a suitably qualified hydraulic engineer. The flood study must identify how property on and off the site, including the public domain, will be protected from the 1 in 100 years flood event.
- C2 Development, including services, below the 1 in 100 years flood level is to be designed to be safe in a flood event.
- C3 Provide a Site Emergency Response Plan (SERP) demonstrating the ability to safely evacuate persons to a safe refuge area.
- C4 On site detention is not required.
- C5 Collect rainwater for non-potable uses on site.
- C6 The treatment of the roof should ensure that stormwater runoff is not increased and that the quality of runoff from the site fulfils the requirements of the Australian and New Zealand Environment Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand Guidelines 2000 (<http://www.environment.gov.au/topics/water/water-quality/national-water-quality-management-strategy>).

A2.5.13 Environmentally sustainable design

The Kiaora Lands project is to provide best practice environmentally sustainable design. Refer to Chapters E2 Stormwater and Flood Risk Management, E5 Waste Management and E6 Sustainability for further information.

Principles

P1 Promote environmentally sustainable design.

Controls

C1 Development must be designed to provide for best practice environmentally sustainable design outcomes as may be established through the Green Star Certified Rating system, or a similar tool.

Chapter D6

Rose Bay Centre

Part D ▶ Business Centres

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter D6 ► Rose Bay Centre

Contents

D6.1	INTRODUCTION	1
6.1.1	Land where this chapter applies	1
6.1.2	Development to which this chapter applies	2
6.1.3	Objectives	2
6.1.4	Relationship to other parts of the DCP	4
6.1.5	How to use this chapter	4
D6.2	UNDERSTANDING THE CONTEXT	7
6.2.1	Siting	7
6.2.2	Historical development	7
6.2.3	Built form	7
6.2.4	Public parks and facilities	8
6.2.5	Access and circulation	8
D6.3	URBAN STRUCTURE	9
D6.4	STREET CHARACTER	11
6.4.1	New South Head Road	12
6.4.2	Newcastle Street	13
6.4.3	Dover Road	15
6.4.4	Wilberforce car park edge	16
6.4.5	Wilberforce Avenue	17
6.4.6	Richmond Road	18
6.4.7	Norwich Road	19
6.4.8	Caledonian Road	20
6.4.9	Collins Avenue	21
6.4.10	Vickery Avenue	22
D6.5	BUILT FORM ENVELOPES: CONTROL DRAWINGS	23
6.5.1	Urban form methodology	23
6.5.2	Explanatory legend	24
6.5.3	Rose Bay Centre urban form	25
6.5.4	Control drawing 1	26
6.5.5	Control drawing 2	27
6.5.6	Control drawing 3	28
6.5.7	Control drawing 4	29
6.5.8	Control drawing 5	30
D6.6	BUILT FORM: DEVELOPMENT OBJECTIVES AND CONTROLS	31
6.6.1	General format	31
6.6.2	Use	32
6.6.3	Urban character	33
6.6.4	Visual and acoustic privacy	47
6.6.5	Private open space	50
6.6.6	Solar access and natural ventilation	56

6.6.7	Parking and servicing.....	58
6.6.8	Geotechnology and hydrogeology	61
6.6.9	Site facilities	62
6.6.10	Application of bonuses.....	63

D6.1 Introduction

This is Chapter D6 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres. It establishes detailed controls to guide future development in the Rose Bay Centre.

Rose Bay is a unique local centre which enjoys a privileged position adjacent Sydney Harbour at the foot of the South Head peninsula. The historical development of Rose Bay has focused the centre on New South Head Road. The consistent scale of buildings and the distinctive landscape quality evoke an appealing urban village character which is warmly valued by local residents and users of the centre.

6.1.1 Land where this chapter applies

This chapter applies to the Rose Bay Centre, as identified in Figure 1.

FIGURE 2 Location plan

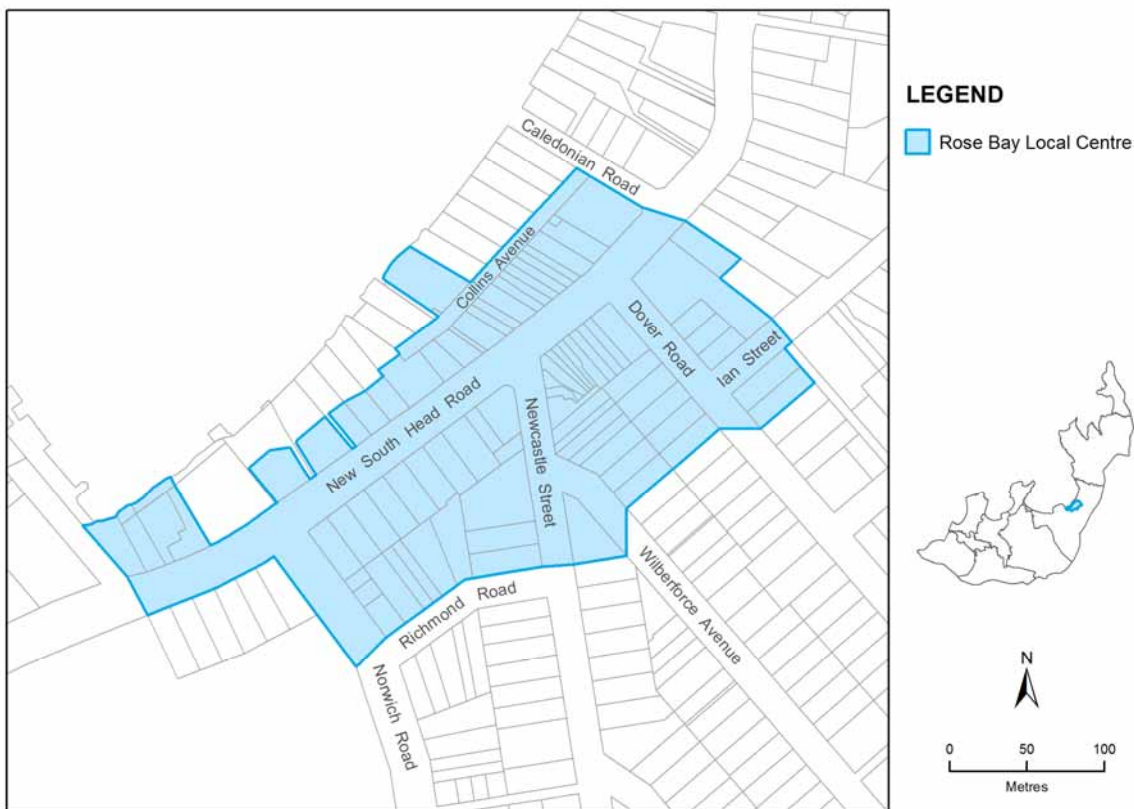
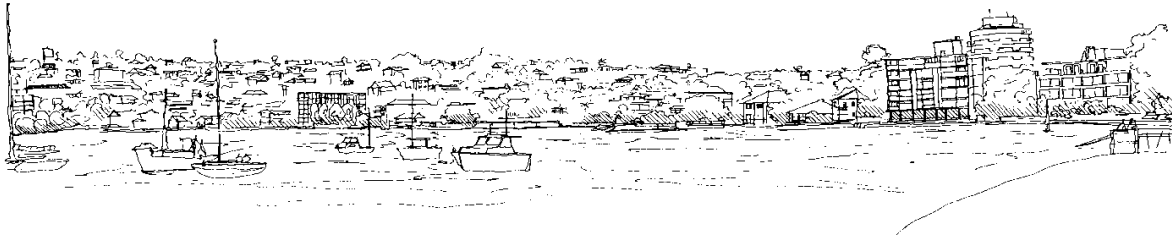


FIGURE 2 View of Rose Bay from the harbour

6.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

Generally this will be mixed use retail, business, office and /or residential development, but may also include permitted uses such as child care centres, community facilities, and other uses as permitted by the Woollahra LEP.

Development within the Rose Bay Centre should retain and enhance the village character of the centre.

6.1.3 Objectives

The Rose Bay Centre should develop into a high quality medium density urban village with a balanced mix of retail, commercial, residential and leisure uses, which cater primarily for the needs of the local community.

The intention of this chapter is to strengthen and enrich the existing urban structure of the Rose Bay Centre as follows:

- O1 To retain and enhance the village atmosphere of the Rose Bay Centre.
 - a) To encourage contiguous ground floor retail frontage to ensure liveliness of the centre;
 - b) To limit the width of street frontage of individual shops to preserve the 'small shop' character of the centre;
 - c) To promote a coherent building scale and high quality development;
 - d) To retain and improve the pedestrian environment by encouraging through block pedestrian connections at nominated locations, and requiring continuous awnings in nominated areas;
 - e) To improve vehicle parking and servicing in the centre and reduce vehicular and pedestrian conflicts;
 - f) To enhance the public domain of Rose Bay Centre by considering the Public Domain Improvement Plan and Streetscape Design Manual 1999; and

-
- g) To encourage the provision of community services and facilities as part of site redevelopments.
- O2 To improve the connections between the Rose Bay Centre and the harbour foreshore.
- a) To encourage the creation of a public square between New South Head Road and Collins Aveune, opposite Percival Park;
 - b) To encourage the construction of pedestrian arcades as part of developments in nominated locations, to improve public access through to the foreshore; and
 - c) To maximise views to the water from the public domain.
- O3 To create a memorable image for Rose Bay.
- a) To create defined entrances to the centre;
 - b) To provide a stronger public domain focus to the centre; and
 - c) To provide direction and certainty of outcome in relation to built form to ensure:
 - a coherent street scale;
 - that new development meets the desired future character;
 - a variety of building types; and
 - a high level of amenity.
- O4 To improve the Rose Bay Centre’s public domain.
- a) Improve the public domain of Rose Bay by using the Public Domain Improvement Program and the Streetscape Design Manual to inform changes;
 - b) Identify the location of and building envelopes surrounding a new public square in the centre, which support the use of bonus height and FSR controls in the Woollahra Local Environmental Plan 2014 (Woollahra LEP);
 - c) To improve pedestrian amenity throughout the centre; and
 - d) To retain the important role that public transport plays in the Rose Bay Centre.
- O5 To foster the diverse mix of uses in the Rose Bay Centre.
- a) To retain and enhance the combination of retail, commercial, public and residential uses that characterise Rose Bay; and
 - b) To encourage a range of flexible accommodation to support the diverse mix of uses in the centre.
- O6 To conserve and enhance the visual and environmental amenity of all buildings and places of heritage significance in the centre.
- a) To identify contributory buildings within the Rose Bay Centre; and
 - b) To ensure that alterations and additions to contributory items are compatible in scale, form and material with the contributory items and adjoining developments.
- O7 To improve traffic and parking management in the centre and reduce vehicle and pedestrian conflicts.
- a) To identify parking and servicing arrangements for the centre.
-

-
- O8 To introduce stormwater management measures to control localised flooding, stormwater quality and quantity, and improve the visual and environmental impact of stormwater drainage, particularly at the harbour foreshore.
- a) To facilitate the creation of the Rose Bay Square between New South Head Road and the drainage reserve off Collins Avenue to mitigate against local flooding of the centre;
 - b) To improve the visual and environmental impact of existing stormwater outlets into Rose Bay; and
 - c) To coordinate overland flow management with public domain improvements.
- O9 To enhance the diverse character of streets in the Rose Bay Centre.
- a) To carry out public domain improvements to preserve and enhance the unique character of the individual streets in the centre; and
 - b) To provide specific design criteria for both public and private domain to allow for, and enhance the character of, individual streets.

6.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

6.1.5 How to use this chapter

This chapter is applicable to all development and redevelopment work on private land in the Rose Bay Centre.

The Rose Bay Public Domain Improvements Plan (1999) should also be used as a guide to works in the public domain, and includes details of street tree planting, footpaths, street furniture, and vehicular and pedestrian crossings.

This chapter of the DCP is structured as follows:

D6.1 Introduction

General information about this chapter, including why the chapter was prepared, its aims, and its relationship to other planning documents.

D6.2 Understanding the context

Provides a summary description of the existing urban context. For a more detailed analysis refer to the Rose Bay Centre Urban Design Study, upon which this chapter was based.

D6.3 Urban structure

Provides an understanding of the current urban structure of the centre, and identifies whether the site is located in the Core Area or a Transition Area. Objectives for the future character, form and function of the Rose Bay Centre are described here.

D6.4 Street character

Specifies the desired future character of the street(s) in which the site is located.

Using the built form controls

The development controls are derived from the Rose Bay Centre Urban Design Study. They respond to the objectives set out in Section 6.1.3 and the desired future character described in Section D6.4. Controls have been designed for each individual site in the Rose Bay Centre to optimise development, whilst taking into consideration the potential of adjoining properties and public spaces. This Urban Form Methodology provides a greater certainty of outcome for Council, community and site owners.

Built form controls in the Rose Bay Centre are expressed in:

- ▶ graphic form as *building envelopes* on the *control drawings*; and
- ▶ written and illustrated form as *development controls*.

These controls must be used in conjunction.

D6.5 Built form envelopes: Control drawings

The controls are in the form of building envelopes, which set the position of development on each site.

There are two control drawings for every site in the Rose Bay Centre showing:

- ▶ the ground floor level controls; and
- ▶ the upper floor level controls.

The control drawings are accompanied by a descriptive legend, and further explanation is provided in Section D6.6.

D6.6 Development objectives and controls

These explain in written and illustrated form the following four areas of building development:

1. **Use:** Refers to building use such as retail, commercial and residential.
 2. **Urban character:** Includes building envelopes, setbacks, heritage, architectural resolution, roof design, awnings, privacy, signage and advertising, and outdoor eating.
-

-
3. **Open space:** Includes ~~soft~~-landscaped area, above ground open space such as balconies and roof terraces, and front fences.
 4. **Solar access:** Deals with provision of sunlight to the public and private domain.

Three dimensional images assist in the interpretation of the development guidelines and controls.

A special section deals with the application of bonuses as incentives to the provision of specific public benefits. Applicants seeking bonuses should also refer to the Rose Bay Public Domain Improvements Plan.

All applications will be determined on their individual merits. Applications which depart from any controls or seek concessions for provision of public services or facilities should address:

- ▶ why the specific guidelines or controls should be relaxed for the subject site;
- ▶ how the village atmosphere of the Rose Bay Centre will be maintained; and
- ▶ the urban design and economic benefits to the centre that will result from the proposal.

D6.2 Understanding the context

6.2.1 Siting

The Rose Bay Centre is strategically located at the neck of the Eastern Suburbs peninsula, one block from the harbour, just north of the large park system and recreational area which occupies the lowest part of the Rose Bay basin.

Important distinguishing characteristics of the centre are its consistent low to medium scale buildings, exceptional landscape quality, and diverse mix of local services, residential apartments and commercial uses, which combine to produce a distinctive village character.

The centre straddles New South Head Road, around its intersections with Dover Road and Newcastle Street. These two streets play an important role as urban connectors, linking New South Head and Old South Head Roads.

6.2.2 Historical development

The building stock in and around the centre represents a cross section of 20th century architecture of varying quality. Originally part of a series of large private land grants, Rose Bay's early urban development intensified with the extension of the tramline along New South Head Road after 1898.

Due to its key location at two intersections, the centre was able to develop along Newcastle Street and Dover Road. The estates were subdivided and resubdivided between 1900 and 1930 producing the small lots which characterise the centre today. Larger sites generally occur at the fringe of the commercial centre, the result of recent amalgamations.

St Mary Magdalene Church and tower, the Rose Bay Hotel on the corner of Dover Road, the former post office, the Royal Sydney Golf Course and five Norfolk Island pines in Vickery Avenue are the listed heritage items in the immediate vicinity. These buildings and trees contribute prominently to the area's character and help form the established image of Rose Bay. Contributory items that are of architectural merit and are important within the urban form and streetscape of the centre are identified in this chapter of the DCP.

6.2.3 Built form

There are a surprising number of single storey and two storey buildings in the centre, given the statutory LEP maximum building height (14.1m). With few exceptions the four storey buildings are relatively new. There are two residential towers, developed in the 1960s and 1970s, of six and eight storeys between New South Head Road and the Harbour. The only other tall building element is the tower of St Mary Magdalene Church on New South Head Road.

6.2.4 Public parks and facilities

There are two pocket parks, Pannerong Reserve and Percival Park, within the centre and two others, Tingira Reserve and Caledonian Road, on its periphery. All of these parks, with the exception of Pannerong Reserve, enjoy harbour frontage, but are underutilised due to their poor amenity and visibility from the centre. Opportunities exist for the improvement of existing pocket parks and creation of new squares, to provide accessible outdoor spaces in the centre where people can rest while shopping or to eat lunch.

There are numerous leisure facilities in the vicinity; however no community buildings exist in the centre.

6.2.5 Access and circulation

There is a strong pedestrian ambience in the centre due to the relatively continuous street activity, compact layout and low to medium building scale. Improved footpaths and crossings would increase pedestrian amenity, and reduce the potential for pedestrian/traffic conflict which exists in some areas. Better pedestrian access to the harbour foreshore would benefit the centre.

The Parking Strategy contained within the Public Domain Improvements Plan should be used as a guide to improve parking management.

D6.3 Urban structure

Urban structure comprises the inter-relationship of topography and orientation, street layout, pattern of buildings, location of parks and public facilities, and any special natural or human made features, of a given area. The Rose Bay Centre is located in a valley close to the harbour foreshore, surrounded by gracious residential areas to the north and east, and an extensive system of recreational facilities to the south-west, encompassing parks, golf courses, tennis courts, and a sailing club.

The Rose Bay Centre has a strong urban village character, due in a large part to its neighbourhood scale, variety of retail and local service establishments, and friendly pedestrian ambience. Despite these attributes, the built form generally lacks cohesion due to the broad palette of materials used in buildings of different eras, and the varying architectural quality. A more distinctive building fabric has the potential to further consolidate the centre’s presence.

The centre is contained within a few blocks, but currently lacks a focus. Some of the most exceptional features of the area, such as the proximity of the harbour and numerous pocket parks, have little presence in the centre. There is the potential to improve access between the existing foreshore parks and the beach, allowing continuous waterfront access from Lyne Park in the west to Dumaresq Reserve in the east. There is also tremendous opportunity to visually connect Pannerong Reserve in the centre and Percival Park on the foreshore, by creating a square at the end of Newcastle Street, to make a unique and memorable focus for Rose Bay.

This chapter identifies the Core Area, Transition Area and Entrances (see Figure 3 Urban structure) within the Rose Bay Centre. This classification reinforces the existing urban structure, and enhances its complexity, providing opportunities for different buildings types and uses, in various parts of the centre.

FIGURE 3 Urban structure



The Core lies between the intersections of New South Head Road with Dover Road and Newcastle Street, and reflects this historically significant route to Watsons Bay. It is the focus of retail activity, defined by buildings which abut the footpath and awnings above, which distinguish it from the surrounding leafy areas. Development in the Core should reinforce its more intense urban quality.

The Transition Areas lie outside the Core in the vicinity of the recreational areas and residential zones, and are an important buffer to these areas. They do not contain the same level of retail activity as the Core but provide residential and commercial uses. They are generally characterised by less continuous building frontage and a stronger landscape presence. The Transition Areas should provide a gradation in development intensity from the Core to the residential and recreational areas.

Entrances are the primary entry points to the centre along New South Head Road, Newcastle Street and Dover Road. Entrances should be more clearly defined to strengthen the centre's containment, enriching the contrast between this busy pedestrian area and its quieter environs.

D6.4 Street character

The street is the primary organising element of urban structure. The street edge is the place where the public and private domains meet. By defining a particular vision for each street, public domain improvements and private development can be coordinated to produce a desired outcome.

This section of the chapter describes the desired future character of each street in the Rose Bay Centre, based on a synthesis of the public domain objectives set out in Section 6.1.3. The Rose Bay Centre Public Domain Improvements Plan should be used as a guide to works in the public domain, such as street tree planting, footpath design, street furniture and traffic devices. Applicants should also seek advice from Council's Technical Services Division.

The following is provided for each street in the centre:

- ▶ street strategies, which briefly outline the urban design criteria for each street; and
- ▶ annotated street sections, which indicate the existing development context and illustrate the desired future character.

This information sets the context for development controls described in Section D6.5 and D6.6, and streetscape changes in the Public Domain Improvements Plan.

6.4.1 New South Head Road

Core area

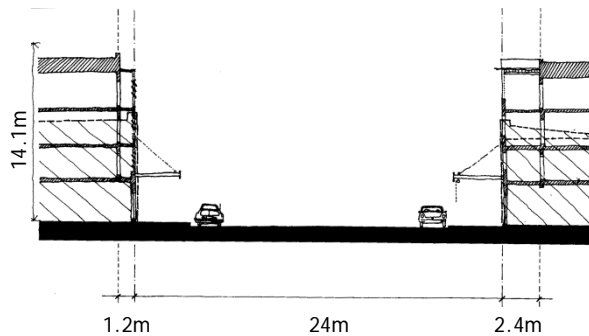


Strategy

- Identify and reinforce the core of the Rose Bay Centre, by encouraging retail activity, and enhancing its built edge urban quality.

North-western side

- Parapets encouraged
- Incorporate sound attenuation devices such as wintergardens
- Continuous awnings
- Build to the street alignment with glazed retail frontage at street level and commercial / residential above
- No vehicular crossings - vehicular access permitted at the rear



South-eastern side

- Build to the street alignment with masonry walls and loggias above street level
- Commercial/residential uses above street level
- Typical profile of existing buildings
- Glazed retail frontage at street level

Transition area

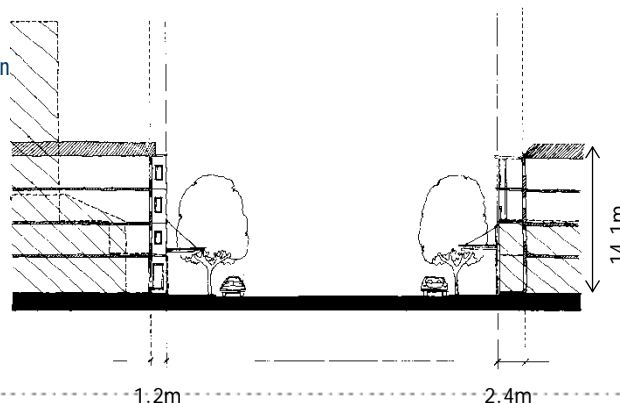


Strategy

- Create a transition between the Rose Bay Centre core and the recreational/landscape area towards Lyne Park, with a portion of street defined by street trees and a discontinuous wall of buildings on the harbour side.

North-western side

- Incorporate sound attenuation devices
- Typical profile of existing buildings (dashed outline)
- Minimise vehicular crossings



South-eastern side

- A variety of roof forms is encouraged
- Discontinuous awnings accommodate street tree planting and highlight building entries

6.4.2 Newcastle Street

Core area

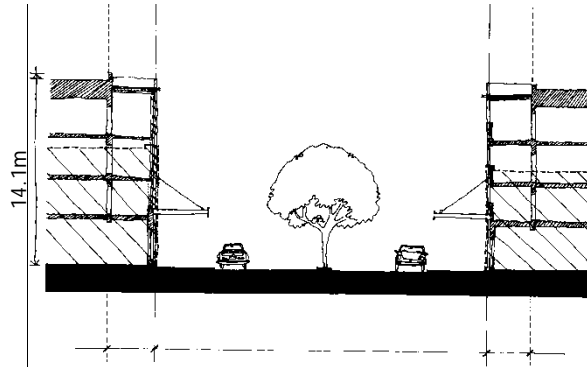


Strategy

- Reinforce the built street frontage and establish a connection between Pannerong Reserve and the harbour by improving the landscape quality in Newcastle Street.

Western side

- Parapets encouraged
- Street trees in the median create an intimate scale of street
- Build to the street alignment with glazed retail frontage at street level



Eastern side

- Build to the street alignment with masonry walls and loggias above street level
- Continuous awnings
- Typical profile of existing buildings (dashed outline)
- No vehicular crossings - vehicular access permitted at the rear

Transition area

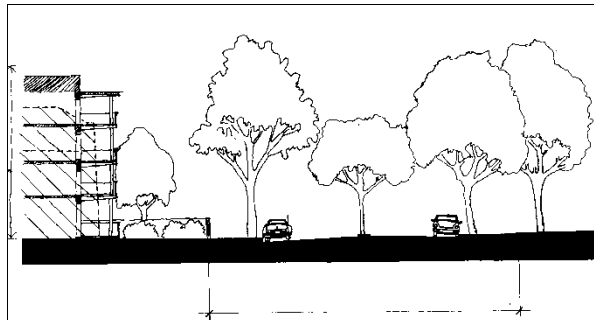


Strategy

- ▶ Create a transition opposite Pannerong Reserve to denote the residential area from the centre.

Western side

- A variety of roof forms is encouraged
- Typical profile of existing buildings
- Commercial/residential uses above street level
- Entry canopies allowed
- Commercial uses at street level
- Build to the existing building alignment with front gardens/courtyards at street level
- Minimise vehicular crossings



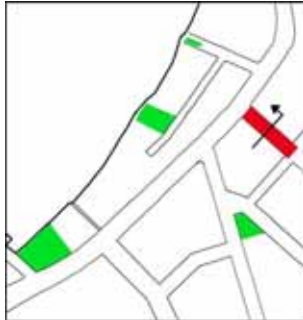
Eastern side

- Buildings encouraged to overlook the Pannerong Reserve
- Street trees in the median create an intimate scale of street

FIGURE 4 View down Newcastle Street to New South Head Road



6.4.3 Dover Road



Strategy

- Create a distinctive framed urban shopping street, defined by retail frontage at street level, with buildings above set back on terraces above, to improve visibility to the Rose Bay Hotel.

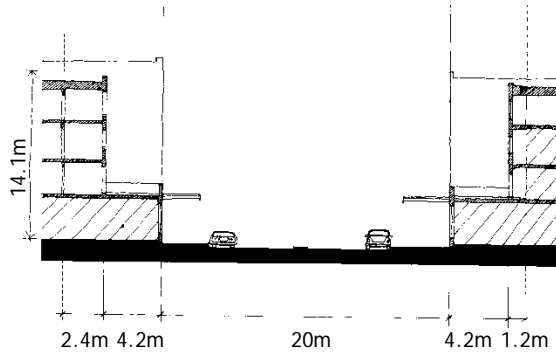
South-western side

Profile of the Rose Bay Hotel

Parapets encouraged

Build behind roof terraces above street level with masonry walls and loggias to enhance the amenity of development and increase the visibility of the Rose Bay Hotel

Continuous awnings



North-eastern side

Build to the street alignment with masonry walls and loggias above street level on the corner site only, to highlight the entrance to New South Head Road

Commercial/residential uses above street level

Build to the street alignment with glazed retail frontage at street level

No vehicular crossings – vehicular access permitted at the rear

6.4.4 Wilberforce car park edge



Strategy

- ▶ Define the southern edge of the centre and provide pedestrian access through the existing car park site.

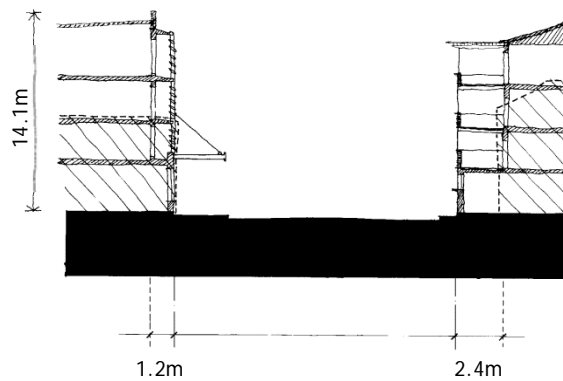
North-western side

Encourage parapets

Build to the street alignment with masonry walls and loggias above ground level

Build to the boundary alignment with glazed retail frontage at ground level

Typical profile of existing buildings



South-eastern side

A variety of roof forms is encouraged

Commercial/residential uses above ground level

Build to the street alignment with walls, loggias and balconies which overlook the street

Commercial uses at ground level

6.4.5 Wilberforce Avenue



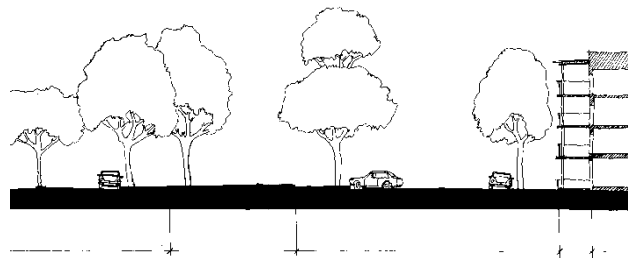
Strategy

- ▶ Reconfigure the street alignment to provide a memorable termination to Wilberforce Avenue maintaining the public open space.

South-western side

Supplement the existing tree planting

Angled parking along Pannerong Reserve



North-eastern side

For residential zoned land refer to Part B of this DCP

Buildings encouraged to overlook Pannerong Reserve

Build to the street alignment in the commercial zone

A variety of roof forms is encouraged

Commercial/residential uses above street level

Commercial uses at street level

Minimise vehicular crossings

6.4.6 Richmond Road



Strategy

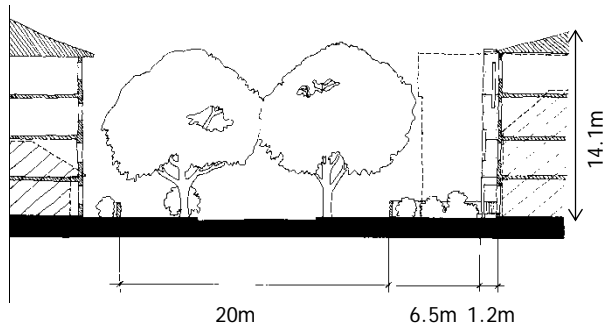
- ▶ Retain the unique character of this predominantly residential street on the periphery of the centre, defined by mature street trees and a discontinuous wall of buildings.

South-eastern side

Maintain the existing street trees

Typical profile of existing buildings

For residential zoned land refer to Part B of this DCP



North-western side

A variety of roof forms is encouraged

Encourage office and other non-retail commercial uses on the ground floor to provide a transition to nearby residential development.

Build walls with windows, loggias and balconies which overlook the street

Build to the existing building line with front gardens/courtyards at street level

Minimise vehicular crossings

Build to the street alignment at the intersection with Newcastle Street to reinforce the corner

6.4.7 Norwich Road



Strategy

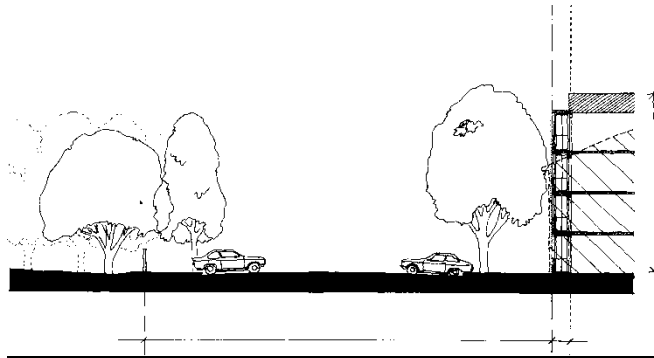
- Create a defined edge, in terms of both landscape and built form definition, between the centre and the recreational/landscape area in the vicinity of Lyne Park and the Royal Sydney Golf Course.

South-western side

Maintain the existing street trees

Supplement the existing street tree planting

New footpath



North-eastern side

Build to the street alignment with windows, loggias and balconies which overlook the street

Commercial/residential uses above street level

Commercial uses at street level

Typical profile of existing buildings

Minimise vehicular crossings

6.4.8 Caledonian Road

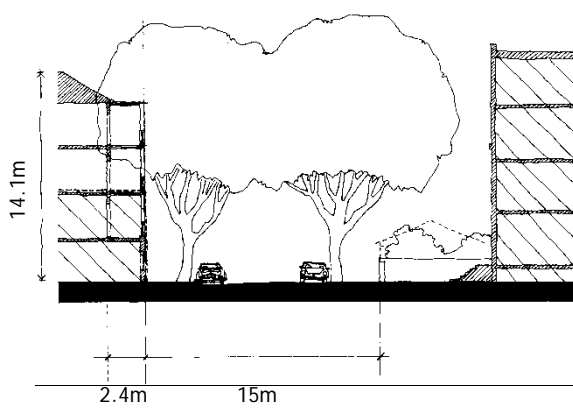


Strategy

- ▶ Retain the unique character of this landscaped residential street to the harbour.

South side

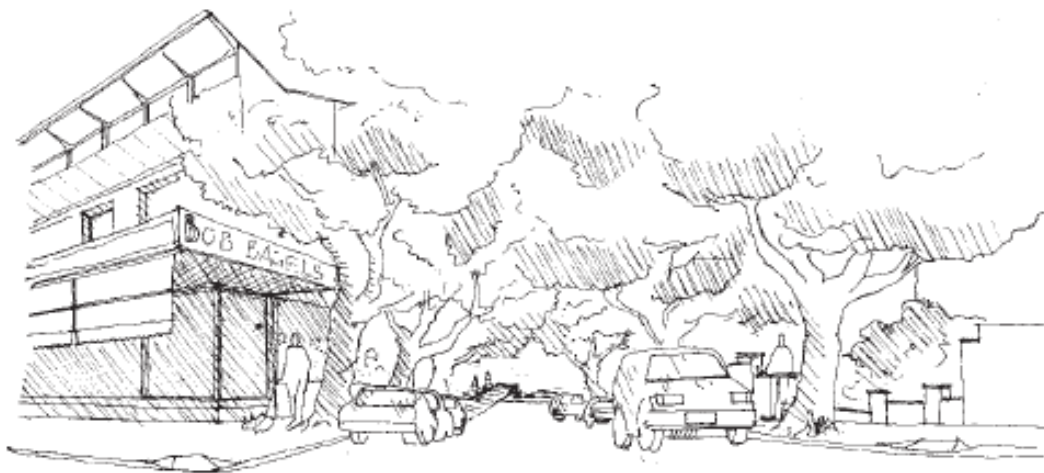
- Maintain the existing street trees
- Build to the street alignment with windows, loggias and balconies which overlook the street
- Commercial/residential uses above street level
- Access to street level retail frontage is not permitted
- Minimise vehicular crossings



North side

- Typical profile of existing buildings
- For residential zoned land refer to Part B of this DCP

FIGURE 5 View down Caledonian Road looking towards the harbour



6.4.9 Collins Avenue



Strategy

- ▶ Create a small urban street defined by private tree plantings, strong garden walls, and clearly defined entries on the harbour side, and a continuous and articulated wall of buildings on the south side.

South-eastern side

A variety of roof forms is encouraged

Build to the street alignment with walls, windows, loggias, balconies and terraces above street level

Protect privacy of residential neighbours opposite

Protect privacy of residential neighbours opposite

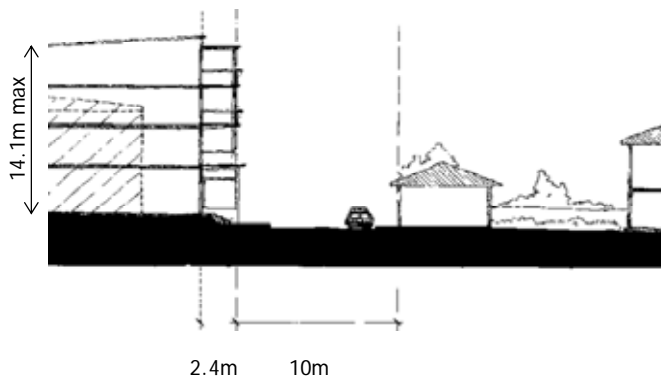
Typical profile of existing buildings

Commercial/residential uses above street level

Build to the street alignment with glazed retail frontage at street level

Widen existing footpath

Minimise vehicular crossings



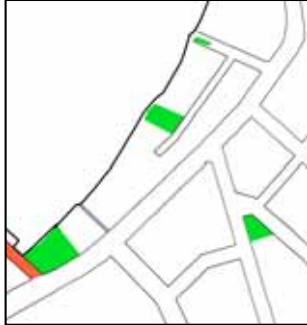
North-western side

For residential zoned land refer to Part B of this DCP

FIGURE 6 View down Collins Avenue from Caledonian Road



6.4.10 Vickery Avenue



Strategy

- ▶ Strengthen the landscape quality of the street as an entry to Lyne Park with a strong visual connection to the harbour, and link to Tingira Reserve.

D6.5 Built form envelopes: control drawings

6.5.1 Urban form methodology

This section contains control drawings which show building envelopes for every site in the Rose Bay Centre. The envelopes have been tailored to each site, taking into consideration its particular characteristics.

These include:

- ▶ its relationship to the public domain- whether it is located in the Core or a Transition Area, or adjacent to a public park or square;
- ▶ the desired future character of the street in which the site is situated;
- ▶ its size and orientation;
- ▶ the significance of existing buildings and landscape;
- ▶ its optimum development potential; and
- ▶ the potential of adjoining private properties.

This Urban Form Methodology defines a physical outcome for the centre, whilst encouraging innovative architectural design within the building envelopes given. It provides a greater certainty of outcome for Council, community and site owners.

Controls for the ground floor and upper floor levels differ. At street level the integration of retail and commercial uses, gardens areas, vehicular access and street awnings, are the primary needs to be considered. Upper floor level envelopes are designed to facilitate quality residential and commercial development. For this reason there are two control drawings for each urban block in the Rose Bay Centre, illustrating the ground floor and upper floor level envelopes for every site.

The control drawings in this section should be read in conjunction with Section D6.6 which provides further explanation of the envelopes, and introduces other relevant guidelines and controls.

6.5.2 Explanatory legend

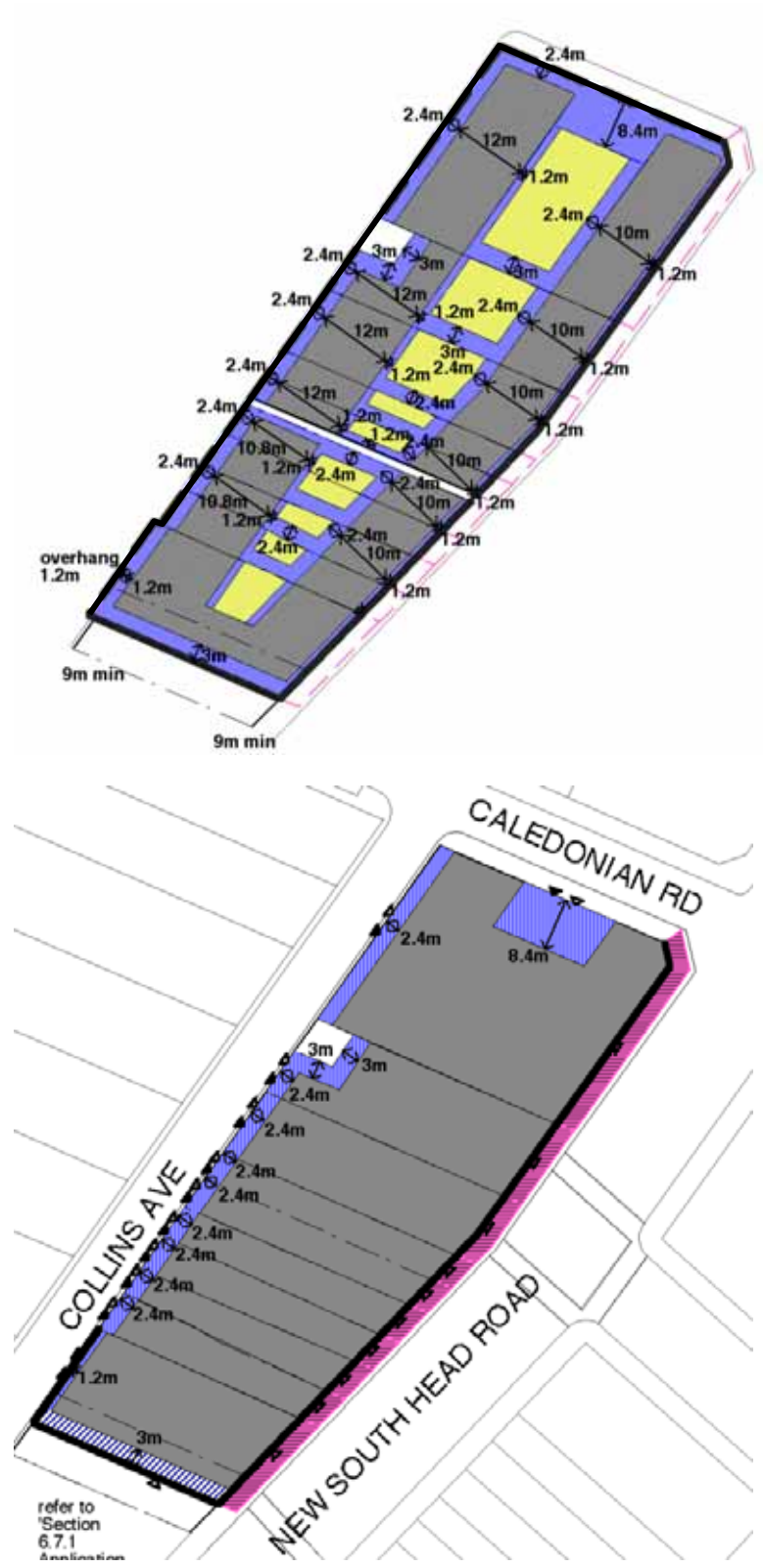
The control drawings incorporate the following graphic symbols:

BUILDING ENVELOPE	
	100% of this area per floor may be built on
	50% of this area per floor may be built on
	PREFERRED BUILDING LINE
	Maximum building zone depths or setbacks Where side setbacks are indicated assume 1m unless otherwise stated
AREA FOR ARTICULATION	
	
ROOF TERRACE	
	
AWNINGS	
	Continuous
	Discontinuous
	Awning to ground floor level below
	PREFERRED VEHICULAR ACCESS FRONTAGE
	PREFERRED PEDESTRIAN ACCESS FRONTAGE
DEEP SOIL LANDSCAPED AREA	
	Minimum percentage of deep soil landscaped area
COLONNADE ZONE	
	

6.5.3 Rose Bay Centre urban form



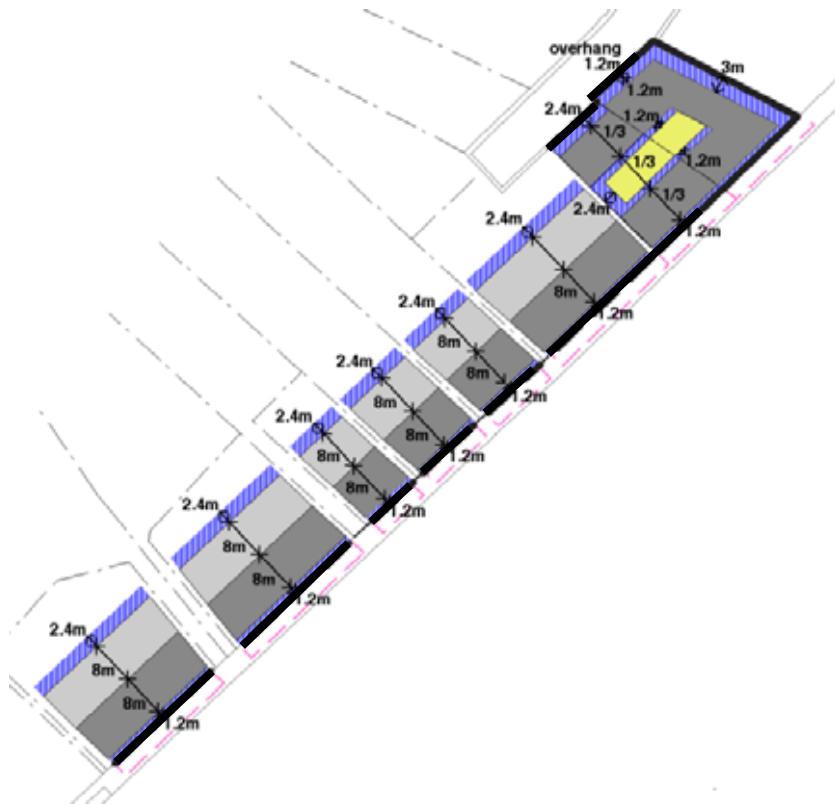
6.5.4 Control drawing 1



Upper floor level controls
New South Head Road (north) /
Collins Avenue

Ground floor level controls

6.5.5 Control drawing 2

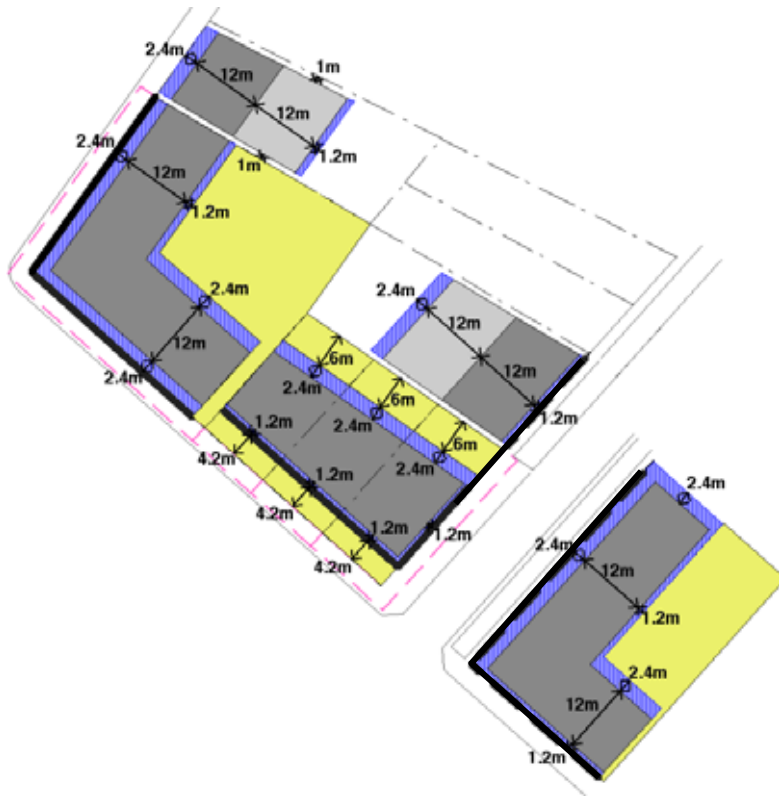


Upper floor level controls
New South Head Road (south)
between Norwich Road and
Newcastle Street

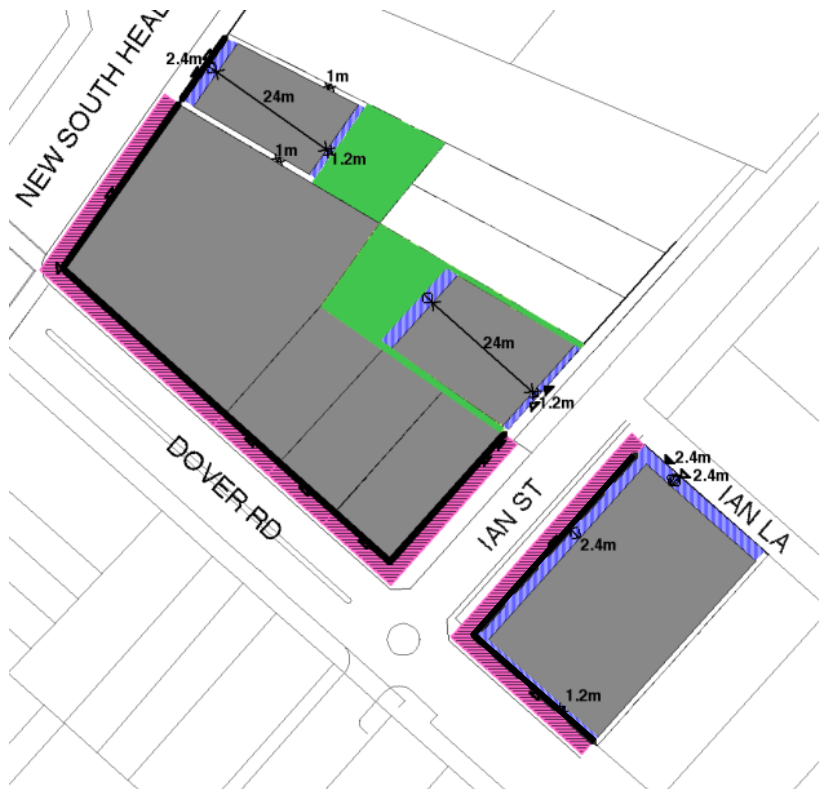


Ground floor level controls

6.5.6 Control drawing 3



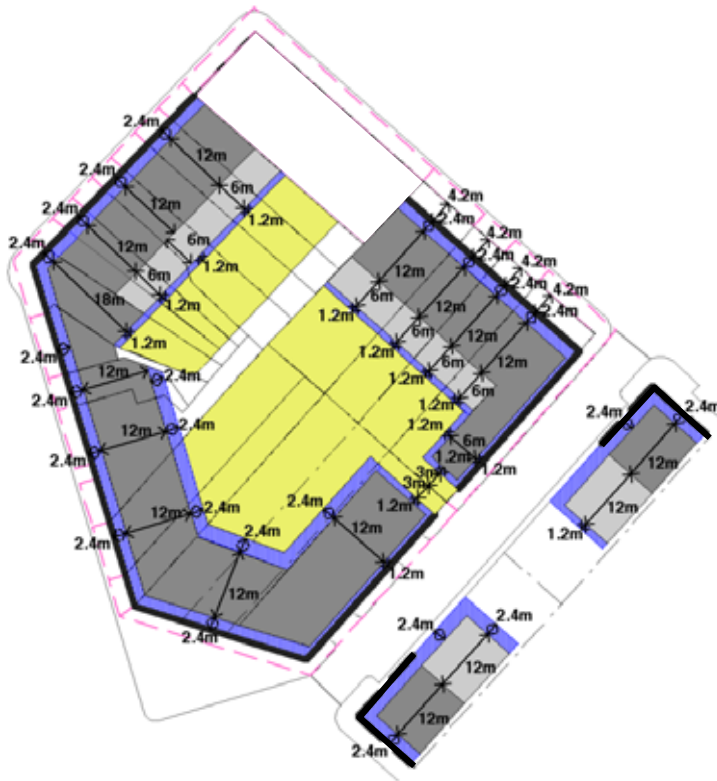
Upper floor level controls
New South Head Road /
Dover Road / Ian Street



Ground floor level controls

6.5.7 Control drawing 4

Upper floor level controls
New South Head Road (south) /
Dover Road / Newcastle Street
Wilberforce car park edge



Ground floor level controls



D6.6 Built form: Development objectives and controls

6.6.1 General format

This section contains the development controls for identified building and site elements in the Rose Bay Centre which constitute its built form. It provides further explanation of the control drawings contained in Section D6.5 and introduces new controls not described in those drawings.

The following format is used:

Introduction

For most policies there is an introduction which explains the need and importance of including that particular element.

Objectives

The objectives define Council's intention. They relate to the aims and objectives in Section D6.3 Urban structure, and the desired future character outlined in Section D6.4 Street character.

Controls

The controls establish the means of achieving the objectives. The controls in this chapter are site specific. This means they have been tailored to each site taking into consideration both the private built form and public spaces, to define a desired future outcome.

This section of the DCP must be read in conjunction with the control drawings which illustrate the site-specific controls. Diagrams are incorporated to assist interpretation.

Not all objectives and controls will be relevant to every development. The applicant must nominate any guidelines and controls which they considered irrelevant, and justify that opinion.

6.6.2 Use

The distinctive mix of small scale shops, restaurants and local services in the Rose Bay Centre creates a friendly street environment, and caters well for the daily needs of the centre's users. Continuous ground level retail frontage offers the benefits of safety, commercial activity and street life. The provision of commercial uses and housing on upper levels makes a significant contribution to the village character, providing street surveillance and activity in the centre outside business hours.

Objectives

- O1 Enhance the village character of the Rose Bay Centre by encouraging mixed use commercial and residential development.
- O2 Create active street frontages in the Rose Bay Centre by locating retail, commercial and community uses at street level.
- O3 Discourage large scale retail establishments, by limiting the frontage width of individual retail tenancies.

Controls

- C1 Design for a mix of uses within buildings.
- C2 Design adaptable and durable buildings, spaces and places.
- C3 Design for retail, commercial and community uses at ground floor.
- C4 Access to residential uses should not occupy more than 20% of a site's frontage.
- C5 The maximum retail frontage for individual tenancies is 15m.

FIGURE 7 Building use

Retain the range and intensity of existing retail uses in Rose Bay by limiting the width of retail frontages



6.6.3 Urban character

6.6.3.1 Building envelopes

The building envelope sets the position of the building on the site, and is described on the control drawings. Buildings in the Rose Bay Core are generally row buildings, with development concentrated to the street frontage. They have no side setbacks at the street frontage so clearly define the edges of the street. Buildings are massed away from the centre of blocks, encouraging solar access, natural ventilation and privacy.

Buildings in the Transition Areas are also concentrated towards the street and are built on or close to the street alignment, accommodating private gardens at the rear in many places. Contiguous front gardens in some areas such as Richmond Road make a significant contribution to the streetscape quality.

The building envelopes in Sections 6.5.2-6.5.8 have been designed to work in conjunction with the height and floor space ratio (FSR) controls in Woollahra LEP.

Note: The maximum FSR for the centre is generally 2:1. The maximum height of buildings is generally 14.1m (4 storeys). Bonus height and FSR applies to 682-696 New South Head Road, subject to the provision of the Rose Bay Public Square (see Section 6.6.10.1).

Objectives

- O1 Enhance the urban village character of the Rose Bay centre by encouraging a coherent street character with consistent building types built to, or parallel to the street alignment.
- O2 Take advantage of the centre's unique assets by orientating buildings to address parks and the harbour where possible.
- O3 Retain and promote the pattern of perimeter block development to ensure a high level of amenity to all new development.
- O4 Create exterior garden and courtyard spaces.
- O5 Accommodate commercial uses by allowing deep building footprints at the ground floor level only.

Controls

- C1 Development may only occur within the building envelopes shown on the control drawings (see Sections 6.5.2-6.5.8).
- C2 Well-designed buildings which achieve the maximum height are encouraged, to enhance the definition of the street edge.
- C3 The maximum permissible building depth above ground level is 12m.
- C4 A minimum floor to ceiling height of 2.7m for habitable spaces applies in the centre to provide quality internal environments and facilitate future adaptability of uses.

C5 The minimum floor to floor heights for the Rose Bay Centre comply with the table below.

Level	Use	Height
Ground floor	Retail ¹	4m
Levels 2	Commercial office or residential	3.4m
Levels 3-5	Residential	3.1m

¹ Applicants may choose to vary storey height using 3.7m height for ground floor and Level 2 to create double storey spaces with a combined floor to floor height of 7.4m.

FIGURE 8 Building envelope – Potential architectural resolution within a building envelope

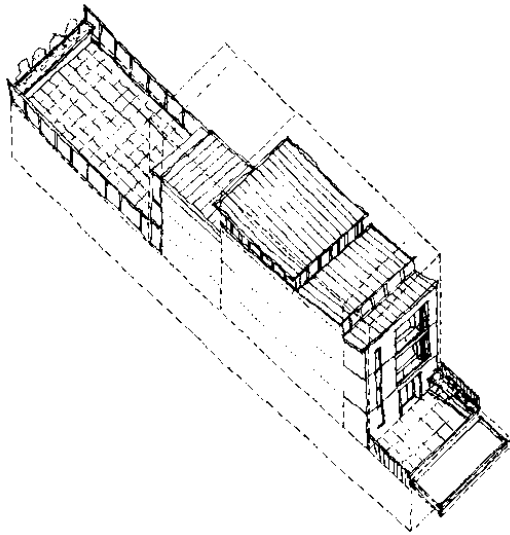
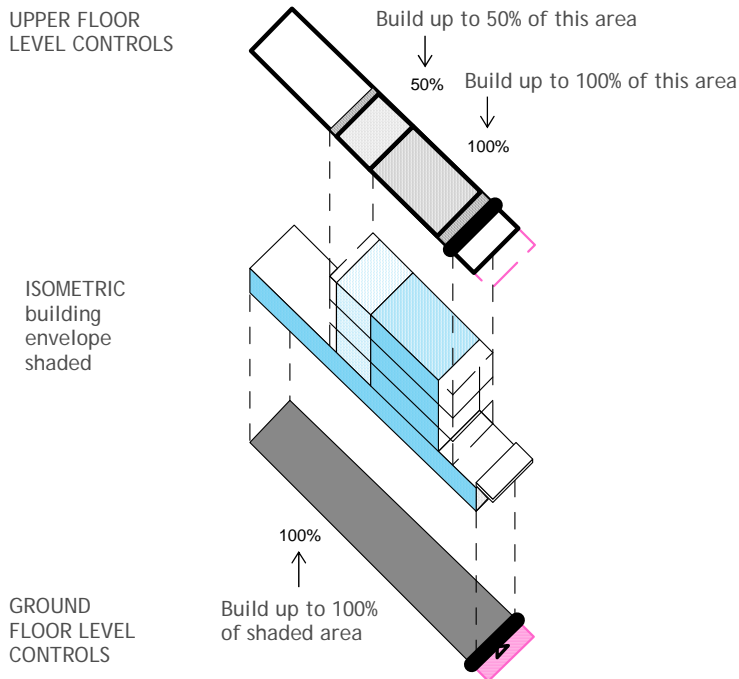


FIGURE 9 Three dimensional controls – Highlighting the building envelope



6.6.3.2 Setbacks

The dominant building type in the Core is the party wall building with zero front and side setbacks.

In Transition Areas the architectural typology is more varied and includes free-standing buildings with relatively small side setbacks. The prevalent building alignment is generally close to the street, accommodating small front gardens and entry porches in some places.

Corner buildings throughout the centre are built to both street alignments, providing strong corner definition.

Objectives

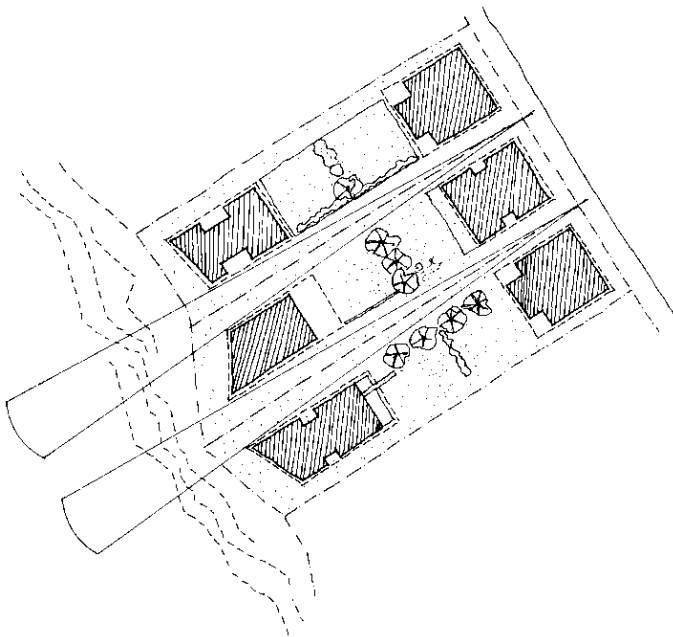
- O1 Retain and enhance the predominant pattern of row buildings only in the Rose Bay Core, and row and free-standing buildings in the Transition Areas.

Controls

- C1 Building alignment should comply with the building lines shown on the control drawings (see Sections 6.5.2-6.5.8)
- C2 Primary door and window openings in living areas should be located towards the street and/or rear garden to protect privacy and encourage integrated private open spaces. Living areas with primary openings facing the side boundary should be avoided.

-
- C3 The design of corner buildings should be considered in relation to street geometry, topography, sight lines and the design of skyline elements.
- C4 Front setbacks are identified as building lines on the control drawings (see Sections 6.5.2-6.5.8). Front setbacks should:
- define a coherent alignment to the public domain;
 - accentuate significant street corners; and
 - accommodate contiguous front gardens in identified areas.
- C5 Side setbacks should:
- protect privacy to adjoining buildings;
 - protect access to natural light and ventilation;
 - provide pedestrian access to the rear of buildings;
 - facilitate views from the public domain to the harbour where possible; and
 - allow stormwater to flow towards the harbour.
- C6 Rear setbacks should:
- provide consolidated landscaped areas at the centre of blocks adjoining residential areas;
 - facilitate natural infiltration of stormwater;
 - protect privacy to adjoining buildings and gardens; and
 - facilitate solar access.

FIGURE 10 Side setbacks – Facilitate views from the public domain to the harbour



6.6.3.3 Building articulation

Building articulation refers to the three dimensional modelling of a building. The control drawings indicate the area for building articulation on a site by site basis (see Sections 6.5.2-6.5.8).

The Street Façade Articulation Zone (SFAZ) establishes the relationship between a building and the street, through the use of entry porches, loggias, balconies, bay windows and the like. Building facades can be articulated to create a strong street address, and enrich the character of the street. The Dover Road frontage of the Rose Bay Hotel in particular, is an excellent example of a well-articulated facade.

Building articulation should respond to environmental conditions such as orientation, noise, breezes, privacy and views, through the use of appropriate sun shading devices, noise barriers, privacy screens, and the careful location of balconies, terraces and loggias. At the rear of a building, articulation should enhance the relationship between the interior and the garden.

The building line determines the position of the facade wall. In certain areas of Rose Bay the building line has been setback from the street alignment. Compliance with this control is required to ensure that the façade aligns with the neighbours at the side boundary. The SFAZ is positioned behind this building line.

The SFAZ is occupied by two types of space:

- ▶ External:
 - open balconies;
 - void not occupied by built form; and
 - recessed balconies counted in proportion to the amount of the façade they are open to.
- ▶ Internal:
 - habitable rooms;
 - bay windows;
 - enclosed balconies; and
 - wintergardens.

Objectives

- 01 Promote buildings of articulated design and massing, with building facades that contribute to the character of the street, and provide usable private external spaces.
- 02 Encourage buildings to respond to environmental conditions, and promote energy efficient design principles.
- 03 Utilise building articulation elements of appropriate scale to their use and context.
- 04 Reinforce the development pattern of buildings on the street alignment in the Core.
- 05 Reinforce the more open streetscape quality in the Transition Areas.

Controls

- C1 To achieve high quality architectural resolution on frontages that address a street, the following percentages of internal and external space should be incorporated with the composition of the building for all floors above ground level.

Note: The use of a palette of articulation elements is recommended to achieve high quality architectural resolution.

Arrangement ONE - Street Façade Articulation of buildings in the Core area:

- Buildings in the core area must provide 80% internal space and 20% external space in the SFAZ.
- Where the control diagrams indicate that articulation on parts of the building envelope that are not in the SFAZ, the mix of internal and external space is discretionary.

Note: This variation requires that the majority of the SFAZ is expressed as solid producing a more building suited to the activity associated with the business core.

FIGURE 11 Street façade articulation in the Core Area – refer to Articulation Arrangement ONE below

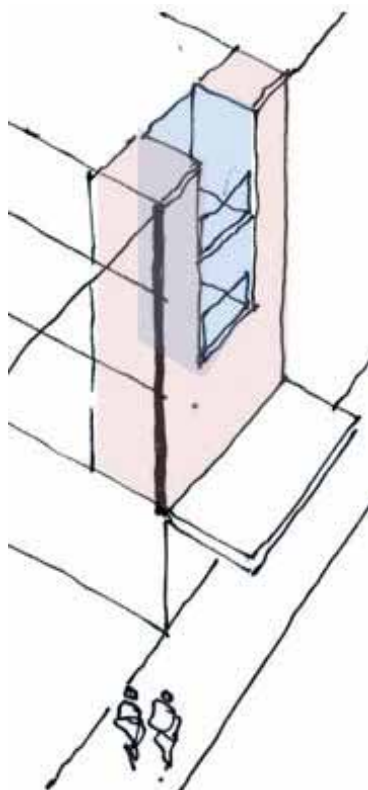
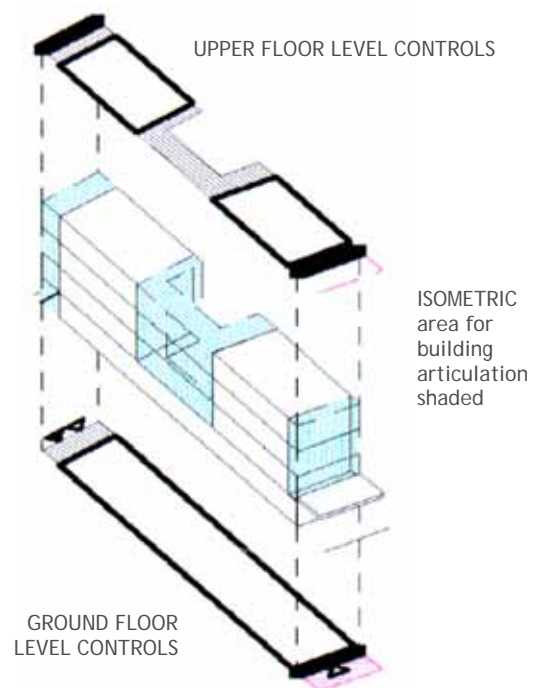


FIGURE 12 Three dimensional controls – Highlighting the area for building articulation in the Core



Arrangement TWO - Street Façade Articulation of buildings in the Transition Area:

- a) Buildings in the Transition Area must provide 30% internal space and 70% external space in the SFAZ.
- b) Buildings on New South Head Road should be designed to reduce amenity impacts from traffic noise. Bedrooms should be located away from noise sources.
- c) Private open space elements such as balconies, should be predominantly north, east and west facing, and should be designed to ensure visual and acoustic privacy of occupants and neighbours.
- d) Where the control diagrams indicate that articulation on parts of the building envelope that are not in the SFAZ, the mix of internal and external space is discretionary.

Note: This variation requires a far more open façade compared to the core with greater potential for larger residential balconies.

FIGURE 13 Street façade articulation in the Transition Area – refer to Articulation Arrangement TWO below

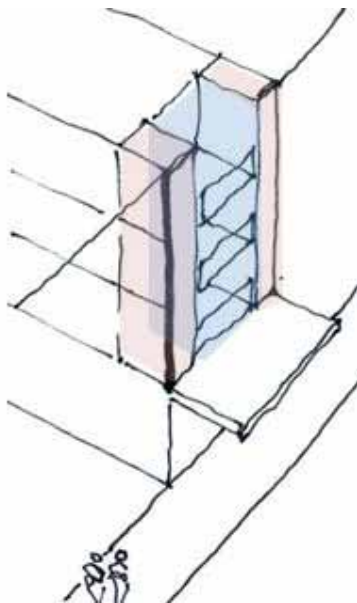
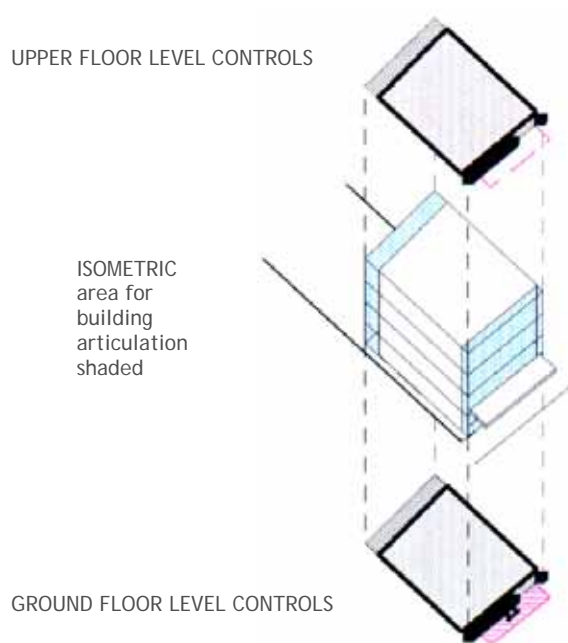


FIGURE 14 Three dimensional controls – Highlighting the area for building articulation in the Transition Area



6.6.3.4 Heritage and conservation

Council supports the conservation of the rich mixture of buildings, parks and places of special significance within the Municipality. Woollahra LEP contains various controls on the conservation of items and areas of environmental and heritage significance. The LEP also contains incentives for developments which include the conservation of heritage items.

The Rose Bay Hotel, the former Rose Bay Post Office and two pines in Vickery Avenue are the only listed heritage items in the Rose Bay Centre. The Rose Bay Centre Urban Design Study 1998 identified an additional five contributory buildings which are shown in Figure 16. There are no conservation areas in the Rose Bay Centre.

The grove of paperbarks adjoining the west side of Norwich Road is heritage listed and included on the significant tree register. The paperbarks contribute to the streetscape of Norwich Road by providing a soft edge and afternoon shade. Other tree groves which make a contribution to the streetscape are the bushbox on Richmond Road and figs on Caledonian Road. These two groves are on both sides of the road and form a united canopy shading the road and footpaths.

Objectives

- O1 Protect and enhance items of environmental and heritage significance, including contributory buildings (see Figure 16 Contributory buildings).
- O2 All new developments and works to existing developments are to be designed to be compatible with the heritage significance of listed heritage items and nominated contributory buildings.

Controls

- C1 Development proposals on sites containing contributory heritage items must retain heritage significance.
- C2 Development proposals on sites containing contributory buildings must demonstrate that the architectural and streetscape value of the building would be retained or enhanced by the proposal.
- C3 Development to a contributory building is to respect the building and complement and enhance the contributory characteristics of the building including:
 - a) street edge definition;
 - b) its material, detailing and character;
 - c) its holistic building character related to articulation, massing, and patterns and distribution of wall opening.

Note: Where a development involves a heritage item or contributory building, a statement of heritage impact must be lodged with a development application. That statement must set out the heritage significance of the place and the effect the proposed works will have on the significance of the heritage item.

FIGURE 15 Rose Bay Hotel



FIGURE 16 Contributory buildings



6.6.3.5 Architectural resolution

Buildings in the Rose Bay Centre represent a cross section of 20th century architecture, with no period predominating, and are of varied quality. High quality architectural resolution can help to define a local identity.

Objectives

- O1 Promote high quality architectural design throughout the Rose Bay Centre to create a desirable living and working environment.
- O2 Encourage a more coherent streetscape.
- O3 Minimise the negative impacts of glare and reflectivity on adjoining public and private properties.
- O4 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.

Controls

- C1 A clear street address to each building should be provided. Pedestrian entries should be well defined.
- C2 Vehicular entries should be discrete and minimise conflicts with pedestrians.
- C3 Materials which are compatible with the existing development context, such as red face brick and rendered masonry, should be encouraged in street facade design.
- C4 The colour of the building facade is not intrusive or unreasonably dominant within the streetscape, and is compatible with the character of the centre. Exterior colours should be appropriate to the context, and should not draw undue attention to the building. The external painting of a building in bright colours, corporate colours or fluorescent colours should be avoided. Any individual business branding and identity in external painting and colour schemes is to be subordinate to the main colour schemes in the street. (Also refer to Part E of this DCP, Chapter E7 Signage, When external painting of a building constitutes a wall sign).
- C5 New buildings and facades do not result in glare that causes discomfort or threatens safety of pedestrians or drivers.

Note: A reflectivity report that analyses the potential glare from the proposed new development on pedestrians or motorists may be required.
- C6 Extensive areas of unprotected glazing are not permitted.
- C7 Predominantly glazed shopfronts are to be provided to ground floor retail areas.
- C8 Street corners are to be strengthened by massing and building articulation.
- C9 Roller shutters to shopfronts are not permitted.

- C10 The design of window and balcony openings should take into account the streetscape, heritage items, privacy, orientation and outlook.
- C11 Blank party walls are to be avoided.
- C12 Facades are to be richly articulated and should express the different levels of the building and/or its functions.
- C13 Commercial space should be designed to permit maximum flexibility for future uses.
- C14 All rooms above ground floor level, including kitchens and bathrooms, are to have windows/skylights wherever possible.
- C15 The residential component of buildings must contain a variety of apartment sizes and layouts.

FIGURE 17 Facades – Richly articulated with deep modelling and shadows



6.6.3.6 Roof design

The Rose Bay Centre Core is characterised by a predominance of buildings with articulated parapets, which contribute to its urban quality.

Roof forms vary with building type and architectural style in the Transition Areas, and include hips, gables, flat roofs and parapets.

Objectives

- O1 Promote design that contributes to the definition of the Core.
- O2 Encourage roof design to create a distinctive silhouette to buildings.

Controls

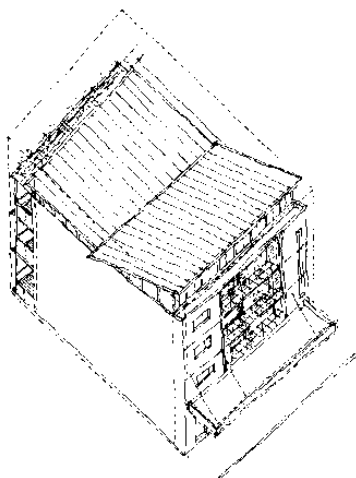
- C1 The use of parapets is encouraged in the Core.
- C2 The profile and silhouette of parapets, eaves and roof top elements must be considered in roof design.
- C3 Where pitched roofs are proposed, the angle of the pitch should be compatible with the existing development context.
- C4 Roof design should minimise building bulk and overshadowing.
- C5 Roof terraces are encouraged (see detailed provisions in Section 6.6.5.2 Above ground open space).
- C6 Air conditioning plant and equipment must be concealed from the exterior and be within the building. When roof plant is proposed it must be integrated with the design of the roof and the composition of the building and not be readily visible from the public domain.

FIGURE 18 Roof design – Pitched roofs integrated with broken parapet lines in the Core



FIGURE 19 Roof design – Roof forms must be contained within the building envelope.

Varying roof forms including hips, gables, flat roofs and parapets are encouraged in the Transition Areas



6.6.3.7 Awnings

Relatively continuous awnings provide wet weather protection and shade to shoppers in the busy Core. Awnings in the Transition Areas are more varied and less continuous, and are often used to highlight building entrances.

Objectives

Core

- O1 Retain and supplement the existing awnings to provide continuous and coherent awning cover along footpaths.

Transition Areas

- O2 Retain and supplement the existing awnings to provide discontinuous awning cover along footpaths to accommodate new street tree planting.

Controls

Core

- C1 Development must provide continuous awnings to street frontages as indicated on the control drawings. Awning design should be suspended steel box section type with a minimum soffit height of 3.2m. Awning height should provide continuity with adjoining properties.
- C2 Canvas blinds along the outer edge of awnings may be used to provide sun shading to the east and west facades. These blinds must not carry signage or advertising.

Transition Areas

- C3 Development must provide discontinuous awnings where indicated on the control drawings. These awnings should provide cover to building entrances.
- C4 The provision of under awning lighting is encouraged. Under awning lighting may be recessed into the soffit of the awning or wall mounted on the building.

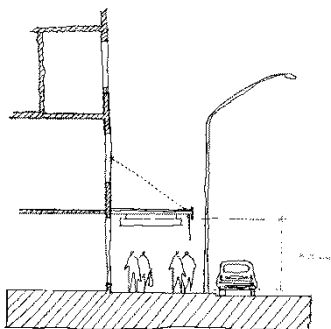


FIGURE 20 Awning design

Suspended steel box section type with a minimum soffit height of 3.2m

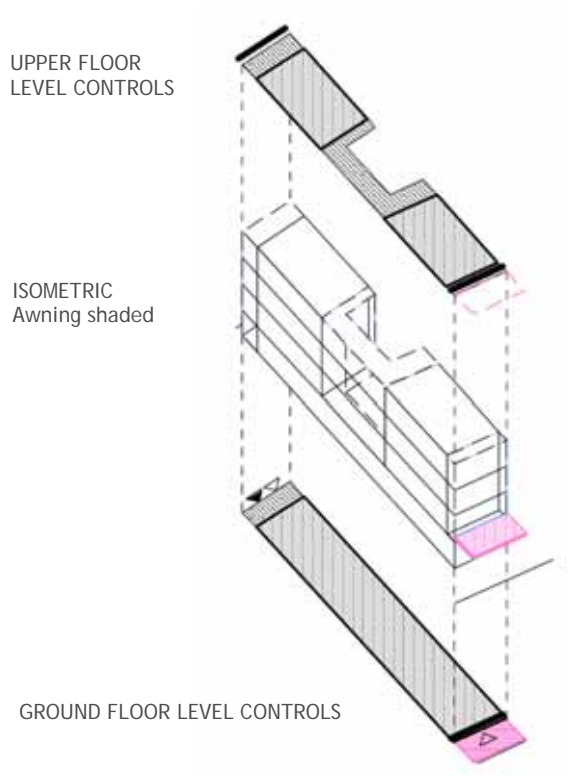


FIGURE 21 Three dimensional controls – Core area
Highlighting the continuous awnings

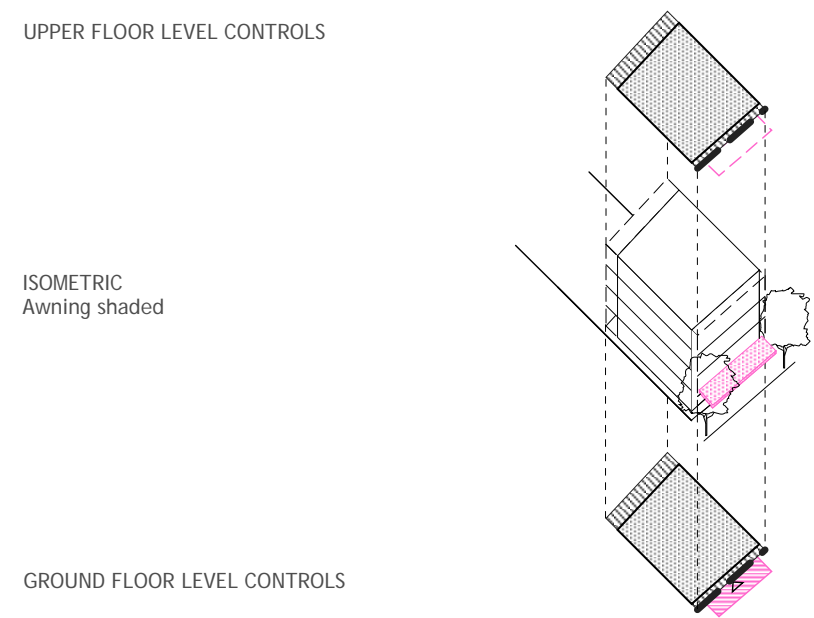


FIGURE 22 Three dimensional controls – Transition area
Highlighting the discontinuous awning zone which accommodates street tree planting.

6.6.4 Visual and acoustic privacy

Privacy is an important consideration in relation to the residential component of the Rose Bay Centre and neighbours adjacent to the centre, as it is a major determinant of environmental amenity.

Objectives

- O1 Ensure adequate visual and acoustic privacy to residential apartments in the centre and private open spaces.
- O2 Protect the privacy of adjacent residential neighbours.

Controls

Visual privacy

- C1 Visual privacy is to be protected by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting (see Figure 23 Visual and acoustic privacy).
- C2 Main living spaces are to be oriented to the street or rear garden to avoid overlooking between neighbouring properties. Living areas with primary openings facing the side boundary should be avoided.

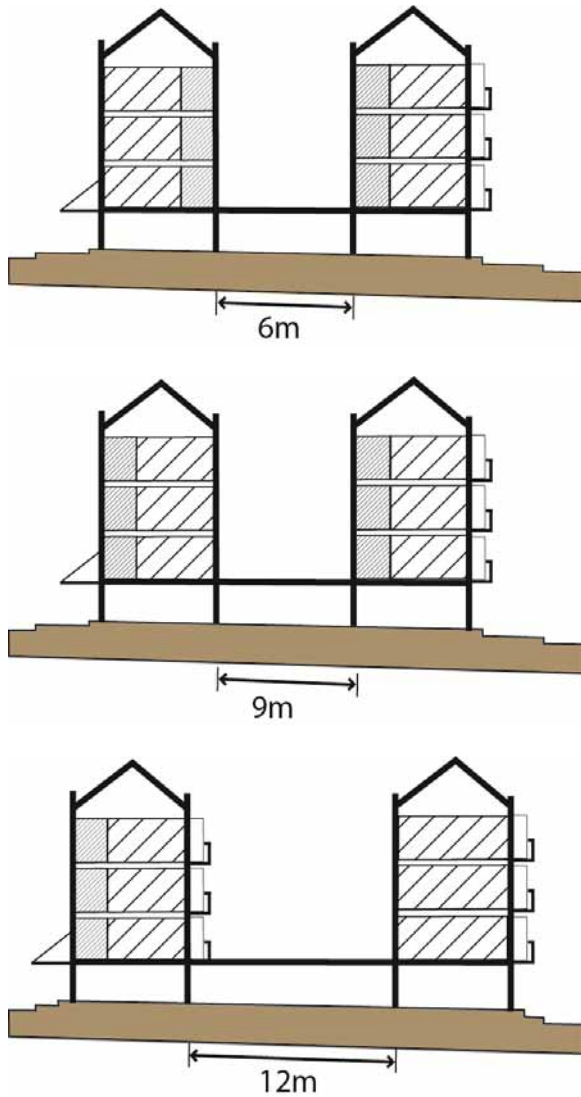
Acoustic privacy

- C3 Buildings are to be sited to minimise the transmission of external noise to other buildings on the site and on adjacent land.
- C4 The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, should be designed to minimise the transmission of noise externally.
- C5 Bedroom areas are separated by way of barriers or distance, from on-site noise sources such as active recreation areas, car parks, vehicle accessways and service equipment areas.
- C6 Restaurants and cafes should be designed to minimise the impact of noise associated with late night operation, on nearby residents.
- C7 Rear courtyards would only be permitted for restaurant use if Council is satisfied that the hours of operation would not have an unreasonable impact on residential amenity
- C8 Noise impact associated with goods delivery and garbage collection, particularly early morning, should be minimised.

Note: Council may require a Noise Impact Assessment Report to accompany a Development Application.

FIGURE 23 Visual and acoustic privacy

Minimum distances for visual and acoustic privacy



 **Habitable room**

A room used for normal domestic activities that includes: a bedroom, living room, lounge room, music room, television room, dining room, sewing room, study, playroom, sunroom and kitchen.

 **Non-habitable room**

A room of a specialised service nature occupied neither frequently nor for extended periods, including a bathroom, laundry, water closet, food storage pantry, walk in wardrobe, corridor, hallway, lobby or clothes drying room.

FIGURE 24 Ensure adequate separation between unscreened balconies
Privacy at ground floor level provided by suitable sill heights and planting

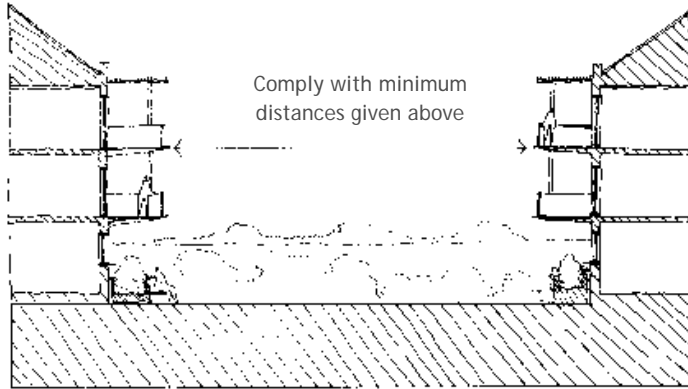


FIGURE 25 Careful location of balconies can increase privacy and reduce their separation

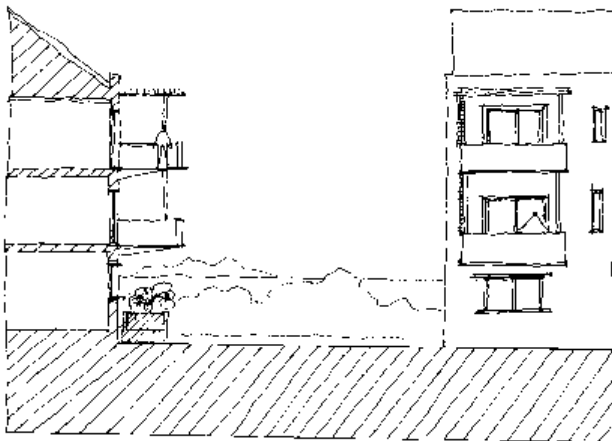
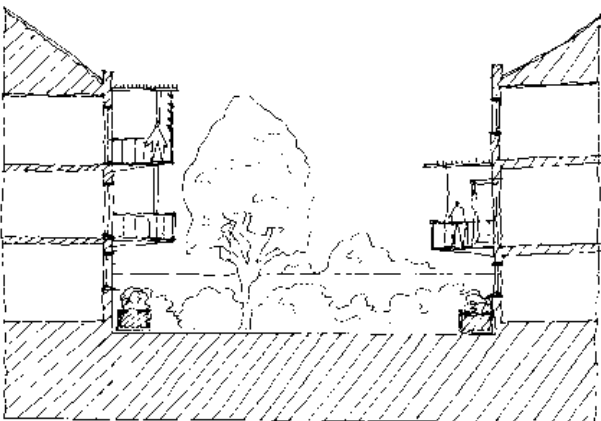


FIGURE 26 Vegetation and balcony screening can increase separation to ensure privacy.



6.6.5 Private open space

Private open space includes landscaped area (such as permeable garden areas), and above ground open space such as roof gardens over car parking, terraces, loggias, balconies or decks. The accessibility of comfortable private and communal outdoor living areas is a major determinant of the ability of occupants to enjoy living and working in the centre. Open space plays an important role in the identity of the Rose Bay Centre, and assists stormwater management.

6.6.5.1 Landscaped area

Landscaped area is an important contributing factor to the identity of the Rose Bay Centre.

Whilst the provision of deep soil landscaped area in the Core is limited due to the deep plan requirements of shops on the ground floor, the existing leafy character of the Transition Areas is formed in a large part by private gardens, which collectively create larger scale landscape spaces.

Deep soil landscaped areas play an important role in stormwater management. Contiguous garden areas assist site drainage and reducing runoff.

There is no deep soil landscaped area requirement for sites located in the Core.

FIGURE 27 Three dimensional controls – Highlighting the area for deep soil landscaped area

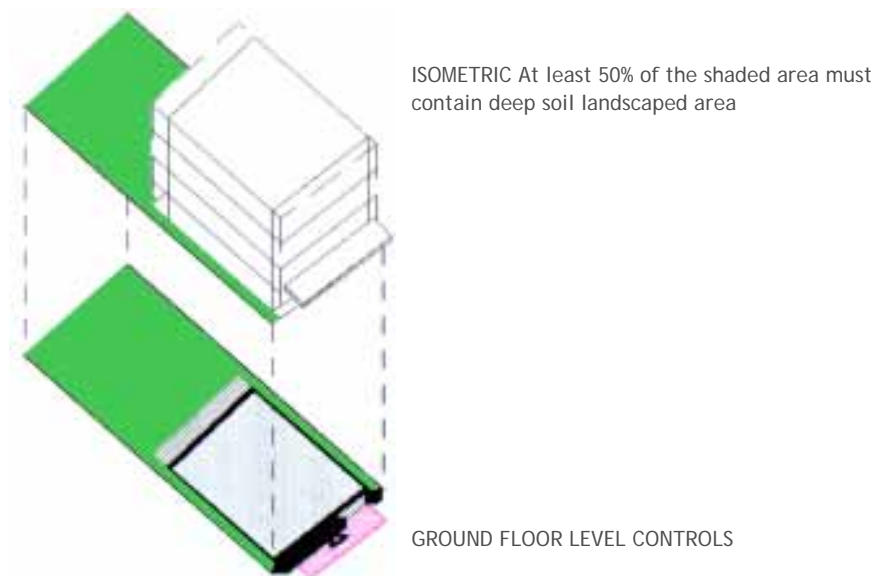


FIGURE 28 Rear gardens

At least 50% of the area nominated in the control drawing should contain deep soil landscaped area

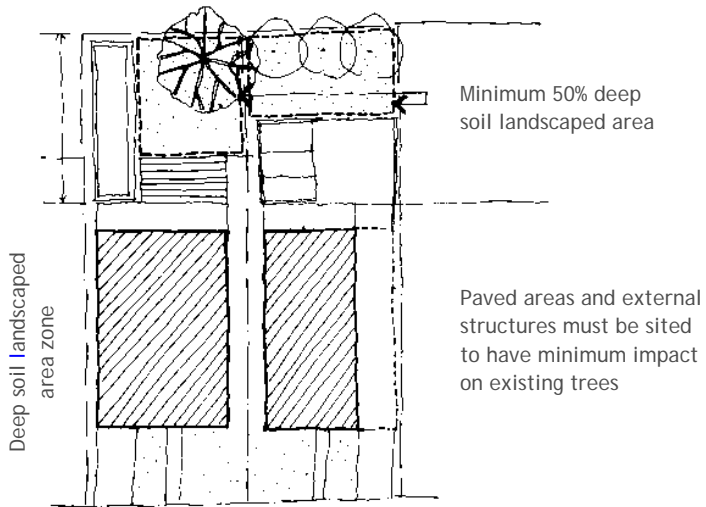
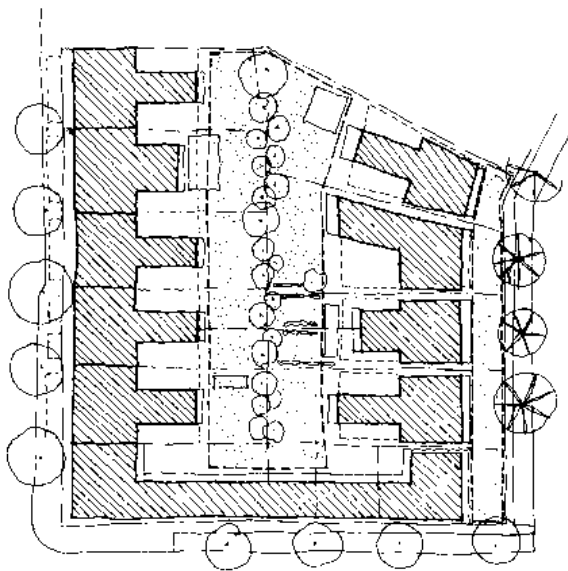


FIGURE 29 Contiguous gardens

Create contiguous garden areas to form large scale landscape space



Objectives

- O1 Maintain and enhance landscape quality on private land.
- O2 Encourage contiguous rear garden areas in the middle of blocks to enable retention of existing significant trees and to allow new planting of tall trees.
- O3 Encourage contiguous front garden areas to strengthen the street character and allow street surveillance.
- O4 Assist in stormwater control by maximising on-site infiltration through the use of permeable surfaces, and providing stormwater detention in the consolidated landscape areas.
- O5 Encourage the use of planting to assist in energy conservation in buildings and comfort of outdoor living areas, and to protect privacy through screening.

Controls

General

- C1 The area of deep soil landscaped area should be at least 50% of the area outside the building envelope.
- C2 Planting of larger trees is encouraged to maintain Rose Bay's existing leafy quality. Where views are an issue, plant high branching native trees, or deciduous trees. In smaller courtyard spaces deciduous tree planting is preferred.
- C3 Provide trees and pergolas to shade external areas and control sunlight into buildings.
- C4 Paved areas and external structures must be sited to have minimum impact on existing significant trees.
- C5 A landscape plan is submitted as part of any development application that includes a component of multi-unit housing.

Front gardens

- C6 Design front gardens to provide a positive setting for the building.
 - C7 Design front gardens for security by providing adequate lighting to entrances. Avoid planting which may obscure the entry.
 - C8 Garden structures such as gazebos, clothes lines, play equipment, swimming pools, spa baths and ponds, are not permitted in front gardens.
 - C9 Garages and parking structures are not permitted forward of the building alignment.
 - C10 Minimise the impact of driveways in front gardens by design, materials selection and appropriate screen planting.
 - C11 Driveways, kerb crossings, parking, paved areas and external structures must be sited to have minimum impact on the root zone of existing street trees.
-

6.6.5.2 Above ground open space

The provision of deep soil landscaped areas, particularly in the Core is limited due to the deep plan requirements of shops on the ground floor, and underground parking. In these areas open space must be provided above ground, as roof gardens over car parking, roof terraces, loggias, balconies, and verandahs (refer to control drawings in Sections 6.5.2-6.5.8).

Objectives

- O1 Ensure every dwelling in the Rose Bay Centre has access to private open space by providing usable above ground open space on sites where there is no requirement for deep soil landscaped area. Refer to control drawings.
- O2 Encourage occupied roof areas with roof gardens behind parapets where private open space at ground level is not available.

Controls

- C1 Where direct access to ground level private open space is not available, provide at least one balcony, terrace, verandah, loggia, roof terrace or deck for each dwelling, within the area nominated for building articulation. The minimum area of this element is determined by the dwelling size (see table). The minimum permissible depth is 1.8m and the preferred depth is 2.4m. This element should be accessible from a principal living space.

Dwelling size	Minimum required area of above ground open space
Small dwelling: Up to 60m ²	8m ²
Medium dwelling: 60m ² - 90m ²	12m ²
Large dwelling: More than 90m ²	16m ²

- C2 Roof terraces and balconies must be designed to protect the privacy of neighbours.
- C3 The profile and silhouette of parapets, eaves and roof top elements must be considered in roof terrace design to provide an attractive building finish when viewed from the public and private domain.
- C4 Lightweight pergolas, sun screens, privacy screens and planters are permitted on the roof, provided they do not increase the bulk of the building, and do not significantly affect the views enjoyed by adjoining properties, or those in the vicinity or on the nearby ridges.
- C5 Plantings over underground structures should have sufficient soil depth to allow sustainable planting.

Note: A site specific landscape specification is to be prepared for landscaping above underground structures. The specification should include considerations such as plant species, soil depth and drainage.

FIGURE 30 Above ground open space

Lightweight pergolas, sun screens and planters can enhance the quality of roof spaces, and provide privacy

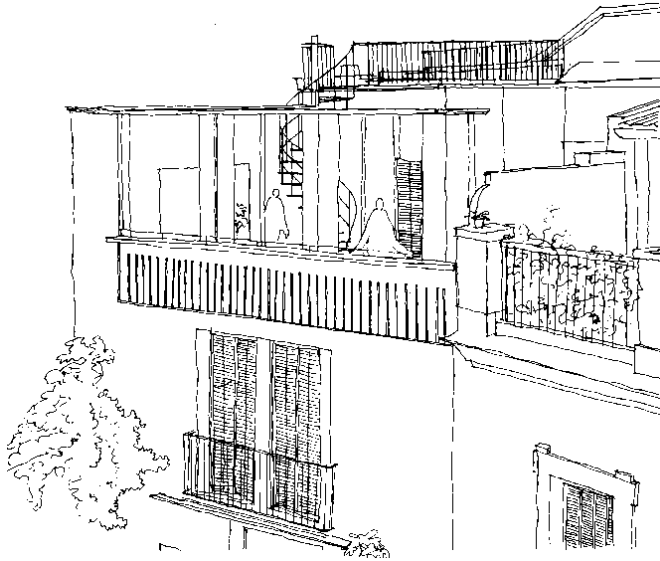
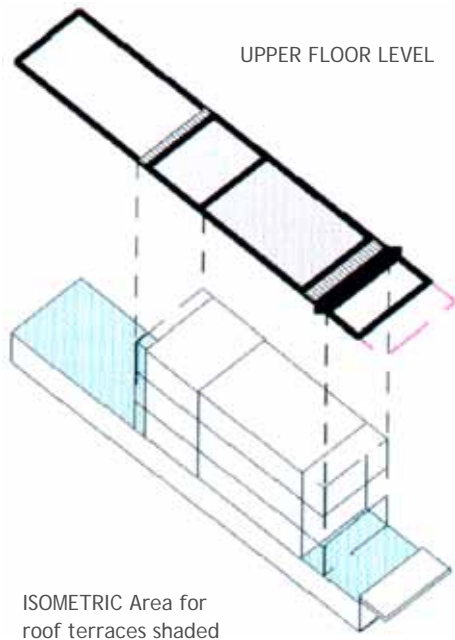


FIGURE 31 Three dimensional controls – Highlighting the area for roof terraces



6.6.5.3 Front fences

Front fences occur only in the Transition Areas in the Rose Bay Centre where buildings are set back from the street alignment. They are generally integrated with the architecture of the building, enhancing its character, and contributing to the visual appeal of the street.

Objectives

- O1 Encourage the design of front fences which enrich the streetscape in Transition Areas.
- O2 Ensure street surveillance is possible to assist safety.

Controls

- C1 The maximum height of front fences is 1.2m.
- C2 Fences should be integrated with the building and landscape design through the use of materials and detailing.
- C3 Fences should highlight building entrances, and allow for outlook and street surveillance.

6.6.6 Solar access and natural ventilation

6.6.6.1 Solar access

Solar access is a major determinant of environmental comfort. Good passive solar design offers financial benefits by reducing the need for artificial heating and cooling.

Objectives

- O1 Minimise overshadowing of adjoining properties or publicly accessible spaces.
- O2 Building form, spacing, and layout should facilitate good solar access to both the internal and external living spaces, to maximise natural heating and cooling and minimise the use of artificial systems.

Controls

- C1 Development should comply with the control drawings in Section D6.5 to ensure adequate solar access is provided to neighbouring properties.
- C2 Development which does not comply with the control diagrams must maintain existing solar access to existing development for at least three hours between 9am and 3pm on 21 June to north facing windows of habitable rooms, and at least two hours to at least 50% of the private open space.
- C3 Access to sunlight should be achieved for a minimum period of three hours between 9am and 3pm on 21 June to windows of habitable rooms and two hours to private open space of new development.
- C4 The overshadowing effect of new buildings on public domain areas are to be considered for the hours of 10am to 2pm on 21 March, 21 June and 24 September.
- C5 Locate main living spaces including lounge, dining, kitchen and family rooms towards the north where possible. Consideration should also be given to slope, views, existing vegetation, overshadowing and streetscape.
- C6 Skylights which provide the sole source of daylight and ventilation to habitable rooms are not permitted in residential or commercial areas.

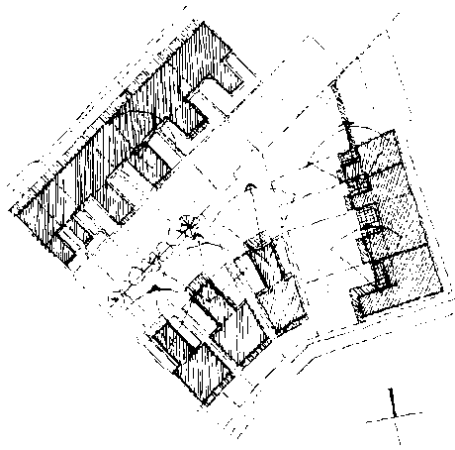


FIGURE 32 Solar access

Building form modulated within envelope to maximise good solar access to internal and external living spaces

6.6.6.2 Natural ventilation

Building envelopes in this chapter encourage building depths on floors above street level that allow good natural ventilation and light. The location of the Rose Bay Centre in proximity to the harbour provides access to cooling summer breezes.

Objectives

O1 All buildings should be designed for good natural ventilation.

Controls

- C1 Provide windows to all rooms above ground floor level, including kitchens and bathrooms, to facilitate natural light and ventilation. Minimise the reliance on mechanical ventilation or air conditioning above ground level.
- C2 Facilitate cross ventilation by locating windows opposite each other where possible. The placement of small low windows on the windward side of a building, and larger higher windows on the leeward side, will encourage cross ventilation.

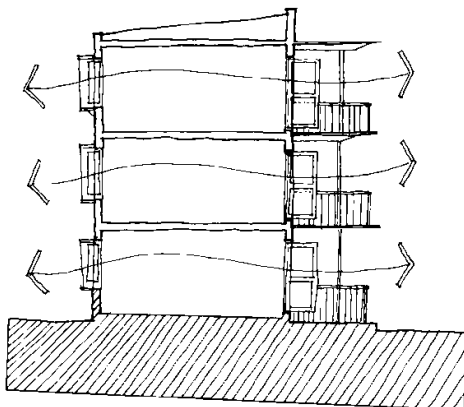


FIGURE 33 Cross ventilation

Thin cross-section design achieves good cross ventilation and avoids need for internal rooms

6.6.7 Parking and servicing

6.6.7.1 On-site parking

On-site parking includes surface parking areas, car parking structures, semi-basement and underground parking areas.

The opportunity for on-site parking is restricted in many areas of the Rose Bay Centre. The narrow width of some lots makes it impossible to accommodate more than two spaces onsite, and site excavation for underground parking is made difficult by the level of the existing water table in the centre.

This chapter aims to satisfy the parking demand likely to be generated by future development, whilst facilitating the redevelopment of narrow sites and discouraging over-reliance on cars.

Objectives

- O1 Facilitate the redevelopment or incremental development of narrow sites by implementing a parking contributions scheme to provide public car parking.
- O2 Ensure the impact of car parking on the site and streetscape is handled discretely.
- O3 Ensure the design of on-site car parking is safe and efficient, and integrated with the overall site and building design.
- O4 Maximise natural light and ventilation to parking areas where possible.

Controls

General

- C1 Car parking provision must comply with Part E of this DCP, the Chapter E1 Parking and Access.
- C2 Car parking should be incorporated within the building, behind the building alignment.
- C3 Consolidated parking areas should be provided below ground or screened from the street and concentrated under building footprints, to maximise the area for soft-landscaped area.
- C4 Basement parking should be naturally lit and ventilated, where practical.

Note: Where the parking involves excavation, Council will normally require geotechnical and hydrological reports prepared in accordance with the Council's 'Guide for preparing Geotechnical and Hydrogeological Reports' to demonstrate that there are no adverse geotechnical or hydrogeological impacts on any surrounding property and infrastructure as a consequence of the carrying out of development.

Retail component

- C5 Retail development is required to provide a minimum of 80% of the required parking as an off-site contribution with the balance of the spaces provided on-site as private parking. The provisions for the off-site contribution are detailed in the Woollahra Section 94 Contributions Plan.

Commercial component

- C6 Commercial development is required to provide a minimum of 80% of the required parking on-site as private parking with the balance of the required spaces provided as an off-site contribution.
- C7 The provisions for the off-site contribution are detailed in the Woollahra Section 94 Contributions Plan.

6.6.7.2 Vehicular access

Vehicular access frontage, as indicated on the control drawings, is the preferred location for vehicular access to private sites (see Sections 6.5.2-6.5.8).

The continuity of retail frontages contributes to the liveliness of the Rose Bay Centre and its village character. Vehicular crossings interrupt street activity, diminish the amenity of the place, and reduce the area for public on-street parking.

Objectives

- O1 Encourage discrete access to car parking and servicing.
- O2 Maximise retail frontage in nominated streets.
- O3 Maximise pedestrian safety and amenity by minimising conflict with vehicles.

Controls

- C1 In the Core vehicular access is only permitted via a rear lane, rear right of way, or side street.
- C2 In the Transition Areas vehicular access must be via a rear lane, rear right of way, or side street where such access is available.
- C3 Driveway widths should be minimised.
- C4 Allow up to one two-way driveway per development. Two single driveways may only be provided where the distance between crossings exceeds 30m.
- C5 Driveways to underground car parks should be designed with minimal visual impact on the street, and maximum pedestrian safety. Pedestrian access to the development should be separate and clearly defined. Garage doors should be set back. Access ways to underground car parking should not be located in direct proximity to doors or windows to habitable rooms.

- C6 Driveways and kerb crossings must be sited to have minimum impact on the root zone of existing street trees (refer to the Public Domain Improvements Plan and Streetscape Design Manual advice from Council's Technical Services Division).
- C7 Driveways must be located in alignment with the garage. They must occupy a minimum proportion of any front garden area.

FIGURE 34 Three dimensional controls – Highlighting the preferred vehicular access frontage

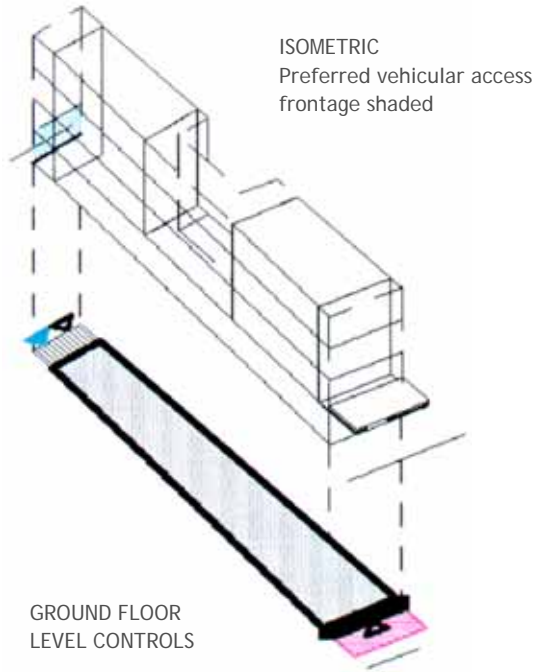


FIGURE 35 Vehicular access

Driveways and garages designed with minimal impact on the street.
Garages set back with pedestrian access separate and clearly defined.



6.6.8 Geotechnology and hydrogeology

Council will normally require geotechnical and hydrogeological reports for development applications which include below ground structures.

Any proposed development with below ground structures must consider the sub-surface conditions and the effects of construction on adjacent properties. In addition, those which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the effect of any changes induced in the sub-surface water levels and the groundwater flow patterns on adjacent properties. Unless site specific information exists to the contrary, excavations deeper than 1m must be assumed to have this potential to intersect the groundwater level.

Council's principal objective is to ensure there are no adverse geotechnical and hydrogeological impacts on any surrounding property and infrastructure as a result of development, during and after construction. Typically, adverse geotechnical impacts may include vibration induced settlements from construction methods and equipment and inadequate support of adjacent land during and after construction. Typically adverse hydrogeological impacts may include settlement induced by changes in the groundwater level and seepage problems.

Objectives

Buildings must be designed and constructed with appropriate support and retention systems to ensure that:

- O1 There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on adjoining properties and infrastructure.
- O2 There will be no change to the ground water level, during and after construction, sufficient to cause an adverse impact on surrounding properties and infrastructure.
- O3 Vibration during construction is minimised or eliminated to ensure no adverse impact on surrounding properties and infrastructure.
- O4 The risk of damage to adjacent existing property and infrastructure by the new development will be reduced to a level no greater than that from an event with an "unlikely" likelihood of occurrence and "minor" consequence.

In this clause "adverse impact" means any damage caused to the improvements on adjoining properties by the demolition, excavation or construction on the development site.

Controls

- C1 Excavation below 1m is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures.

Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development. Development applications include a design statement and supporting drawings (if necessary) that show the proposed design measures minimise risk and ensure that no adverse impacts will occur.

6.6.9 Site facilities

Site facilities include loading areas, garbage areas, mail boxes, external stores, laundries and clothes drying areas. Development should provide appropriate site facilities for retail, commercial and residential uses, and minimise impact on the streetscape.

Objectives

- O1 Ensure adequate provision of site facilities.
- O2 Ensure site facilities are accessible, functional and unobtrusive.

Controls

- C1 Loading facilities must be provided via a rear lane or side street where such access is available.

Any development which includes a residential component must provide laundry facilities, and at least one external clothes drying area. The public visibility of this area should be minimised.
- C2 Fire hydrants and booster pumps must be integrated into the front of the building façade and enclosed with doors. The enclosure should be clearly identified in a colour that suitably contrasts the façade.
- C3 Lockable mail boxes should be provided close to the street, and integrated with front fences or building entries.
- C4 Buildings are designed to accommodate venting from ground floor uses, to avoid potential impacts from exhaust and odour, such as cooking smells.
- C5 Air conditioning units should not be visible from the public domain.

6.6.10 Application of bonuses

The Rose Bay Urban Design Study explored the urban potential of the centre, and sought feedback from the community reference group to identify a variety of public domain improvements including:

- ▶ a public square on New South Head Road linking the centre to the harbour foreshore;
- ▶ through block connections, such as arcades, shareways, and through shop links;
- ▶ a shop front community service facility; and
- ▶ public conveniences.

Council supports the construction of the facility and conveniences as part of private developments in the centre. Bonus FSR and height is available in Woollahra LEP for the provision of a public square.

It should be noted that provision of such facilities does not automatically mean that bonuses will be awarded. Each application will be dealt with on its merits.

Objectives

- O1 The aim of a bonus system is to encourage the provision of public benefits as part of the redevelopment of privately owned sites. In return Council will offer certain bonuses or concessions with regard to development standards and controls.

Controls

- C1 In determining the extent of bonuses granted, Council will examine the development against three general criteria:
- a) the need for the bonus facility, based on the recommendations of the Rose Bay Urban Design Study;
 - b) the design and usefulness of the bonus facility provided on site or within the building to the general community; and
 - c) the effect the inclusion of a bonus facility or facilities has on the building's bulk and form and the building's relationship with the character of adjoining development. This chapter identifies specific public facilities which Council wishes to encourage.

6.6.10.1 Rose Bay Centre Square

The Rose Bay Urban Design Study identified the need for a Rose Bay Village Centre. It proposed a 'square' on New South Head Road, linking the centre and the harbour foreshore, to create a focus for the centre and to take advantage of its unique setting. Figures 36 and 37 indicate the location of the proposed square and provide concept designs as a guide. Council will consider other designs on their merit.

To facilitate the square, Woollahra LEP permits a maximum building height of 17.2m (5 storeys) and FSR of 2.25:1, subject to the development being compatible with the desired future character of the centre. The desired future character is articulated by the controls below.

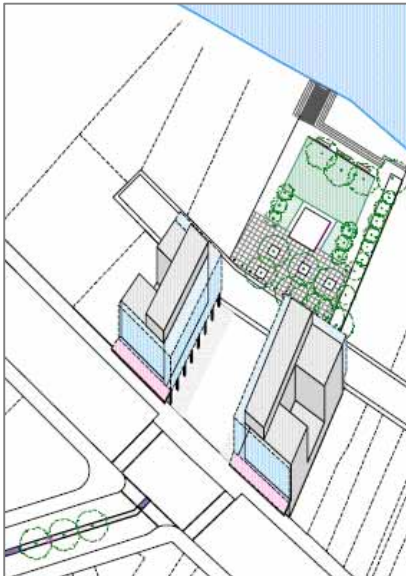
These maximum height and FSR controls proposed will only be granted to the properties identified in clause 4.4C of Woollahra LEP, and only if the properties are the subject of a single development application.

FIGURE 36 Area designated for the Rose Bay Centre Square



FIGURE 37 Rose Bay Centre Square design concept

Generous square creating a strong link at the end of Newcastle Street between the centre and the harbour foreshore
Colonnades provide protected edges to the square



Objectives

- O1 Improve the visual and physical connection between the centre and the harbour foreshore.
- O2 Provide a memorable focus for the Rose Bay Centre.

Controls

To be considered for bonus provisions the square must comply with the following controls:

- C1 The square must be located in the area designated for the construction of the 'Rose Bay Centre Square' (see Figure 36 Area designated for the Rose Bay Centre Square) which corresponds to clause 4.4C in Woollahra LEP.
- C2 The square must be a consolidated outdoor space open to the sky with a minimum area of 350m², excluding areas under colonnades.
- C3 The minimum aggregate width of the square along both the New South Head Road and Collins Avenue frontages is 9m. For example, a square with two open access points with a width of 4.5m each may be considered.
- C4 In mid-winter allow solar access to a minimum 30% of the area of the square at 12 noon and 70% of the area of the square at 3pm.
- C5 The maximum building coverage, including colonnades and building articulation, is 70% of the consolidated site area.
- C6 Provide a minimum 1.2m wide area for building articulation above street level to New South Head Road and the southern side of the square.
- C7 Provide a minimum 2.4m wide area for building articulation above street level to Collins Avenue and the northern side of the square.
- C8 A maximum internal plan depth of 12m above ground level applies (see Section 6.6.3.1 Building envelopes).
- C9 The inclusion of colonnades is encouraged to provide pedestrian amenity, encourage visual openness to the harbour, and as a distinctive and memorable characteristic of the square.
- C10 Any proposed colonnade must have a minimum soffit height of 3.2m. Colonnade design must be visually integrated with the development.
- C11 The levels and paving material within the colonnade should be contiguous with the surface of the square.
- C12 A wind study and shadow diagram must be submitted with the development application.

Note: Council will consider relaxation of one or a number of development standards and controls in its assessment of applications which include a public square as described above. However, it should be noted that such bonuses are not automatic and each application will be assessed on its merits.

A fifth storey is permissible as in Figure 37 above, subject to the following controls:

- C13 The area of the fifth storey must not exceed 40% of the consolidated site area.
- C14 The fifth storey must be set back the depth of the area for building articulation to minimise visibility from the public domain. For example, the minimum set back of the bonus storey from the new square is 2.4m.
- C15 The fifth storey should be designed to protect the privacy of adjacent dwellings, in particular those in Collins Avenue.

Development incentives

If the Rose Bay Centre Square is proposed the following incentives will be considered:

- I1 Allow up to 40% of the area of the square to be set aside for private lease for open air cafes and the like, to the benefit of the owners, if the area of the square is less than 600m².
- I2 Allow up to 60% of the area of the square to be set aside for private lease for open air cafes and the like, to the benefit of the owners, if the area of the square is greater than 600m².
- I3 Reduced on-site parking requirements.
- I4 Discounted Section 94 Contributions.

6.6.10.2 Through block connections

The Rose Bay Urban Design Study identified the need for better pedestrian and vehicular circulation within the centre. Council wishes to encourage the inclusion of 'through block connections', in specific areas, in private developments. These may include arcades, through shop links, shareways, laneways and rights of way.

Improved pedestrian access to and within public car parking areas is desirable to facilitate convenient use of the centre. There is potential to take better advantage of the centre's unique location close to the harbour by providing better pedestrian access to Collins Avenue and Percival Park.

Servicing of shops and other commercial uses from the main street frontage, particularly along New South Head Road, Dover Road and Newcastle Street, disrupts the pedestrian amenity and on street parking spaces. In addition it creates conflict with the high volumes of traffic carried by these streets, particularly New South Head Road. In line with the stated design principle in Section 6.6.7.3 Vehicular access, Council is keen to encourage the creation of rear lane access to commercial properties in the centre.

Council may consider the relaxation of one or a number of standards and controls depending on the quality of public area provided and the merits of the particular application.

Council will not relax any standards or controls unless it can be demonstrated that a proposal satisfies the underlying objectives of the DCP and that compliance with relevant development standards would be unnecessary or unreasonable in the circumstances of the case.

FIGURE 38 Areas designated for through block connections



Objectives

- O1 Improve the pedestrian circulation in the centre by providing arcades, through shop links, and shareways in key locations, as identified in Figure 38 Areas designated for through block connections and Figure 39 Detailed location plan.
- O2 Maximise views to the harbour from the public domain.
- O3 Facilitate rear site access for car parking and servicing to avoid vehicular crossings on principal streets by providing new laneways and rights of way as identified in Figure 38 Areas designated for through block connections and Figure 39 Detailed location plan.

Controls

- C1 Through block connections are encouraged by Council on the following basis:
 - a) Through block connections must be located in the areas shown in Figure 38 Areas designated for through block connections and Figure 39 Detailed location plan).
 - b) Through block connections must to the extent possible provide a clear sightline from one end to the other, for surveillance and accessibility, in any of the locations identified in Figure 38 Areas designated for through block connections and Figure 39 Detailed location plan.
 - c) Public use of through block connections should be available at least between the hours of 6am and 10pm daily.
- C2 Pedestrian safety and the security of adjacent businesses should be considered in the design of through block connections. Specific consideration must be given to street level lighting at night.
- C3 Through block connections must have a minimum width of 3m and be, clear of any obstruction, except for connections through shops.
- C4 Paving must be coordinated with public footpaths (refer to the Rose Bay Centre Public Domain Improvements Plan and seek advice from Technical Services).

The following controls apply to arcades:

- C5 Retail frontages are to be maximised along arcades.
- C6 Arcades must have substantial natural lighting and ventilation.

The following controls apply to new lanes:

- C7 Lanes must have a minimum width of 3m if one way, and 5m if two way.
- C8 Carriageways and drainage should be coordinated between developments that collectively create new lanes.
- C9 Lanes must provide rear service access to properties fronting New South Head Road, Dover Road or Newcastle Street to sites which currently have only one vehicular frontage.
- C10 Buildings should address new lanes to provide passive surveillance.
- C11 Applicants must demonstrate that the proposed service lane will be of benefit to the traffic circulation system in the Rose Bay Centre as a whole.

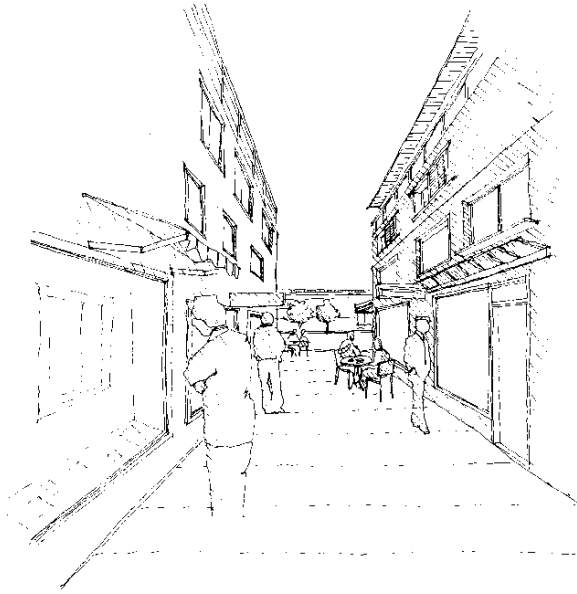
FIGURE 39 Detailed location plan

Red – Pedestrian link

Orange – Vehicular/pedestrian link



FIGURE 40 Arcades can improve circulation and provide additional retail frontage.

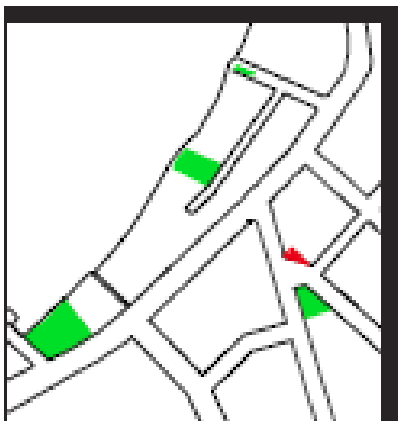


6.6.10.3 Community facility and public conveniences

The Rose Bay Urban Design Study identified the need for a community services facility and public conveniences in the Rose Bay Centre. Council may consider varying of one or a number of standards and controls depending on the suitability and merits of the facilities proposed.

Council will not relax any standards or controls unless it can be demonstrated that a proposal satisfies the underlying objectives of the DCP and that compliance with relevant development standards would be unnecessary or unreasonable in the circumstances of the case.

FIGURE 41 Area designated for the construction of a community facility (highlighted in red)



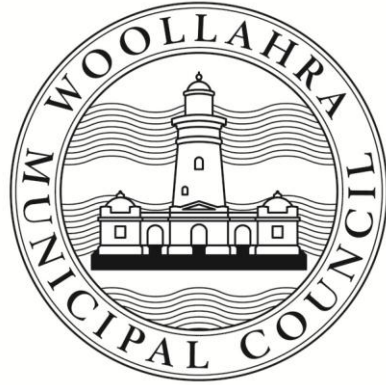
Objectives

- O1 Provide a conveniently located meeting place for the community, where Council and other public organisations can advertise available community services.
- O2 Provide accessible, safe and durable public conveniences which cater for the broad needs of the community.

Controls

Community facilities and public conveniences are encouraged by Council on the following basis:

- C1 The community facility should be located as identified in Figure 41 Area designated for the construction of a community facility.
- C2 The community facility must provide a community display area, public seating and public conveniences.
- C3 The minimum area of the community facility is 100m², including conveniences.
- C4 The community facility may incorporate a privately operated cafe.
- C5 The community facility should clearly address the public domain.
- C6 Public conveniences should be incorporated in building developments generally, and should cater for the needs of people with mobility disabilities such as the elderly, and the needs of parents with infants.
- C7 The provision of natural light and ventilation to public conveniences is highly desirable.



Part E ► General Controls for All Development

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2014
DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter E1

Parking and Access

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter E1 ► Parking and Access

Contents

E1.1	INTRODUCTION	1
1.1.1	Land where this chapter applies	1
1.1.2	Development to which this chapter applies	1
1.1.3	Objectives.....	1
1.1.4	Relationship to other parts of the DCP	2
1.1.5	Relationship to other documents	2
E1.2	PREPARING YOUR DEVELOPMENT APPLICATION.....	3
1.2.1	Development applications and required information	3
1.2.2	Matters the consent authority will consider	4
1.2.3	Compliance with the parking controls	5
1.2.4	Monetary contributions instead of required parking spaces	5
E1.3	HOW TO DETERMINE THE CAR PARKING RATE	6
E1.4	RESIDENTIAL PARKING	7
1.4.1	Calculating required parking for residential uses	7
1.4.2	Residential parking generation rates.....	8
E1.5	NON-RESIDENTIAL PARKING.....	10
1.5.1	Calculating required parking for non-residential uses	10
1.5.2	Non-residential parking generation rates	11
1.5.3	Parking multipliers	13
E1.6	VARIATIONS TO THE PARKING GENERATION RATES.....	15
1.6.1	Items of the environmental heritage.....	15
1.6.2	Mixed use developments	15
1.6.3	Business zoned land in Paddington	15
1.6.4	Business zoned land in Double Bay	16
1.6.5	Health care professional uses in Syd Einfeld Drive, Edgecliff Road, Adelaide Street and Vernon Street, Woollahra	16
E1.7	SPECIAL PROVISIONS.....	17
1.7.1	Car parks with 20 or more spaces.....	17
1.7.2	Tandem parking in non-residential developments.....	17
1.7.3	Medical consulting rooms.....	17
1.7.4	Parking spaces for people with a disability	17
E1.8	PARKING AND ACCESS DESIGN STANDARDS	18
1.8.1	Design and use of parking areas.....	18
1.8.2	Australian Standards	18
1.8.3	Car parking space and bay size.....	18
1.8.4	Ramps and primary aisles	18
1.8.5	Turning paths.....	19
1.8.6	Driveways and access points.....	19
1.8.7	Signposting.....	20
1.8.8	Landscape plan.....	21

1.8.9	Drainage of car parking areas	21
E1.10	OFF-STREET LOADING AND SERVICING FACILITIES	23
1.10.1	Number of loading bays required	23
1.10.2	Location and design of loading bays.....	23
E1.11	MECHANICAL PARKING INSTALLATIONS AND PAID PARKING STATIONS	24
1.11.1	Locations and land use.....	24
1.11.2	Compliance with the Australian Standards.....	24
1.11.3	Waiting bays	24
1.11.4	Car parks with more than 25 vehicles.....	25
1.11.5	Residential visitor parking	25
1.11.6	Access.....	25
1.11.7	Development application information	25

E1.1 Introduction

Parking areas, garages and driveways must be carefully designed so that they do not detract from the appearance of the development and the surrounding streetscape. They should also be designed to limit the amount of impervious surfaces over a site and the amount of excavation.

The chapter establishes the car parking and vehicle access requirements for development.

The parking generation rates for residential development are maximum rates, whereas the parking generation rates for non-residential development are minimum rates

1.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

1.1.2 Development to which this chapter applies

This chapter applies to development that requires consent and provides parking, loading or other associated facilities.

This chapter adopts the land use definitions and terms of the Woollahra Local Environmental Plan 2014 (Woollahra LEP). In doing so, it sometimes uses group terms and sub-terms. Where a land use fits into a group term but is also separately defined as a sub-term, the parking generation rate for the sub-term should be applied.

For example, the group term “food and drink premises” includes the sub-terms “restaurants”, “take away food premises” and “pubs”. This chapter contains a parking generation rate for both “food and drink premises” and “pubs”. If the development application is for a pub, the rate for a “pub” should be applied instead of the rate for the group term “food and drink premises”.

1.1.3 Objectives

The objectives of this chapter are:

- 01 To minimise the amount and impact of vehicular traffic generated because of proposed development.
- 02 To ensure that development generating vehicular traffic makes adequate provision off street for the car parking and servicing needs of its occupants and users, including residents, employees, visitors, employees and deliveries.
- 03 To ensure the safe and efficient movement of vehicles within, entering and leaving properties.

-
- 04 To minimise the environmental effects, particularly visual impact, of parked vehicles on the amenity of the municipality.
- 05 To ensure that access points to car parking areas are situated to minimise disruption of vehicle movement on the public road system.

1.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part B: General Residential
- ▶ Part C: Heritage Conservation Areas
- ▶ Part D: Business Centres
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

Note, depending on where your site is, Part B: General residential, Part C: Heritage Conservation Areas or Part D: Business Centres, must be considered with the parking generation rates in this chapter.

Parts B, C and D contain streetscape and other design controls relating to parking and driveways.

In some residential locations the maximum number of on-site parking spaces may not be able to be achieved because the parking would detrimentally impact on the character of the streetscape. The precinct controls in Parts B and C prevail over the residential parking generation rates in this chapter.

1.1.5 Relationship to other documents

In implementing this DCP the following Australian Standards apply for the design of parking and loading facilities, unless otherwise specified:

- ▶ AS2890.1 Part 1: Off-street car parking;
- ▶ AS2890.2 Part 2: Off-street commercial vehicle facilities;
- ▶ AS2890.3 Part 3: Bicycle parking facilities;
- ▶ AS2890.5 Part 5: On-street parking; and
- ▶ AS2890.6 Part 6: Off-Street parking for people with disabilities.

E1.2 Preparing your development application

1.2.1 Development applications and required information

Development applications are to be accompanied by dimensioned plans, drawn to scale, showing proposed locations and arrangements for:

- ▶ off-street parking;
- ▶ loading and unloading areas (where applicable);
- ▶ circulation of traffic within, into and out of the property;
- ▶ position and gradients of access aisles, entrances and exits; and
- ▶ landscaping.

Additional information

A traffic and parking report, prepared by a suitably qualified person, may be required by Council for certain developments, including:

- ▶ all traffic generating developments listed in Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*;
- ▶ supermarkets;
- ▶ Shopping centres;
- ▶ child care centres;
- ▶ mixed use developments;
- ▶ residential flat buildings and multi dwelling housing;
- ▶ health services facilities (e.g. medical consulting rooms, medical centres and hospitals);
- ▶ community facilities;
- ▶ entertainment facilities (e.g. cinemas and theatres);
- ▶ recreation facility (indoor, major and outdoor facilities);
- ▶ function centres;
- ▶ tourist facilities;
- ▶ tourist and visitor accommodation (e.g. hotel or motel accommodation, serviced apartments);
- ▶ educational establishments;
- ▶ public car parks;
- ▶ places of public worship;
- ▶ premises licensed under the *Liquor Act 2007* of the *Registered Club Act 1976*;
- ▶ drive-in take-away food outlets; and
- ▶ service stations.

Applicants should also refer to requirements for information and referrals under the provisions of *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP).

Refer to Council's Development Application Guide (DA Guide) for further information.

1.2.2 Matters the consent authority will consider

Where premises are proposed to be used for more than one purpose, the parking provisions should satisfy the requirements of this chapter in relation to each use. Council may approve, or require, the reservation of a proportion of the total number of required spaces on-site for the use of specific occupants or visitors to a development.

In determining car parking provision for any development, including a change of use, Council will take into account the following matters:

- ▶ the scale and nature of the development;
- ▶ existing traffic generation associated with the site;
- ▶ traffic generation associated with the proposed development;
- ▶ traffic volumes on the road network in the area of the development and the capacity of the road network;
- ▶ impacts on traffic and pedestrian safety;
- ▶ impacts on residential amenity;
- ▶ for commercial development—the type of activities on the site, including allocation floor area for different uses associated with the commercial development e.g., area dedicated to back-of-house uses such as storage areas;
- ▶ for residential development—a proposal to accommodate a car share scheme parking space on the site or directly adjoining the site;
- ▶ methodologies to ameliorate traffic generation impacts (e.g. traffic calming);
- ▶ the availability of public parking (on-street and off-street) near the development;
- ▶ the availability of public transport to serve the development;
- ▶ the probable mode of transport of users to and from the development;
- ▶ the suitability of street lighting in the area;
- ▶ whether the development warrants special consideration because it is proposed for, or relates to, a heritage item;
- ▶ the characteristics of the streetscape and the site, particularly the subdivision pattern, topography, street design and width, street tree planting, on-street parking or loading spaces and any existing access arrangements; and
- ▶ construction method.

1.2.3 Compliance with the parking controls

This chapter contains minimum parking generation rates for non-residential development and maximum rates for residential development.

However, to achieve environmentally acceptable solutions, every individual case needs to be considered on merit having regard to the circumstances of the proposal.

Non-compliance with the parking controls

Council may allow non-compliance with the requirements of this chapter in exceptional circumstances. The applicant will be required to demonstrate, to the satisfaction of Council, the exceptional circumstances relating to a particular development application which would warrant non-compliance with the requirements of this chapter.

In its consideration of any non-compliance, Council will have regard to the objectives of this chapter, as well as other relevant chapters, and the specific nature of the exceptional circumstances as they relate to the parking requirement.

Council must be satisfied that the development seeks to minimise and manage the impact of traffic generation, and does not unreasonably increase demand for on-street parking, having regard to the existing context and capacity. A traffic and parking report, prepared by a suitably qualified person, may need to be submitted with the development application to demonstrate this. The requirements of the report are specified in the DA Guide.

1.2.4 Monetary contributions instead of required parking spaces

A monetary contribution may be required, or may be accepted, for a shortfall in car parking spaces for development in certain commercial centres. The Woollahra Section 94 Contributions Plan identifies the commercial centres where contributions apply and sets down the contribution rates.

When determining whether a monetary contribution is required or is acceptable, Council will include the following matters in its consideration:

- ▶ whether in terms of relevant design and operational standards it is physically possible to provide the total required number of car parking spaces, manoeuvring areas and access areas on-site;
- ▶ whether long-stay car parking demand will be provided for on-site;
- ▶ whether opportunities exist, or could be made available, for shared parking arrangements;
- ▶ whether it is appropriate to establish additional ingress and egress points;
- ▶ whether car parking on a particular site would be restricted or excluded altogether for reasons of pedestrian safety and comfort, or in order to minimise and avoid vehicle conflicts;
- ▶ whether an otherwise environmentally acceptable development may be refused consent on the grounds of inability to satisfy the parking space requirements; and
- ▶ the findings and recommendations of any traffic and parking study.

E1.3 How to determine the car parking rate

The number of car parking spaces to be provided on a site is determined by addressing the following parts of this DCP:

	Residential development	Non-residential development
Step 1	<p>Go to Section E1.4 Residential parking:</p> <p>Identify the parking rate for your development type.</p>	<p>Go to Section 1.5.2 Non-residential parking generation rates:</p> <p>Identify the base generation parking rate applying to the land use that reflects your development.</p>
Step 2	<p>Go to the residential precinct controls in Part B of this DCP:</p> <p>Read the desired future character, streetscape and location of the garages controls that apply to your residential precinct.</p> <p>The provision of on-site car parking and garaging should not compromise the streetscape amenity.</p>	<p>Go to Section 1.5.3 Parking multipliers</p> <p>Identify if a multiplier applies to the centre where your development is proposed.</p> <p>If yes, multiply the base parking generation rate by the multiplier.</p> <p>Round up to the nearest whole number for the required parking rate.</p>
Step 3	<p>Go to Section E1.6 Variations to the parking generation rates:</p> <p>Determine if a variation to the parking rate applies.</p> <p>For example, the property may be a heritage item.</p>	<p>Go to Section E1.6 Variations to the parking generation rates:</p> <p>Determine if a variation to the parking rate applies.</p> <p>For example, the proposal may be a change of use and located in Oxford Street, Paddington.</p>

Note: The steps above help determine the number of on-site parking spaces to be provided. You must consider these parking generation requirements in conjunction with the other controls and design requirements in this chapter.

E1.4 Residential parking

This section contains parking generation rates and design controls for parking in residential developments, including the residential component of mixed use development.

1.4.1 Calculating required parking for residential uses

Residential parking generation rates

Table 1 set outs the parking generation rates for residential land uses. The rates identify the maximum number of parking spaces based on the type of residential development, and in some cases, the number of bedrooms in the development.

Variations to parking rates

In calculating the requirements for car parking provision, reference should also be made to the special provisions in Section E1.6, which identify circumstances where the requirements may vary in regards to:

- ▶ items of environmental heritage; and
- ▶ mixed use development.

1.4.2 Residential parking generation rates

The parking generation rates in Table 1 below set the maximum number of parking spaces to be provided for residential development.

TABLE 1 Residential uses parking generation rates

Land use	Maximum parking generation rates
Low density residential	
Dwelling house	2 spaces ¹
Semi-detached dwelling	2 spaces per dwelling
Dual occupancy	2 spaces per dwelling
Attached dwellings	
Attached dwelling located in a heritage conservation area	2 spaces per dwelling
Attached dwelling not in a heritage conservation area	Same rates as for residential flat buildings and multi dwelling housing stated below
Residential flat buildings and multi dwelling housing	
<i>Spaces based on number of bedrooms per dwelling²</i>	
Studio apartment ³	0.5 space
1 bedroom	1 space
2 bedrooms	1.5 spaces
3 or more bedrooms	2 spaces
Visitors	0.25 space
Mixed use development (residential component)	
<i>Spaces based on number of bedrooms per dwelling²</i>	
1 bedroom or studio apartment	0.5 space
2 bedrooms	1 space
3 or more bedrooms	1.5 space
Visitor parking	0.2 space

¹ The second space may be a tandem space subject to precinct and streetscape character considerations.

² Round up to nearest whole number with halves (i.e. 0.5).

³ A studio apartment is an apartment that does not have a wall separating the sleeping area from the main kitchen and living area, and is generally smaller in size than a 1 bedroom apartment.

Providing fewer spaces than the number calculated using the parking generation rates

The rates in Table 1 are maximum parking rates. The maximum number of parking spaces may not be achieved on a site depending on the site and its context.

In particular, the desired future character, streetscape and garages controls in the residential chapters of this DCP (Part B) take precedence over the numeric parking rates in this chapter.

For example, a dwelling on a small or narrow lot may not achieve the maximum number of on-site parking spaces if the arrangement of the spaces cannot meet the character, streetscape and location of garage requirements for the precinct. This is particularly relevant in the R2 Low Density Residential zoned areas.

However, in other instances where the maximum number of parking spaces is not achieved, the parking provided should not be substantially below the maximum rates. Where less than the maximum parking rate is proposed, justification must cover matters such as, but not limited to the matters listed in Section 1.2.2 (Matters the consent authority will consider).

Council will generally only support such proposals where the applicant can demonstrate that the development is unlikely to create significant additional demand for on-street parking in surrounding streets.

Providing more spaces than the number calculated using parking generation rates

Where an application proposes to provide more than the number of spaces specified in Table 1, justification must be provided and address such matters as, but not limited to:

- ▶ the impact of any increased building bulk on the streetscape;
- ▶ compliance with landscape area requirements;
- ▶ impact of any increased building bulk on the amenity of adjoining properties in terms of:
 - overshadowing
 - loss of views
 - overbearing appearance; and
- ▶ the amount of additional excavation and its impact on:
 - land form
 - structural integrity of structures and buildings on adjoining land
 - stability of land on the site and on adjoining sites
 - impact on water permeable ground surfaces arising from an increased building footprint and hard surface driveways.

E1.5 Non-residential parking

1.5.1 Calculating required parking for non-residential uses

Non-residential parking generation rates

The parking generation rates in Table 2 below set the minimum number of parking spaces to be provided for non-residential development. The parking rates are then modified by a multiplier if the development is located in a particular centre. The multipliers are set out in Table 3.

Variations to parking rates

In calculating the requirements for car parking, reference should also be made to the special provisions in Section E1.6, which identify circumstances where the requirements may vary in regards to:

- ▶ items of environmental heritage;
- ▶ mixed use developments;
- ▶ certain business zoned land in Paddington;
- ▶ business zoned land in Double Bay; and
- ▶ development for a health care professional in certain parts of Woollahra.

Change of use

Where there is an intensification of parking based on the car parking rates of this chapter, the amount of parking required will equal the difference between the parking generated by the proposed development and the parking generated by the current use as calculated by the rates in this chapter.

Alterations and additions

For proposals involving additional floor space, required parking shall be calculated using the rate specified in this chapter.

New development

Where a building is to be totally demolished and replaced, parking will be provided at the rate specified in this chapter. No parking credits will be allowed for the current building and its use.

1.5.2 Non-residential parking generation rates

The base parking generation rates set out in Table 2 are calculated per unit of gross floor area of a development.

In addition to the controls in this part of the DCP, the parking provision must be consistent with the desired future character for the centre or precinct where the development is proposed. (Refer to the Part D of this DCP on the business centres for any streetscape requirements.)

TABLE 2 Non-residential parking generation rates

Land use	Minimum parking generation rate
Commercial land uses	
Business premises	2.5 spaces per 100m ²
Retail premises	3.3 spaces per 100m ²
Entertainment facility	22 spaces per 100m ²
Food and drink premises ⁴	7 spaces per 100m ² Note: variations to these parking rates apply to restaurants or cafes in the Double Bay Centre and to certain business zoned land in Paddington (see Section E1.6).
Pub ^{5,6}	22 spaces per 100m ²
Supermarkets	3.5 spaces per 100m ²
Registered club ³	20 spaces per 100m ²
Bowling club ³	30 spaces per first green and 15 spaces for additional greens
Office premises	2.5 spaces per 100m ²
Hardware and building supplies Landscape and garden supplies Vehicle sales and hire premises ⁷ Veterinary hospital	3.3 spaces per 100m ²

⁴ For restaurants or cafes, the calculation of ‘gross floor area’ includes any outdoor seating areas, court yards and any other locations where patrons will be served, but excludes footpath dining areas provided the proposal complies with Council’s policy for footway restaurants.

⁵ Calculation of ‘gross floor area’ includes any gaming areas, smoking areas and outdoor areas for the use of patrons such as beer gardens.

⁶ Where there is non-compliance with the required on-site parking rate, a traffic and parking report is to be submitted with the development application. The requirements of the report are specified in the DA Guide.

⁷ Calculation of ‘gross floor area’ includes any outdoor display area.

Land use	Minimum parking generation rate
Tourist and visitor accommodation	3 spaces per 100m ²
Bed and breakfast accommodation	One on-site parking space for the bed and breakfast accommodation. This is additional to the required car parking for the dwelling house, and subject to compliance with the precinct criteria for the location of garages.
Serviced apartment	See rates for residential flat buildings (Table 1)
Industrial land uses	
General industry	2.7 spaces per 100m ²
Light industry	3 spaces per 100m ²
Vehicle body repair workshop	6.75 spaces per 100m ²
Boat repair facility	6.75 spaces per 100m ²
Community land uses	
Child care centre	
Staff parking ⁸	0.5 spaces per 100m ²
Community facility	2 spaces per 100m ²
Educational establishment	<ul style="list-style-type: none"> ▶ 1 space per 100m² ▶ On-site parking for disabled persons is provided at a minimum rate of one car space per 50 car spaces or part thereof.
Tertiary establishment	In addition to the above, on-site parking is provided for students at a rate of one car space per 10 students.
Emergency services facility	3 spaces per 100m ²
Health services facility	
Health consulting rooms	4.5 spaces per 100m ² Note: Variations to these parking rates apply to residential zoned land in the area bounded by Syd Einfield Drive, Edgecliff Road, Adelaide Street and Vernon Street, Woollahra (see Section E1.6).
Hospital	2 spaces per 100m ²
Medical centre	5 spaces per 100m ²

⁸ This rate applies to staff parking. Separate requirements for an on-site pick-up and drop-off area are set out in Part F of this DCP, Chapter F1 Child Care Centres.

Land use	Minimum parking generation rate
Place of public worship	22 spaces per 100m ²
Public administration building	2.5 spaces per 100m ²
Recreational land uses	
Recreational facility (indoor)	2 spaces per 100m ²
Marina ⁹	0.6 spaces per wet berth 0.2 spaces per dry storage and swing mooring 0.5 spaces per marina employee

1.5.3 Parking multipliers

In some centres the base parking generation rate for non-residential uses is discounted to respond to the particular circumstances of areas in the municipality. These multipliers are set out in Table 2 below.

The multipliers take account of the availability of public transport or public parking facilities in an area, as well as reflect the planning strategies or policies which Council is pursuing for each centre or locality. The multipliers have been determined from an assessment of the car parking conditions in the area, and may be varied as car parking conditions and planning policies are reviewed.

The total number of parking spaces required following calculation of the multiplier should be rounded up to the nearest whole number.

Note: If the subject site is not located within a centre identified in Table 3 below, a multiplier does not apply.

⁹ Where variation to required parking is sought, a traffic and parking report is to be submitted with the development application. The requirements of the report are specified in the DA Guide.

TABLE 3 Parking multiplier for non-residential uses

Centre	Business premises, office premises	Retail premises	Food and drink premises (except restaurants and cafes)	Restaurants and cafes	Recreational facilities (indoor), tourist and visitor accomm.	Community land uses ¹⁰
Watsons Bay B1 Zone	x1.0	x1.0	x1.0	X0.6 ¹¹	x1.0	x1.0
Vaucluse Village B1 Zone	x0.5	x0.6	x0.7	X0.6	x0.7	x0.5
Rose Bay Centre B2 Zone	x0.5	x0.7	x0.7	X0.6	x0.7	x0.5
Rose Bay South B4 Zone	x0.5	x0.5	x0.5	X0.6	x0.5	x0.5
Rose Bay North B4 Zone	x0.7	x0.8	x0.8	X0.6	x0.8	x0.7
Bellevue Hill at Bellevue Rd and Victoria Rd B1 Zone	x0.5	x0.8	x0.7	X0.6	x0.7	x0.5
Double Bay Centre B2 Zone	x1.0	x1.0	x1.0	X0.6	x1.0	x1.0
Edgecliff Rd, Woollahra B1 Zone	x0.5	x0.7	x0.5	X0.6	x0.5	x0.5
Queen Street precinct B4 and R2 Zone, between Ocean St and Oxford St and Moncur St, between Rush and James St	x0.8	x0.8	x0.8	X0.6	x0.8	x0.8
Oxford Street B4 Zone including adjoining B4 zoned properties in Glenmore Rd, Elizabeth St and 4-10 William Street	x0.5	x0.8	x0.7	X0.6	x0.7	x0.5
Five Ways, Paddington B1 Zone	x0.5	x0.8	x0.7	X0.6	x0.7	x0.5
Edgecliff Commercial Core B2 Zone and New South Head Road Edgecliff commercial corridor B4 Zone	x1.0	x1.0	x1.0	X0.6	x1.0	x1.0

¹⁰ The multiplier does not apply to the on-site pick-up and drop-off area for a child care centre.

E1.6 Variations to the parking generation rates

1.6.1 Items of the environmental heritage

In considering a development application involving a heritage item listed in Schedule 5 of the Woollahra LEP, Council may vary the parking requirements of this chapter, but only if conservation of the heritage values relies on the variation.

Under clause 5.10 (4) of Woollahra LEP, the consent authority must, before granting consent in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

1.6.2 Mixed use developments

For mixed use developments, Council may support a reduction in the total required number of non-residential car parking spaces where the applicant can demonstrate to the satisfaction of Council that:

- ▶ overlapping parking demand will occur for different uses; or
- ▶ complementary use of spaces will occur for uses with different peak parking demand times.

1.6.3 Business zoned land in Paddington

This section applies to the business precinct in Paddington located in Oxford Street and those streets directly adjoining Oxford Street zoned B4 Mixed Use, excluding land at 12-94 and 3-63 William Street.

Change of use to a shop

For business zoned land in Paddington, Council will not require additional off-street car parking for a change of use from a shop to another shop, or from a commercial premises to a shop, provided the proposal is within an existing building.

The area of a premises used for ancillary purposes such as storage, staff amenities, offices, fitting rooms and workrooms, will not be included as floor area for the purposes of car parking calculations.

Change of use to a restaurant or cafe

For business zoned land in Paddington, Council will not require additional off street car parking for proposals within an existing building and its site (such as an external courtyard) involving a change of use from a shop or commercial premises to a restaurant or café.

1.6.4 Business zoned land in Double Bay

This section applies to land within the Double Bay Centre as identified in Chapter D5 Double Bay Centre of this DCP.

Change of use

Within the Double Bay Centre, Council will not require additional off-street car parking or require a contribution under Council's Section 94 Contributions Plan for a change of use, provided the proposal does not result in a net increase in gross floor area.

Change of use: restaurants or cafes

Within the Double Bay Centre, Council will not require additional off-street car parking for proposals within an existing building and its site (such as an external courtyard) involving a change of use from a shop or commercial premises to a restaurant or café.

Footpath dining

Within the Double Bay Centre, Council will not require additional off-street car parking or require a contribution under Council's Section 94 Contributions Plan for proposed outdoor eating areas on public footpaths, provided the proposal complies with Council's policy for footway restaurants.

1.6.5 Health care professional uses in Syd Einfeld Drive, Edgecliff Road, Adelaide Street and Vernon Street, Woollahra

For residential zoned land in the area bounded by Syd Einfeld Drive, Edgecliff Road (southern side), Adelaide Street (western side) and Vernon Street (both sides) the rate in Table 2 does not apply. Instead the maximum number of spaces to be provided is:

- ▶ 1 space for 1 health care professional; and
- ▶ 2 spaces for 2 or 3 health care professionals.

E1.7 Special provisions

1.7.1 Car parks with 20 or more spaces

Where more than 20 car parking spaces are provided on-site, the parking is to be accommodated undercover or in a basement area. This requirement applies to both residential and non-residential development.

(Refer to Part E of the DCP, Chapter E2 Stormwater and Flood Risk Management for flood planning levels associated with below ground parking.)

1.7.2 Tandem parking in non-residential developments

The use of tandem parking to satisfy long stay parking demand requirements in non-residential developments may be permitted where it is not physically possible to provide parking spaces in a side-by-side configuration.

Tandem spaces must satisfy the parking and access design standards in Section E1.8 below.

1.7.3 Medical consulting rooms

The following requirements apply to medical consulting rooms:

- ▶ Parking areas, other than those provided at the rear of properties, are to be uncovered.
- ▶ Parking areas are not to be enclosed by gates, doors or roller shutters during business hours. Requirements may be imposed by Council in relation to boundary fencing to facilitate vehicular access to parking spaces.
- ▶ Parking areas to serve medical consulting rooms are to be landscaped in accordance with a landscape plan. Applicants should contact Council's Open Space and Trees section to determine appropriate plant species for landscaping purposes.

1.7.4 Parking spaces for people with a disability

- ▶ Vehicular parking must be provided in accordance with Australian Standard AS 2890.6 Off-street parking for people with disabilities.
- ▶ Council may require additional parking spaces for people with a disability above the Australian Standard, and imposed as a condition of consent.

E1.8 Parking and access design standards

1.8.1 Design and use of parking areas

Parking areas are to be designed to function solely for the purpose of parking vehicles. Space for waste receptacles and storage should be located so that it does not reduce the amount and effective operation of parking.

1.8.2 Australian Standards

The following minimum requirements are based on the Standards Association of Australia, and Council's experience with development in the Municipality.

In implementing this DCP the following Australian Standards apply for the design of parking and loading facilities, unless otherwise specified:

- ▶ AS2890.1 Part 1: Off-street car parking;
- ▶ AS2890.2 Part 2: Off-street commercial vehicle facilities;
- ▶ AS2890.3 Part 3: Bicycle parking facilities;
- ▶ AS2890.5 Part 5: On-street parking; and
- ▶ AS2890.6 Part 6: Off-Street parking for people with disabilities.

The size of parking bays, the width of the aisles and the location of columns, poles, walls or other physical barriers are to be based on providing adequate manoeuvring area for access to parking bays and adequate clearance for opening vehicle doors once the vehicle is parked.

1.8.3 Car parking space and bay size

Minimum bay width and length dimensions are to comply with AS2890.1 and AS2890.2.

1.8.4 Ramps and primary aisles

The minimum dimensions for the design of ramps and primary aisles which do not have direct access to or from parking bays are shown in AS 2890.1 - Section 2.5 Design of Circulation Roadways and Ramps.

The ramp grading is to be designed to ensure that the breakover angle coming onto, or off, a ramp is not so severe as to cause scraping of a vehicle undercarriage. Design of ramps and gradients will be consistent with AS2890.1.

1.8.5 Turning paths

The design of turning paths for manoeuvring, parking space access and aisle designs are set out in AS2890.1 Appendix B Section B3 Swept Paths for cars (for the B85 vehicle) and AS 2890.2 Part 2: Off-section street commercial vehicle facilities.

Some laneways or narrow streets do not have sufficient turning space for B85 vehicles. The removal of on-street parking to establish a turning space into private property should be avoided and will only be considered in the following circumstances:

- ▶ no more than a maximum of 5.4m of on-street parking, measured at the kerb line, may be removed to provide for a turning space;
- ▶ the use and quantity of the remaining on-street parking spaces may not be adversely affected; and
- ▶ 5.4m is a maximum. If Council can demonstrate that a B85 vehicle can access and egress the site with the removal of less than 5.4m of parking, then this lesser amount is all that will be approved.

1.8.6 Driveways and access points

The following requirements apply to the siting and design of driveways:

- ▶ The design of driveways and access points, except for dwelling houses, is to be such that vehicle entry and exit from a site, onto a public road, is made by driving in a forward direction, unless otherwise required by Council.
- ▶ All driveways, except for dwelling houses, are signposted indicating 'IN/ENTRANCE', 'OUT/EXIT' and 'KEEP LEFT' as appropriate.
- ▶ Driveways are situated so that any vehicle turning from, or into, the street can be readily seen by the driver of an approaching motor vehicle or pedestrian.
- ▶ Access driveway locations comply with Figure 3.1 in Section 3.3.3 of AS2890.1.
- ▶ Where a vehicular entrance is proposed in conjunction with a fence of height greater than 1.2m, a 45° splay or its equivalent is to be provided either side (as applicable) of the entrance to ensure driver and pedestrian vision. The splay is to have minimum dimensions of 2m x 2m.

Note: Driveway construction on Council's roads will require the submission of a Section 138 of the *Roads Act 1993* application. The form is available on the Council website. A copy of Council's standard drawing for driveways is available with the application.

- ▶ The width of internal access driveways are to comply with Section 3 of AS2890.1 regarding driveway access requirements. Wider internal driveway widths may be acceptable depending on the site conditions. A passing bay is to be provided where the driveway length exceeds 40m.
- ▶ Vehicular access to an ancillary dwelling is provided from the same vehicular crossing for the principal residence.

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- ▶ Where possible, all car parking and garage structures are located at the rear, with access from the rear lane or side driveway.
 - ▶ Car parking and driveway areas are located and designed to:
 - enable the efficient use of car spaces and accessways, including safe manoeuvrability for vehicles between the site and street;
 - fit in with any adopted street hierarchy and objectives of the hierarchy and with any related local traffic management plans;
 - preserve significant trees and vegetation; and
 - complement the desired future character for the locality as described in the residential chapters of this DCP.
 - ▶ Vehicle crossings are constructed at an angle of 90° to the carriageway of the road. Vehicle crossings must take the shortest route across the footpath, between the kerb and boundary.
 - ▶ The width of vehicle crossings is minimised so as to retain on-street parking. Footpath crossings will not be permitted where:
 - One off-street parking space will result in the loss of two on-street parking spaces. For example, where the street is narrow with parking on both sides.
 - The provision of off-street parking will result in the loss of a significant tree.
 - ▶ Vehicle crossings are located to minimise the loss of useable on-street parking. That is, they are located immediately adjacent to the adjoining property's vehicle crossing (0m) or a minimum distance of one on-street car parking space (5.4m) from any existing driveway crossing.

1.8.7 Signposting

Parking areas, including visitor parking spaces, should be well signposted to indicate the availability of off-street parking, with entry and exit points clearly visible from both the street and the site.

Pavement bay delineation, arrows and other pavement markings are to be marked using white paint. Details of all proposed signposting and linemarking of parking areas are to be submitted with the development application.

1.8.8 Landscape plan

A landscape plan should be submitted with the development application showing the dimensions, levels, existing vegetation and position, type and characteristics of all proposed landscaping and plant material.

In particular, the plan should address the following:

- ▶ **Screening:** Uncovered car parking areas should be adequately and appropriately screened and landscaped by the planting of shrubs and shade trees.
- ▶ **Water runoff:** An open texture surface material should be used to reduce water run-off from parking areas.

1.8.9 Drainage of car parking areas

Drainage of car parking areas must be consistent with Council's provisions in Part E of the DCP, Chapter E2 Stormwater and Flood Risk Management.

E1.9 Electric vehicle charging points

The controls for electric vehicles charging points seek to recognise an increased uptake of electric hybrid vehicles and encourage the installation of dedicated charging points in residential, mixed use and commercial developments.

Most new electric vehicles will charge on a regular 10Amp circuit, however a 15Amp circuit provides faster and more stable charging and is preferable. The circuit, regardless of whether it is 10Amp or 15Amp, should be a dedicated circuit to ensure that the circuit does not become overloaded.

Objectives	Controls
<p>O1 To accommodate hybrid electric vehicles by ensuring that adequate charging points for these vehicles are provided in off-street private car parking areas.</p>	<p>C1 The installation of a 15Amp dedicated circuit for vehicle charging is encouraged in garages for dwelling houses, semi-detached dwellings and dual occupancies.</p> <p>If a 15Amp circuit is not installed, the garage includes at least one standard 10Amp charging point that is suitably located for charging electric vehicles, and can be dedicated for that purpose.</p> <p>C2 The installation of at least one 15Amp dedicated circuit for vehicle charging is encouraged in the common parking areas of residential flat buildings, multi-unit dwellings, and the residential component of mixed use developments. The circuit is to be suitably located to provide for convenient, shared access.</p> <p>Alternatively, or in addition, the development may include a user pays charging point with a dedicated space for electric vehicles.</p> <p>C3 For commercial development, the car parking area may include a user pays charging point with a dedicated space for electric vehicles.</p> <p>Note: The charging points are to be shown on the DA plans.</p>

E1.10 Off-street loading and servicing facilities

Off-street loading and servicing arrangements may need to be provided for businesses, commercial, industrial, office, retail and storage uses, and any other use where regular deliveries of goods are made to or from the site.

1.10.1 Number of loading bays required

The following developments will generally be required to provide a minimum of one loading bay:

- ▶ retail premises (such as a supermarket) that require delivery of large items or pallets of goods;
- ▶ hotel, motel or serviced apartment accommodation;
- ▶ registered clubs or bowling clubs;
- ▶ hardware, building, landscape and garden supplies;
- ▶ warehouse or distribution centre;
- ▶ food and drink premises or pubs with a seating capacity of 50 persons;
- ▶ bulky goods premises;
- ▶ educational establishments;
- ▶ emergency services or health services facilities; and
- ▶ marinas or boat repair facilities.

Council may require additional or less loading bays depending on the scale and type of use, having particular regard to the anticipated volume and frequency of deliveries associated with the proposed development, and the availability and suitability of any existing on street 'loading zone' located directly in front of, or at the side of, the premises.

1.10.2 Location and design of loading bays

- ▶ Loading bays and service areas should operate independently of other parking areas and should be situated to ensure that all service vehicles stand entirely on the site of the premises during loading and unloading operations.
- ▶ Vehicles will generally be required to enter and exit the site in a forwards direction.
- ▶ Service areas and loading docks should be designed to cater for the vehicles and servicing operations anticipated to occur in a particular development. Loading facilities and service areas should be visually unobtrusive and preferably:
 - located via a rear lane or side street, where such access is available;
 - located within the building envelope;
 - designed to be perpendicular to lane frontage.
- ▶ Designs should comply with AS2890.2 Part 2: Off-street commercial vehicle facilities.

E1.11 Mechanical parking installations and paid parking stations

1.11.1 Locations and land use

Mechanical parking installations such as car lifts and car stackers are generally not desirable, and will only be considered in exceptional circumstances.

Mechanical parking installations may be permitted for residential and non-residential development where one or more of the following applies:

- ▶ The topography or lot size does not reasonably allow a simpler, more conventional parking arrangement.
- ▶ An existing building is being refurbished and there is no land available for additional parking. Refurbishment does not include extension of the building so as to increase site coverage or any other works to increase site coverage, all of which have the effect of reducing site area which could be used for conventional parking arrangements.
- ▶ In the case of non-residential development, the installations are for long-stay parking.
- ▶ In the case of residential development, the installations are for resident rather than visitor parking.

1.11.2 Compliance with the Australian Standards

Vehicle access to the mechanical parking installation must be made in accordance with AS 2890.1 (2004).

Where there is one car lift proposed, this must be capable of accommodating a B99 vehicle.

Where there are multiple car lifts proposed, one car lift must be capable of accommodating a B99 vehicle and the remaining lifts must be capable of accommodating a B85 vehicle.

1.11.3 Waiting bays

- ▶ The design must include sufficient size to ensure that vehicles queuing to enter the mechanical parking installation or paid parking station does not extend beyond the property boundary. Vehicles must not wait on the footpath or roadway.
- ▶ The waiting bay(s) must be adequately sized to enable vehicle(s) to wait, while another vehicle exits the site. It is not acceptable for waiting vehicle(s) to reverse onto the footpath to enable another vehicle to manoeuvre off the site.
- ▶ The minimum length of each waiting bay is 6m.
- ▶ Waiting bays must not exceed a maximum grade of 1 in 20 (5%).
- ▶ Waiting bays must not obstruct the driveway.

1.11.4 Car parks with more than 25 vehicles

If a car lift is providing access to a car parking area with more than 25 parking spaces, then two separate car lifts must be provided.

1.11.5 Residential visitor parking

Residential visitor parking must be provided external to the mechanical parking installation.

1.11.6 Access

Where a development is required to provide parking for people with a disability, a mechanical parking installation must allow people with a disability to exit in the event of breakdown or failure.

1.11.7 Development application information

A report from a suitably qualified traffic consultant is required for any development application that proposes a mechanical parking installation or paid parking station relating to the parking of three or more cars.

As a minimum, the report should provide a queuing analysis, taking into account:

- ▶ the proposed peak hour vehicle volumes;
- ▶ the service rate (in seconds) associated with the proposed parking equipment; and
- ▶ the number of on-site waiting bays required to accommodate the 98th percentile queue at peak traffic levels.

The development application should also include the following information:

- ▶ details of required servicing and ongoing maintenance;
- ▶ internal and external dimensions of the device;
- ▶ details of the noise output of the device; and
- ▶ manufacturer's documentation, including information on service rates.

Chapter E2

Stormwater and Flood Risk Management

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter E2 ► Stormwater and Flood Risk Management

Contents

E2.1	INTRODUCTION	1
2.1.1	Land and development to which this chapter applies	1
2.1.2	Development types to which this chapter applies	1
2.1.3	Objectives.....	1
2.1.4	Definitions	2
E2.2	STORMWATER DRAINAGE MANAGEMENT CONTROLS.....	3
2.2.1	Introduction.....	3
2.2.2	Water sensitive urban design	4
2.2.3	Stormwater treatment.....	6
2.2.4	On site detention (OSD) of stormwater	8
2.2.5	Connection to Council’s drainage systems	11
2.2.6	Diversion of Council’s drainage	14
2.2.7	Structures over or near drainage lines and easements	15
2.2.8	Connection to Council’s parks, reserves, bushland and natural waterways; Sydney Harbour; and Sydney Water channels	16
2.2.9	Low level properties and easements	17
2.2.10	Groundwater (hydrogeology)	20
2.2.11	Absorption systems	21
2.2.12	Pump and sump systems.....	22
2.2.13	Charged or siphonic systems.....	24
2.2.14	Activities on a public road	24
E2.3	FLOOD RISK MANAGEMENT CONTROLS	25
2.3.1	Introduction.....	25
2.3.2	Information available from Council	25
2.3.3	Flood planning levels.....	26
2.3.4	Flood controls	29
APPENDIX 1 - DEFINITIONS		34
APPENDIX 2 - DESIGN RAINFALL INTENSITIES.....		39

E2.1 Introduction

This chapter outlines provisions related to two key interrelated components:

- ▶ the management of stormwater drainage collected on and discharged from new developments; and
- ▶ the minimisation of flood related risks to person and property associated with the development and use of land.

In preparing an application for a development, both components must be considered.

2.1.1 Land and development to which this chapter applies

Stormwater drainage

This chapter applies to all land within the Woollahra Municipality.

Flood risk management

The flood risk management component of this chapter applies to all land within the Woollahra Municipality that is within a “flood risk precinct”.

2.1.2 Development types to which this chapter applies

This chapter applies to all development that requires consent.

This includes complying development under the NSW General Housing Code, and complying development for secondary dwellings under the *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

2.1.3 Objectives

The objectives of this chapter are:

- 01 To encourage ecologically sustainable stormwater management and the use of water sensitive urban design.
- 02 To maintain existing natural drainage patterns.
- 03 To ensure that adequate provision has been made for the disposal of stormwater from land proposed to be developed.
- 04 To ensure the controlled release of stormwater to public stormwater systems without adversely impacting on adjoining or downstream properties.
- 05 To protect Sydney Harbour and its waterways from stormwater pollution.

- 06 To minimise flood risk and damage to people and property by setting appropriate development controls.
- 07 To ensure that flood levels are not increased by development.

2.1.4 Definitions

The definitions in Appendix 1 of this chapter define words and expressions for the purpose of this chapter.

These definitions apply in addition to the definitions in Part A Chapter A3 of the DCP, and any other terms referred to in Australian Rainfall and Runoff (Institution of Engineers, Australia, 1987), the Floodplain Management Manual (New South Wales Government, January 2011), the EP&A Act or the Woollahra LEP.

E2.2 Stormwater drainage management controls

2.2.1 Introduction

In assessing development applications for stormwater drainage management, Council will consider each of the matters listed below and each matter must be addressed by the applicant. The response to these matters, plus any other relevant statutory and policy matters, will be considered by Council when assessing the acceptability of the development.

For each matter, specific objectives are given together with the controls to achieve those objectives. Alternative ways to achieve the stated objectives will be considered when, in the opinion of Council, the outcome is better in terms of the impact on the public domain or adjacent properties than strict compliance with the stated controls.

High quality submissions greatly aid the assessment process and it is recommended that information regarding the matters below be prepared by a suitably qualified practitioner.

Stormwater drainage management is generally achieved through the provision of a stormwater drainage concept plan, which should address the following management measures (where applicable):

- ▶ water sensitive urban design;
- ▶ stormwater treatment;
- ▶ on site detention (OSD) of stormwater;
- ▶ connection to Council's drainage systems;
- ▶ diversion of Council's drainage;
- ▶ structures over or near drainage lines and easements;
- ▶ connection to Council's parks, reserves, bushland and natural waterways; connection to Sydney Harbour; and connection to Sydney Water channels;
- ▶ low level properties and easements;
- ▶ groundwater (or hydrogeology);
- ▶ absorption systems;
- ▶ pump and sump systems;
- ▶ charged or siphonic systems; and
- ▶ activities on a public road.

Information regarding these matters does not necessarily have to be of a standard and level of detail that is construction ready. In most cases a concept plan only is required at DA stage, with the detailed stormwater drainage design and specifications required prior to the issue of a Construction Certificate. The exception to this is stormwater works impacting on easements, where detailed stormwater drainage design and specifications are required at the DA stage.

2.2.2 Water sensitive urban design

Objectives

- O1 To ensure development is designed, constructed and maintained so as to minimise impacts on the natural water cycle.
- O2 To reduce peak stormwater flows and total stormwater runoff volume.
- O3 To utilise water resources more efficiently.
- O4 To reduce the flood risk in urban areas.
- O5 To reduce erosion of waterways, slopes and banks.
- O6 To control stormwater pollution and improve water quality in Sydney Harbour, waterways and drainage systems.

Controls

Pervious surfaces

- C1 In areas with suitable ground conditions, the use of pervious surfaces is encouraged.

Rainwater tanks

- C2 The use of rainwater tanks for non-potable water uses is encouraged.
- C3 Rainwater tanks only collect roof water.
- C4 Rainwater tanks are connected to all external non-potable water uses including landscaping. Tanks may be connected to internal non-potable water uses including toilet flushing and washing machines.
- C5 Where OSD is required onsite (see Section 2.2.4), overflow from rainwater tanks is directed to the OSD system.
- C6 Where OSD is not required onsite, overflow from rainwater tanks is directed to Council's drainage network.
- C7 Rainwater tanks are located to minimise their visual impact. Above-ground rainwater tanks are located behind the building line and suitably screened. Slimline rainwater tanks at the side of buildings or under hardstand areas such as driveways are preferred.

Note:

- ▶ Rainwater tanks must be installed by a licenced plumber in accordance with AS3500 National Plumbing and Drainage Code, HB230 Rainwater Tank Design and Installation Handbook, other relevant codes and the manufacturer's specifications
- ▶ A positive covenant will be required for maintenance of rainwater tanks.

Greywater reuse

C8 The reuse of domestic greywater for non-potable water uses is encouraged (e.g. water discharged from washing machines).

Notes:

- ▶ A report on the appropriate treatment to allow for the safe reuse of domestic greywater must be prepared by a suitably qualified practitioner and the design must be in accordance with appropriate industry standards.
- ▶ Industry standards include HB 326 Urban Greywater Installation Handbook and the guidelines prepared by the NSW Department of Primary Industries (Office of Water), the NSW Department of Health and the Federal Department of Sustainability, Environment, Water, Population and Communities.
- ▶ A positive covenant will be required for maintenance of systems to reuse domestic greywater.

Green roofs

C9 The use of green roofs is encouraged.

Note:

- ▶ Green roofs must be designed by a suitably qualified practitioner and in accordance with appropriate industry standards.
- ▶ Industry standards include the Building Code of Australia and the City of Sydney Council Green Roof Resource Manual guidelines.
- ▶ A positive covenant will be required for maintenance of green roofs.

2.2.3 Stormwater treatment

Objectives

- O1 To minimise the discharge of pollutants (litter, sediment, suspended solids, nutrients, oil, grease and toxants) from paved and other impermeable surfaces into Sydney Harbour, waterways and drainage systems.

Controls

Stormwater treatment

- C1 Stormwater treatment is required for:
- a) all properties with connections to Sydney Harbour, waterways and open watercourses;
 - b) all new commercial developments and residential flat buildings; and
 - c) all major alterations and additions to commercial developments and residential flat buildings.
- C2 The stormwater treatment system, such as a gross pollutant trap (GPT), meets the specifications outlined in the water quality targets below (see control C7 below).
- C3 All stormwater treatment systems are located wholly on private property.

Note: A positive covenant will be required for maintenance of the stormwater treatment system.

Rain gardens

- C4 Rain gardens are required for:
- a) new developments where the total site area is more than 500m²;
 - b) developments involving alterations and additions where the additional gross impervious area is greater than 40m² and the total site area is more than 500m²; and
 - c) developments where the car park has four or more above ground parking spaces.
- C5 Rain gardens are sized as follows:
- a) 10m² per 1000m² of site area for sites between 500m² and 2,000m²; and
 - b) for sites greater than 2,000m², the size of the required rain garden is to be determined by a study completed by a suitably qualified practitioner.
- C6 Council may consider a reduction in the size of the required rain garden if the applicant provides a detailed study by a suitably qualified practitioner. The study is to demonstrate that an integrated approach to water sensitive urban design has been undertaken and that the development meets Council's water quality targets. As a consequence, Council may require the OSD minimum site storage requirements to be increased to 25m³ per 1,000m². See Section 2.2.4 below for OSD requirements.

Notes:

- ▶ Rain gardens are to be designed by a suitably qualified practitioner and must be designed in accordance with appropriate industry standards.
- ▶ Industry standards include the Monash University's Facility for Advancing Water Biofiltration Adoption Guidelines and the NSW Government's Catchment Management Authority Water Sensitive Urban Design Program.
- ▶ A positive covenant will be required for maintenance of the rain garden.

Water quality targets

C7 Water quality measures are installed that meet the following environmental targets for stormwater runoff leaving the site:

- a) 90% removal of gross pollutants (> 5mm);
- b) 85% removal of total suspended solids;
- c) 65% removal of total phosphorous; and
- d) 45% removal of total nitrogen.

C8 For developments creating high levels of pollutants, pollution modelling may be required.

Note:

- ▶ Pollution modelling may be undertaken with programs such as MUSIC - the Model for Urban Stormwater Improvement Conceptualisation.
- ▶ Discharge from car wash down bays, fire sprinkler test waters, trade wastes and wastes from air conditioning cooling towers are to be treated to Sydney Water's requirements and discharged to the sewer.

2.2.4 On site detention (OSD) of stormwater

Objectives

- O1 To reduce and mitigate the peak stormwater flow from a developed site and allow the controlled release of stormwater to the public stormwater system.
- O2 To reduce flood risk in urban areas.

Controls

Where this applies

- C1 OSD is required for:
 - a) new developments where the total site area is more than 500m²; and
 - b) developments involving alterations and additions where the additional gross impervious area is greater than 40m² and the total site area is more than 500m².
- C2 Properties, regardless of the development type, located within Council's OSD exemption area are not required to install OSD.

Note: The map of Council's OSD exemption area is available on Council's website.

Requirements

- C3 OSD storage is designed in accordance with the storage/discharge relationships as shown in the table below.

OSD requirements per 1,000m ² of the total site area		
Permissible site discharge (l/s)	Minimum site storage requirements (m ³)	ARI (year)
24	4	1 in 2
34	20	1 in 100

Note: The above OSD requirements are based on a simplified design approach which has been prepared using preliminary permissible site discharge and site storage requirement values. This simplified design approach will provide benefits to developers by reducing the cost of detailed engineering calculations, remove ambiguity in design approaches and assumptions, provide a simple geometric approach and allow Council to easily review designs with the intent of reducing development assessment times.

- C4 Council may consider independent assessment for on-site detention requirements. The applicant is to submit to Council an OSD assessment report including all modelling and design calculations. Any alternative methodology must be prepared by a suitably qualified practitioner.
- C5 Where possible, the drainage system is designed to direct runoff from the entire site to the OSD system.

- C6 Where OSD is required for alterations and additions, OSD is provided for the entire site, not only the area of new works.
- C7 All OSD systems drain by gravity to Council’s drainage system.
- C8 An overland flow path, to convey water to the street in the event of a blockage or failure of the OSD outlet, is provided and is clearly identified in the design.
- C9 All OSD systems have a discharge limiter which is an appropriately sized short length of reduced diameter pipe or a non-removable orifice plate. The discharge limiter is enclosed by a rustproof screen or wire cage to protect against blockage.

OSD location

- C10 OSD storage is located as close as possible to the lowest point of the site and if possible at the property frontage so that any surcharge will overflow to the street.
- C11 Separate OSD is provided for each Torrens title dwelling.
- C12 For strata and subdivided properties, the OSD requirements outlined in controls C1 and C3 above apply to the property as a whole. OSD is generally located in common areas for strata title or community title subdivision.
- C13 The OSD structure is not established across property boundaries.

Above ground storage

- C14 The OSD system is visually unobtrusive and sympathetic with the development. It must not cause hazard or inconvenience to pedestrian or vehicle access.
- C15 A minimum 20% of the OSD storage requirement is incorporated as below ground storage.
- C16 OSD storage in landscaped areas requires an extra 20% volume to compensate for vegetation growth.
- C17 Pedestrian access paths are maintained above the 1 in 100 ARI operating level for any non-enclosed storage. Poned water depths do not exceed 200mm in parking/ driveway areas, and 300mm in courtyards/grass/landscape areas.
- C18 Adequate subsoil drainage is provided in the above ground OSD storage to retain the amenity of the area after a rainfall event.

Below ground storage

- C19 The structural design of the OSD storage is certified by a suitably qualified practitioner including the following design issues:
 - a) all structures in the zone of influence of the excavation are checked for structural adequacy;
 - b) buoyancy of the OSD storage is taken into consideration; and
 - c) the OSD structure is designed to all relevant Australian Standards and industry standards; and

d) A minimum slope of 1% is provided on the floor of the OSD storage.

Note: Industry standards include AS 2865 Safe Working in a Confined Space and any Work Cover requirements.

Maintenance

C20 The OSD system provides for easy access for inspection and maintenance. Generally, grated access points are preferred.

C21 A silt/ litter arrestor pit is located before the OSD storage and fitted with screens that can be easily removed for routine maintenance. The screen is of expanded steel mesh (e.g. Maximesh or similar). To assist in shedding debris, the screen is positioned no less than 45° to the horizontal. Pits are a minimum size of 0.6m x 0.6m.

Note: A positive covenant will be required for the maintenance of the OSD system.

Alternatives to OSD requirements

C22 A rainwater tank may be installed as an alternative to all or part of the OSD requirements for any development type. The capacity of the rainwater tank is 1.5 times the OSD volume requirements. See Section 2.2.2 for rainwater tank requirements.

C23 A green roof may be installed as an alternative to part of the OSD requirements for any development type. The OSD requirements may be reduced by 50% if a roof garden is provided on-site. The roof garden covers at least 50% of the development's total roof area. See Section 2.2.2 for green roof requirements.

Note: Where there are discrepancies between the volume of OSD storage required in this chapter and the volume of OSD storage required in BASIX, the total storage requirements is the higher of the two volumes.

2.2.5 Connection to Council's drainage systems

Objectives

- O1 To maintain existing natural drainage patterns and to not move water from one catchment to another.
- O2 To minimise erosion and allow for sediment control.
- O3 To avoid the flooding of properties.
- O4 To protect existing Council drainage assets.
- O5 To discharge stormwater at the lowest point feasible within the same catchment.

Controls

General

- C1 Concept plans for the on-site stormwater system showing the location of major elements of the proposed system are provided.
- C2 Full details of the proposed connection to Council's drainage system are provided.
- C3 Where an overland flow system is not available, the drainage system is designed to cater to a minimum 1 in 100 ARI event.
- C4 Where an overland flow system is available, the drainage system is designed to cater to a minimum 1 in 20 ARI event; and the drainage system, in combination with the overland flow system, is designed to cater to a minimum 1 in 100 ARI event.
- C5 All stormwater discharge to Council's drainage system is gravity fed (for low level properties see also Section 2.2.9).
- C6 Stormwater discharge to the sewer is not permitted.
- C7 The potential for failure of components of the stormwater drainage system (e.g. blockage or structural damage) is considered and provision made for the safe conveyance of flows should failure occur.
- C8 Private drainage is installed in accordance with the appropriate industry standards.
- C9 All works within the road reserve or Council owned property comply with Council's "Specification for Road Works, Drainage and Miscellaneous Works".
- C10 Pumps for the disposal of stormwater runoff are not be permitted except in the circumstances set out in Section 2.2.12.

Note:

- ▶ Where works, including stormwater works, are within a public roadway (including the footpath and nature strip areas), approval is subject to a separate application under Section 138 of the *Roads Act 1993*.

-
- ▶ All construction costs associated with connection of the private stormwater discharge to Council's drainage system must be met by the applicant. The location of Council's drainage infrastructure is available by contacting Council's Drainage Engineer. The applicant is responsible for investigating and confirming the presence and suitability of Council's drainage system for connection. The applicant is responsible for investigating and confirming the presence of services and utilities within the road reserve (e.g. electricity, gas and water).
 - ▶ Private drainage industry standards include AS3500 National Plumbing and Drainage Code, other relevant codes and the manufacturer's specifications.

Connection to Council's below ground drainage

Where this applies

- C1 In general, the stormwater drainage discharge from development sites is connected to Council's below ground drainage system.
- C2 Where there is no Council drainage system located adjacent to the site, the applicant must extend Council's drainage system to the site in order to permit the below ground connection.

Requirements

- C3 The connection from the development site to Council's below ground drainage system is a direct route and is generally laid perpendicular to the line of the kerb and gutter.
- C4 Stormwater drainage lines are located under the kerb and gutter where possible.
- C5 All connection pits are constructed in accordance with the appropriate industry standards.
- C6 No portion of the connection pipe intrudes into Council's pipe.
- C7 All stormwater pipes within the road carriageway are designed and installed to meet Council's specifications.
- C8 A standard Council double grated gully pit with 1.8m kerb lintel is constructed over the new line where it intersects with the private stormwater line. A capped pipe stub is provided to enable future extension of the line upstream.

Notes:

- ▶ Connection pit industry standards include AS3500 National Plumbing and Drainage Code, other relevant codes and the manufacturer's specifications.
- ▶ A closed circuit television (CCTV) inspection of any new connection must be carried out and submitted to Council with a works-as-executed plan.
- ▶ All stormwater pipes within the road carriageway must be at a minimum Class 2, 375mm diameter and have bedding to standard HS3, in accordance with AS3725 Loads on Buried Concrete Pipes. Rubber ring joints are required.

Exemptions

- C9 An exemption from the requirement to discharge directly into Council's below ground drainage system may be considered where the required extension of Council's system is excessive. This exemption will be considered on a merit based assessment and factors to be considered include the magnitude of the development, extent of required works and the suitability of an alternative option.

Connection to Council's kerb and gutter

Where this applies

- C1 Only dwelling houses and developments involving alterations and additions, where the additional gross impervious area is less than 40m², may discharge stormwater to the kerb and gutter.

Requirements

- C2 The connection from the development site to Council's kerb and gutter is a direct route.
- C3 A maximum discharge rate of 20 l/s is permitted.
- C4 A maximum of one stormwater outlet per property is permitted.
- C5 Drainage conduits, across footpath areas that are discharging to the kerb, are designed and installed to meet Council's specifications.
- C6 Where the existing kerb is sandstone, the drainage discharge point is cored. The kerb is reinstated to match the existing form (e.g. bullnose, brick and sandstone).

Note: Drainage conduits, across footpath areas that are discharging to the kerb, must be 125mm x 75mm galvanised box or 65mm to 100mm sewer grade PVC pipes.
A kerb adaptor must be provided for 80mm and 100mm PVC pipes.

Subsoil drainage

- C7 All below ground structures with habitable or non-habitable floor spaces are fully tanked and do not require permanent dewatering.
- C8 All below ground structures are designed and installed in accordance with Council's Guide for preparing Geotechnical and Hydrogeological Reports.
- C9 Subsoil drainage does not discharged to Council's stormwater network, including stormwater pipes, pits and/or kerb and gutter.

2.2.6 Diversion of Council's drainage

Objectives

- O1 There is to be no adverse impact on upstream or downstream properties.
- O2 There is to be no adverse impact on Council's drainage system.

Controls

- C1 If an applicant proposes to divert Council's drainage the application is accompanied by a report, prepared by a suitably qualified practitioner, on the impacts of the diversion.
- C2 Where an overland flow system is not available, the diverted drainage system is designed to cater to a minimum 1 in 100 ARI event.
- C3 Where an overland flow system is available, the diverted drainage system is designed to cater to a minimum 1 in 20 ARI event; and the drainage system, in combination with the overland flow system, is designed to cater to a minimum 1 in 100 ARI event.
- C4 If Council's existing drainage system is diverted onto private land, an easement is created in favour of Council (see Section 2.2.9).

Notes:

- ▶ A dilapidation report including a CCTV inspection of all drainage lines being impacted or diverted must be submitted with the construction certificate application. If the existing drainage line is in poor condition the drainage line is to be renewed and/ or refurbished.
- ▶ The location of the diverted drainage system must be fully accessible for future maintenance.

2.2.7 Structures over or near drainage lines and easements

Objectives

- O1 To provide for future maintenance activities on drainage lines.
- O2 To provide and maintain adequate overland flow paths.

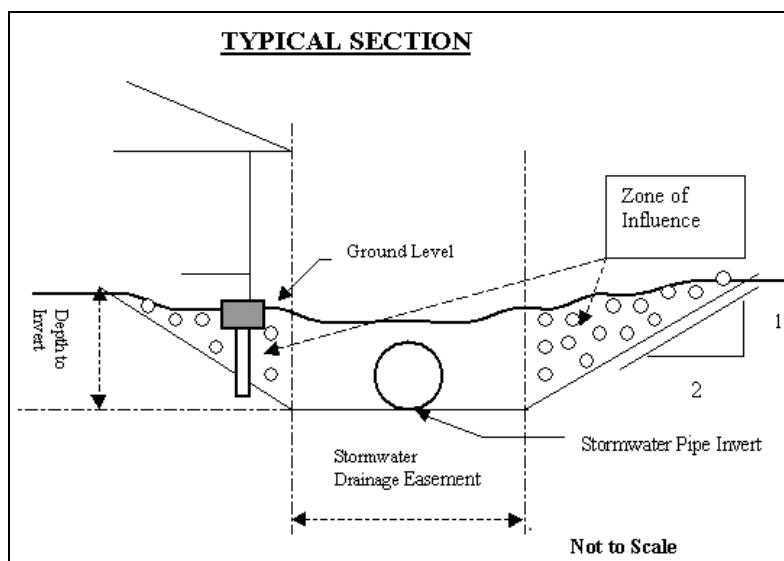
Controls

- C1 Generally, new buildings, structures and overhanging structures are not permitted over existing or proposed drainage lines and easements.
- C2 All structural foundations adjoining an easement or drainage line have a minimum depth lower than the invert of the adjacent drainage line. Additional depth is required for foundations adjoining natural water courses. All foundations are designed by a suitably qualified practitioner.
- C3 Overland flow paths are maintained over drainage lines and easements. Driveways and landscaped areas may be located on overland flow paths.

Note:

- Applications must include plans and details relating to structures near a Council drainage line or easement.
- A dilapidation report including a CCTV inspection of all drainage lines within 3m of any development structure must be submitted with the construction certificate application. If the existing drainage line is in poor condition the drainage line is to be renewed and/or refurbished.
- The applicant is to submit details on the proposed construction methodology to ensure that Council’s drainage system is protected and supported during any works.

FIGURE 1 Typical section showing the zone of influence



2.2.8 Connection to Council's parks, reserves, bushland and natural waterways; Sydney Harbour; and Sydney Water channels

Objectives

- O1 To manage, conserve and protect Council parks, reserves, bushland and natural waterways.
- O2 To maintain existing natural drainage patterns.
- O3 To minimise erosion of waterways, slopes and banks.
- O4 To control stormwater pollution and improve water quality in streams and groundwater.

Controls

General

- C1 Stormwater discharge to a natural watercourse or Council below ground drainage line within a Council park, reserve or bushland may be permitted subject to a merits based assessment of the proposal by Council's Open Space and Trees Department.
- C2 An environmental impact assessment is submitted addressing the impact on the park, reserve or bushland during and after construction, environmental sensitivity, erosion potential and weed invasion potential.
- C3 Stormwater pipes and other structures are not visible on public land. Outlet structures are designed to blend in with the surrounds and should be constructed of natural materials, such as rock.

Note: Access through Council's park land and/ or storage of material on Council park land during construction will not be permitted unless prior written approval has been obtained from Council's Open Space and Trees Department.

Discharge directly to Sydney Harbour

- C4 Written approval from the Waterways Authority to discharge stormwater into Sydney Harbour is required.

Note: The applicant must seek this approval. The stormwater system must be designed in accordance with this DCP and any requirements of the Waterways Authority.

Discharge to Sydney Water channels

- C5 Written approval from Sydney Water to discharge stormwater from the subject property directly into Sydney Water drainage channels is required.

Note: The applicant must seek this approval. The stormwater system must be designed in accordance with this DCP and any requirements of Sydney Water.

2.2.9 Low level properties and easements

Objectives

- 01 To maintain existing natural drainage patterns.
- 02 To ensure drainage discharge associated with new developments is gravity fed and does not require pumps to function.
- 03 To avoid nuisance and flooding.
- 04 To provide effective overland flow paths.
- 05 To protect existing Council drainage assets.
- 06 To discharge stormwater at the lowest point feasible within the same catchment.

Controls

Requirements

- C1 Drainage discharge to Council's stormwater system is gravity fed. This may require the creation of an easement through the downstream property to discharge stormwater from the subject property.
- C2 Where an overland flow system is not available, the drainage system is designed to cater to a minimum 1 in 100 ARI event.
- C3 Where an overland flow system is available, the drainage system is designed to cater to a minimum 1 in 20 ARI event; and the drainage system, in combination with the overland flow system, is designed to cater to a minimum 1 in 100 ARI event.

Easements

- C4 Where easement consent is granted:
 - a) The easement is created on the certificate of title for all impacted properties.
 - b) The private drainage easement is of sufficient width to allow the required pipe to be installed and maintained.

Note: Any costs associated with investigating or establishing the easement are the responsibility of the applicant.

The applicant is responsible for negotiating with the downstream property owner to obtain a private drainage easement. It is not Council's role or within Council's jurisdiction to adjudicate on amounts of compensation. It is recommended that independent legal advice be sought.

Possible options available to acquire a private drainage easement include:

- ▶ by direct negotiation
- ▶ Section 88K of the *Conveyancing Act 1919*
- ▶ Section 40 of the *Land and Environment Court Act 1979*

The applicant must make every attempt to provide a gravity feed system to drain the site. The applicant must make formal approaches to all possible downstream property owners.

The applicant must attach a copy of the formal consent from the owner(s) of the intervening downstream property(s) with the development application.

The applicants must also engage a registered surveyor to prepare a plan of survey and the application for the easement must be lodged with the Land Titles Office with any necessary fees. Woollahra Council must be annotated as the Prescribed Authority on the Section 88K Instrument. A copy of the lodgement details must be provided to Council prior to operation of any development consent or activity application.

The requirement to obtain an easement may be waived if:

- ▶ written documentary evidence of refusal to permit an easement by the downstream owner has been provided to Council; and
- ▶ written documentary evidence of all reasonable attempts undertaken by the applicant to obtain an easement through the downstream property; and/or
- ▶ evidence is provided of any physical constraint that precludes a route for a downstream system.

For larger developments or developments in areas with known drainage problems, Council may require the applicant to pursue the acquisition of a downstream easement through the Land and Environment Court.

If an easement is not obtainable, it may be possible to connect to Council's below ground stormwater system if the Council system is extended to the site. See Section 2.2.5 above for requirements.

Easement alternatives

- C5 Easement alternatives will be considered only where the development involves alterations and additions to a dwelling house; and where the development increases the impervious area of the site by less than 40m².
- C6 The following easement alternatives may be considered in the following circumstances:
- a) Where all roof drainage is drained to a rain tank designed to hold a volume of water and the tank only overflows once a year, on average. The minimum acceptable tank size is 60m² per 1,000m² of site area.
Note: The applicant must submit full water balance calculations prepared by a suitably qualified practitioner.
 - b) Where an absorption dispersal system downstream of the rain tank and any paved areas is provided, and the absorption system is designed for a 20 year ARI storm. The rain tank is to be assumed to be full. See Section 2.2.11 for absorption system requirements.
 - c) Where the area is unsuitable for an absorption system, 20% extra storage volume is provided in the rain tank and a pump system may be installed. See Section 2.2.12 for pump system requirements.

Note: Council may reduce the storage requirements in heritage conservation areas if space is limited. This will be assessed on the merits of the application.

Relationship to other properties

- C7 Where surface runoff from adjoining properties currently flows onto the subject site, such flows are catered for within the development. Obstructions that cause damming and backwater effects on upstream properties will not be permitted.
- C8 Surface runoff from the subject site is not concentrated onto downstream properties.

Existing Council stormwater

- C9 Council will require the creation of an easement to its benefit over existing Council stormwater pipes, boxes or channels on private land.

2.2.10 Groundwater (hydrogeology)

Objectives

- O1 To ensure that there are no adverse hydrogeological impacts on any surrounding properties and infrastructure, both during and after construction.
- O2 To maintain the existing groundwater level, both during and after construction.

Controls

Where this applies

- C1 Unless site specific information exists to the contrary, excavations deeper than 1m are assumed to have a potential impact on groundwater.

Note: Where the groundwater level is high, any proposed development with below-ground structures must consider the sub-surface conditions and the impacts of construction on adjacent properties.

Below-ground structures which are likely to extend below the level of seasonal fluctuations in the groundwater table, must also consider the impact of any changes induced in the sub-surface water levels and the groundwater flow patterns on adjacent properties.

Requirements

- C2 All below-ground structures are fully waterproofed and “tanked”.
- C3 Groundwater does not discharged to Council’s stormwater network, including stormwater pipes, pits and/or kerb and gutter.

Notes:

The hydrogeological report must include a site specific risk assessment matrix with appropriate definitions for qualitative measures of likelihood and consequences for assessing the risk of damage to existing developments by the new development.

All below-ground works must also comply with the requirements of the NSW Department of Primary Industries Office of Water.

A positive covenant will be required for the maintenance of any approved groundwater drainage system.

DAs must include a hydrogeological report, a design statement and supporting drawings (if required) that detail the measures proposed to ensure that there will be no adverse hydrogeological impacts. The report must be prepared by an experienced hydrogeological engineer, in accordance with Council’s Guide for preparing Geotechnical and Hydrogeological Reports. The design statement must confirm that the design of the below-ground structure has been undertaken in accordance with the relevant Australian Standards where applicable.

2.2.11 Absorption systems

Objectives

- O1 To ensure development is designed, constructed and maintained so as to minimise impacts on the natural water cycle.
- O2 To reduce peak stormwater flows and total stormwater runoff volume.
- O3 To reduce the flood risk in urban areas.
- O4 To minimise stormwater impacts on downstream properties.

Controls

Where this applies

- C1 Absorption systems may only be utilised where it is not possible to discharge drainage to Council's stormwater system by gravity.
- C2 Absorption systems will not be considered if easements, inter-allotment drains or drainage reserves are available to provide gravity feed access to Council's stormwater system.

Requirements

- C3 Absorption systems are designed to adequately contain the difference between inflow and outflow rates, depending on the permeability of the soil.
- C4 Generally the minimum soil depth to rock is 1.5m. However, in harbourside locations, a lesser value may be accepted. This will be assessed on the merits of the application.
- C5 Properties seeking to install an absorption system also install a rainwater tank in accordance with Section 2.2.2. The rainwater tank is at least 6m³ per 100m² of impervious area across the site. The purpose of the rainwater tank is to reduce the quantity of water going to the absorption system.
- C6 The design addresses the impact of increased subsoil flow on properties downstream of the absorption trench, and details of the impact of the absorption pit on the downstream catchment are submitted.
- C7 Approval will not be provided where the nominal absorption rate is less than 0.1 litres/m²/s strata of impermeable or low permeability material are present, or where the water table is less than 2m from the base of the pit.

Notes: Applications for an absorption system must be accompanied by a concept plan showing the location, dimensions and levels of the proposed system. Applications for absorption systems must be prepared by a suitably qualified practitioner and comply with Council's Guide for preparing Geotechnical and Hydrogeological Reports.

Applications for an absorption system must be accompanied by a Geotechnical Report to accurately determine the following soil characteristics: the soil type/s to a depth of at least 2m, the nominal absorption rate, the depth to an identification of any strata through the soil and the depth of the water table. The soil characteristics must be determined using appropriate field tests.

2.2.12 Pump and sump systems

Objectives

- O1 To mitigate the impacts of pumping water to areas that would normally not receive discharge.
- O2 To avoid the flooding of properties.
- O3 To protect existing Council drainage assets.

Controls

Where this applies

- C1 Pump and sump systems will only be considered where the development involves alterations and additions to a dwelling house, and where the development increases the impervious area of the site by less than 40m².
- C2 The pump and sump system may only be utilised for the development additions. That is, a pump and sump system may not be retrofitted to the component or sections of the building which are existing.

Requirements

- C3 The collection system for the pump and sump arrangement is designed in accordance with the design criteria for gravity drainage in this chapter.
- C4 The pump and sump system are designed by a suitably qualified practitioner and designed and installed in accordance with the appropriate industry standards.
- C5 Properties seeking to install a pump and sump system also install a rainwater tank in accordance with Section 2.2.2. The rainwater tank is at least 6m³ per 100m² of impervious area across the site. The purpose of the rainwater tank is to reduce the quantity of water going to the pump and sump system.
- C6 The tank has an automatic pump which meets the following requirements:
 - a) The pump may only commence pumping a minimum of 1 hour after rain has ceased.
 - b) The pump may only operate when the rainwater tank is over 50% full.
 - c) The pump may only pump out the top 50% of the rainwater tank (the remaining water is to be available for reuse).
 - d) At a minimum, the pump out system must consist of dual alternating pumps and be connected to an uninterrupted power supply.
- C7 Discharge from the site does not exceed the permissible site discharge as outlined in Section 2.2.4 control C3.
- C8 In the event of the failure of both pumps, an overland flow path and/or surcharge and pondage area is identified and provided.

- C9 Discharge from the system passes through a stilling pit, located within the site boundary. Discharge to Council's underground stormwater system is via a concrete pipe with a minimum diameter of 375mm and a new stormwater junction pit located in the public road.
- C10 The pump and sump system is protected from backflow from Council's drainage system.
- C11 All electrical fittings and supply are 500mm above the maximum water level and/or any overland flow paths.

Location

- C12 Pressured pipes are only permitted on the applicant's property. Council will not approve the use of pressurised pipe systems within the road reserve or Council owned property.

Note: Industry standards include AS3500 National Plumbing and Drainage Code, other relevant codes and the manufacturer's specifications.

A positive covenant will be required for the maintenance of the pump and sump system.

2.2.13 Charged or siphonic systems

Objectives

- O1 To protect existing Council drainage assets.

Controls

Where this applies

- C1 Non-mechanical pressurised (charged or siphonic) systems will only be considered where it is not possible to discharge drainage to Council's stormwater system by gravity.

Requirements

- C2 The charged or siphonic system is designed by a suitably qualified practitioner and designed and installed in accordance with the appropriate industry standards.
- C3 In general, the discharge from charged or siphonic systems are connected to Council's below ground drainage system.
- C4 Only dwelling houses and developments involving alterations and additions, where the additional gross impervious area is less than 40^{m²}, may discharge from the charged or siphonic systems to the kerb and gutter.
- C5 Discharge from the system passes through a stilling pit, located within the site boundary.
- C6 The system is protected from backflow from Council's drainage system.
Note: Industry standards include AS3500 National Plumbing and Drainage Code, other relevant codes and the manufacturer's specifications.

2.2.14 Activities on a public road

Objective

- O1 To protect Council's road assets.
- O2 To ensure works carried out on Council's road and stormwater assets meet Council's required standard.

Controls

- C1 All works, including stormwater works, within a public roadway are in accordance with Council's "Specification for Road Works, Drainage and Miscellaneous Works".
Note: Where works, including stormwater works, are within a public roadway (including the footpath and nature strip areas), approval is subject to a separate application under Section 138 of the *Roads Act 1993*. The nominated principal certifying authority cannot legally give approval for works under Section 138 of the *Roads Act*. Approval must be granted by Council.

E2.3 Flood risk management controls

2.3.1 Introduction

In assessing development applications for flood risk management within “flood risk precincts”, Council will consider each of the matters listed below and each matter must be addressed by the applicant. The response to these matters, plus any other relevant statutory and policy matters, will be considered by Council when assessing the acceptability of the development.

For each matter, specific objectives are given together with the controls to achieve those objectives. Alternative ways to achieve the stated objectives, will be considered when, in the opinion of Council, the outcome is better in terms of the impact on the public domain or adjacent properties than strict compliance with the stated controls.

The flood risk planning controls reflect the recommendations of the Woollahra Coastal Zone Management Plan, and the Floodplain Risk Management Plans for Double Bay, Rose Bay and Rushcutters Bay and the Updated Flood Study for Watsons Bay, prepared in accordance with the State Government Flood Prone Lands Policy and the Floodplain Development Manual.

2.3.2 Information available from Council

Council will make available information on flooding, coastal inundation and the Council drainage system, where it is available, on the express understanding that Council is not liable for the accuracy of the information or the consequences of it being used.

There are four main floodplains within the Woollahra Municipality:

- ▶ Rushcutters Bay
- ▶ Double Bay
- ▶ Rose Bay
- ▶ Watsons Bay.

Each of the floodplains can be classified based on different levels of potential flood risk. Flood information, including flood levels as derived from significant historical flood events, is available on each of these floodplain areas. This information may be found on Council’s website.

A Woollahra Coastal Zone Management Plan Stage 1 report has been prepared for the Woollahra Municipality. Estuary Planning Levels have been developed for those properties subject to coastal inundation.

The applicant must confirm the accuracy of information by inspection, survey and/or study. Where existing flood or coastal inundation information is not available but flooding and/or coastal inundation is considered by Council to be a potential issue, a site specific study may be required.

2.3.3 Flood planning levels

Flood planning levels (FPLs) set the floor level height for development in areas which are subject to flooding. The FPLs vary depending on the relative flood risk and the proposed development type.

FPLs consist of the following:

- ▶ a flood level which has been determined from a flood study (see Section 2.3.2); plus
- ▶ a freeboard that compensates for uncertainties in the estimation of flood levels across the floodplain.

Foreshore developments subject to coastal inundation

Foreshore developments subject to coastal inundation must give consideration to two factors:

- ▶ flood planning levels (FPLs); and
- ▶ estuary planning levels (EPLs).

EPLs consist of the following:

- ▶ a still water level which has been determined from a coastal inundation study (see Section 2.3.2); plus
- ▶ a local wind and wave setup height which has been determined from a coastal inundation study (see Section 2.3.2); plus
- ▶ a wave run-up/overtopping height which has been determined from a coastal inundation study (see Section 2.3.2); plus
- ▶ a sea level rise factor; plus
- ▶ a freeboard that compensates for uncertainties in the estimation of coastal inundation levels across the coastal zone.

Note: The NSW Chief Scientist has advised that the sea level rise benchmarks (measured as an increase above 1990 mean sea levels) of 40cm by 2050 and 90cm by 2100 are adequate in light of evolving understanding of the complex issues surrounding future sea levels.

All EPLs should be based on the 2100 benchmark.

Objectives

- O1 To minimise risk to people and property.
- O2 To reduce the long term risks associated with coastal inundation, elevated sea levels and/or waves overtopping foreshore defences.
- O3 To maintain Council's streetscape objectives in existing commercial and heritage areas.

Controls

C1 All new developments and major alterations and additions have their floor levels set at the required FPL and EPL as stipulated in the following table:

Development type	Flood (and estuary) planning level
Habitable floor areas	100 Year ARI flood level plus 0.5m freeboard
Non-habitable floor areas	100 Year ARI flood level plus 0.3m freeboard
Habitable floor areas for foreshore developments subject to coastal inundation	The highest RL, calculated from the following: <ul style="list-style-type: none"> ► 100 Year ARI flood level plus 0.5m freeboard; or ► still water level plus 100 Year ARI wave run-up plus 0.3m freeboard
Ground level, open car parking spaces	20 Year ARI flood level plus 0.3m freeboard
Enclosed car parking spaces, three or fewer vehicles	20 Year ARI flood level plus 0.3m freeboard
Enclosed car parking spaces, more than three vehicles	100 Year ARI flood level plus 0.3m freeboard

C2 For alterations and/or additions (only) developments, where it is not practical to meet the above habitable, non-habitable and car parking floor levels due to compatibility with the height of adjacent buildings, or compatibility with the floor level of existing buildings, a lower floor level may be considered, based on the individual merits.

A lower floor level will only be permitted where the habitable floor area increases by 40m² or less. In these circumstances, the floor level is to be as high as practical, and no lower than the existing floor level. This concession will be made no more than once for any given property. Subsequent development applications will be required to meet the FPLs and EPLs as outlined in C1.

C3 To achieve the required FPL and/or EPL for car parking, Council may allow the use of mechanical barriers such as flood gates. Where a mechanical barrier is permitted:

- a) a 0.5m freeboard is provided
- b) the mechanical barrier is located wholly on private property
- c) the mechanical barrier may require the provision of an on-site queuing area (see Chapter E1 Parking and Access for further details)
- d) the mechanical barrier is designed such that, by default, it is in the “closed” position. That is, it opens only to allow vehicles to enter and exit the site.

Note: The mechanical barrier must be designed and installed by a suitably qualified practitioner. A positive covenant will be required for maintenance of the mechanical barrier.

-
- C4 Filling of the site, where acceptable to Council, may change the flood and/or coastal inundation risk for the subject land. The FPL and/or EPL controls is based on the new flood and/or coastal inundation risk as determined by the new site levels.

Special consideration

- C5 All FPLs and EPLs represent the minimum standard required for the development type. An applicant may seek to lower the minimum FPL and/or EPL. Such requests will be assessed on their merits. A Flood Risk Management Report and/or a Coastal Inundation Assessment, prepared by a suitably qualified practitioner, will be required.

Note:

A Flood Risk Management Report and/or Coastal Inundation Assessment must be prepared by a suitably qualified practitioner and at a minimum it should include the following:

- ▶ acknowledgement that the proposed development seeks to lower the minimum standard FPL and/or EPL required by Council's Stormwater Drainage and Flood Risk Management Development Control Plan;
- ▶ proposed risk management measures to minimise the impact of flooding and/or coastal inundation;
- ▶ demonstration that the risk management measures will not adversely affect other properties;
- ▶ an Emergency Management Plan that includes an evacuation strategy.

- C6 For ground level shop fronts in commercial and mixed-use developments, a lower the FPL and/or EPL may be considered to allow the development to match into existing longitudinal street levels, to optimise retail potential and/or to provide acceptable access for persons with disabilities. Such requests will be assessed on their merits. Driveway and footpath gradients must comply with Council's specifications.
- C7 For heritage conservation properties, a lower FPL and/or EPL may be considered, for the heritage component of the building only, to remain sympathetic with the heritage values of the property. In general, any alterations and additions will be required to meet the FPL and/or EPL as outlined in conditions C1, C2, C3 and C4. Such requests will be assessed on their merits.

2.3.4 Flood controls

Objectives

- O1 To minimise risk to people and property.
- O2 To ensure that development does not cause flood levels to rise or exacerbate flooding on the surrounding floodplain.
- O3 To ensure existing overland flow paths are maintained and to ensure new structures do not obstruct the free flow of floodwaters.
- O4 To increase flood hazard awareness.
- O5 To reduce the long term risks associated with tidal inundation, elevated sea levels and/or waves overtopping foreshore defences.
- O6 To maintain Council's streetscape objectives in existing commercial and heritage areas.

Controls

General controls which apply to all developments

Note: A plan must accompany the application and provide information on any earthworks or filling of land (with suitable contour intervals) and the location of existing and proposed fences, retaining walls and/or any other barriers.

General

- C1 All structures have flood compatible building components below the 100 Year ARI level plus 0.5m freeboard.
- C2 All electrical equipment (e.g. air conditioners and pool pumps) is located or protected to above the 100 Year ARI level plus 0.5m freeboard.
- C3 All storage areas such as shelving are above the 100 Year ARI level plus 0.5m freeboard.
- C4 The structure is built to withstand the forces of floodwater, debris and buoyancy up to and including the 100 Year ARI level plus 0.5m freeboard.
- C5 Reliable evacuation access for pedestrians is provided from the lowest habitable floor area to a refuge area above the PMF level and designed to withstand PMF water forces.
- C6 Suitable flood protection (e.g. a crest up before descent on an access driveway) is provided within the subject site. Council will not generally allow alteration to existing levels on the public road or its property to achieve flood protection.

Note: The Building Code of Australia 2013 has requirements relating to minimum construction standards for specified building classifications in flood hazard areas. Reference should be made to the Code for further information.

Fencing

- C7 Fencing is constructed in a manner which does not change the nature or level of flood waters in the area. Fencing is of a permeable/open type design, however, existing solid fences may be replaced by new solid fences.
- C8 Fencing is adequately constructed so as to withstand the forces of floodwaters.
- C9 The flood impact of the development is considered to ensure that the development will not increase flood effects elsewhere. Where a significant change in use of the site is proposed, a flood impact assessment is required.

Overland flow paths

- C10 All overland flow paths are free of structures which prevent the free passage of overland flow.
- C11 All overland flow paths are designed to convey the 1 in 100 ARI event.
- C12 All existing overland flow paths are maintained and the hydraulic capacity of the openings between buildings is maintained.
- C13 Overland flow paths are provided on all properties that have upstream contributing catchments of 1,000m² or greater.
- C14 All overland flow paths are designed to a low hazard classification if possible.
- C15 Overland flow paths are designed such that they do not increase velocity or concentrate water on any adjacent property.
- C16 In overland flow paths, fencing is generally not be permissible. However, in low and medium flood risk precincts permeable/open type fences may be approved where it can be demonstrated that there will be no adverse impact on flooding to the subject land or surrounding properties.
- C17 Any structure located in an overland flow path is designed to be structurally sound in all flood events. A flood study may be required. Structures are designed by a suitably qualified practitioner.
- C18 If an overland flow path is not achievable, a 1 in100 ARI drainage system may be accepted as an alternative.
- C19 Overland flow paths are grass turfed.
- C20 In (sandy) areas with high risk erosion potential, overland flow paths are designed to limit velocity and/or protect against scour.

Note: Provisional hazard classifications are defined in Appendix L of the Floodplain Development Manual.

Time limit consents

C21 Where an applicant cannot increase EPLs to take into account the sea level rise planning benchmarks, Council may consider imposing time-limited consent to provide the potential to remove, replace or adapt development in the future. The consent will require the development to cease and all structures to be demolished and removed and the site to be reinstated to a sustainable landscaped form unless a further consent is obtained allowing for the continuation of the development in its originally approved or modified form. Council will consider the appropriateness of such developments on the merits of individual applications.

Note: It is likely that Council would impose a condition which identifies an appropriate and specific trigger which would require the removal of the development. For example, if the sea level were to reach a specified height or the erosion of an escarpment receding to a specified distance from the property boundary.

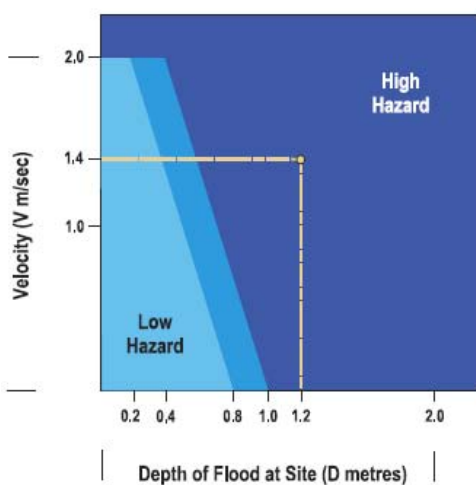
High flood risk precincts

Note: The high flood risk precinct is where high flood damages, potential risk to life and/or evacuation problems would be anticipated or where development would significantly or adversely alter flood behaviour. Development in this precinct requires detailed risk management strategies and careful design to reduce the risk to life and property to an acceptable level.

The High FRP would generally be reflected by the following criteria:

- all areas where high hazard conditions occur during a 100 year ARI flood (using the provisional hazard categories published in Appendix L of the Floodplain Development Manual);
- all locations where safe evacuation routes cannot be provided by the natural topography, necessitating the need for refuge areas to be provided; and
- all floodways.

FIGURE 2 Provisional hydraulic hazard categories
Source: Floodplain Development Manual



Notes:

The degree of hazard may be either:

- Reduced by establishment of an effective flood evacuation procedure;
- Increased if evacuation difficulties exist.

In the transition zone highlight by the median colour, the degree of hazard is dependant on site conditions and the nature of the proposed development.

Example:

If the depth of flood water is **1.2m** and the velocity of floodwater is **1.4m/sec** then the provisional hazard is **high**.

- C22 Properties within a high flood risk precinct are unsuitable for all development (except alterations and additions (only) developments) unless a Flood Risk Management Report has been prepared, by a suitably qualified practitioner, outlining appropriate risk management measures.
- C23 Buildings or structures constructed in high flood risk precincts are designed to withstand the PMF event.
- C24 No new fencing of any type is permitted in high flood risk precincts unless it can be demonstrated, by a suitably qualified practitioner, that there will be no adverse impact on flooding to the subject land or surrounding properties.

Medium flood risk precincts

Note: The medium risk precinct includes all land that is inundated by the 100 year ARI flood that is not classified as high risk. Areas on the edge of the identified 100 year ARI floodplain where the topography provides low hazard rated excavation routes (using the provisional hazard criteria published in Appendix L of the Floodplain Development Manual) would generally be classified as medium risk.

- C25 Properties within a medium flood risk precinct are generally unsuitable for critical and sensitive use development. Such developments will be considered on their merits, taking into account any proposed risk management measures.
- C26 In medium flood risk precincts, impervious and continuous fencing is not permissible unless it can be demonstrated that there will be no adverse impact on flooding to the subject land or surrounding land.

Low flood risk precincts

Note: In the low flood risk precinct the likelihood of damages, occurring from flooding, is low. This area can be identified as land within the floodplain that is above the 100 year ARI flood but below the extent of the PMF.

- C27 For critical and sensitive developments in low flood risk precincts, all habitable and non-habitable floor levels are no lower than the PMF flood level.
- C28 For critical and sensitive developments in low flood risk precincts, all structures have flood compatible building components below the PMF flood level.
- C29 For critical and sensitive developments in low flood risk precincts, the applicant is to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including the PMF flood level.

Other flood prone properties

Note: There are four main floodplains within the Woollahra Municipality: Rushcutters Bay, Double Bay, Rose Bay and Watsons Bay. A property may be flood prone if it is outside of the identified four floodplains, but subject to overland flows due to one of the following characteristics:

- ▶ the property is on the low side of the road and/ or the boundary levels are below the level of Council's kerb;
- ▶ the property is lower than surrounding properties;
- ▶ the property is in a natural low point, gully or depression; or
- ▶ the property is adjacent to or contains a flow path, open channel, watercourse or drainage line.

A property may also be flood prone if it is outside of the identified four floodplains, but subject to one of the following characteristics:

- ▶ the property fronts Sydney Harbour with any part of the land below RL 3.35m AHD;
- ▶ the development includes underground habitable areas; or
- ▶ the development includes a low level driveway or an underground car park.

C30 Where a property is outside of the four flood plains, but identified as flood prone, a site specific assessment is required. A flood analysis may be requested to determine the level of flood risk and to allow the setting of FPLs.

Note: A Flood Risk Management Report prepared, by a suitably qualified practitioner, outlining appropriate risk management measures may be required.

Appendix 1 – Definitions

The definitions in this appendix define words and expressions for the purpose of this chapter.

Other terms may be defined in other parts of the DCP, the Woollahra LEP, and other publications including the NSW Government’s Floodplain Management Manual: The Management of Flood Liable Land.

absorption system	an excavation that has been filled with material or prefabricated void units that are conducive to the drainage of stormwater and which are designed to drain vertically or side-ways, into adjacent sub-surface in-situ void or fill material.
alterations and additions (only) developments	<p>applies to the following developments:</p> <ul style="list-style-type: none"> ▶ residential development where the proposed development is an addition and/or alteration to an existing dwelling of not more than 40m² or 10% (whichever is the lesser) of the habitable floor area which existed at the date of commencement of this DCP; ▶ development other than residential where the proposed development is an addition to existing buildings of not more than additional 100m² or 10% (whichever is the lesser) of the floor area which existed at the date of commencement of this DCP (whichever is the lesser).
charged or siphonic systems	use the height of the building to create a pressurised stormwater system. This allows the system to draw water out of the gutters at higher velocities and flow rates. The drainage line permanently holds water.
coastal inundation	is the storm-related flooding of coastal lands by ocean waters due to elevated still water levels (storm surge) and wave run-up.
commercial and mixed-use development	applies to all properties zoned Neighbourhood Centre, Local Centre, Mixed Use in Woollahra LEP.
critical and sensitive developments	applies to the following types of developments: Emergency services facilities; public administration building that may provide an important contribution to the notification or evacuation of the community during flood events (e.g. SES Headquarters and Police Stations); hospitals; community facility; telecommunications facility; institutions; educational establishments; child care facilities; liquid fuel depot; public utility undertaking (including electricity generating works; sewerage treatment plant; sewerage system; telecommunications facility; utility installations and water treatment facility) which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events; residential care facility; school and seniors housing.

developments creating high levels of pollutants	may include, but is not limited to the following: service stations; motor repair shops; panel beaters; miscellaneous automotive; marinas; boatsheds; marine repairs; shipbuilders; commercial slipways; miscellaneous retailers and manufacturers involving chemicals, solvents, hazardous waste and containers; miscellaneous retailers and manufacturers involving garden and building materials; vehicle depots; and car parks.
enclosed car parking	<p>car parking which is potentially subject to rapid inundation, which consequently increases danger to human life and property damage (such as basement of bunded car parking areas). The following criteria apply for the purposes of determining what is enclosed car parking:</p> <ul style="list-style-type: none"> ► flooding of surrounding areas may raise water levels above the perimeter which encloses the car park (normally the entrance), resulting in rapid inundation of the car park to depths greater than 0.8m, and ► drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity.
Epoch	for determining design flood levels refers to a year in the future for which flood level probabilities are calculated. For example, the notation 100 Year ARI 2050 refers to the 100 year ARI flood level (or 1% AEP flood level) at the Year 2050 Epoch. This is a prediction made now (based on the best available information) of the flood level which has a 1% probability of occurring or being exceeded in 2050. Similarly, the Year 2100 Epoch refers to the flood level which has a 1% probability of occurring or being exceeded in 2100.
flood evacuation strategy	the proposed strategy for the evacuation of flood prone areas.
flood risk precincts (FRPs)	are a categorisation of a site’s flood risk for land-use planning purposes. All property within a floodplain falls into one of three classifications: low, medium or high.
foreshore developments	includes all properties with any part of their land below RL 3.35m AHD.
foreshore inundation	the inundation of land occurring when water from Sydney Harbour overflows the natural or human-made foreshore boundary. All properties with any part of their land below RL 3.35m AHD may be impacted by foreshore inundation.

freeboard	a factor of safety typically used in relation to the setting of flood planning levels. It compensates for uncertainties in the estimation of flood levels across the floodplain, such as wave action, localised hydraulic behaviour and impacts that are specific event related, such as levee and embankment settlement, and other effects such as sea level rise.
green roofs	a roof system, with a dual function. It designed to promote the growth of various forms of vegetation on the top of buildings. It is also designed to support various forms of renewable energy and water collection technology to assist in supplying power and water to the occupants of the building.
habitable floor area	as defined in the Floodplain Development Manual: The Management of Flood Liable Land.
local overland flooding	as defined in the Floodplain Development Manual: The Management of Flood Liable Land. Note: All properties containing a Council owned pipe and/ or a drainage easement are subject to local overland flooding. All properties with low level driveways, footpaths or where their boundary levels are below the level of Council's kerb are subject to local overland flooding.
low level property	any property where the property falls away from the road reserve. That is, the grade or level of the land generally falls from the front to rear boundary. Stormwater from the property generally falls towards a neighbour's property at the side or rear (rather than to Council's road).
mainstream flooding	as defined in the Floodplain Development Manual: The Management of Flood Liable Land. Note: Properties that are situated adjacent to an open or covered channel or watercourse may be impacted by mainstream flooding.
major alterations and additions	applies to the following developments: <ul style="list-style-type: none"> ▶ residential development where the proposed development is an addition and/or alteration to an existing dwelling of more than an additional 40m² or 10% (whichever is the lesser) of the habitable floor area which existed at the date of commencement of this DCP; ▶ development other than residential where the proposed development is an addition to existing buildings of more than an additional 100m² or 10% (whichever is the lesser) of the floor area which existed at the date of commencement of this DCP (whichever is the lesser).

on-site detention systems	holding ponds that temporarily store stormwater to control and reduce downstream flow rates. They are designed to retard stormwater during intense rainfall and to empty once the peak of the storm has passed.
overland flow paths	above ground drainage paths that form a critical part of the drainage system. They convey stormwater when the stormwater volume is greater than the designed pipe systems capacity.
pervious surface	a paving system that allows water to infiltrate through pores in the pavement and is stored in voids until it can percolate through the natural ground. Pervious surfaces include, but are not limited to, porous asphalt, porous concrete and modular pavers.
pump and sump systems	a pump that is used to remove water that has accumulated in a sump basin, often in underground areas such as car parks. The sump pump is used to send water away from the house.
rain garden	a planted depression that captures rainwater runoff from impervious urban areas such as car parks. The rain garden serves two main purposes. It reduces stormwater runoff through absorption into the ground and transpiration. Secondly, the plants grown within the rain gardens capture pollutants and reduce the amount of pollution which is then released to Council’s stormwater system.
refuge area	an area of land located above the PMF that provides reasonable shelter for the likely occupants of the development commensurate with the period of time that refuge is likely to be required in floods up to the PMF.
residential development	applies to all properties zoned Low Density Residential and Medium Density Residential in Woollahra LEP.
site emergency response flood plan	a management plan that demonstrates the ability to safely evacuate persons and includes a strategy to move goods above the flood level within the available warning time. This Plan must be consistent with any relevant flood evacuation strategy, flood plan or similar plan.
stormwater	untreated rain water that runs off the land onto which it falls.
suitably qualified practitioner	a professional with the appropriate qualifications, experience and skills to undertake the task. All suitably qualified practitioners should have appropriate professional indemnity insurance.

wave run-up and overtopping

the process where a wave reaches the foreshore, and an “uprush” of water onto the foreshore will occur. The height of wave run-up is affected by the nature of the foreshore. In some instances a wave may propagate over the foreshore edge and further landward, which is called wave overtopping. Wave run-up cannot occur up a vertical seawall and in these cases the hazard is related exclusively to wave overtopping.

Appendix 2 – Design rainfall intensities

The following design rainfall intensities are to be used throughout the municipality.

Woollahra Council design rainfall intensities

Duration		Average recurrence interval						
Minutes	Hours	1 in 1	1 in 2	1 in 5	1 in 10	1 in 20	1 in 50	1 in 100
		Rainfall intensities in mm/hour						
5	0.083	104	133	167	187	213	246	271
6	0.100	98	125	157	175	199	231	254
7	0.117	92	118	148	166	189	219	241
8	0.133	88	112	141	158	180	209	231
9	0.150	84	107	135	151	173	201	222
10	0.167	80	102	130	146	166	193	214
11	0.183	77	99	125	140	161	187	207
12	0.200	74	95	121	136	156	181	201
13	0.217	72	92	117	132	151	176	195
14	0.233	69	89	114	128	147	171	190
15	0.250	67	86	111	124	143	167	185
16	0.267	65	84	108	121	139	162	180
17	0.283	64	82	105	118	136	159	176
18	0.300	62	80	102	115	133	155	172
19	0.317	60	78	100	113	130	152	168
20	0.333	59	76	98	110	127	148	165
21	0.350	57	74	95	108	124	145	162
22	0.367	56	72	93	106	122	143	159
23	0.383	55	71	91	104	119	140	156
24	0.400	54	69	90	101	117	137	153
25	0.417	53	68	88	100	115	135	150
26	0.433	52	67	86	98	113	132	147
27	0.450	51	65	85	96	111	130	145
28	0.467	50	64	83	94	109	128	143
29	0.483	49	63	82	93	107	126	140
30	0.500	48	62	80	91	105	124	138
31	0.517	47	61	79	90	104	122	136
32	0.533	46	60	78	88	102	120	134

Duration		Average recurrence interval						
		1 in 1	1 in 2	1 in 5	1 in 10	1 in 20	1 in 50	1 in 100
Minutes	Hours	Rainfall intensities in mm/hour						
33	0.550	46	59	77	87	101	118	132
34	0.567	45	58	75	86	99	117	130
35	0.583	44	57	74	84	98	115	128
36	0.600	43	56	73	83	96	113	126
37	0.617	43	55	72	82	95	112	125
38	0.633	42	55	71	81	94	110	123
39	0.650	42	54	70	80	92	109	121
40	0.667	41	53	69	79	91	107	120
41	0.683	40	52	68	78	90	106	118
42	0.700	40	52	67	77	89	105	117
43	0.717	39	51	67	76	88	103	115
44	0.733	39	50	66	75	87	102	114
45	0.750	38	50	65	74	86	101	113
46	0.767	38	49	64	73	85	100	111
47	0.783	37	48	63	72	84	99	110
48	0.800	37	48	63	71	83	97	109
49	0.817	37	47	62	70	82	96	108
50	0.833	36	47	61	70	81	95	106
51	0.850	36	46	60	69	80	94	105
52	0.867	35	46	60	68	79	93	104
53	0.883	35	45	59	67	78	92	103
54	0.900	35	45	59	67	77	91	102
55	0.917	34	44	58	66	77	90	101
56	0.933	34	44	57	65	76	89	100
57	0.950	33	43	57	65	75	89	99
58	0.967	33	43	56	64	74	88	98
59	0.983	33	42	56	63	74	87	97
60	1	32	42	55	63	73	86	96
90	1.5	25	33	43	49	57	67	75
120	2	21	27	36	41	47	56	63
180	3	16	21	27	31	36	43	48
240	4	13	17	22	26	30	35	39
300	5	11	15	19	22	26	30	34

Duration		Average recurrence interval						
Minutes	Hours	1 in 1	1 in 2	1 in 5	1 in 10	1 in 20	1 in 50	1 in 100
		Rainfall intensities in mm/hour						
360	6	10	13	17	19	23	27	30
720	12	6	8	11	12	14	17	19
1440	24	4	5	7	8	9	11	12
2880	48	3	3	4	5	6	7	8
4320	72	2	3	3	4	4	5	6

Probable maximum precipitation depth in mm

Duration		Catchment area		
Minutes	Hours	1km ²	2km ²	3km ²
15	0.25	170	160	160
30	0.5	250	240	230
60	1	360	350	340
90	1.5	460	450	440
120	2	540	530	520
180	3	660	640	630
360	6	870	850	830

Chapter E3 Tree Management

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter E3 ► Tree Management

Contents

- E3.1 INTRODUCTION 1**
 - 3.1.1 Land where this chapter applies 1
 - 3.1.2 Development to which this chapter applies 1
 - 3.1.3 Objectives..... 2
 - 3.1.4 Relationship to other parts of the DCP 2
 - 3.1.5 Relationship to other documents 2
- E3.2 TREES AND WORKS THAT REQUIRE APPROVAL 4**
 - 3.2.1 Prescribed trees..... 4
 - 3.2.2 Works that requires a development application 4
 - 3.2.3 Works that requires a tree permit 5
- E3.3 ASSESSING A DEVELOPMENT APPLICATION OR A TREE PERMIT 6**
 - 3.3.1 Matters to be considered—all applications 6
 - 3.3.2 Additional matters to be considered—works requiring a DA 7
 - 3.3.3 Matters that do not justify tree removal or pruning 7
- E3.4 EXEMPT TREES AND WORKS..... 8**
 - 3.4.1 Noxious weeds and exempt species 8
 - 3.4.2 Exempt works 9

E3.1 Introduction

The Woollahra Municipality is well known for its leafy character. This character is valued and identified by the extensive tree canopies that exist throughout the area, and many people are attracted to live in Woollahra as a result of these trees and landscapes.

Trees and vegetation play important roles in the preservation of wildlife habitat, the establishment of community identity and in the quality of streetscapes. Landscaped open space areas and vegetated deep soil contribute to the amenity of individual dwellings and are important in stormwater management and the energy efficiency of developments.

Our community recognises and values trees for their range of contributions including aesthetic environmental, ecological, social, psychological and economic wealth. Council's approach to tree management and this DCP reflects these values.

Development should seek to retain existing trees and vegetation, where possible.

Woollahra LEP, clause 5.9 *Preservation of trees or vegetation*, seeks to preserve the amenity of the area including the biodiversity values, through the preservation of trees and other vegetation. The LEP clause identifies that Council, through a DCP, can require a permit or development consent for tree works (i.e. to prune or remove a tree) where the species, size, location or other criteria are prescribed in a DCP.

This chapter of the DCP establishes the list of prescribed trees, and works to those trees that require Council's approval. This chapter also identifies trees and works that do not require approval.

3.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

3.1.2 Development to which this chapter applies

This chapter applies to tree works proposed to be carried out on or near a prescribed tree. Tree works include pruning any tree part, removing, injuring or willfully destroying a tree, and the like.

If a tree is not identified in this chapter as a prescribed tree, approval for the tree works is not required. Section E3.4 of this chapter also identifies types of trees and works that do not require approval.

3.1.3 Objectives

The objectives of this chapter are:

- 01 To identify trees which are prescribed for the purpose of clause 5.9(2) of Woollahra LEP.
- 02 To define the different circumstances under which a development consent or permit application is required for works to a prescribed tree.
- 03 To promote, maintain and conserve the leafy character of the Woollahra Municipality.
- 04 To conserve significant trees of historic, cultural, commemorative, scientific, visual or aesthetic importance.
- 05 To find a balance between maintaining Woollahra's canopy cover and providing for development on private land.

3.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

3.1.5 Relationship to other documents

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Under the Exempt and Complying Development Codes SEPP, a complying development certificate can be issued for the removal or pruning of a tree or other vegetation under the General Housing Code (Part 3) and the Commercial and Industrial (New Buildings and Additions) Code (Part 5A), subject to compliance with the specified development standards. Refer to the Codes SEPP for details.

Register of Significant Trees (1991)

The register establishes a list of trees located on private property and public land that are identified as significant to the surrounding area. The register is available on the Council website.

Tree Management Policy (2014)

The Woollahra Tree Management Policy (TMP) covers public and private trees in the Municipality. The policy defines the key principles and processes Council uses for maintaining public and private tree collections in a safe, healthy and environmentally sensitive way.

The policy aims to improve the safety and wellbeing of the public, and of staff and contractors working on trees. It is also used as a reference by staff, Councillors, residents and tree workers who need to make or understand decisions about managing and maintaining public and private trees. The TMP also outlines the management principles and guidelines for matters such as road and pedestrian path clearances and view pruning. The TMP is available on the Council website.

Woollahra Street Tree Master Plan (2014)

The Woollahra Street Tree Master Plan is a guide to aid in the maintenance and provision of street trees across the municipality. The objective of the Master Plan is to provide a sustainable and strategic framework that is used for the management of Woollahra's street tree canopy.

The Master Plan contributes to the collective urban forest for the benefit of all through good planning, maintenance, enhancement and reinforcing Council's ongoing commitment to the protection of trees. The Master Plan is available on the Council website.

Australian Standard AS 4373 Pruning of Amenity Trees

This standard is used as a guide when assessing applications and defines uniform tree pruning procedures and practices in order to minimize the adverse or negative impact of pruning on trees.

Australian Standard 4970 Protection of trees on development sites

This standard is used to provide guidance for the protection of trees in the planning and development processes.

Development Application (DA) Guide

The DA Guide explains how to prepare a development application. In particular, it includes several detailed specifications on how to present arboricultural information.

The guide provides a step-by-step guide to all the things needed before submitting an application, and should be used as a checklist for completing plans and other supporting documentation. The DA Guide is available on the Council website.

E3.2 Trees and works that require approval

A person must not undertake works to a prescribed tree without development consent or a permit granted by Council.

This section identifies what trees are “prescribed”, and sets out the approval mechanism that applies.

3.2.1 Prescribed trees

The species or kinds of trees that are prescribed for the purpose of clause 5.9(2) of Woollahra LEP are:

1. Any tree or palm, whether of indigenous, endemic, exotic or introduced species with a diameter spread of branches greater than 3m or with a height greater than 5m, irrespective of the spread of branches, and that is not identified in this chapter as exempt.¹
2. Any tree, whether of indigenous, endemic, exotic or introduced species with roots greater than 50mm diameter, but only if root pruning is proposed.
3. Any tree or palm identified in Council's Significant Tree Register.
4. Any tree or palm identified in Schedule 5 Environmental Heritage of Woollahra LEP, or located on land identified in Schedule 5 including:
 - a) a tree listed as a heritage item;
 - b) a tree located on land identified as containing a heritage item; or
 - c) a tree on land within a heritage conservation area.
5. Any bushland as defined in *State Environmental Planning Policy 19 - Bushland in Urban Areas*.

3.2.2 Works that requires a development application

A development application (DA) is required for the tree works if the tree is a type prescribed in Section 3.2.1 above, and any of the following apply:

1. the proposed works to the tree are part of an application for other building work or development that requires a DA;
2. the tree is identified in Council's Significant Tree Register and the tree works involve the removal of the tree; or
3. the tree is identified in Schedule 5 Environmental Heritage of Woollahra LEP, or located on land identified in Schedule 5, and the tree works are not minor (i.e. may have an impact on heritage significance and amenity).

¹ Certain types of tree or works are exempt, for example, noxious weeds. Refer to Section E3.3 below for the list of exempt trees and works.

3.2.3 Works that requires a tree permit

A permit application is required for the tree works to a prescribed tree whenever development consent does not apply, as required in Section 3.2.2 above.

For example, a permit is required if:

1. the tree is identified on Council's Significant Tree Register and the proposed work is to prune the tree; or
2. the tree is located on land identified as a heritage item in Schedule 5 of Woollahra LEP and the proposed works are minor (e.g. will not have an impact on heritage significance or amenity).

E3.3 Assessing a development application or a tree permit

This section identifies the matters that Council will consider when determining an application for works in or near prescribed trees.

These matters are to be addressed by the applicant when describing the proposed works.

Council may request additional information in the form of an Arboricultural Assessment (refer to the DA Guide) to assist in the determination. However, providing this assessment report does not guarantee that the work will be approved.

Note, Council does not undertake a comprehensive assessment of the tree as part of the application process, and staff are unable to provide advice on the health or structural condition of trees on private land.

Arboricultural assessment requirements

The arboricultural assessment report will only be accepted when prepared by an arborist with a minimum qualification of Level 5 under the Australian Qualification Framework.

The company preparing the report must not be financially affiliated or have a business relationship with a tree removal/pruning company.

(Refer to the DA Guide for more information).

3.3.1 Matters to be considered—all applications

The following matters will be considered when assessing development applications and permit applications:

1. The species, health, structural condition, age, growing environment and landscape significance.
2. Where pruning is proposed, the view pruning guidelines in the Woollahra Tree Management Policy 2011 will apply.
3. Where tree removal is proposed, the following matters will also be considered:
 - a) the surrounding canopy cover;
 - b) amenity issues; and
 - c) the opportunity for replacement planting.

3.3.2 Additional matters to be considered—works requiring a DA

The following additional matters will be considered when assessing development applications:

1. The impact of the proposed works, as assessed against the guidelines in *Australian Standard 4970 Protection of Trees on Development Sites*.
Note: Where removal of the tree is approved, suitable replacement planting will form part of the conditions of development consent.
2. The contribution the tree provides to the canopy cover, amenity, environment and landscape of the immediate and surrounding area.
3. The visual prominence of the tree and its proximity to ridgelines, prominent places, the harbour and public open space.
4. For a tree on the Significant Tree Register—the impact of the proposed works on the amenity and landscape setting of the surrounding area.
5. For a heritage listed tree or a tree located in the grounds of a heritage listed property—the impact of the proposed works on the heritage significance of the item and its curtilage, and the amenity and landscape setting of the surrounding area. A heritage impact assessment may be required.
6. For a tree in heritage conservation areas—the impact of the proposed works on the heritage significance of the conservation area and the amenity and landscape setting of the surrounding area. A heritage impact assessment may be required.
7. Whether the proposal is to be sympathetic to the cultural and historical garden setting. The original garden layout and design should be retained where possible, particularly where the tree is located in an historic grand estate.
8. If the tree is proposed for removal, what replacement tree or trees will be provided? Well established gardens and trees should generally be retained. Replacement trees should be positioned and be of a species that reflect the original garden as much as possible.

3.3.3 Matters that do not justify tree removal or pruning

Generally approval will not be given where the proposed work is for the following:

1. Removal or pruning a tree for leaf, fruit or bark drop.
2. Removal or pruning of a tree for minor shading.
3. Removal or pruning of a tree for minor damage to infrastructure, such as retaining walls and pipes, where the damage can be repaired or the infrastructure restored with the retention of the tree.

Note: Limited space in the urban environment means tree roots can come into conflict with built structures such as pipes and retaining walls. Tree removal will only be considered after alternative options that reduce conflict and accommodate tree growth have been explored.

E3.4 Exempt trees and works

Section 3.2.1 identifies that “any tree or palm, whether of indigenous, endemic, exotic or introduced species with a diameter spread of branches greater than 3m or with a height greater than 5m, irrespective of the spread of branches” is a prescribed tree for the purpose of clause 5.9(2) of Woollahra LEP.

Despite this, a permit or development application is not required for work certain types of trees or works. These exemptions are identified below.

3.4.1 Noxious weeds and exempt species

The following species of trees can be removed without a permit or development consent:

1. **Noxious weeds:** Removal of a species declared a noxious plant under the *Noxious Weeds Act 1993* as prescribed for the Woollahra Municipality; and
2. **Exempt species:** Tree removal or pruning of a species identified in Groups A and B below, provided that the prescribed tree:
 - a) is not identified in the Significant Tree Register;
 - b) is not identified as a heritage item in Schedule 5 of Woollahra LEP; and
 - c) is not located on land identified as containing a heritage item in Schedule 5 of Woollahra LEP, where the description of the heritage item includes the ‘grounds and garden’ or the like.

Group A: Trees in this group can be removed irrespective of height

Botanical name	Common name	Botanical name	Common name
<i>Ailanthus altissima</i>	Tree of Heaven	<i>Nerium oleander</i>	Oleander
<i>Cupressocyparis leylandii</i>	Leyland Cypress	<i>Olea europea var. africana</i>	African Olive
<i>Erythrina spp</i>	Coral Trees	<i>Salix spp</i>	Willow
<i>Ficus elastica</i>	Rubber Tree	<i>Rhizomatous (running) bamboo</i>	Bamboo
<i>Gleditsia triacanthos</i>	Honey Locust	<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Lagunana patersonii</i>	Norfolk Hibiscus	<i>Strelitzia nicolai</i>	Giant Bird of Paradise
<i>Musa cavendishii</i>	Banana	<i>Syagrus romanzoffianum</i>	Cocos Palm

Group B: Trees in this group can be removed if less than 10m in height

Botanical name	Common name
<i>Cinnamomum camphora</i>	Camphor Laurel
<i>Celtis spp.</i>	Hackberry
<i>Populus spp</i>	Poplar

Note: Although approval to remove the tree is not required, notice of the work is required. The owner of the land where the tree is located must give Council written notice of the work at least seven days prior to the work commencing.

3.4.2 Exempt works

The following works can be undertaken without a permit or development consent:

1. **Dead trees:** Removal of dead trees or dead branches of a tree.
Note: Ensure the tree is not leafless because it is a deciduous tree.
2. **Building clearance:** Pruning to remove branches no larger than 50mm in diameter at the nearest branch collar or junction to provide a maximum of 2m clearance to:
 - a) a roof;
 - b) an external face of a building; or
 - c) powerlines as set out under section 48 of the *Electricity Supply Act 1995*.
3. **Parasitic plants:** Removal of parasitic plants from a tree.
4. **Dangerous trees:** Removal or pruning where the tree poses an imminent danger to property or life. Documentary evidence demonstrating that the works are necessary to eliminate an immediate hazard is to be provided to Council by an arborist who holds a minimum Level 5 qualification under the Australian Qualification Framework.
5. **Council works:** Tree removal, pruning, maintenance and replacement by Council or its duly authorised servants or agents, on land owned by, or under the care, control and management of Council.

Work must be undertaken in accordance with the WorkCover NSW Code of Practice for the Amenity Tree Industry and the guidelines in Australian Standard AS 4373 Pruning of Amenity Trees.

Chapter E4 Contaminated Land

Part E ► General Controls for All Development

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Chapter E4 ► Contaminated Land

Contents

E4.1	INTRODUCTION	1
4.1.1	Land where this chapter applies	1
4.1.2	Development to which this chapter applies	1
4.1.3	Objectives.....	1
4.1.4	Relationship to other parts of the DCP	2
4.1.5	Relationship to other documents	2
E4.2	MATTERS TO CONSIDER WHEN LODGING A DEVELOPMENT APPLICATION.....	3
4.2.1	Initial evaluation.....	3
E4.3	SITE INVESTIGATION PROCESS REQUIRED IF THE LAND MAY BE CONTAMINATED	5
4.3.1	Stage 1 - Preliminary investigation	5
4.3.2	Stage 2 - Detailed investigation.....	6
4.3.3	Stage 3 - Remedial action plan.....	6
4.3.4	Stage 4 - Validation and monitoring.....	7
4.3.5	Notification	7
4.3.6	Site audit statements	7
E4.4	MATTERS TO CONSIDER WHEN PREPARING A PLANNING PROPOSAL	8
	APPENDIX 1: SOME ACTIVITIES THAT MAY CAUSE CONTAMINATION	9
	APPENDIX 2: POTENTIAL SOURCES OF SITE HISTORY INFORMATION.....	10
	APPENDIX 3: POLICY ON ACCESS TO INFORMATION.....	11

E4.1 Introduction

Over time, the land within Woollahra has had many different uses including agricultural, commercial, industrial and residential. Areas have also been used to accommodate landfill. Some of these uses may cause land to become contaminated due to the generation of waste products and the use of chemicals, oils and fuels.

If land is contaminated, it can have serious effects on human health and the environment. These effects can have an immediate impact or become a problem in years to come. It is therefore important the land is free from contamination to ensure that the environment is protected for future generations.

When carrying out planning functions, Council is required by legislation to consider whether a previous land use has caused contamination of a site (this includes the potential risk of any future contamination). For example, when assessing development applications or preparing planning proposals, Council is to consider the possibility of land contamination and the implications it has for any proposed or permissible future uses of land.

This chapter identifies requirements for applicants when proposing development and is consistent with the State Government's planning requirements for managing contaminated land under *State Environmental Planning Policy No 55—Remediation of Land* (SEPP 55).

4.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

4.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

This chapter also sets out Council's policy for considering contamination when preparing planning proposals, such as those involving a rezoning, and includes a statement on Council's policy on access to information regarding contamination.

4.1.3 Objectives

The objectives of this chapter are:

- 01 To establish a policy and procedural framework for integrating contaminated land management into the planning and development process consistent with SEPP 55 and the Guidelines.
- 02 To ensure that changes of land use will not increase the risk to health or the environment.
- 03 To avoid inappropriate restrictions on land use.
- 04 To provide information to support decision making and inform the community.

4.1.4 Relationship to other parts of the DCP

All applications, regardless of whether relating to a residential, commercial, community or other land use, must undertake an initial evaluation for contamination as set out in Section 4.2.1 below.

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

4.1.5 Relationship to other documents

The New South Wales Government recognises that the management of contaminated land is a major issue for public agencies, industry and the community. It has established a statutory framework and supporting guidelines to provide a comprehensive, consistent, whole of government approach to contamination and remediation.

Some of the primary documents are identified below, and are to be read in conjunction with this chapter:

- ▶ *Contaminated Land Management Act 1997 (CLM Act)*;
- ▶ *State Environmental Planning Policy No. 55 Remediation of Land (SEPP 55)*; and
- ▶ *Managing Land Contamination: Planning Guidelines (SEPP 55 Guidelines)*.

Note: In this chapter certain terms have the meaning defined in the CLM Act, or SEPP 55.

E4.2 Matters to consider when lodging a development application

When assessing development applications, section 79C(1) of the Act requires Council to consider “...the suitability of the site for the development”. The risk to health and the environment from contamination is included in the assessment.

Council must also consider clause 7(1) of SEPP 55, which states:

(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Section 7.2.1 below sets out the initial evaluation procedures for considering the likelihood that land the subject of a development application may be contaminated.

Restrictions may then be imposed to reduce the risk of exposure to contaminated materials to acceptable levels. These restrictions may be imposed, or resolved, at different stages of the planning and development process. For instance:

- ▶ If the contamination status of land is unknown, no change in use which may increase the risk of harm should occur until the land has been investigated.
- ▶ If contamination causes an unacceptable risk of harm the use of the land will be restricted to reduce the risk to acceptable levels.
- ▶ If remediation has reduced the risk to acceptable levels no restriction on land use is necessary.

4.2.1 Initial evaluation

Initial evaluation required for every development application

An initial evaluation must accompany every development application, except applications required to be accompanied by a preliminary investigation (see Section 4.3.1 below).

The initial evaluation is essential to determine whether contamination is an issue, and whether sufficient information is available to carry out a planning function.

The purpose of this initial evaluation is to determine whether land contamination is relevant to the decision being made and whether further information is required from the proponent. Land contamination may be an issue either because of the history of the subject land or the history of neighbouring land.

The initial evaluation should be based on available factual information, including current zoning and permissible uses, records from previous rezonings, development applications, building applications, construction certificates and property files.

A list of potential sources of site history information is provided in Appendix 2 of this chapter. In particular, the initial evaluation should provide details of:

- ▶ present use of the site;
- ▶ date the present use commenced;
- ▶ previous uses of the site (if known);
- ▶ present and previous uses of the adjoining land (if known);
- ▶ whether the present or previous uses of the site, and adjoining lands, were potentially contaminating uses as listed in Appendix 1; and
- ▶ whether there has been any testing or assessment of the site for land contamination.

The SEPP 55 Guidelines include a checklist of what should be considered when preparing the initial evaluation.

The initial evaluation should provide sufficient information to allow Council to proceed with an assessment of a development application.

The applicant is responsible for making the necessary enquiries to obtain the information required to be included in the initial evaluation. The initial evaluation must identify the source of the information on which the evaluation is based. For example, information may be sourced from Council's property files, local history library and oral history.

If the initial evaluation does not provide sufficient information, Council may require further information.

Initial evaluation indicates the land may be affected by contamination

If the initial evaluation indicates that there is, or may be, contamination on the land, or that contamination may affect the land, the applicant must investigate the site and provide Council with the further information. These further investigations are generally in the form of a site investigation process, consistent with the SEPP 55 Guidelines.

E4.3 Site investigation process required if the land may be contaminated

The site investigation process involves more detail on gathering and interpreting information for making planning decisions.

The four stages of the site investigation process are:

- ▶ Stage 1 - Preliminary investigation
- ▶ Stage 2 - Detailed investigation
- ▶ Stage 3 - Remedial action plan
- ▶ Stage 4 - Validation and monitoring

The appropriate level of evaluation and investigation will depend upon the circumstances of each site.

The applicant is responsible for engaging someone to undertake the site investigation process. The investigations, plans, validation and monitoring must be prepared by a suitably qualified and experienced person, and carried out in accordance with the SEPP 55 Guidelines and any other guidelines by the Department of Environment and Heritage (OEH).

A summary of these stages is provided below. More detailed information is contained in the SEPP 55 Guidelines. Council will have regard to the relevant heads of consideration in Section 3.5 of the Guidelines when assessing any investigations, plans, validations and monitoring submitted.

4.3.1 Stage 1 – Preliminary investigation

The main objectives of a preliminary investigation are to identify any past or present potentially contaminating activities, provide a preliminary assessment of any site contamination and, if required, provide a basis for a more detailed investigation.

Council will require a preliminary investigation to be submitted with a development application in accordance with clause 7(4) of SEPP 55 where:

7(4) *The land concerned is:*

- (a) *land that is within an investigation area,*
- (b) *land on which development for a purpose referred to in Table 1 of the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

In accordance with the SEPP 55 Guidelines, Council may also require a preliminary investigation to be submitted when:

- ▶ The subject site or land in the vicinity is, or may be, associated with potentially contamination activities listed in Appendix 1 of this chapter but it is not known whether contamination exists.
- ▶ The land was, or is, regulated by a regulatory authority in relation to land contamination, and there is insufficient information available about the nature and extent of contamination.
- ▶ The land has been investigated or remediated but there is insufficient information available about the nature and extent of contamination, or the circumstances have changed.
- ▶ There are restrictions on, or conditions attached to, the use of the site by regulatory or planning authorities that are, or may be, related to contamination, but there is insufficient information available about the nature and extent of contamination.
- ▶ Council records have demonstrated that the land is associated with complaints about pollution or illegal dumping of wastes but it is not known whether contamination exists.
- ▶ A sensitive use including, but not necessarily limited to, residential, educational, recreational, hospital or childcare is proposed on the land and records on the site history are unclear about whether the land has been used in the past for a purpose listed in Appendix 1 of this chapter.

4.3.2 Stage 2 – Detailed investigation

The objectives of a detailed investigation are to:

- ▶ define the nature, extent and degree of contamination;
- ▶ assess potential risk posed by contaminants to health and the environment; and
- ▶ obtain sufficient information to develop a remedial action plan, if required.

A detailed investigation is necessary when a preliminary investigation indicates that the land is contaminated or that it is, or was formerly, used for an activity listed in Appendix 1 and a land use change is proposed that has the potential to increase the risk of exposure to contamination.

Refer to the SEPP 55 Guidelines for more information on what is to be included in a detailed investigation.

4.3.3 Stage 3 – Remedial action plan

If investigations find that contamination makes the land unsuitable for the proposed use and remediation is required, a remedial action plan must be prepared and submitted prior to Council making a determination.

Under SEPP 55, clause 9(e)(ii), remediation work in a heritage conservation area is Category 1 remediation work and therefore requires consent.

Refer to the SEPP 55 Guidelines for more information on what is to be included in a detailed investigation. Council reserves the right to require a site audit of the remedial action plan.

4.3.4 Stage 4 – Validation and monitoring

The objective of validation and monitoring is to demonstrate whether the objectives stated in the remedial action plan and any conditions of development consent have been achieved.

SEPP 55 requires a notice of completion for all remediation work.

4.3.5 Notification

Where Council or the applicant (including their consultant or site auditor) considers that the contamination at the subject site is significant and warrants regulation under the CLM Act, the OEH may need to be notified.

There is a legal duty on owners of land as well as persons whose activities have contaminated land to notify the OEH as soon as practicable after becoming aware that contamination poses a significant risk of harm to human health or the environment (see Section 60, CLM Act).

4.3.6 Site audit statements

A site audit is an independent review of any or all stages of the site investigation process, conducted in accordance with the CLM Act and the SEPP 55 Guidelines.

A site audit may review a preliminary investigation, a detailed investigation, a remedial action plan or a validation report. Council may require a site audit at any stage in the decision making process.

Under Section 3.6.1 of the SEPP 55 Guidelines, a site audit will be required if Council:

- ▶ believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete;
- ▶ wishes to verify the information provided by the proponent adheres to appropriate standards, procedures and guidelines; and/or
- ▶ does not have the internal resources to conduct its own technical review.

A site audit will also be requested if legislation requires one.

The applicant is responsible for engaging a suitably qualified and experienced consultant to undertake a site audit statement in accordance with these guidelines.

A site audit will lead to the provision of a certificate called a site audit statement, stating the purpose for which the land is suitable. Only site auditors accredited by the OEH can issue site audit statements.

The NSW EPA has prepared guidelines (second edition draft) for the NSW Site Auditor Scheme June 2002, which provides guidelines on:

- ▶ the NSW Site Auditor Scheme;
 - ▶ process of appointing site auditors;
 - ▶ legal, administrative and technical directions; and
 - ▶ site auditors and the preparation of site audit statements.
-

E4.4 Matters to consider when preparing a planning proposal

In preparing planning proposals for rezoning land, consideration should be given to the possibility of the land being affected by contamination. The procedure for determining the risk of contamination is the same as the procedure for development applications in Section E4.2 above.

However, for planning proposals the procedure only applies if the proposed zone would permit a change of use on the land, and one of the following criteria is met:

- ▶ the land is significantly contaminated land (declared under the CLM Act);
- ▶ development for a purpose referred to in Appendix 1 of this chapter is being, or is known to have been carried out on the land; or
- ▶ it is proposed to carry out development on the land for residential, educational, recreational, child care purposes or a hospital, and there is an incomplete historical knowledge of the land, or it may have been previously lawful to carry out on the land a use identified in Appendix 1 of this chapter.

For all planning proposals, the onus will be on the applicant to demonstrate to Council that the site is suitable for the proposed rezoning. If Council is preparing a rezoning, it will ensure the requirements of SEPP 55 are met.

All planning proposals will be submitted to the Minister for Planning and Infrastructure for review. The Minister will determine whether or not the planning proposal should proceed.

Appendix 1: Some activities that may cause contamination

The following activities may cause land contamination:

- ▶ acid/alkali plant and formulation;
- ▶ agricultural/horticultural activities;
- ▶ airports;
- ▶ asbestos production and disposal;
- ▶ chemicals manufacture and formulation;
- ▶ defence works;
- ▶ drum re-conditioning works;
- ▶ dry cleaning establishments;
- ▶ electrical manufacturing (transformers);
- ▶ electroplating and heat treatment premises;
- ▶ engine works;
- ▶ explosives industry;
- ▶ gas works;
- ▶ iron and steel works;
- ▶ landfill sites;
- ▶ metal treatment;
- ▶ mining and extractive industries;
- ▶ oil production and storage;
- ▶ paint formulation and manufacture;
- ▶ pesticide manufacture and formulation;
- ▶ power stations;
- ▶ railway yards;
- ▶ scrap yards;
- ▶ service stations;
- ▶ sheep and cattle dips;
- ▶ smelting and refining;
- ▶ tanning and associated trades;
- ▶ waste storage and treatment; and
- ▶ wood preservation.

Note: This appendix is a guide only. It is not sufficient to rely solely on the contents of this appendix to determine whether a site is likely to be contaminated or not.

A conclusive 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.

Appendix 2: Potential sources of site history information

Potential sources of information about past and current activities that may indicate land contamination:

- ▶ NSW Department of Environment and Heritage;
- ▶ Sydney Water;
- ▶ WorkCover Authority of New South Wales;
- ▶ Energy Australia; and
- ▶ Local history libraries including the Woollahra Library Information Service.

Information on land contamination may be contained in a range of documents within Council's records. Access to these documents and information may be obtained in accordance with Council's policy on access to information. For example, Council records can also be searched for:

- ▶ historical development applications, building approvals and other approvals; and
- ▶ current and historical land use zoning.

Local history searches of a particular site (and adjoining sites) may indicate previous activities as listed in Appendix 1, could involve the following:

- ▶ Sand's Sydney and New South Wales Directory 1858 to 1932/3;
- ▶ local history publications;
- ▶ past and present telephone books;
- ▶ long term residents;
- ▶ current and past site workers;
- ▶ aerial photographs;
- ▶ historical development applications, building approvals and other approvals; and
- ▶ current and historical land use zoning.

Appendix 3: Policy on access to information

Council has an important role in supplying information regarding land use history, land contamination and remediation. Council also has a statutory responsibility under section 59 of the CLM Act to include information about land contamination provided to Council by either the OEH or accredited auditors on planning certificates issued under section 149 (2) of the Act.

Knowledge about contamination and the relevance of contamination as an issue will change over time as land is investigated, remediated for particular uses, or as standards for remediation change to accommodate changing values.

Section 149 planning certificate

Section 149(2) planning certificates issued by Council will contain certain information as prescribed by the CLM Act, section 59(2) to notify people that the land is significantly contaminated, or is the subject of a management order, approved voluntary management proposal, ongoing maintenance order, or site audit statement.

The section 149(2) planning certificate does not itself restrict the use of land. It is simply the mechanism for recording the fact that a Council policy applies which may restrict the use of land.

An application for a planning certificate under section 149(2) of the Act may be made for an individual property. That certificate will include responses to specific questions on land contamination.

In addition to the prescribed matters under the CLM Act, the Regulation requires Council to indicate on a section 149(2) planning certificate whether land is affected by an adopted policy that restricts development of land due to contamination.

This chapter is Council's policy on contaminated lands and may have the effect of restricting development on certain lands and will be referred to in the section 149(2) planning certificate. Accordingly, the following statement will be included on all section 149(2) planning certificates.

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Consideration of council's policy and the application of provisions under relevant State legislation is warranted.

Chapter E5 Waste Management

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

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Chapter E5 ▶ Waste Management

Contents

E5.1 INTRODUCTION	1
5.1.1 Background	1
5.1.2 Land to which this chapter applies	1
5.1.3 Development types that this chapter applies to	1
5.1.4 Objectives.....	1
5.1.5 Relationship to other parts of the DCP	2
5.1.6 Preparing your development application	2
E5.2 DEMOLITION AND CONSTRUCTION PHASE	3
E5.3 ON-SITE WASTE AND RECYCLING CONTROLS FOR ALL DEVELOPMENT	4
E5.4 DWELLING HOUSES, SEMI-DETACHED DWELLINGS AND DUAL OCCUPANCIES	7
E5.5 MULTI DWELLING HOUSING AND RESIDENTIAL FLAT BUILDINGS	8
E5.6 COMMERCIAL AND NON-RESIDENTIAL DEVELOPMENTS	10
E5.7 MIXED USE DEVELOPMENTS	12

E5.1 Introduction

5.1.1 Background

Waste and resource consumption is a major environmental issue and a priority for all levels of government within Australia. This is particularly the case as landfill sites become scarce and the environmental and economic costs of waste generation and disposal rise. Government and society alike are exposed to the issue of managing the increasingly large volumes of waste generated by society.

The building and construction industry in particular is a major contributor to waste, much of which is still deposited to landfill. Implementing effective waste minimisation strategies has the potential to significantly reduce these volumes as well as reduce costs. Well designed buildings that facilitate waste separation, recycling and composting support ongoing sustainability and recycling objectives.

This chapter identifies the on-site waste and recycling facilities that are to be included in the design of the development for its demolition, construction and ongoing use. It also identifies that a Site Waste Minimisation and Management Plan (SWMMP) is to be submitted with a development application (DA).

5.1.2 Land to which this chapter applies

This chapter applies to all land within the Woollahra Municipality.

5.1.3 Development types that this chapter applies to

This chapter applies to development that requires development consent, including development involving demolition and construction.

5.1.4 Objectives

The objectives of this chapter are:

- 01 To assist applicants in planning for sustainable waste management, through the preparation of a site waste minimisation and management plan.
- 02 To identify on-site requirements for waste and recycling storage and management, having regard to access and amenity.
- 03 To ensure waste management systems are compatible with collection services.

5.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business centres that apply to the land.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

5.1.6 Preparing your development application

On-site waste and recycling facilities

All DAs are to address the provisions in Section E5.2 and E5.3 of this chapter.

In addition, the following sections also apply to certain types of development:

- ▶ For dwelling houses, semi-detached dwellings and dual occupancies—refer to Section E5.4;
- ▶ For multi dwelling housing and residential flat buildings—refer to Section E5.5;
- ▶ For commercial and non-residential development—refer to Section E5.6; and
- ▶ For mixed use development—refer to Section E5.7.

Site Waste Minimisation and Management Plan

The SWMMP outlines measures to minimise and manage waste generated during the demolition, construction, and ongoing use of the site.

The SWMMP identifies:

- ▶ volume and type of waste and recyclables to be generated;
- ▶ storage and treatment of waste and recyclables on site;
- ▶ disposal of residual waste and recyclables;
- ▶ operational procedures for ongoing waste management once the development is complete; and
- ▶ information to be shown on the DA plans.

Council's DA Guide contains a template for preparing the SWMMP. All information in the template is to be addressed.

Maximum waste minimisation and management benefits are achieved when the SWMMP is considered from the earliest stages of the development. It is for this reason that the SWMMP is generally required with the DA.

Council may allow an exception where both a DA and a construction certificate (CC) are required for a development. In such cases, a preliminary SWMMP may be required with the DA and the final SWMMP details relating to the demolition and construction phases must be submitted to Council for approval prior to the CC being issued.

E5.2 Demolition and construction phase

In the initial stages of development, attention to the design, estimating of materials and waste sensitive construction techniques and management practices, can achieve significant rewards in managing waste.

Demolition and construction activity should maximise resource recovery and minimise residual waste through waste avoidance, source separation and recycling. For example, applicants are encouraged to consider possible adaptive reuse of existing buildings, structures, and materials.

Objectives		Controls	
O1	To ensure that sustainable waste and recycling management is considered at the demolition and construction stages of development.	C1	<p>A SWMMP is submitted with development application.</p> <p>The SWMMP includes the following:</p> <ul style="list-style-type: none"> a) the estimated volume of waste generated; to be separately identified for the demolition, construction and ongoing operation phases of development; b) the estimated volume of waste to be reused, recycled or disposed of; to be separately identified for the demolition, construction and ongoing operation phases of development; c) how waste and recyclables will be stored and collected during the demolition and construction phases; and d) measures for waste avoidance that have been incorporated into the design, material purchasing and construction techniques for the proposed development.
O2	To minimise waste during the demolition of buildings or structures.	C2	Development reuses or recycles salvaged materials onsite, where possible.
		C3	Development reuses or recycles excess construction materials, where possible.
O3	To encourage building design and construction techniques that minimise waste generation.	C4	Prefabricated components and recycled materials are used in the building, where possible.
		C5	Site disturbance and excavation is minimised.

E5.3 On-site waste and recycling controls for all development

Waste and recycling facilities should be well designed and accessible to occupants and service providers, as the design affects use, amenity, and the movement and handling of waste for the life of the development.

Objectives	Controls
<p>O1 To ensure that development provides waste and recycling storage areas that meet the waste and recycling needs of tenants.</p>	<p>C1 A SWMMP is submitted with the development application.</p> <p>The SWMMP identifies the waste and recycling storage areas, by showing on the plans, the location and size of:</p> <ul style="list-style-type: none"> a) temporary indoor waste and recycling storage space for each dwelling or tenancy; b) onsite waste and recycling storage areas; c) individual and/or communal composting; d) waste collection points; e) garbage chutes and interim storage facilities for recyclable materials; f) any service rooms (for accessing a garbage chute) on each floor of the building; g) waste compaction equipment; h) waste collection point for the collecting and emptying waste, recycling and garden waste bins; and i) the path of travel for moving bins from the storage area to the collection point, where the collection is in a different location to the storage area. The width, height, grade and accessibility of the path of travel is to be identified.

Objectives		Controls	
O2	To encourage source separation of waste, reuse, and recycling materials.	C2	Waste and recycling storage areas are designed so recyclable materials are separated from general waste.
O3	To ensure that waste and recycle areas are suitably designed and located and do not cause nuisance or negative impacts.	C3	Waste and recycling storage areas are located behind the building line or within non-habitable areas of the building.
		C4	Waste and recycling storage areas are integrated with the design of the overall development and do not detract from the streetscape. For example, external materials and finishes are a similar style and quality to the rest of the development.
		C5	Waste and recycling storage areas and composting areas are located so that the facility: <ul style="list-style-type: none"> a) is convenient and safely located for occupants to access; b) has an unobstructed access to the waste and recycling collection point, free of steps and kerbs and does not have a grade more than 1:8; c) is secure and designed to minimise opportunities for vandalism; and d) does not reduce amenity for occupants of the site and adjoining properties, by way of visual, noise or olfactory impacts.
		C6	Bulk bins, where permitted, are designed to be manually manoeuvred by one person in order to be serviced.

Objectives		Controls	
O4	To ensure that waste and recycling collection points are suitably located.	C7	Waste and recycling collection points must not impact on traffic and pedestrian safety.
		C8	Bins may be collected from a kerb side location where site characteristics, number of bins and length of street frontage do not compromise safety.
		C9	Where kerb side bin collection is not appropriate, bins must be collected on-site.
		C10	Where a collection vehicle is required to enter a property, access driveways and internal roads are designed in accordance with Australian Standard 2890.2 Parking Facilities - Off-Street Commercial Vehicle Facilities - 2002.

E5.4 Dwelling houses, semi-detached dwellings and dual occupancies

Dwelling houses, semi-detached dwellings and dual occupancies are to be designed with suitably sized and located waste areas, and must provide opportunities for recycling and composting.

Note: The size of residential waste and recycling storage areas required in the heritage conservation areas of Paddington and the West Woollahra precinct, respond to the smaller lots typical in those areas.

Objectives	Controls
<p>O1 To promote reuse and recycling in dwelling houses, semi-detached dwellings and dual occupancies.</p>	<p>C1 Each dwelling has an indoor waste and recycling storage space of sufficient size to accommodate at least one day’s waste and recycling generation.</p> <p>C2 Each dwelling has an onsite waste and recycling storage area either located externally behind the building line, or within a non-habitable area of the dwelling.</p> <p>C3 For a dwelling located in an area other than Paddington or West Woollahra, the size of the waste and recycling area accommodates:</p> <ul style="list-style-type: none"> a) 1 x 120L general waste bin; b) 1 x 240L green waste bin; and c) 2 x 55L recycling crates. <p>C4 For a dwelling located in Paddington or West Woollahra—the size of the waste and recycling area accommodates:</p> <ul style="list-style-type: none"> a) 1 x 120L general waste bin; and b) 3 x 55L recycling crates. <p>C5 Each dwelling has an area suitable to accommodate on-site composting.</p>

E5.5 Multi dwelling housing and residential flat buildings

The design of waste and recycling storage areas within the multi dwelling housing and residential flat buildings needs to address specific challenges with regard to waste volumes, ease of access and operation of waste sorting and removal systems.

Resources such as the *Better Practice Guide for Waste Management in Multi-Unit Dwellings* can also be used to inform design of medium density developments.

Objectives		Controls	
O1	To promote reuse and recycling in multi dwelling housing and residential flat buildings.	C1	Each dwelling is provided with an indoor waste and recycling cupboard (or other appropriate storage space) for the interim storage of a minimum one day's garbage and recycling generation.
		C2	For residential flat building, a communal waste and recycling storage area for housing bins is provided.
		C3	For multi dwelling housing, a waste and recycling storage area is provided in the form of an area for each dwelling, or as communal waste and recycling storage area.
		C4	The size and design of the waste and recycling area or areas accommodate: <ul style="list-style-type: none"> a) 120L of residual waste per residential dwelling; b) 55L of recyclables per residential dwelling stored in colour coded, shared use, 120L and/or 240L mobile garbage bins; c) 240L shared use mobile garbage bins for food and garden organics.
		C5	An area or areas suitable to accommodate on-site composting is provided. This may be for a communal facility or an area for each dwelling.
		C6	Development containing 20 or more residential dwellings provides a garbage compaction unit.
		C7	Bulk waste bins are not encouraged and should only be considered for developments containing 12 or more dwellings.

Objectives	Controls
<p>O2 To ensure that waste and recycling collection points are suitably located.</p>	<p>C8 Communal waste and recycling storage rooms should generally be located in a basement location within the main building envelope. Where the storage room is in a separate standalone structure, the room and access to it is designed consistent with Crime Prevention Through Environmental Design (CPTED) principles.</p> <p>C9 Development containing four or more storeys provides a suitable system for the transportation of waste and recyclables from each storey to waste storage and collection areas, such as a garbage chute. This is in addition to the central waste storage area.</p> <p>C10 Development containing 10 or more dwellings provides a dedicated room or caged area for the temporary storage of discarded bulky items which are awaiting removal. This storage area is readily accessible to all residents and located close to the main waste storage area.</p> <p>C11 The travel distance between the waste and recycling storage area to the collection point is not more than 75 metres. For development assessed using <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>, the maximum distance is 50m.</p> <p>C12 Collection and storage facilities are designed to provide an unobstructed and continuous accessible path of travel (as set out in the Australian Standard 1428 Design for Access and Mobility 2001) from the facility to:</p> <ul style="list-style-type: none"> a) the entry of any adaptable housing; b) the principal entrance to each residential flat building; and c) the point at which bins are emptied and collected.

E5.6 Commercial and non-residential developments

Developments containing a range of different non-residential uses present unique waste minimisation opportunities and management requirements. Flexibility in size and layout is often required to cater for the different needs of multiple tenants as well as future changes in use.

Objectives		Controls	
O1	To promote reuse and recycling in mixed use development.	C1	A waste and recycling cupboard is provided for each individual kitchen area in the development, including kitchen areas in hotel rooms, motel rooms and staff food preparation areas.
O2	To ensure waste management systems are suitably located and readily accessible to occupants and service providers.	C2	Each waste and recycling cupboard is designed to hold a minimum of one day's waste and keep general waste separated from recyclable materials.
		C3	A goods lift may be included in multiple storey buildings.
		C4	The size of the waste and recycling storage area or areas is designed to accommodate the rates of waste generation and recyclable material generation identified in Table 1 below.
		C5	Bulk waste bins are not encouraged and should only be considered for developments containing 12 or more tenancies.
		C6	Waste and recycling containers should be collected from a rear lane access point, where possible.

TABLE 1 Waste and recycling generation rates

Premises type	Waste generation	Recyclable material generation
Backpackers hotel	40L/occupant space/week	20L/occupant space/week
Boarding house, guest house	60L/occupant space/week	20L/occupant space/week
Food premises		
Butcher	80L/100m ² of floor area/day	Variable
Delicatessen	80L/100m ² of floor area/day	Variable
Fish shop	80L/100m ² of floor area/day	Variable
Greengrocer	240L/100m ² of floor area/day	80L/100m ² of floor area/day
Restaurant/café	10L/1.5m ² of floor area/day	2L/1.5m ² of floor area/day
Supermarket	240L/100m ² of floor area/day	240L/100m ² of floor area/day
Takeaway food shop	80L/100m ² of floor area/day	Variable
Hairdresser, beauty salon	60L/occupant space/week	Variable
Hotel, licensed club, motel	5L/bed space/day	1L/bed space/day
	50L/100m ² of bar area/day	50L/100m ² of bar area/day
	10L/1.5m ² of dining area/day	50L/100m ² of dining area/day
Offices	10L/100m ² of floor area/day	10L/100m ² of floor area/day
Shop up to 100m ² floor area	50L/100m ² of floor area/day	25L/100m ² of floor area/day
Shop greater than 100m ² floor area	50L/100m ² of floor area/day	50L/100m ² of floor area/day
Showroom	40L/100m ² of floor area/day	10L/100m ² of floor area/day

Source: Model Waste Chapter 2008 - Department of Environment and Climate Change

E5.7 Mixed use developments

In mixed use development where residential and commercial land uses occur within the one building or development site, waste management needs to address the different demands and preserve residential amenity.

Objectives		Controls	
O1	To promote reuse and recycling in mixed use developments.	C1	The waste and recycling storage area for the residential component is separate to the waste storage area provided for the commercial component.
		C2	The controls in Section E5.5 (Multi dwelling housing and residential flat buildings) apply to the residential component of mixed use development.
		C3	The controls in Section E5.6 (Commercial and non-residential developments) apply to the non-residential component of mixed use development.

Chapter E6 Sustainability

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter E6 ▶ Sustainability

Contents

E6.1	INTRODUCTION	1
6.1.1	Background	1
6.1.2	Land where this chapter applies	1
6.1.3	Development types to which this chapter applies	1
6.1.4	Objectives.....	1
6.1.5	Relationship to other parts of the DCP	2
6.1.6	Relationship to other documents	2
E6.2	COMMERCIAL AND NON-RESIDENTIAL BUILDINGS.....	3
E6.3	SOLAR ENERGY SYSTEMS	7

E6.1 Introduction

6.1.1 Background

Ecologically sustainable development (ESD) seeks to integrate environmental, economic and social considerations in decision making. Building sustainability is an important consideration in the design, construction and ongoing use of buildings. Applying ESD principles to development helps minimise greenhouse gas emissions and reduce energy and water costs for households and businesses.

6.1.2 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

6.1.3 Development types to which this chapter applies

This chapter applies to the following development:

- ▶ commercial development that requires consent;
- ▶ non-residential development that requires consent;
- ▶ solar energy systems that do not meet the provisions in the *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP); and
- ▶ solar energy systems that meet the criteria in the Infrastructure SEPP but form part of other works that require consent.

Applying best practice to other development

Council encourages applicants to apply sustainability principles to all development. In particular, the design principles in the BASIX planning tool may be considered for alterations and additions to residential buildings that are less than \$50,000.

6.1.4 Objectives

The objectives of this chapter are:

- 01 To promote ESD in the design, construction and use of non-residential buildings.
- 02 To encourage the use of environmentally sustainable building materials.
- 03 To maximise the benefits of passive solar design.
- 04 To promote the use of renewable energy sources while minimising visual impacts, particularly when located in heritage conservation areas.

6.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

6.1.6 Relationship to other documents

State environmental planning policies

The State Government also requires sustainability to be considered in the design, construction and ongoing use of buildings. These requirements are set out in the following State environmental planning policies (SEPPs):

- ▶ Building Sustainability Index: BASIX 2004 (BASIX)—applies to residential development and sets sustainability targets for water, energy and minimum performance levels for thermal comfort. The BASIX scheme ensures a state-wide consistent approach to sustainability and, as at July 2103, applies to:
 - all new residential buildings with one or more dwellings but not a hotel or motel;
 - alterations and additions to a residential building that has a value of \$50,000 or more;
 - swimming pools and/or spas that serve one dwelling with a capacity of 40,000L or more.
- ▶ Infrastructure SEPP—includes exempt and complying development provisions for the installation of the following types of solar energy systems: photovoltaic electricity generating systems, solar hot water systems, solar air heating systems.
- ▶ Exempt and Complying Development 2008 (Codes SEPP)—includes exempt and complying development provisions for certain low impact developments including the installation of hot water systems, rainwater tanks, shade structures, skylights, roof windows and ventilators.

National Construction Code

National Construction Code (NCC), Section J, includes mandatory minimum energy performance requirements for Class 3 and Class 5 to 9 buildings. The objective is to reduce building greenhouse gas emissions by improving operational efficiency of buildings by addressing matters such as building fabric, thermal performance and glazing.

E6.2 Commercial and non-residential buildings

This section seeks to promote ESD in commercial and non-residential development by minimising water use, fuel use and greenhouse gas emissions in the design, construction and use of buildings.

Development should seek to achieve a NABERS (National Australian Built Environment Ratings System) rating of at least 4 stars, or equivalent under other rating systems.

A 4 star rating represents “good performance” under the NABERS Energy and Water tool, which measures performance on a rating scale from 1 to 6 stars. A 4 star rating can be generally achieved through compliance with the National Construction Code and thoughtful building design and addressing such matters as identified in the table below.

Note: In addition to the building design matters identified in this chapter, applicants should have regard to the choice of internal fittings, as the energy performance of a building can be greatly improved by selecting water conservation devices (such as 4 star taps and 4 star dual flush toilets), energy efficient space heating and cooling systems, energy efficient lighting, and gas or electric boosted solar hot water systems.

Objectives		Controls	
O1	To promote development of sustainable buildings development design and construction.	C1	<p>Office development with a gross floor area of at least 1,000m² achieves a minimum 4 star NABERS rating.</p> <p>Notes:</p> <ul style="list-style-type: none"> i) C1 above applies to new development and work involving significant alterations and additions to existing development. ii) For the purpose of the above control, the calculation of gross floor area does not include parking, loading or vehicular access, to these areas. iii) To demonstrate that this rating will be achieved, the applicant is to submit with the DA: <ul style="list-style-type: none"> a) an ESD Statement prepared by an accredited professional providing design evidence that a NABERS 4 star rating can be achieved; or b) evidence of a Commitment Agreement. A Commitment Agreement is a contract between the NABERS National Administrator, the Office of Environment and Heritage NSW (OEH) and the building proponent to design,

Objectives	Controls
	<p>build and commission the premises to achieve a NABERS Energy star rating of 4 or more.</p>
<p>O2 To design buildings to reduce the need for artificial heating and cooling, and artificial lighting during daylight hours.</p>	<p>C2 Building articulation, courtyards and light wells allow daylight into internal areas.</p> <p>C3 Windows for buildings are oriented towards the north for maximum solar access.</p> <p>C4 Building elements such as eaves, awnings, operable louvres, projecting sun shades, screens, blinds and balconies maximise solar access in winter and sun shading in summer.</p>
<p>O3 To ensure that window placement maximises opportunities for cross ventilation.</p>	<p>C5 Subject to privacy impacts to adjoining properties, buildings contain external windows to provide direct light and natural ventilation.</p> <p>C6 Subject to privacy impacts to adjoining properties, window openings are located in opposite walls and in line with each other to provide for natural cross ventilation.</p> <p>C7 Buildings are designed to facilitate convective currents. This may be by:</p> <ul style="list-style-type: none"> a) locating small windows on the windward side and larger windows on the leeward side; and b) designing buildings to draw cool air in at lower levels and allowing warm air to escape at higher levels.

Objectives	Controls
<p>O4 To ensure that the use of glazing maximises solar penetration during winter months.</p>	<p>C8 Main windows facing between 110° east and 110° west of north are designed to be energy efficient (i.e. low emissivity or double glazed).</p> <p>C9 Development provides appropriate sun protection during summer for glazed areas. Extensive areas of glazing are protected from sun during summer using shading devices. Unprotected tinted windows are not an acceptable solution.</p>
<p>O5 To reduce water consumption and encourage on-site water retention and re-use.</p>	<p>C10 For landscaped garden areas in commercial developments, building design incorporates the following measures to minimise mains water demand and consumption:</p> <ul style="list-style-type: none"> a) rainwater tanks to supply water for plant watering, toilet flushing, outdoor cleaning and cooling systems for the building; b) where suitable, roof gardens to reduce stormwater run-off and provide insulation; c) an irrigation system to minimise waste water; and d) water retention within gardens to direct run-off from impervious uses and water tanks to deep soil areas. <p>C11 Desalination plants are avoided. Desalination plants are not an appropriate water management option because they are an energy intensive and inefficient method for providing fresh water.</p>

Objectives	Controls
<p>O6 To encourage tree selection that reduces the need for artificial heating and cooling of buildings.</p>	<p>C12 Subject to view impacts to adjoining properties, wide canopied deciduous trees are planted to the north of buildings to provide shade during warmer months and allow sunlight penetration during cooler months.</p> <p>C13 Subject to view impacts to adjoining properties, evergreen trees are planted to the west and east of buildings to prevent glare and heat during warmer months.</p>

E6.3 Solar energy systems

A solar energy system includes a photovoltaic electricity generating system, solar hot water system, or solar air heating system.

These solar energy systems are often exempt or complying development under the Infrastructure SEPP (refer to Part 3, Division 4, Electricity generating works or solar energy systems).

However, a development application is required to be lodged for a solar energy system when:

- the system is proposed on land that is located in a heritage conservation area, and the system does not meet the standards for exempt development in the SEPP; and
- the system is proposed on land that is located outside a heritage conservation area, and the system does not meet the standards for exempt or complying development in the SEPP.

In these circumstances, the controls in the table below apply.

The controls also provide guidelines for the design and location of solar energy systems that form part of other works that require the development consent. For example, a development application for a dwelling house may include solar energy systems. In these cases, the solar energy system is assessed as part of the development proposal for the new building.

Objectives		Controls	
O1	To minimise the amenity impacts of solar energy systems particularly in regard to streetscape impacts, scenic quality, visual impact and view loss.	C1	The solar energy system meets the following location requirements: <ul style="list-style-type: none"> a) is in line with the roof surface or no more than 300mm above and parallel with the roof surface; b) is located behind the front setback and not visible from the street; c) does not involve mirrors or lenses to reflect or concentrate sunlight; and d) for buildings in heritage conservation areas and buildings which are heritage items— is not located on any part of a roof plane, wall or chimney of the principal building form.
		C2	The location of the solar energy system does not have an unreasonable visual impact on: <ul style="list-style-type: none"> a) the streetscape and scenic quality of the area; b) visual quality of the area when viewed from the harbour or a public

Objectives	Controls
	<p>recreation area;</p> <p>c) amenity of adjoining and adjacent properties; or</p> <p>d) existing harbour and city views obtained from private properties.</p> <p>Note: A view analysis and/or heritage impact assessment may be required as a part of the DA to detail the extent of potential impacts.</p>

Chapter E7 Signage

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

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Chapter E7 ▶ Signage

Contents

E7.1	INTRODUCTION	1
7.1.1	Land where this chapter applies	1
7.1.2	Development types that this chapter applies to	1
7.1.3	Objectives.....	2
7.1.4	Relationship to other parts of the DCP	2
7.1.5	Relationship to other documents	2
E7.2	GENERAL SIGNAGE CONTROLS—ALL AREAS.....	3
7.2.1	Building identification signs and business identification signs.....	4
7.2.2	When external painting of a building constitutes a wall sign	10
E7.3	HERITAGE CONSERVATION AREAS AND ON HERITAGE ITEMS	11
7.3.1	Signage in heritage conservation areas and on heritage items	12

E7.1 Introduction

Signage includes an advertising structure, a building identification sign and a business identification sign. Under Woollahra LEP, building identification signs and business identification signs are the only signs permitted in the Woollahra Municipality.

In Woollahra LEP these signs are defined as:

- ▶ “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 does not include general advertising of products, goods or services.
- ▶ “business identification sign” means a sign:
 - a) that indicates:
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed; and
 - b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

This chapter identifies Council’s requirements for signage, addressing matters such as the type of sign, content, size, location and colour to ensure that signage communicates effectively and makes a positive contribution to the public domain.

7.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

7.1.2 Development types that this chapter applies to

Woollahra LEP only permits building identification signs and business identification signs; general advertising signs are prohibited.

This chapter applies to building identification signs and business identification signs that require consent, or that form part of other works that require consent.

This chapter does not apply to small scale and low impact signage identified as exempt development in Woollahra LEP, Schedule 2 or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. However, if the requirements and development standards in the Codes SEPP or Woollahra LEP cannot be met, development consent is required and the provisions of this DCP chapter apply.

7.1.3 Objectives

The objectives of this chapter are:

- 01 To control the erection of building signs and business identification signs.
- 02 To ensure that signage conveys messages reasonable and relevant for the purpose of identifying buildings and individual businesses.
- 03 To ensure that signage in the centres is unobtrusive, informative and compatible with an attractive shopping environment.
- 04 To ensure that the location, size, colour and content of signs does not cause unreasonable visual clutter, or detract from the character of the building to which it is attached or the streetscape in which it is located.
- 05 To identify when external painting of a building constitutes a wall sign.

7.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area or heritage conservation area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land. Additional signage controls apply in some heritage conservation areas (HCA), such as William Street in Paddington. If there is an inconsistency between the controls in this chapter and the controls in Part C, the controls in Part C for the HCAs prevail.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- ▶ Part F: Land Use Specific Controls - this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

7.1.5 Relationship to other documents

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

The Codes SEPP contains Division 2 Advertising and Signage Exempt Development Code. Under the code, common types of building and business identification signs and other signs, such as community notices and real estate signs, are exempt development if the standards are met.

Woollahra LEP

Under Woollahra LEP, Schedule 2, small scale and low impact building identification and wall signs may be undertaken as exempt development in heritage conservation areas or on heritage items if the criteria and standards are met.

E7.2 General signage controls—all areas

Signage is essential to commercial premises, and suitable signage can add interest, character and vitality to the built environment. However poorly designed or placed signs, or too many signs in one location, can affect streetscape amenity.

It is important that commercial operators thinking about signage for their premises remember that acceptability of an impact depends not only on the extent of the impact but also on reasonableness of, and necessity for, the development that causes it. In other words, how many signs are reasonably required to convey the message that the premises is operating from the site?

Signage should never dominate and overwhelm the character of the street. It is important for signage to be well designed, appropriate in scale, and of a quality that enhances the character of the area and helps define a local identity.

The signage should be integrated with the building design. The design, size and colour of signs must not dominate or obscure the architectural character and detail of the building or adjoining buildings. Generally signage should occur below the awning level as signage above the awning level impacts on the visual cohesion of the streetscape.

The objectives and controls in this section apply to signs in the centres and residential areas; additional controls for signage in heritage conservation areas (HCA) also apply, and are set out in Section E7.3. If there is an inconsistency between these general controls and the controls for the HCAs, the controls for the HCAs prevail.



FIGURE 1 Types of signs

- 1 Building identification sign – located on the parapet
- 2 Building identification sign – located on the façade bay
- 3 Fascia sign
- 4 Under awning sign
- 5 Top hamper sign
- 6 Window sign

Buildings in Woollahra’s business zones are predominantly mixed use, with active retail uses at street level and residential or office uses above. Typically an awning separates the retail frontage from the upper levels. The façade of the upper levels should not be used to advertise the business at street level.



FIGURE 2
Permitted signage and advertising on awning,
top hamper and windows

7.2.1 Building identification signs and business identification signs

Objectives	Controls
<p>O1 To limit the types of signs on buildings to those signs that are less likely to contribute to visual clutter or be otherwise visually intrusive.</p>	<p>C1 The signage is:</p> <ul style="list-style-type: none"> a) a building identification sign; b) a business identification sign that is: <ul style="list-style-type: none"> i) wall sign (may be a flush wall or painted wall sign); ii) fascia sign, including a sun-blind attached to the outer edge of the fascia; iii) under awning sign; iv) top hamper sign; v) window sign. <p>Refer to Figure 1 above.</p> <p>C2 The signage is not one of the following types:</p> <ul style="list-style-type: none"> a) roof or sky sign; b) vertical or horizontal projecting wall sign, other than a projecting wall sign in William Street as permitted in Part C of the DCP, Chapter C1 Paddington HCA;
<p>O2 To preserve the existing and future roofscapes and protect views.</p>	

Objectives	Controls
	<ul style="list-style-type: none"> c) pylon or pole sign; d) sky sign; or e) fin sign.
<p>O3 To ensure that signage conveys relevant messages and images and provides effective communication in suitable locations.</p>	<p>C3 The signage is fixed to a building that has been lawfully constructed.</p> <p>C4 The signage relates to uses that have been lawfully established.</p>
<p>O4 To ensure that signage does not contribute to visual clutter or environmental degradation because of its content.</p>	<p>C5 The signage assists in way finding and pedestrian useability.</p> <p>C6 Signage relating to a particular business is attached to that section of the building occupied by that business.</p> <p>C7 The signage does not contain advertising that: <ul style="list-style-type: none"> a) promotes products or services not related to the business being conducted on the site; or b) is for a single product, unless that product is the only merchandise being sold by the business. </p> <p>C8 For a building identification sign, the content is limited to: <ul style="list-style-type: none"> a) street number; b) name of the building; and c) one logo or graphic. </p> <p>C9 For a business identification sign, the content is limited to: <ul style="list-style-type: none"> a) street number; b) name and general nature of the business; c) name of the proprietor or business (or both); and d) one recognised logo or trade name (or both). </p>

Objectives	Controls
	<p>C10 If a corporate logo or graphic appears as part of the signage, it is compatible with the architecture, materials, finishes and colours of the building, and does not have an adverse impact on the character of the building or streetscape.</p>
<p>O5 To ensure that signage is sympathetic to the design and architectural character of the building.</p>	<p>C11 The signage is integrated with the architectural design of the building, having regard to the building composition, fenestration, materials, finishes and colours.</p> <p>C12 The signage does not obscure or extend over any architectural, decorative or other distinguishing feature of the building.</p> <p>C13 The signage is of a high quality design and finish.</p>
<p>O6 To ensure that signs do not contribute to visual clutter or environmental degradation of the public domain because of the type, size or location.</p> <p>O7 To ensure that signage is limited to that reasonably required to convey the message that a particular business is operating from the premises.</p> <p>O8 To ensure that signs are an appropriate size and scale for the building on which they are erected.</p> <p>O9 To ensure that signage is compatible with its context.</p> <p>O10 To protect the amenity of residential development.</p> <p>O11 To ensure that window signs do not compromise active and desirable pedestrian environments.</p>	<p>C14 For signage on a building in a business zone, the total signage area does not exceed a factor of 0.5m² for each metre of the building width at its frontage to a public road.</p> <p>C15 For a building identification sign, the sign:</p> <ul style="list-style-type: none"> a) is located on the main façade of the building; b) is designed as an integral part of the façade; c) may be located above awning height; and d) is generally composed of content that is affixed to the building. <p>Note: Not all buildings will have a building identification sign.</p>

Objectives	Controls
<p>O12 To create an active interface between ground level retail or commercial properties and the street.</p>	<p>C16 For a business identification sign located in a business zone, the sign:</p> <ul style="list-style-type: none"> a) is located in that part of the building occupied by the business; b) is primarily located on the awning fascia and under the awning height of the building. Signs, other than walls signs, above the awning height should be avoided; c) does not face a service lane; and d) is not located on a side wall abutting a residential property. <p>C17 Where there are multiple occupancies or uses within a single building or site:</p> <ul style="list-style-type: none"> a) a coordinated approach to the location and design of signs is taken; and b) a directory of tenants is provided at the ground floor level. <p>C18 For an under awning sign located in a business zone, there is no more than one sign per premises and the sign:</p> <ul style="list-style-type: none"> a) is a maximum height of 300mm; b) is a maximum length of 2.6m (or two thirds the width of the footpath, whichever is the lesser); c) is not lower than 2.6m from the footpath level as measured from the bottom of the sign; and d) is a minimum distance of 3m from adjoining under awning signs. <p>C19 For a flush wall or painted wall sign located in a business zone, the sign:</p> <ul style="list-style-type: none"> a) does not exceed 5m²; b) does not extend over or block windows or other openings in the building; c) does not project more than 150mm from the wall;

Objectives	Controls
	<p>d) does not protrude above the parapet or eaves; and</p> <p>e) is not illuminated.</p> <p>C20 No more than one flush wall or painted wall sign on any elevation of the building.</p> <p>Note: The external painting of a building may constitute a painted wall sign where the painting uses corporate colours and can be reasonably considered as branding. Refer to Section 7.2.1 below for circumstances when painting of a building may be a painted wall sign.</p> <p>C21 For a servicing and delivery sign, the sign does not exceed an area of 0.35m².</p> <p>C22 For a window sign, the sign:</p> <p>a) does not cover more than 40% of the surface of the window in which it is displayed; and</p> <p>b) if illuminated, is internally illuminated only.</p> <p>C23 Blanked out windows or location of shelving, fixtures, or the like, that do not provide for transparency into the premises and an attractive interface to the street are avoided.</p>
<p>O13 To ensure that signage in residential zones is discrete and does not impact on the residential character.</p> <p>O14 To ensure that the purpose of signage in residential areas is to identify the business, but does not seek to blatantly advertise the business.</p>	<p>C24 For a flush wall or painted wall sign in a residential zone that is for a business other than a home business, home industry or home occupation—the sign does not exceed an area of 2.5m², and no more than one per building.</p> <p>C25 The signage is positioned parallel to the property boundary.</p>
<p>O15 To ensure that signage does not contribute to visual clutter or environmental degradation because of its colour.</p>	<p>C26 The colours in the signage are compatible with the architecture, materials, finishes and colours of the building.</p>

Objectives	Controls
<p>O16 To ensure that the colour of signage is compatible with the character of the streetscape and the desired future character of the area where the signage is located.</p>	<p>C27 The colours do not have an adverse impact on the character of the building or streetscape.</p> <p>C28 Corporate colours may appear as part of the sign, but are not used as the principal or dominant colour scheme.</p> <p>C29 Where there are multiple occupancies or uses within a single building, a coordinated colour scheme for signs is provided.</p>
<p>O17 To ensure that the location and size of signs do not affect public safety.</p>	<p>C30 The signage does not obscure or interfere with safety, public directional or traffic signs.</p>
<p>O18 To ensure that the illumination of signage does not have an adverse impact on the amenity of the public domain or residential uses.</p>	<p>C31 Illuminated signage is avoided in the residential zones.</p>
<p>O19 To ensure that signs do not cause unreasonable distraction.</p>	<p>C32 Illuminated signage or floodlighting of signs minimises lightspill and does not adversely affect amenity, particularly residential amenity.</p> <p>C33 If the sign is illuminated, the cabling is concealed or integrated with the sign.</p> <p>C34 In the B1 zone, illumination from a neighbourhood shop, such as a convenience store or the like does not exceed a maximum horizontal luminance of 200 lux.</p> <p>C35 Signage does not involve: <ul style="list-style-type: none"> a) mechanical or animated flashing, pulsing or moving parts; b) neon tubes or fluorescent lighting (located either externally or in a shopfront window); or c) banners, flags or spotlights. </p>

7.2.2 When external painting of a building constitutes a wall sign

Branding a building by painting the facade in the business corporate colours should be avoided.

Generally corporate colours involve bright or primary colours. Such colours, when painted over large areas on a building or above the awning level, can be loud and distracting and often do not provide a well-mannered and thoughtful contribution to the streetscape.

The corporate colours tend to be inconsistent with the character of the centre and the palette of colours predominantly used in the centre. Furthermore, bright and primary colours on buildings have the effect of adding to the perceived building bulk.

Individual business branding and identity in external painting and colour schemes is to be subordinate to the main colour scheme on the building.

Where it is established that a particular colour or combination of colours used to paint a building has the effect of a sign promoting a particular business, that work may be regulated through the development application process, and the provisions in this chapter of the DCP apply, specifically those controls for a painted wall sign.

When the external painting of a building constitutes a wall sign

The external painting of a building is taken to constitute a wall sign if any of the following apply:

- a) The use of colours in patterns, symbols, messages or other devices promotes the business, a product, an event or an activity.
- b) The use of colours in patterns, symbols, messages or other devices conveys information, instructions or directions.
- c) When a business, activity or event is readily identifiable from a colour or a colour scheme and regularly uses that colour or colour scheme in its branding.

Painted and flat mounted wall signs tend to be visually prominent, particularly where the building is located on a corner site. It therefore important that the size and location of these signs on the building are controlled to ensure that the sign is not intrusive or unreasonably dominant, having regard to the streetscape and desired future character of the centre.

Controls for a painted wall sign

The controls for a flush wall sign are in Section E7.2 above. These controls, amongst other things, limit the size of the sign to 5m².

E7.3 Heritage conservation areas and on heritage items

Signage within heritage conservation areas and on heritage items is to be sympathetic with heritage significance of the place or item.

Traditionally, signage to retail and other commercial buildings was painted directly on building elements. Old photographs show that signs were painted on building wall parapet panels, verandah and awning fascias or directly onto glazing. Broadly there was an integration of signage with the building. The colour of the signs and signwriting typically included light brown, rich brown, Indian red, chrome green, and in rare instances Prussian blue, black and dark tints, and slate grey, as well as gold and silver leaf.

While replication of older signage is not the aim, reference to lettering styles, traditional locations and colours should be made.

Locating signs on buildings not originally intended for retail use is more difficult, and particular attention is needed as these signs have the potential for a greater impact on heritage significance.

The objectives and controls in this section apply in addition to the general controls in Section E7.2 above. If there is an inconsistency between these controls and the general controls, the controls in this section prevail. However, if there is an inconsistency between these controls and any control in Part C of the DCP on the heritage conservation areas, the controls in Part C prevail.

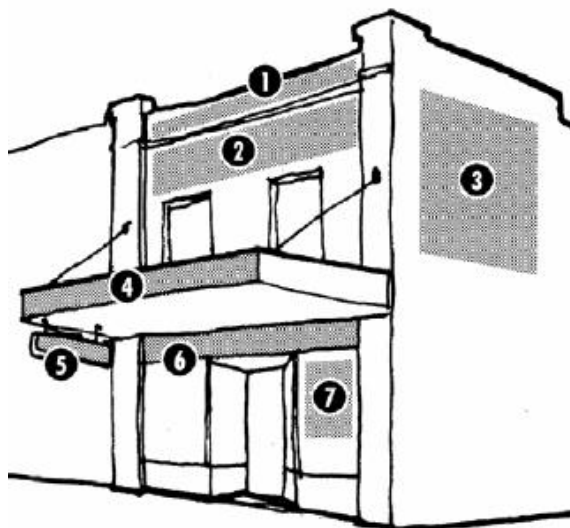


FIGURE 3 Types of signs

- 1 Building identification sign
- 2 Building identification sign
- 3 Flush wall and painted wall sign
- 4 Fascia sign
- 5 Under awning sign
- 6 Top hamper sign
- 7 Window sign

7.3.1 Signage in heritage conservation areas and on heritage items

Objectives		Controls	
O1	To minimise the number of signs.	C1	The sign is to be located on the traditional areas for signs in heritage conservation areas, generally the parapet, fascia, under awning, top hamper and window (see Figure 3 above).
O2	To provide for signs in appropriate locations on buildings.		
O3	To minimise the impact of signs on the heritage significance of individual buildings and the heritage conservation area generally.	C2	The number of signs is limited to those necessary to display the name of the business and/or proprietor and the name of the building (if applicable).
O4	To ensure that the size of signs do not dominate the architectural character of the building or adjoining buildings.	C3	The content of the signage has minimum reference to the particular service provided or products retailed from the premises.
O5	To ensure that the size of signs respond appropriately to the physical context and historical background of the streetscape and HCA as a whole.	C4	Where the building contains more than two tenants, a directory of tenants is provided at ground floor level on a secondary external wall.
		C5	For a painted window sign, the sign does not dominate or clutter the shop front window.
		C6	A painted window sign on an upper storey window may only be considered for the identification of tenants where appropriate wall surfaces or other areas for signage are not available.
		C7	For a top hamper sign, the sign: <ul style="list-style-type: none"> a) may be painted or internally illuminated; b) is flush to the external face of the shopfront where practicable, but in any case does not project more than 100mm; c) is a maximum 600mm wide; d) is a maximum 6000mm long; and e) terminates 600mm short of each side boundary.

Objectives	Controls
	<p>C8 For a flush wall or painted wall sign, the sign:</p> <ul style="list-style-type: none"> a) is not constructed or installed on a heritage item; b) does not exceed an area of 2.5m²; and c) is no more than one per building. <p>C9 A neon sign or sign with neon lettering, may only be considered if it is a minor sign inside the shop window.</p> <p>C10 Notwithstanding C1-C9 above, for a sign in William Street, Paddington, on a residential building used for commercial purposes, the number and type of signs are set out in Refer to Part C of the DCP, Chapter C1 Paddington HCA.</p>
<p>O6 To ensure that signs do not dominate or obscure the architectural character and detail of a building or a group of buildings.</p> <p>O7 To ensure that design, style and colours of signs complement the historic character of the streetscape but not mimic historic signage.</p>	<p>C11 The signage is not directly fixed by any means to sandstone or face brickwork, but may be fixed into mortar joints.</p> <p>C12 The signage is not painted on original face brickwork, sandstone, terracotta and glazed or tessellated tiling, or any other surface that is traditionally unpainted or unfinished by other mediums.</p> <p>C13 No demolition of any part of the structure or building on the site may occur to accommodate the signage.</p> <p>C14 Materials are restricted to those which were traditionally used for signs, including painted timber or board, engraved metal plaque such as bronze or painted masonry. With the exception of metal plaque, these materials are characterised by their non-reflectively.</p> <p>C15 Colours used in the signage are suitable for the architectural style and period of the building. The use of fluorescent paints and iridescent colours are not appropriate.</p>

Objectives	Controls
	<p>C16 The design and style of lettering in the signage is suitable for the style of the building and the historic character of the area.</p> <p>C17 Where a number of tenancies occupy the same building or row of properties, the signage is consistent in regards to shape, background colour, size, fixing methods and lighting. Consistent fonts and graphics are encouraged.</p> <p>C18 Consistency in signs between neighbouring buildings which have a common architectural style, whether traditional or contemporary is encouraged.</p> <p>C19 Where lighting is required, the sign is painted and externally spotlighted. Generally internally lit signs are not appropriate.</p> <p>C20 Lighting does not impact on the heritage fabric or presentation of the place.</p>

Chapter E8

Adaptable Housing

Part E ► General Controls for All Development

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter E8 ▶ Adaptable Housing

Contents

E8.1	INTRODUCTION	1
8.1.1	Land where this chapter applies	1
8.1.2	Development to which this chapter applies	1
8.1.3	Objectives.....	2
8.1.4	Relationship to other parts of the DCP	2
8.1.5	Relationship to other documents	2
E8.2	ADAPTABLE HOUSING	4

E8.1 Introduction

Disability discrimination happens when people with a disability are treated less fairly than people without a disability. Under the Commonwealth *Disability Discrimination Act 1992* (DDA) it is unlawful to discriminate against people with a disability in most areas of life; including for example providing access to, and the use of, premises.

The Commonwealth Government's requirements for accessibility to buildings are primarily established in:

- ▶ *Disability (Access to Premises - buildings) Standards 2010*, including the Access Code; and
- ▶ National Construction Code Series - Section D Part D3 - Access for People with a Disability.

These requirements are mandatory and set the minimum requirements for access that must be achieved. It is the responsibility of all applicants to identify and apply these mandatory provisions when designing a building.

In addition to the above requirements for accessibility to buildings, Council has requirements for the provision of adaptable housing in this chapter.

An adaptable dwelling is a dwelling that is designed so that it can be easily modified in the future to become accessible to both occupants and visitors with a disability or progressive frailties.

Applicants are required to implement these DCP provisions when designing buildings so we can achieve best practice and increase the provision of adaptable housing stock.

8.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

8.1.2 Development to which this chapter applies

This chapter of the DCP applies to the following types of development:

- ▶ dwelling houses;
- ▶ semi-detached dwellings;
- ▶ dual occupancies;
- ▶ attached dwellings;
- ▶ multi dwelling housing;
- ▶ residential flat buildings; and
- ▶ shop top housing.

8.1.3 Objectives

The objectives of this chapter are:

- 01 To promote the social welfare of the community through the provision of adaptable housing.
- 02 To ensure that housing options exist for people with a disability through the provision of adaptable housing.
- 03 To promote sustainable development by extending the use of buildings through the provision of adaptable housing requirements and by increasing the number of adaptable dwellings in the local government area.

8.1.4 Relationship to other parts of the DCP

This chapter contains provisions for increasing the stock of adaptable housing. It is to be read in conjunction with the others part of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.

8.1.5 Relationship to other documents

Disability Discrimination Act 1992

The Commonwealth *Disability Discrimination Act 1992* (DDA) provides protection for everyone in Australia against discrimination based on disability. It encourages everyone to be involved in implementing the DDA and to share in the overall benefits to the community and the economy that flow from participation by the widest range of people.

Section 23 of the DDA covers access to premises and makes it unlawful to discriminate against a person with disability in relation to access to, or use of, premises including access to premises.

Disability (Access to Premises - Buildings) Standards 2010 including the Access Code for Buildings

The Premises Standards detail and codify the general requirements of the DDA by setting minimum requirements for the provision of access. The Premises Standards and Access Code calls up Australian Standards relating to disability access and parking including, AS 1428.1 - Design for access and mobility and AS 2890.6 - Off street parking for people with disabilities.

National Construction Code

Part D3 of the National Construction Code (NCC) specifies minimum access requirements for buildings and is similar to the Access Code. The NCC applies to certain types of specified Class 1b buildings, Class 2 to Class 10 buildings excluding Class 4 buildings, and calls up the same Australian Standards as the Access Code.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Accessibility for Seniors Housing is to be provided in accordance with the requirements of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

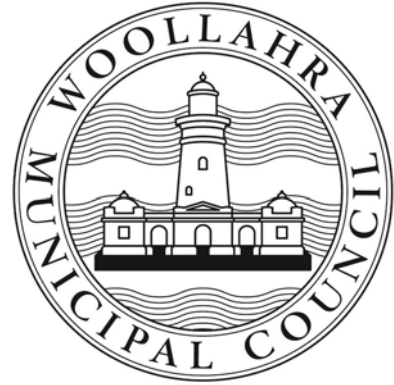
E8.2 Adaptable housing

An adaptable dwelling is a dwelling that can be modified to be an accessible dwelling.

An accessible dwelling is a dwelling designed and built to accommodate the needs of people with a disability, and which complies with the AS 1428 - Design for access and mobility.

An applicant will need to demonstrate compliance with the adaptable housing provisions. This may include a report prepared by an appropriately qualified person submitted with the development application, specifying how the proposal has addressed the requirements in this chapter, the relevant Australian Standards and the National Construction Code.

Objectives		Controls	
O1	To increase the amount of building stock that provides for adaptable housing.	C1	Development for an attached dwelling, multi dwelling housing, residential flat building or shop top housing containing 10 or more dwellings, designs and constructs at least 10% of the dwellings to Class A certification under AS 4299 - Adaptable housing.
O2	To provide opportunities for dwellings to be readily converted into accessible dwellings to meet the current and future needs of the community.	C2	Development for a dwelling house or dual occupancy is encouraged to provide adaptable housing design.



Part F ► Land Use Specific Controls

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2014
DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter F1 Child Care Centres

Part F ► Land Use Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter F1 ► Child Care Centres

Contents

F1.1	INTRODUCTION	1
1.1.1	Background	1
1.1.2	Land where this chapter applies	2
1.1.3	Development to which this chapter applies	2
1.1.4	Objectives	2
1.1.5	Relationship to other parts of the DCP	3
1.1.6	Relationship to other documents	3
F1.2	PREPARING YOUR DEVELOPMENT APPLICATION	5
F1.3	PLANNING AND DESIGN OF CHILD CARE CENTRES	6
1.3.1	Streetscape	6
1.3.2	Visual and acoustic impacts	7
1.3.3	Pick-up, drop-off and parking	9
1.3.4	Design of child care centre: internal layout and design	11
1.3.5	Design of child care centre: indoor and outdoor areas	14

F1.1 Introduction

1.1.1 Background

Regulatory framework

Since 1 January 2012 most early childhood education and care services in New South Wales are regulated under a scheme known as the National Quality Framework (NQF). The NQF was agreed to by the Council of Australian Governments and established under an applied law system¹ comprising the *Children (Education and Care Services National Law Applications) Act 2010* and the *National Education and Care Services Regulations*. The Department of Education and Communities (DEC) is responsible for administering the NQF in NSW.

Both Council and the State Government have a role in the approvals process for a child care centre.

From Council, the applicant needs development consent. The consent is issued under the EP&A Act and specifies that the use may be permitted on a specific parcel of land.

In addition to development consent, the applicant requires a service approval (previously called a licence) from the State Government. It is an offence to operate an education and care service without a service approval.

The DEC is responsible for issuing service approvals and assessing child care service providers compliance with the Regulations. The Regulations outline the minimum requirements to operate a service, and include matters such as staff-to-children ratios and minimum areas for indoor and outdoor open space play areas.

The National Quality Standard sets a National Benchmark for the quality of education and care services. Services are later assessed and rated against the standards, including the physical environment (Quality Area 3) and how these impact on the service provided.

The DCP provisions in this chapter reflect the spirit and intent of the NQS by encouraging best practice physical environments in child care services, whilst also addressing neighbourhood and streetscape amenity issues.

Child care needs in Woollahra

Child care providers are encouraged to establish centres where the ratio of child care places for different age groups responds to demographic need.

Providers should have particular regard to the *Woollahra Council Child Care Needs Study (2014)* by CRED Community Planning, which identified that the main gap for child care in the Woollahra Municipality is for places for children under 2 years of age.

¹ The National Law is not a Commonwealth Law. A national applied law is a way of establishing national laws whereby a host jurisdiction (in this case Victoria) passes a law (the *Education and Care Services National Law Act 2010* (Vic)) and other jurisdictions adopt that law or pass corresponding legislation.

As at the 2011 census, 39% of all 0-5 year olds in the municipality were aged under 2 years. At the time of the study, there were places to service 12.5% of all children aged 0-2; this equated to 169 places for under 2 year olds, which was only 14% of all places offered. In comparison, supply of places for children under 2 years in other nearby council areas is much higher i.e. between 25-28% of all places.

1.1.2 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

1.1.3 Development to which this chapter applies

Development for the purpose of a child care centre requires consent. The controls in this chapter apply to centre based child care, such as:

- ▶ long day care;
- ▶ pre-school care; and
- ▶ out of school hours care.

This includes construction of new centres and expansion or alterations to existing centres.

The chapter does not apply to family day care, home-based child care for less than seven children, including no more than four who ordinarily attend school or informal child-minding services.

Remember:

An application to the DEC for a service approval may not be made until development consent has been obtained. However, consent from Council does not guarantee a service approval from DEC.

It is important that an applicant, when preparing the development application to Council, addresses not only the DCP provisions in this chapter, but also the requirements in the National Regulations and Standards, particularly in regards to building design and layout and the provision of amenities such as open space.

1.1.4 Objectives

The objectives of this chapter are:

- O1 To ensure child care centres are appropriately designed to a high level of safety, security, environmental health and amenity for their users, and provide an environment conducive to a high quality child care program.
- O2 To encourage child care providers to establish centres where the ratio of child care places for different age groups responds to demographic need.

-
- O3 To ensure that child care centres minimise amenity impacts to surrounding properties in terms of privacy, traffic generation and availability of on-street parking.
- O4 To ensure adequate parking is available for the dropping off and picking up of children and to provide for the safe pedestrian transfer of children to and from the centre.

1.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B General Residential, or Part C Heritage Conservation Areas, that apply to the land.
- ▶ If located in a business centre—the controls in Part D Business Centres that apply to the land.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

1.1.6 Relationship to other documents

National Law for child care services

The Education and Care Services National Law provides a jointly governed, uniform and integrated national approach to the regulation and quality assessment of education and care services across Australia.

The National Law sets out the objectives and guiding principles for the National Quality Framework.

The National Regulations provide detail on the minimum operational and physical space requirements for a child care service. In particular, Schedule 1 of the Regulation includes the National Quality Standard (NQS).

The NQS sets a national benchmark for the quality of education and care services. The NQS is used to assess education and care services to determine quality rating levels.

In NSW the Department of Education and Communities is responsible for assessing child care service providers against the National Quality Standard, and awarding a rating ranging from “Excellent”, “Exceeding National Quality Standard”, “Meeting National Quality Standard”, “Working Towards National Quality Standard” to “Significant Improvement Required”.

The design, layout and amenities provided by a child care centre are important elements contributing to service approval and rating level.

Building Code of Australia

The Building Code of Australia establishes requirements for physical facilities in education and care buildings. Matters addressed include, but are not limited to: food preparation areas, the height of fences, number and size of toilet pans and hand basins, requirements relating to nappy change benches and bathing facilities, visibility of children's bathrooms, and playground surfacing.

Food and premises standards

The Australian Standard 'Design, construction and fit-out of food premises' (AS 4674-2004) applies. The Standard ensures that design, construction and fit-out of food premises are maintained at high standards to facilitate the production of food, and includes requirements for food preparation and food storage areas.

Child care centres must also comply with food standards, and any licencing or notification requirements established by the NSW Food Authority.

F1.2 Preparing your development application

The following matters are to be considered when preparing a development application (DA) for a child care centre:

- ▶ the National Quality Framework including the National Regulations and Quality Standards;
- ▶ provisions of this DCP;
- ▶ initial consultation with neighbours about the proposed child care facility;
- ▶ suitability of the land for use a child care centre; for example, is the land affected by acid sulfate soils, or does it contain contaminated material; and
- ▶ suitability of the building; for example, does the building contain lead-based paints or any other toxins/hazards to children.

Site analysis to be submitted with the DA

A site analysis is to be submitted with the DA addressing the following matters:

- ▶ site orientation and solar access;
- ▶ existing vegetation;
- ▶ topography;
- ▶ retention of any special features/qualities of the site;
- ▶ views to and from the site;
- ▶ access (vehicular and pedestrian) to and from the site;
- ▶ parking and loading arrangements;
- ▶ location and uses of surrounding buildings;
- ▶ predominant built form and character;
- ▶ the provision of well proportioned windows to allow for access to natural light into rooms and views to the outdoors;
- ▶ access to natural cross ventilation;
- ▶ outdoor spaces suitable for children's play areas, including the size and topography;
- ▶ visual and acoustic privacy; and
- ▶ potential contamination.

F1.3 Planning and design of child care centres

It is important that child care centres are designed to be compatible with the surrounding land uses. This compatibility needs to be reflected in the built form as well as the operation and management of the centre, as these all contribute to potential amenity, noise and privacy impacts.

To help identify and assess the potential impacts of a proposed child care centre on the surrounding area, a centre operation plan, acoustic study and traffic and parking management plan will need to be submitted with the development application. The centre operation plan should provide details about the proposed number of children (by age and total), the number of staff, hours of operation and a sample daily routine.

1.3.1 Streetscape

F1.3 Planning and design of child care centres ▶ 1.3.1 Streetscape	
Objectives	Controls
O1 To ensure the child care centre integrates with the character of the existing streetscape and built form.	C1 The child care centre is designed in consistent with the character of the streetscape. For example, buildings located in residential areas maintain an appearance consistent with the predominant street character. (Refer to the relevant residential or business centre controls in Part B, C or D of this DCP).
O2 To ensure that the size, scale and bulk of the child care centre is sympathetic to and consistent with the bulk and scale of surrounding development.	C2 The child care centre complies with the building envelope controls that apply to the precinct or centre where the centre is proposed. (Refer to the relevant residential or business centre controls in Part B, C or D of this DCP).
O3 To ensure that business identification signs do not detract from streetscape amenity by way of size, colour or location on the site.	C3 Refer to Part E of this DCP, Chapter E7 Signage.
O4 To ensure that business identification signs in residential areas are discrete and compatible with the residential context.	

1.3.2 Visual and acoustic impacts

F1.3 Planning and design of child care centres ► 1.3.2 Visual and acoustic impacts	
Objectives	Controls
<p>O1 To ensure that child care centres are designed and operated to minimise unreasonable noise impacts to adjoining properties and surrounding properties.</p> <p>O2 To ensure that noise from outdoor play areas is not continuous, or of such long duration to have an unreasonable impact on residential amenity.</p>	<p>C1 The child care centre minimises disturbance to adjacent, nearby and surrounding properties by suitable:</p> <ul style="list-style-type: none"> a) design and siting of the facility (including for example, the layout of building, maximising separation between active and open outdoor play areas and the façade of any neighbouring properties, soft close gates, noise barriers, fencing and the use of noise absorbing materials); and b) operational management, such as the programming of noise emitting activities. <p>Notes:</p> <p>A centre operation plan is to be submitted with the DA. The centre operation plan must address matters including daily program of activities, noise generating activities such as playing music and instruments, outdoor play, child drop-off and pick-up activity, mechanical plant and delivery vehicles.</p> <p>An acoustic study, prepared by a qualified practicing acoustic engineer, is to be submitted with the DA. Reference should be made to the Association of Australian Acoustical Consultants “Technical Guideline Child Care Centre Noise Assessment” for identifying how background noise is to be measured, and for the assumed sound power level of various noise sources.</p> <p>C2 Garbage and recycling bins are located and stored to minimise noise and odour impacts to adjoining properties.</p>

F1.3 Planning and design of child care centres ▶ *1.3.2 Visual and acoustic impacts*

Objectives		Controls	
O3	To protect the visual privacy of the children, staff and other users of the child care centre.	C3	The child care centre complies with the visual privacy controls in this DCP. (Refer to the relevant residential or business centre controls in Part B, C or D of this DCP).
O4	To minimise adverse impacts on the visual privacy of adjoining and surrounding properties.	C4	The location and design of open spaces, playground areas and balconies, terraces or the like, accessible to the children, minimise any direct views to or from neighbouring and surrounding properties.

1.3.3 Pick-up, drop-off and parking

Vehicular and pedestrian access needs to provide for the safe transfer of children to and from the centre, as well as minimise detrimental impacts on traffic flow.

When considering a site for a child care centre, generally it is important to consider options available for providing parking and safe drop off and pick up arrangements. For example:

- Sites with on-site parking and drop off facilities, or within business centres, are preferred.
- Sites located on arterial roads should be avoided on safety grounds, as these roads have high traffic volumes and speeds.
- Sites that cannot provide on-site parking and drop off and pick up areas are not encouraged. Council will only consider such proposals if the child care centre is not located on an arterial road, and the applicant can demonstrate that there is adequate on-street parking vacancy rates such that the child care centre users will not unreasonably impact on the availability of on-street parking now or in the future. Council will not provide a dedicated on-street pick-up and drop-off zone for childcare centres.

A traffic management plan is to be submitted with the DA.

F1.3 Planning and design of child care centres ► 1.3.3 Traffic, parking and access	
Objectives	Controls
O1 To ensure adequate parking is provided for staff and visitors.	C1 Staff and visitor parking is provided on-site at the rate set out in Part E of this DCP, Chapter E1 Parking and Access.
O2 To ensure a safe environment for pedestrians (especially children), motorists and cyclists surrounding the child care centre.	C2 On-site vehicular movements are separated from pedestrian access and play areas by safety fencing, gates or other means.
O3 To ensure that drop-off, pick-up and parking activity does not detrimentally affect the availability of on-street parking and traffic flow in the local area.	C3 Development provides an on-site drop off and pick up area, which preferably: <ul style="list-style-type: none"> a) is in the form of a one way driveway; b) incorporates a passing bay; and c) accommodates on-site the number of vehicles expected during the drop off and pick up times based on the 98th percentile queue length.
O4 To ensure that vehicular access to and from the site does not detrimentally affect the traffic safety of surrounding properties.	C4 A child care centre that cannot provide the drop off and pick up area on-site will only be considered if the applicant can demonstrate that:

F1.3 Planning and design of child care centres ▶ *1.3.3 Traffic, parking and access*

Objectives

Controls

- a) the centre is not located on an arterial road;
- b) there is adequate on-street parking vacancy rates such that the child care centre users will not unreasonably impact on the availability of on-street parking now or in the future; and
- c) the walking catchment does not require the crossing of any arterial, sub-arterial or collector roads that do not have existing pedestrian crossing facilities within the catchment area.

Note: A traffic management plan, prepared by a suitably qualified traffic engineer, is to be submitted with the DA.

1.3.4 Design of child care centre: internal layout and design

The physical environment of a child care centre plays a critical role in keeping children safe; reducing the risk of unintentional injuries; contributing to their wellbeing, happiness, creativity and developing independence; and determining the quality of children’s learning and experiences.

Council’s DCP controls for internal layout and design support the requirements in the National Quality Standard regarding “Quality Area 3: Physical environment”, and can assist in providing an environment that contributes to a quality service.

F1.3 Planning and design of child care centres	
► 1.3.4 Design of child care centre: internal layout and design	
Objectives	Controls
O1 To encourage child care providers to establish centres where the ratio of child care places for different age groups responds to demographic need.	C1 Long day care centres are encouraged to include places for children under 2 years old, preferably at least 30% of the total number of places.
O2 To ensure the premises is designed to facilitate safety and supervision.	<p>C2 The design of indoor space provides opportunity for casual surveillance to entry and access points to the site.</p> <p>C3 Areas regularly accessed by children are designed to allow clear lines of sight to facilitate supervision, particularly from:</p> <ul style="list-style-type: none"> a) indoor to outdoor play areas; and b) indoor and outdoor play areas to children’s bathrooms and nappy changing areas.
O3 To ensure exposure to natural sunlight and ventilation to reduce the spread of infection and odours.	C4 Indoor play areas have windows on external walls that allow the direct transmission of natural light.
O4 To assist in providing a comfortable environment.	C5 Play areas, cot rooms and bathrooms are naturally ventilated, such as by open windows and doors. Where natural ventilation cannot be reasonably provided, the indoor space may be ventilated through the use of an air conditioning system.

F1.3 Planning and design of child care centres

▶ *1.3.4 Design of child care centre: internal layout and design*

Objectives		Controls	
O5	To ensure that children have convenient access to bathrooms.	C6	Children’s bathrooms are directly or easily accessible from indoor and outdoor play areas to facilitate supervision and encourage the independence of children.
O6	To ensure that children’s bathrooms and toilet facilities are safe and designed to be developmentally and age appropriate.	C7	Children’s bathrooms are designed for easy access and use by children, and include age appropriate toilets, hand basins, and bathing or showering facilities. Note: To be shown on the DA plans.
O7	To ensure that adequate nappy changing and related facilities are provided in services for children under 3 years.	C8	Nappy change facilities are located and designed to allow visibility to and from the play area.
		C9	Nappy change facilities include: a) hand basin for adult hand washing; b) separate baby bath or small inset laundry tub; and c) bench for nappy changing. Note: To be shown on the DA plans.
O8	To ensure sufficient space is provided for administrative functions.	C10	A room or an office area, separate from the play area used by the children, is provided for administration and private consultation with parents.
		C11	A room or area, separate from the play area used by the children, is provided for staff respite. Note: These are to be shown on the DA plans.

F1.3 Planning and design of child care centres

► *1.3.4 Design of child care centre: internal layout and design*

Objectives	Controls
<p>O9 To ensure that child care centres are designed to ensure quick and safe evacuation in the event of fire or other emergencies.</p>	<p>C12 Where proposed in a multi-storey building, children’s play areas are generally located on the ground level, unless it is demonstrated that adequate emergency access and egress is available. For example, a fire isolated safe haven area may be provided that opens directly onto a dedicated fire-isolated stair.</p> <p>Note: DAs for a child care centre located more than one storey above the ground level may be referred to NSW Fire and Rescue for comment. Emergency evacuation plans should be submitted with the DA.</p> <p>C13 A child care centre located more than one level above ground has a smoke detection system installed throughout the building in accordance with the requirements of Specification E2.2a Clause 4 of the BCA.</p>

1.3.5 Design of child care centre: indoor and outdoor areas

Wherever possible, children need opportunities to be outdoors. This can be achieved with integrated and well designed indoor and outdoor environments that are available for use at the same time.

Council's DCP controls support the requirements in the National Quality Standard regarding "Quality Area 3: Physical environment" and may assist a service provider in getting a higher rating under national quality rating and assessment process.

F1.3 Planning and design of child care centres

▶ 1.3.5 Design of child care centre: indoor and outdoor areas

Objectives	Controls
<p>O1 To ensure indoor spaces are designed to engage children in quality experiences that provide for learning and development.</p>	<p>C1 The indoor play area provides a minimum 3.25m²/child of unencumbered play space.</p> <p>C2 The indoor play area provides craft preparation areas include sinks. These sinks are separate from the kitchen and bathroom sinks.</p> <p>Note: To be shown on the DA plans.</p>
<p>O2 To ensure that age appropriate quiet areas are provided for rest and sleeping.</p>	<p>C3 A separate sleep room is provided for children under 2 years of age.</p> <p>Note: To be shown on the DA plans.</p>
<p>O3 To minimise noise impact to adjoining and surrounding properties.</p>	<p>C4 The active and open parts of the outdoor play area are adequately separated from the living and bedroom windows of surrounding dwellings. (Also refer to Section 1.3.2 Visual and acoustic impacts above.)</p>
<p>O4 To ensure that adequate and well designed outdoor spaces are provided to cater for the children's physical and developmental needs.</p> <p>O5 To ensure that outdoor spaces provide for safe and stimulating environments for children.</p>	<p>C5 The outdoor play area provides a minimum 7m²/child of unencumbered outdoor space. Incidental boundary clearances, such as side setbacks, less than 2.5m in depth are not calculated as part of the outdoor play areas.</p> <p>Note: This is a minimum requirement; exceeding the minimum may contribute to a better quality physical environment</p>

F1.3 Planning and design of child care centres

► 1.3.5 Design of child care centre: indoor and outdoor areas

Objectives	Controls
	for the children.
	<p>C6 The outdoor play area provides for both active and quiet play opportunities, and should generally include: an open area of approx. 1/3 of the playground for gross motor activities such as running; approx. 1/3 of the playground for active physical play such as climbing; and approx. 1/3 of the playground for focused play like sandpits, craft (including formal quiet areas for contained play).</p> <p>Note: To be shown on the landscape plan.</p>
	<p>C7 At least 50% of the outdoor play area is unencumbered and available for free active and physical play.</p>
	<p>C8 The outdoor play area is to include a variety of surfaces such as grass, sand, hard paving and mounding.</p> <p>Note: To be shown on the landscape plan.</p>
	<p>C9 The outdoor play area is designed to provide separate areas for different age groups that suit their needs and abilities.</p> <p>Note: To be shown on the landscape plan and addressed in the centre operation plan.</p>
	<p>C10 The outdoor play areas are:</p> <ul style="list-style-type: none"> a) directly accessible from indoor play areas, preferably at grade; b) located to have immediate access to children’s toilets; c) located (where practicable) to the northern or north-eastern end of the site, and not to the south of the building, for good solar access; d) designed and configured to enable clear sight lines to areas of the playground to facilitate effective supervision;

F1.3 Planning and design of child care centres**▶ 1.3.5 Design of child care centre: indoor and outdoor areas**

Objectives	Controls
	<ul style="list-style-type: none"> e) adequately separated from the main entrance of the child care centre, car parking area, vehicle circulation areas and garbage storage; and f) adequately fenced on all sides: all gates are self-closing and child proof with child proof locks; and fencing to adjoining public spaces is a minimum height of 1.8m.
<p>O6 To ensure the appropriate landscaping of outdoor play areas used by children.</p>	<p>C11 Vegetation is free of toxins or safety hazards such as seeds, poisonous, spikey or potentially dangerous plants.</p> <p>C12 Landscaping provides for:</p> <ul style="list-style-type: none"> a) shade protection; b) delineation of playing areas including small spaces and larger active areas; and c) children to explore and experience the natural environment through the inclusion of plants, trees, edible gardens, rocks and other elements from nature.
<p>O7 To encourage sustainable water use.</p>	<p>C13 A rainwater tank of at least 2,000 litres is installed on site.</p>

Chapter F2

Educational Establishments

Part F ► Land Use Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter F2 ► Educational Establishments

Contents

F2.1	INTRODUCTION	1
2.1.1	Background	1
2.1.2	Land where this chapter applies	1
2.1.3	Development to which this chapter applies	1
2.1.4	Objectives	1
2.1.5	Relationship to other parts of the DCP	2
2.1.6	Relationship to other documents.....	2
2.1.7	Definitions	3
F2.2	BUILDING AND URBAN DESIGN	4
F2.3	SITING OF DEVELOPMENT	6
F2.4	HERITAGE CONSERVATION	8
F2.5	OPEN SPACES	9
F2.6	TRAFFIC, PARKING AND ACCESS.....	10
F2.7	PLANTING, FENCING AND HARD SURFACES	13
F2.8	COMMUNITY USE	15

F2.1 Introduction

2.1.1 Background

Educational establishments have a significant role to play in the Woollahra Municipality. They provide a learning forum whilst also providing community meeting points, sporting facilities and employment.

This chapter aims to achieve the rational and orderly development of educational establishments, such as schools and TAFEs, within the Municipality of Woollahra. It advocates a balance between providing buildings to meet the educational needs of the community, whilst protecting the amenity of the location and minimising impacts on the neighbouring land.

2.1.2 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

2.1.3 Development to which this chapter applies

Development requiring consent

This chapter applies to development for educational establishments that requires consent.

Development permitted without consent

Under clause 29 of *State Environmental Planning Policy (Infrastructure) 2007*, certain development is permitted without consent. Council must be notified of the intention to carry out the development, and invited to provide comment.

The provisions in this chapter of the DCP should be considered by the proponent when considering such development. The provisions will also establish the key principles that will inform Council's response to a notice to carry out development permitted without consent.

2.1.4 Objectives

The objectives of this chapter are:

- O1 To encourage well designed educational establishments that balance the requirements of students and staff, with the amenity of the adjacent properties.
- O2 To protect views and vistas.
- O3 To protect and conserve heritage conservation areas, and heritage items located on or adjacent to an educational establishment.

-
- 04 To encourage all schools to provide sufficient open spaces on site, and protect existing open spaces.
 - 05 To encourage a safe, efficient and co-ordinated traffic network which considers all users.
 - 06 To encourage community uses of educational establishments that do not unreasonably impact on surrounding residents.

2.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

2.1.6 Relationship to other documents

State Environmental Planning Policy (Infrastructure) 2007

The SEPP applies to a range of key infrastructure types across NSW, including educational establishments.

The SEPP identifies certain low scale work as development without consent, if it is in connection with an existing educational establishment. This includes the construction of a library no more than one storey high, or a portable classroom. The proponent of such development must notify Council of its intention to carry out the development, and give consideration to any response to the notice.

The SEPP also permits as exempt and complying development a variety of development associated with educational establishments. For example, a library building is complying development if it is not more than 12m high and meets a number of other development standards.

Consent is required for development that is not exempt or complying development, or development permitted without consent. Under the SEPP, development for the purpose of educational establishments may be carried out with consent on all residential and business zoned land.

2.1.7 Definitions

The definitions below define words and expressions for the purpose of this chapter.

These definitions apply in addition to the definitions in Part A Chapter A3 of the DCP, the EP&&Act and the Woollahra LEP.

open space The area on the establishment which is used for playgrounds, sport fields or for green or landscaped areas and may include associated structures and vegetation.

playground External spaces used by students during play and break times, and may be partly covered by shade structures.

sports field or court Any open spaces, open to the air, used for sport and physical education and includes outdoor courts such as tennis or netball courts.

F2.2 Building and urban design

Throughout the municipality, school buildings are significant contributors to the quality of the built environment, and often make a considerable contribution to the quality of the public domain.

Educational establishments have an important function in their community but their functional requirements result in buildings that are different to the built form of residential development. The development, including the buildings, landscaping, parking and other elements, should be well designed to meet the requirements of the establishment, whilst taking into consideration the nature of adjoining uses and the character of the streetscape.

The streetscape includes the combination of elements that create the urban form and character of that street, including in the public domain elements such as kerbs and pavements, landscaping and street furniture, and private domain elements fronting the street such as building facades, awnings, gardens and the like.

F2.2 Building and urban design	
Objectives	Controls
<p>O1 To encourage well designed buildings.</p> <p>O2 To encourage buildings that positively contribute to the streetscape and character of the location.</p>	<p>C1 Development incorporates a high standard of architectural design, materials and detailing appropriate to the building type and location.</p> <p>C2 The development has a clearly distinguishable street entry point which contributes to the streetscape.</p> <p>C3 Development on the boundary provides a sympathetic transition in terms of height, scale, bulk and materials.</p>
<p>O3 To encourage sustainable design.</p>	<p>C4 Development with a gross floor area of at least 1,000m² achieves a minimum 4 star NABERS rating.</p> <p>C5 Development is designed to provide for best practice environmentally sustainable design outcomes.</p> <p>Examples of environmentally sustainable design include:</p> <p>a) passive solar design principles to avoid the need for additional heating and cooling;</p> <p>b) natural ventilation in all buildings;</p>

F2.2 Building and urban design

Objectives

Controls

- c) roof-top solar energy panels where there is no negative impact on the significance of a heritage item or heritage conservation area;
- d) where appropriate green roofs are encouraged;
- e) windows are suitably shaded to restrict summer sun whilst permitting winter sun;
- f) use of low emission and renewable energy sources;
- g) use of recycled and/or low embodied energy building materials; and
- h) limited or minimised excavation.

F2.3 Siting of development

Development in connection with educational establishments needs to take into account adjoining uses to ensure that the siting and location of buildings will have minimal impacts on the amenity of the adjoining properties, surrounding community and existing views and vistas.

F2.3 Siting of development	
Objectives	Controls
O1 To protect and promote the amenity of the public domain.	C1 Development complies with the street setback controls that apply to the precinct or centre where the centre is proposed. (Refer to the relevant residential or business centre controls in Part B, C or D of this DCP.)
O2 To protect and promote sunlight access in relation to the site and on neighbouring land.	<p>C2 Non-street fronting rear and side setbacks of the building are setback so that sunlight is provided:</p> <ul style="list-style-type: none"> a) to 50% or 35m² (with minimum dimension 2.5m), whichever is smaller of the main ground level private open space of adjacent properties; and b) for a minimum of two hours between 9am and 3pm on June 21. <p>C3 Where existing buildings overshadow greater than that specified in C2, sunlight access is not further reduced.</p>
O3 To sympathetically integrate the educational establishment into the surrounding neighbourhood to protect acoustic and visual privacy.	<p>C4 Rear and side setbacks of the building are setback to maintain the amenity of the adjoining development, taking into account privacy and noise generation.</p> <p>C5 Development provides visual privacy to adjoining properties by appropriate design, vegetative screening, window and door offset, location of external areas such as roof top terraces, screening devices, separation distances and the like.</p>

F2.3 Siting of development

Objectives

Controls

O4 To protect existing views and vistas.

C6 Development is sited so significant views and vistas from the public domain are maintained.

C7 Development provides for view sharing from surrounding properties.

F2.4 Heritage conservation

Established schools are a source of cultural and heritage significance. Woollahra LEP lists a number of schools as containing heritage items, and several are located within heritage conservation areas. As part of a development application relating to, or in the vicinity of, a heritage item the Council may require the submission of a heritage impact statement or conservation management plan or both.

F2.4 Heritage conservation	
Objectives	Controls
O1 To protect buildings, fences, works, relics, or places of heritage significance which form part of, or which are in the vicinity of an educational establishment.	C1 The location and design of development does not detract from a heritage item. C2 Siting of new development: a) when viewed from the public domain—preserves existing views to and from the heritage item. b) when viewed from surrounding residences—enables a sharing of views to and from the heritage item. C3 Fences that have heritage significance are conserved. Development in the vicinity of these fences responds to the heritage significance with a sympathetic design and finish.
O2 To ensure that new development is sympathetic to the heritage significance of heritage items and, where applicable, is sensitive to the streetscape qualities of heritage conservation areas.	C4 Development responds sympathetically to the heritage significance of items and heritage conservation areas in terms of architectural style and design, colours, materials, proportions and scale.

F2.5 Open spaces

Open playing fields and playgrounds provide attractive aspects onto and through educational establishments. Where physical access is provided to the public, the open space is a valuable shared community asset. Even when the facility cannot be publicly accessed, these spaces can be important contributors to the quality of the public and private domain.

Note: Section 2.1.7 of this chapter specifies definitions for “open space” “playgrounds” and “sportsfields”.

F2.5 Open spaces	
Objectives	Controls
<p>O1 To protect and retain existing open spaces.</p>	<p>C1 Existing open spaces are retained.</p>
	<p>C2 Vehicle access and parking is not permitted on any part of the site considered as open space.</p>
<p>O2 To ensure that educational establishments provide adequate open spaces to cater for the active and passive needs of students.</p>	<p>C3 New educational establishments and major development of existing establishments provide open spaces and maximise the use of existing open spaces, having regard to an overall plan for the siting, amenity impacts, usability and accessibility of such spaces.</p>
	<p>C4 Playgrounds are provided on site.</p>
	<p>C5 Sports fields are provided on site, where possible.</p>

F2.6 Traffic, parking and access

Educational establishments require an efficient circulation network to manage the safety of students and staff, whilst ensuring that ongoing operations have minimal impacts on the amenity of the surrounding community.

To minimise impacts on the adjoining community, all parking, servicing and pick up/drop of arrangements should be provided on-site. The on-site parking requirements are identified in Part E of this DCP, Chapter E1 Parking and Access.

A traffic report is required to justify any variation to these rates. In particular, the report should put forward alternative solutions, and address matters such as the requirement for parking generated by staff and students having regard to the location of the educational establishment, its catchment, proximity to public transport, and public transport use rates.

Staff and students are also encouraged to increase the proportion of journeys made by walking, cycling, public transport and car sharing. This will reduce the impact of the school journey on local road congestion.

F2.6 Traffic, parking and access	
Objectives	Controls
O1 To require efficient and effective road and pedestrian circulation networks.	<p>C1 The educational establishment does not unreasonably impact on the surrounding road network, specifically in relation to pedestrian safety and vehicle traffic.</p> <p>Note: A traffic and pedestrian management plan may be required to demonstrate impacts.</p>
O2 To minimise conflict between vehicles and pedestrians, particularly at entrances.	<p>C2 Pedestrian access is provided to all frontages that adjoin the public domain.</p> <p>C3 Pedestrian access is segregated from vehicular access with clearly defined paths.</p> <p>C4 Equitable access is provided in accordance with Part E of this DCP, Chapter E1 Parking and Access.</p>

F2.6 Traffic, parking and access	
Objectives	Controls
<p>O3 To minimise the impact on the surrounding community due to the arrival and departure of students.</p>	<p>C5 Pedestrian areas are at key entry points to accommodate concentrations of pedestrians, e.g. pick up time.</p> <p>C6 For a new educational establishment or major development of an existing establishment—an internal driveway for vehicles is provided for picking-up and dropping-off students.</p>
<p>O4 To minimise demand for on-street parking.</p> <p>O5 To provide adequate on-site parking for staff, visitors, disabled persons, delivery, service, emergency vehicles, and tertiary students.</p>	<p>C7 Development complies with the parking requirements in Part E of this DCP, Chapter E1 Parking and access.</p> <p>C8 Provision is made on-site for service and emergency vehicles.</p>
<p>O6 To encourage use of bicycles as a means of travel to educational establishments.</p>	<p>C9 Bicycle parking is provided.</p> <p>C10 For secondary and tertiary establishments—dedicated secure bicycle parking is provided at the following rates: a) 5% of staff numbers¹; b) 10% of full time student numbers; at a central location and with associated change rooms and showers.</p>

Note: Major proposals are to provide a Traffic and Pedestrian Management Plan (TPMP). The TPMP is to identify potential impacts to the surrounding road network and to recommend a course of action to address potential impacts on pedestrian safety and vehicle traffic flow.

The TPMP is to be prepared by a suitably qualified traffic consultant. The report must address at a minimum:

- the age and number of students;
- measures to enhance pedestrian safety when entering or crossing roads;
- pedestrian desire lines;
- public buses, school buses and lay-by areas;

¹ Rates taken from the NSW Planning Guidelines for Walking and Cycling, December 2004

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- ▶ measures to encourage the use of sustainable means of transport (cycling, walking and public transport);
 - ▶ strategies to discourage students from driving to school;
 - ▶ strategies to minimise the impact of students arriving and departing (such as staggering school start and finish times;
 - ▶ the numbers and type of vehicles used to transport students to and from school;
 - ▶ an analysis of the surrounding road network and other key traffic generating locations;
 - ▶ provision of drop off/pick up areas on site; and
 - ▶ parking (see Part E of this DCP, Chapter E1 Parking and Access).

F2.7 Planting, fencing and hard surfaces

Educational establishments have unique requirements for planting, fencing and hard surfaces. They are used to define spaces and activities, soften the built form and facilitate views and vistas.

F2.7 Planting, fencing and hard surfaces	
Objectives	Controls
O1 To conserve existing landscaping which contributes to the streetscape.	C1 Significant trees on the site are retained.
	C2 Development does not damage significant trees located on land adjoining the site.
O2 To promote a high standard of landscape design.	C3 Landscaping provides shade for play, screening of buildings, an improved microclimate, soil stabilisation, and visual quality.
	C4 The landscape design is coordinated with, or has suitable regard to: <ul style="list-style-type: none"> a) the local streetscape; b) site conditions; c) on-site building design and open spaces; and d) type, scale and location of adjoining development.
	C5 Existing vegetated areas which contribute to the public realm are retained. These areas include, but are not limited to: <ul style="list-style-type: none"> a) Kincoppal (foreshore bush land); b) Vaucluse Public School (open space adjacent to Cambridge Avenue); and c) Glenmore Public School (vegetated strip adjacent to Glenmore Road).

F2.7 Planting, fencing and hard surfaces			
Objectives		Controls	
O3	To encourage planting and fencing which enables open spaces and existing vistas and views to contribute to the public domain.	C6	Planting or fencing does not block significant views or open spaces from adjacent public domain or private property.
		C7	At least 50% of fencing is transparent to facilitate views and vistas of open spaces from the public domain.
O4	To conserve fences and gates that have heritage significance.	C8	Refer to Section F2.4 Heritage conservation above.

F2.8 Community use

Educational establishments provide important resources for the community, by supplying flexible spaces that can be used for a variety of purposes. However, the use of these areas by the wider community needs to be suitably managed and should not negatively impact on the amenity of the adjoining residents.

Depending on the community use, and its intensity and frequency, Council may require a plan of management to be submitted with the development application to demonstrate how potential impacts to adjacent properties and the surrounding area will be minimised.

The plan of management must identify the proposed operations and likely impacts, as well as the following issues: pedestrian and vehicular access, parking and servicing, lighting, noise and security and safety.

F2.8 Community use	
Objectives	Controls
O1 To encourage use of school facilities by the wider community.	C1 Buildings are flexibly designed and capable of being used for a variety of purposes. C2 The design of the facility incorporates the principles of <i>Crime Prevention Through Environmental Design</i> .
O2 To minimise the adverse effects of community use of an educational establishment on the amenity of the adjacent properties.	C3 Lighting, noise, hours of operation, and intensity of use does not detrimentally impact on adjacent properties. C4 Pedestrian and vehicular access to the community use does not significantly impact on the surrounding road network. C5 Parking and servicing associated with the community use is accommodated on site, and does not unreasonably impact on the adjoining uses. Note: A plan of management is to be submitted with the DA identifying the proposed operations and likely impacts.

Chapter F3 Licensed Premises

Part F ▶ Land Use Specific Controls

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Chapter F3 ▶ Licensed Premises

Contents

F3.1	INTRODUCTION	1
3.1.1	Land and development where this chapter applies	2
3.1.2	Development to which this chapter applies	2
3.1.3	Objectives	3
3.1.4	Relationship to other parts of the DCP	3
3.1.5	Relationship to other documents.....	4
F3.2	LICENSED PREMISES RISK RATING	5
F3.3	OBJECTIVES AND CONTROLS	6

F3.1 Introduction

Licensed premises continue to be a fundamental part of the social fabric of the community. These provide venues for social interaction and for entertainment for a large cross section of the community.

Licensed premises contribute to the night economy and the business community derives a broad range of benefits from the operation of venues, employment in hospitality, entertainment and tourist industries, the supply of food, drink and other related services. Licensed premises are venues for artistic expression for up-and-coming, as well as established, musicians and other artists.

While licensed premises can make positive contributions to society they can also be the source of neighbourhood disturbance and anti-social behavior. This can take the form of noise and other nuisances but at its worst can lead to property damage, crime and violence (including violence towards emergency service workers). There are also significant associated health costs related to physical injuries and mental illness resulting from alcohol abuse.

The external impact of licensed premises on the community is essentially related to three risk factors:

- ▶ the type of licensed premises;
- ▶ the sensitivity of the locality within which it is, or is proposed to be, located; and
- ▶ the trading hours and number of patrons.

The measures which need to be applied to avoid unacceptable external impacts will be different depending on these factors. For instance, a pub in or adjacent to a residential area has the potential for greater external impacts than a small restaurant in a business area.

Therefore, based on the above three factors, this DCP adopts a risk rating approach, i.e. high risk or low risk, as a guide for establishing the appropriate response to proposals involving licensed premises.

There are controls in this chapter which relate directly and indirectly to the density of licensed premises in the consideration of DAs and other related applications. This is because studies have demonstrated that there is a connection between areas with higher densities of licensed premises and increases in the incidence of alcohol-related anti-social behaviour.

The assessment of DAs and other related applications for licensed premises will include consideration of the density of existing licensed premises in the vicinity and any incidences of alcohol-related anti-social behaviour.

Situations may arise where it is not possible to support additional licensed premises in areas where high densities occur and where anti-social behaviour is causing unacceptable impacts on the surrounding community.

3.1.1 Land and development where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

Woollahra Local Environmental Plan 2014 (Woollahra LEP) sets out where various land uses (including the use of land for the purposes of licensed premises) are permissible, either with or without development consent, or whether they are prohibited.

Under Woollahra LEP, licensed premises of some categories are permissible in a number of the land use zones. The land use zones provide an indication of an area's environmental amenity sensitivity.

3.1.2 Development to which this chapter applies

This chapter applies to all development proposals involving licensed premises.

Licensed premises are those premises which are licensed, or which require a licence to be issued, under the *Liquor Act 2007*, Part 3, Division 1. The Liquor Act provides for various types of licences to be issued, as set out in Section 3.1.5 below.

This chapter of the DCP also applies to:

- ▶ DAs for existing licensed premises;
- ▶ applications for the modification of development consents (s.96 applications);
- ▶ applications for the review of a determination of a DA (s.82A review); and
- ▶ reviewable conditions (EPA Act, s.80 (10B)).

In the Woollahra Municipality there are existing licensed premises located in zones where they are no longer permitted. These premises operate as existing uses and are subject to special provisions (see *Environmental Planning and Assessment Act 1979*, Division Part 4, Division 10).

The controls in this chapter have been prepared to complement our procedure *Extension or Intensification of a Use* which relates to applying the Land and Environment Court Planning Principle for licensed premises established in *Vinson v Randwick Council [2005] NSWLEC 142*.

Where this DCP chapter does not apply

This chapter does not apply to the current operating conditions of existing licensed premises. However, the current operating conditions of existing licensed premises will be considered, and may be varied, as part of the determination of a DA (or a related application) which may be submitted for the premises.

3.1.3 Objectives

The objectives of this chapter are:

- O1 To standardise the way we assess development applications (DAs) and other related applications for licensed premises.
- O2 To provide certainty to applicants, residents and other stakeholders regarding our approach to, and planning requirements for, dealing with DAs and other related applications for licensed premises.
- O3 To achieve a more consistent approach to determining trading hours and operating conditions for licensed premises.

Note: This chapter is not intended to duplicate processes under the Liquor Act. However, we reserve our right to make submissions, which may be in the nature of objections, in relation to:

- ▶ the preparation of a Community Impact Statement as part of a licence application under the Liquor Act; and
- ▶ a licence application, or the terms of a licence application, under the Liquor Act.

We reserve this right notwithstanding that we may have granted a development consent in relation to the use of the premises for the purposes of a licensed premises.

3.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

3.1.5 Relationship to other documents

Liquor Act 2007

The Liquor Act includes licensing provisions for the sale of alcohol which is based on the categorisation of licensed premises.

Matters to be considered before a licence can be issued under the Liquor Act are the social impacts of issuing a licence and whether the licensee would be a fit and proper person to hold a licence. If development consent is required under the *Environmental Planning and Assessment Act 1979* (the Act) for the use of premises, then proof that a consent is in force also needs to be provided.

The potential environmental risk associated with the different categories of licensed premises varies.

Types of licences under the *Liquor Act 2007*

Type of licence	Type of activity
Hotel (including a general bar licence)	Hotel, bar, tavern
Club	A registered club selling liquor to members and their guests
Small bar	Maximum of 60 patrons, food is available, no gambling
On-premises	Can be tailored for one or more types of business activities including a restaurant, public entertainment venue, motel, function centre and other venues where liquor is consumed on the premises
Packaged liquor	Liquor stores, internet operators selling liquor to the public
Producer/wholesaler	Brewer, distiller winemaker, wholesaler
Limited	Functions held by non-profit organisations, as well as special events and trade fairs

F3.2 Licensed premises risk rating

The following table shows the risk rating for licensed premises.

RISK RATING OF LICENSED PREMISES		
Type of licence	Location/zone	Risk rating
Hotels, clubs irrespective of their capacity	Anywhere	HIGH
On-premises, packaged liquor, producer/wholesaler, limited with a capacity of 100 or more patrons		
Any licensed premises	R2 and R3 zones	HIGH
On-licences/small bars	B1	HIGH
	B2, B4, SP3 and RE1	LOW
Small bars, on-premises, packaged liquor, producer/wholesaler, limited with a capacity of less than 100 patrons	B2	LOW

F3.3 Objectives and controls

Objectives	Controls
<p>O1 Minimise the impact of licensed premises on the amenity of residential or other sensitive land uses.</p>	<p>C1 Before deciding on an application involving licensed premises, the following matters are considered:</p> <ul style="list-style-type: none"> a) the location of the premises and the proximity of residential and other sensitive uses; b) the type of licensed premises; c) the size and capacity of the premises; d) trading hours; e) existing and likely cumulative impacts, including social impacts, of licensed premises on the amenity of surrounding areas; f) existing and proposed management practices relating to the operation of the premises and of the areas in the vicinity of the premises; g) the density of licensed premises in the vicinity of the proposed development; h) availability of car parking and proximity and access to public transport; and i) any recommendations/comments provided by NSW Police (applications involving licensed premises will be referred to NSW Police for comment in accordance with our Memorandum of Understanding - Crime Prevention Through Environmental Design).

Objectives		Controls				
O2	Identify appropriate trading hours for licensed premises	C2	The trading hours for licensed premises are as set out in the following table:			
			Internal (fully enclosed)		External (not fully enclosed)	
Risk rating			Base	Extended	Base	Extended
High			8am - 10pm	8am - midnight	8am - 8pm	8am - 10pm
Low			8am - midnight	8am - 2am	8am -10pm	8am - midnight
		C3	Consents for licensed premises will, by condition, limit trading hours so that they do not exceed the base trading hours as shown in the Trading Hours Table under C2 (consents may impose trading hours less than the base trading hours).			
		C4	<p>An extension of trading hours will be considered upon the appropriate application being made. The matters set out in C1 are also considered in the assessment of an application to extend trading hours. If approved:</p> <ul style="list-style-type: none"> a) extended trading hours will not exceed the extended trading hours in the Trading Hours Table under C2 (an approval may be subject to a condition which requires extended trading hours to be less than the hours shown in the table); and b) will be for trial periods and subject to reviewable conditions. <p>Reviews of extended trading hours will generally be:</p> <ul style="list-style-type: none"> a) 1 year following the initial trial period; and b) every 2 years after the first review. 			

Objectives	Controls
<p>O3 Identify the maximum number of persons permitted on the licensed premises (including outdoor areas) to:</p> <ul style="list-style-type: none"> a) minimise the impact on the amenity of surrounding residential and sensitive land uses; and b) provide a safe environment for occupants. 	<p>C5 Consents for licensed premises will, by condition, limit the maximum number of persons permitted on licensed premises based on:</p> <ul style="list-style-type: none"> a) an assessment of likely amenity impacts; and b) fire safety and other emergency situation considerations. <p>C6 An increase in the maximum number of persons permitted on licensed premises will be considered upon the appropriate application being made. Under no circumstances will an increase be permitted if the number of persons would exceed fire safety/emergency criteria.</p> <p>If approved, an increase in the maximum number of persons permitted on licensed premises will be for trial periods and subject to reviewable conditions.</p> <p>Reviews of an increase in the maximum number of persons on licensed premises will generally be:</p> <ul style="list-style-type: none"> a) 1 year following the commencement of the initial trial period; b) 2 years following the first review; and c) every 5 years thereafter.

Objectives	Controls
<p>O4 Appropriate management practices are implemented for licensed premises to:</p> <ul style="list-style-type: none"> a) minimise impacts on surrounding residential and other sensitive land uses; and b) safeguard persons occupying licensed premises. 	<p>C7 DAs for licensed premises are accompanied by:</p> <ul style="list-style-type: none"> a) a management plan (see DA Guide - Management Plan for Licensed Premises, for information to be included in a management plan) which contains appropriate management practices having regard to the risk rating of the premises. b) a social impact report (see DA Guide - Social Impact Report for Licensed Premises, for information to be included in a social impact report) which contains an appropriate level of information of social impacts having regard to the risk rating of the premises. <p>C8 Licensed premises are managed in a manner which minimises opportunities for anti-social behaviour and crime arising from their operation.</p> <p>C9 Management of licensed premises extends to the area in the vicinity of the premises to prevent anti-social behaviour and crime particularly at closing times and during periods of high patronage.</p> <p>C10 Provision is made for suitable active and passive surveillance of the premises and its surrounds, e.g. security personal and CCTV cameras.</p> <p>C11 Revised management plans and social impact reports are submitted:</p> <ul style="list-style-type: none"> a) for an application to extend trading hours; b) for an application to increase the maximum number of persons permitted in a building; and c) as part of review of condition that permits an extension of trading hours and/or that permits an increase in the number of persons permitted in a building.

Objectives	Controls
<p>O5 Buildings and areas accommodating licensed premises are designed and located to:</p> <ul style="list-style-type: none"> a) minimise impacts on the amenity of surrounding residential and other sensitive uses; and b) provide a safe environment for its occupants. 	<p>C12 The location of:</p> <ul style="list-style-type: none"> a) outdoor areas of licensed premises (includes smoking areas); b) window, door and other openings in external walls; c) plant and equipment; and d) waste collection and storage areas <p>is to take into account the proximity of residential and other sensitive uses.</p> <p>C13 A report by an acoustic engineer is submitted with applications involving licensed premises.</p> <p>C14 Consideration will be given to upgrading fire services, building structure, toilet facilities, etc. of existing buildings where applications involving licensed premises result in a change of use and/or an intensification of use of the building.</p> <p>C15 Lighting is installed to enable visibility of activities and surveillance of the area in the vicinity of the premises.</p> <p>C16 The street façade design of licensed premises is in keeping with the architectural character of the streetscape. Blank facades are avoided.</p>

Chapter F4 Telecommunications

Part F ► Land Use Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter F4 ▶ Telecommunications

Contents

F4.1	INTRODUCTION	1
4.1.1	Background	1
4.1.2	Land where this chapter applies	1
4.1.3	Development to which this chapter applies	1
4.1.4	Objectives	2
4.1.5	Relationship to other parts of the DCP	2
4.1.6	Relationship with other documents.....	2
F4.2	LOCATION AND DESIGN OF TELECOMMUNICATION FACILITIES	5

F4.1 Introduction

4.1.1 Background

The regulation of telecommunications infrastructure is primarily the responsibility of the Commonwealth and State Government, leaving little scope for Council to include additional requirements.

The key provisions are established in:

- ▶ *Commonwealth Telecommunications (Low-impact Facilities) Determination 1997* (LIF Determination); and
- ▶ *New South Wales (NSW) State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP).

Between the LIF Determination and the Infrastructure SEPP, most types of telecommunication facilities are identified as development that does not require approval from Council. Generally the telecommunications carrier is only required to notify Council of the proposal and invite Council's comment.

For development that requires Council's consent, the State Government has published the *NSW Telecommunication Facilities Guideline including Broadband* (NSW Telecommunications Guideline). This Guideline is the main control document for ensuring that telecommunications infrastructure is suitably located and designed in NSW, and its consideration in the assessment process is mandatory.

The Guideline addresses matters that Council would ordinarily consider for including in a DCP. To that end, this chapter of the DCP calls up the Guideline as Council's control document.

4.1.2 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

4.1.3 Development to which this chapter applies

Development requiring consent

This chapter applies to development for telecommunications facilities that require consent under clause 115 of *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP). Development under this clause must address the NSW Telecommunications Guideline as well as the objectives and controls in this chapter of the DCP.

Note: Under the Infrastructure SEPP telecommunication facilities are permitted in any zone. Woollahra Local Environmental Plan 2014 does not specifically list "telecommunications facilities" in the land use tables to avoid duplicating the Commonwealth and State planning controls.

Other development for which Council is notified

Most telecommunications infrastructure can be undertaken without Council's consent. Notwithstanding, the telecommunications carrier is generally required to notify Council of its intention to undertake the development, and to seek Council's comment. The provisions in this chapter will inform Council's response to these notices.

Under the LIF Determination, Council will be notified of mobile phone base station development¹.

Under the Infrastructure SEPP, Council will be notified of the following types of development:

- ▶ development does that not require consent under clause 114, which Council is notified of under subclause 114(2);
- ▶ exempt development under clause 116¹; and
- ▶ complying development under clause 116A¹.

4.1.4 Objectives

The provisions in this part of the DCP recognise that the *NSW Telecommunications Facilities Guideline including Broadband 2010* is Council's policy for assessing telecommunications facilities that require consent.

4.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- ▶ If located in a business centre—the controls in Part D: Business Centres that apply to the land.

4.1.6 Relationship with other documents

The following documents should be read in conjunction with this chapter of the DCP.

Telecommunications Act 1997 and Radiocommunications Act 1992

The *Telecommunications Act 1997* establishes a regime for carriers' rights and responsibilities when installing, inspecting or maintaining telecommunications facilities.

The *Radiocommunications Act 1992* regulates radiocommunications transmitters. It provides for the licensing of radiocommunications equipment and applies mandatory standards to its use.

¹ This is a requirement to notify in relation to mobile phone base station development, and is established under clauses 5.1.1 and 6.4 of the Industry Code.

Telecommunications Code of Practice 1997

The *Telecommunications Code of Practice 1997* establishes obligations on carriers in land access situations such as when inspecting land, installing low-impact facilities and maintaining facilities. It also requires carriers to comply with recognised industry codes and standards.

Telecommunications (Low-impact Facilities) Determination 1997

The LIF Determination applies to many types of telecommunications infrastructure, and allows these to be constructed without Council's approval.

These low-impact facilities are restricted to certain sizes, structures and locations. For example, a mobile phone antenna is not to protrude from a structure by more than 3m, and the diameter of a satellite dish is to be a maximum of 1.2m.

Development on a site containing a heritage item, or located in a heritage conservation area, cannot be a low-impact facility. Low-impact facilities also do not include development that is a tower that is not attached to a building, a tower attached to a building and more than 5m high, or an extension to a tower that has previously been extended.

State Environmental Planning Policy (Infrastructure) SEPP 2007 and the NSW Telecommunications Facilities Guideline including Broadband 2010

The Infrastructure SEPP provides a planning regime for infrastructure and the provision of services across NSW. Division 21 of the Infrastructure SEPP addresses telecommunications facilities development.

Depending on the location and scope of works, the Infrastructure SEPP permits telecommunications facilities within NSW as:

- ▶ exempt development;
- ▶ complying development;
- ▶ development with consent; and
- ▶ development that does not require consent.

To support the SEPP, the Department of Planning and Infrastructure introduced the *NSW Telecommunications Facilities Guideline including Broadband* in 2010. The NSW Telecommunications Guideline establishes the planning controls for telecommunications facilities permitted under the Infrastructure SEPP.

In particular, Part 2.2 of the Guideline contains principles regarding the site selection, design, construction and operation of telecommunications facilities. Development that requires consent under clause 115 of the Infrastructure SEPP must have regard to these principles, therefore these have not been duplicated in this chapter.

Industry Code C564:2011 Mobile Phone Base Station Deployment 2011

The Industry Code adopts a precautionary approach to the location and design of telecommunications facilities. It also outlines telecommunications carriers' responsibilities regarding consultation; this includes requirements for notifying Council and relevant parties of any proposed mobile phone telecommunications facilities that do not require Council consent, such as low-impact facilities permissible under the LIF Determination.

For development that Council is notified of, this DCP is to be considered by the telecommunications carriers as it will form the basis of Council's comments on the proposed development.

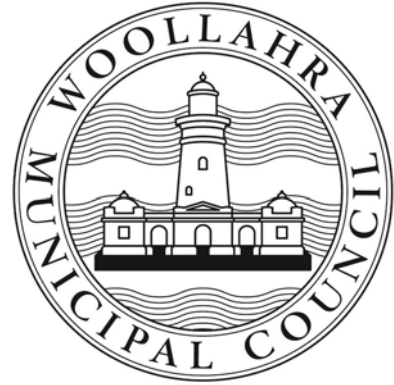
F4.2 Location and design of telecommunication facilities

The site selection, design, construction and operation of telecommunication facilities in NSW if carried out under clause 114 or 115 of the Infrastructure SEPP must be consistent with the principles set out in the NSW Telecommunications Guideline.

The principles are:

- ▶ Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact.
- ▶ Principle 2: Telecommunications facilities should be co-located wherever practical.
- ▶ Principle 3: Health standards for exposure to radio emissions will be met.
- ▶ Principle 4: Minimise disturbance and risk, and maximise compliance.

Objectives		Controls	
O1	To ensure that telecommunications facilities have minimal impact on the amenity of an area.	C1	The provisions in the <i>NSW Telecommunications Facilities Guideline including Broadband</i> apply.



Part G ► Site-Specific Controls

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2014
DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter G1

Babworth House, Darling Point

Part G ▶ Site-Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter G1 ▶ Babworth House, Darling Point

Contents

G1.1	INTRODUCTION	1
1.1.1	Background	1
1.1.2	Land where this chapter applies	1
1.1.3	Development to which this chapter applies	2
1.1.4	Objectives	2
1.1.5	Relationship to other parts of the DCP	2
1.1.6	Relationship to other documents	2
G1.2	PLANNING PRINCIPLES	3
G1.3	CHARACTER STATEMENTS	4
1.3.1	Character elements	4
1.3.2	Desired future character objectives	4
G1.4	DESIGN CRITERIA	5
1.4.1	Masterplan	5
1.4.2	Heritage conservation	8
1.4.3	Site layout	14
1.4.4	Building envelope	19
1.4.5	Design elements, roof form and building materials	32
1.4.6	Landscape, open space	34
1.4.7	Acoustic and visual privacy	37
1.4.8	Access and mobility	38
1.4.9	Car parking and servicing	41
1.4.10	Site facilities	45
1.4.11	Energy efficiency	46
1.4.12	Water and soil management	48
1.4.13	Safety and surveillance	50
1.4.14	Subdivision, maintenance and management	51

G1.1 Introduction

1.1.1 Background

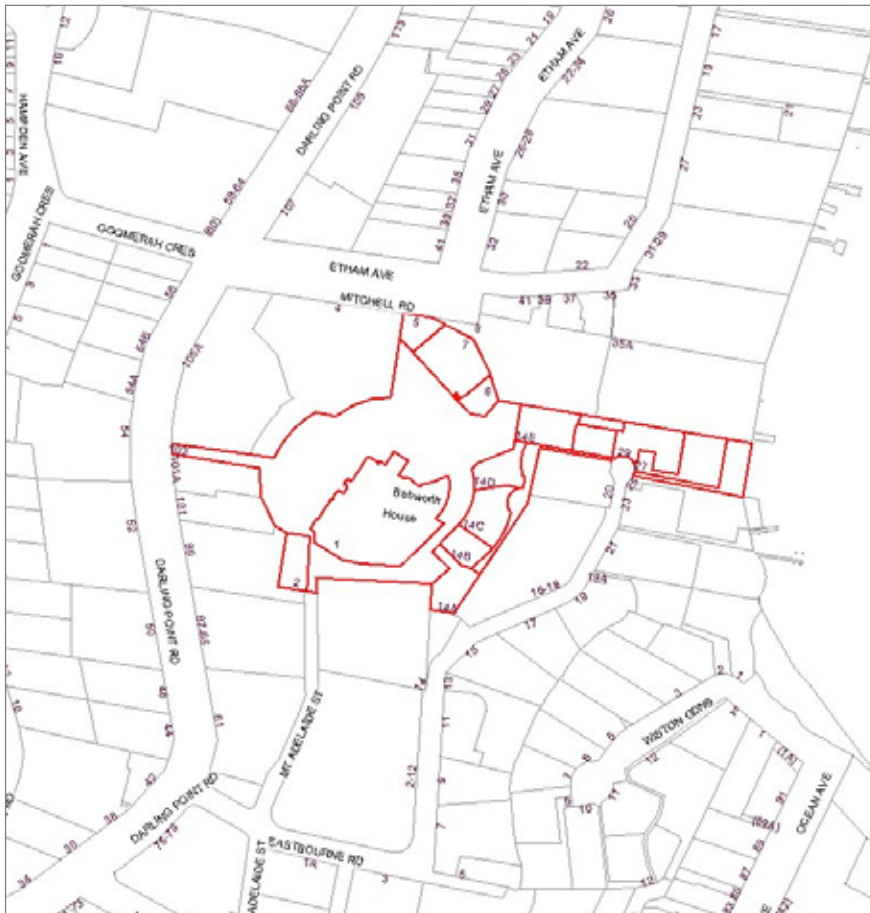
This chapter provides detailed controls for development on the Babworth House site and seeks to ensure the conservation of Babworth House, significant cultural landscape features and out-buildings.

Note: This chapter reflects the site specific development control plan adopted by Council on 15 June 1999, and which commenced on 19 November 1999.

1.1.2 Land where this chapter applies

This chapter applies to land at 103 Darling Point Road, Darling Point (Lots 1-5 SP 70612 and Lots 4, 5, 6, 7, 10, 11, 12, 13, 14, 16 and 17 DP 270253) commonly known as 'Babworth House', as identified in Figure 1.

FIGURE 1 Where this chapter applies



1.1.3 Development to which this chapter applies

This chapter applies to development requiring consent under Woollahra Local Environmental Plan 2014 (Woollahra LEP).

1.1.4 Objectives

The objectives of this chapter are:

- O1 To maintain the cultural (heritage significance of Babworth House in the context of its cultural landscape setting).
- O2 To retain the principal heritage and cultural landscape features of the site.
- O3 To facilitate appropriate development of the site and uses within Babworth House.

1.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part B: Chapter B1 Residential Precincts (Darling Point)
- ▶ Part B: Chapter B3 General Development Controls
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails.

1.1.6 Relationship to other documents

Conservation Management Plan

Applicants must refer to any conservation management plans prepared for the site.

G1.2 Planning principles

The planning principles for the Babworth House site are:

- a) To ensure that future development of the site is carried out in accordance with sound planning, cultural and heritage principles, whilst taking into account the community's response.
- b) To undertake consultation with the community as part of the development application assessment process.
- c) To protect the cultural significance of the site and Babworth House.
- d) To ensure conservation of the historic buildings and the grounds to maintain an appropriate visual setting for Babworth House.
- e) To protect views to, from and over the site.
- f) To retain existing principal views from Babworth House.
- g) To prevent high or medium rise towers on the site.
- h) To preserve all significant trees or vegetation on the site.
- i) To provide adequate privacy and solar access to adjoining properties.
- j) To ensure that any new building or structure employs a design idiom, scale, massing, materials, details and construction techniques which provide an appropriate response to the cultural significance of Babworth House and its landscape setting.
- k) To allow for public pedestrian access to the foreshore.
- l) To minimise traffic impacts by providing multiple vehicular access points.
- m) To ensure the ongoing care and maintenance of the historic buildings (Babworth House and garage) and grounds.
- n) To encourage retention of a single management structure for the site.
- o) To retain the outer subdivision boundaries of the site.

These planning principles form the basis of the objectives and detailed provisions in this chapter.

G1.3 Character statements

The character elements represent the distinguishing and important features of the site. Any future development on the site is to retain these elements and must meet the desired future character objectives.

The character elements and desired future character objectives set the context for development on the site.

1.3.1 Character elements

The character elements of the site are:

- a) Babworth House is one of the largest, finest and most intact examples of an early twentieth century grand house in Australia with Federation Arts and Crafts styles. This style incorporates both Art Nouveau and Neoclassical motifs. Babworth House displays high quality finishes and detailing.
- b) The strong emphasis on the location of Babworth House within a landscaped setting and on the highest point of Darling Point. The location of the site and Babworth House provides commanding views to, from and over the site.
- c) The historic link between Babworth House and Darling Point Road, and the historic and significant landscape link between the house and Double Bay.

1.3.2 Desired future character objectives

The desired future character objectives for the site are:

- O1 To retain and readily interpret the cultural (heritage) significance of Babworth House and its landscaped setting.
- O2 To maintain and enhance a visual landscaped linkage with Double Bay and the historic pedestrian link with Darling Point Road.
- O3 To maintain the 'grand estate' character of the site.
- O4 To ensure that the location, height and bulk of new buildings retain the existing significant views from Babworth House.
- O5 To ensure that the location, height and bulk of new buildings retain views of Babworth House from the harbour.

G1.4 Design criteria

The design criteria are divided into particular design elements. Each element includes objectives and controls. Meeting the controls may satisfy the objectives of each design element.

1.4.1 Masterplan

A masterplan sets out:

- ▶ details on the design of buildings and the method of building construction
- ▶ a plan for integrated development for the site as a whole
- ▶ the arrangement, location, footprint and envelopes of buildings and their relationship with Babworth House, site features, adjoining development, existing landscape and access arrangements
- ▶ the intended uses of all buildings.

Objectives

- O1 To provide a planning framework for the site as a whole.
- O2 To prevent fragmented development of the site.

Controls

- C1 A masterplan is prepared for the whole of the site.
- C2 All development is consistent with the adopted Conservation Management Plan for the site.
- C3 In preparing the masterplan the applicant undertakes and submits to Council a site analysis, which takes into consideration:
 - a) site dimensions;
 - b) site configuration;
 - c) hydrology - overland and sub-surface water flows;
 - d) topography - including soil condition and stability;
 - e) the structural condition of the right-of-way over 4 Mitchell Road and its ability to carry vehicles;
 - f) services;
 - g) easements;
 - h) existing vegetation (location, spread, height and species) and other landscape features;
 - i) micro climate (e.g. orientation and prevailing winds);
 - j) location of Babworth House, significant spaces and elements;
 - k) adjoining development;

-
- l) the heritage significance of the buildings and elements on the site and on adjoining land, and their respective settings;
 - m) form, scale, colour, texture and materials of heritage listed buildings and hard landscape elements (e.g. paths, balustrades) that are located on the site;
 - n) potential archaeological zoning;
 - o) views to, from and over the site;
 - p) pedestrian and vehicular access or linkages with surrounding areas;
 - q) form, height, scale and type of surrounding development;
 - r) overshadowing of existing buildings;
 - s) other opportunities and constraints to development; and
 - t) opportunities for public access to and along the foreshore.

Note: The above information is the minimum information required for the site analysis. Council may require other information to be provided. Information is to be shown on a survey plan at a scale of 1:250.

C4 The masterplan:

- a) demonstrates compliance with the objectives of this chapter;
- b) details by distinct survey reference the arrangement, location, footprint and envelopes of buildings and their relationship with Babworth House, site features, adjoining development, existing landscape and access arrangements;
- c) identifies the impact of construction of any proposed development on the culturally significant fabric of Babworth House and its setting;
- d) identifies the intended uses of all buildings or spaces;
- e) details the proposed use and subdivision of Babworth House;
- f) identifies private and communal open space areas and facilities;
- g) delineates the private and communal open space areas;
- h) identifies all accessways/paths and their role in providing connections for pedestrian access within and beyond the site;
- i) specifies where and how public access is to be provided to and along the harbour foreshore area;
- j) specifies vehicular access, parking, security and servicing arrangements;
- k) addresses ways to achieve energy efficiency;
- l) details the staging (if any) of the development;
- m) details the proposed method of subdivision and notional plan of subdivision;
- n) addresses other relevant design aspects and issues identified by Council during pre-DA discussions;

- o) Is accompanied by:
- a Statement of Heritage Impact (see Section 1.4.2)
 - an Archaeological Assessment (see Section 1.4.2)
 - a Landscape Concept Plan (including an arborist’s report) and Landscape Management Plan (see Section 1.4.6)
 - an energy efficiency report, if required (see Section 1.4.11)
 - a Stormwater And Soil Management Plan (see Section 1.4.12)
 - a geotechnical report
 - a hydrology report
 - a statement of environmental effects
 - shadow diagrams for all new buildings
 - photomontages of new buildings within their settings
 - a detailed statement on the method of construction for all new buildings, particularly the proposed construction of foundations
 - a report on the structural condition of the right-of-way which is to include any limitations to its existing and future use due to that condition
 - any other information identified by Council during pre-DA discussions.

1.4.2 Heritage conservation

Babworth House, its garden and landscape setting is of national significance and should be retained and conserved.

Conserving the cultural significance of Babworth House and grounds is one of the principal objectives of this chapter.

Conservation is defined in the Australia ICOMOS Burra Charter as all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Objectives

- O1 To protect and enhance the cultural significance of Babworth House and its setting, including spaces or elements that are of special architectural, social, technical and/or historical interest.
- O2 To preserve archaeologically significant artefacts and evidence.

Controls

- C1 Babworth House, its garden structures and landscape setting is retained and conserved in accordance with the policies of the adopted Conservation Management Plan.
- C2 The use of Babworth House and Garage:
 - a) is consistent with the policies of the adopted Conservation Management Plan;
 - b) is in accordance with the graded zones of significance for the House and Garage (see Figures 2a-c and 3);
 - c) contributes to the preservation and enhancement of the House, Garage and grounds (see Figure 4 - 1a and 1b landscaped zones of significance); and
 - d) is carried out without danger to the fabric and structure of the building.
- C3 New buildings and structures are located only within the areas graded 1c under the adopted Conservation Management Plan (see Figure 4) and comply with the building envelope controls in Section 1.4.4.

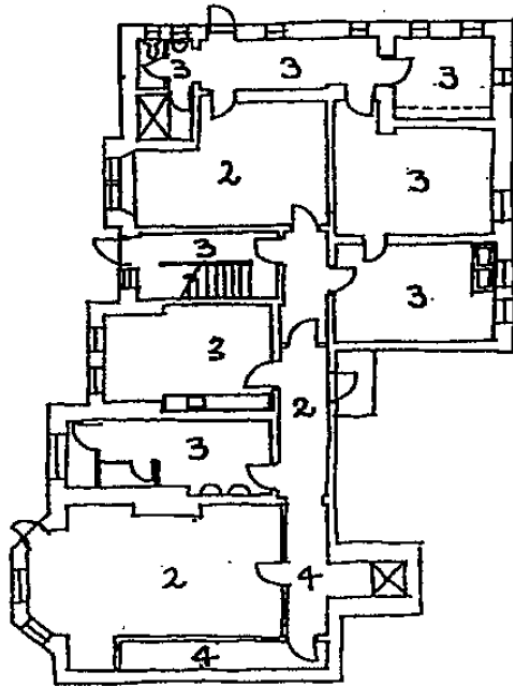
All building envelopes are to be taken as indicative. Provisions of the *Environmental Planning and Assessment Act 1979* and statutory provisions within environmental planning instruments which apply to the land together with the planning principles, objectives and controls mentioned in this chapter are to take precedence over the conceptual building layout (Figure 8) and the building envelopes.

Council may require deletion or modification of building envelopes or buildings if development is considered by the Council to be unsatisfactory in terms of the relevant provisions of the Act, the environmental planning instruments, planning principles, objectives and controls.

-
- C4 The scale of new development is substantially subservient to Babworth House and must respect and must not compromise the conservation of significant garden fabric and layout or the setting of the house.
- C5 New development incorporates design elements that complement, but do not mimic the architectural character of Babworth House through:
- a) a design idiom that is an appropriate response to the cultural significance of Babworth House and its setting;
 - b) subservient massing, scale and height;
 - c) roof forms;
 - d) proportion and relationship of openings for windows and doors;
 - e) building materials; and
 - f) appropriate landscaping relative to the restoration plan for the garden.
- C6 A Statement of Heritage Impact, prepared by a suitably qualified person, accompanies the masterplan application. Further statements for detailed development applications are provided. The statements set out the cultural (heritage) significance of the place as a whole and the relevant significant spaces or elements, and the effect of the proposed works on this significance. The statements include discussion on the rationale for the character and scale of the proposed new structures within the Babworth House site.
- C7 An Archaeological Assessment, prepared by a suitably qualified person, accompanies development applications and is in accordance with the findings of the Archaeological Zoning Plan¹ (refer Figure 5). An Archaeological Assessment includes specific recommendations which address the significance of the site, the impact of the proposal and proposed conservation or mitigation measures.

¹ The archaeological zoning plan graphic plan of a place indicating the relative archaeological potential of areas or zones within the place.

FIGURE 2A Babworth House (basement) - graded zones of significance



LEVELS OF SIGNIFICANCE

- 1a Very high significance
- 1b High significance
- 2 Medium significance
- 3 Low significance
- 4 Intrusive

FIGURE 2B Babworth House (ground floor) - graded zones of significance

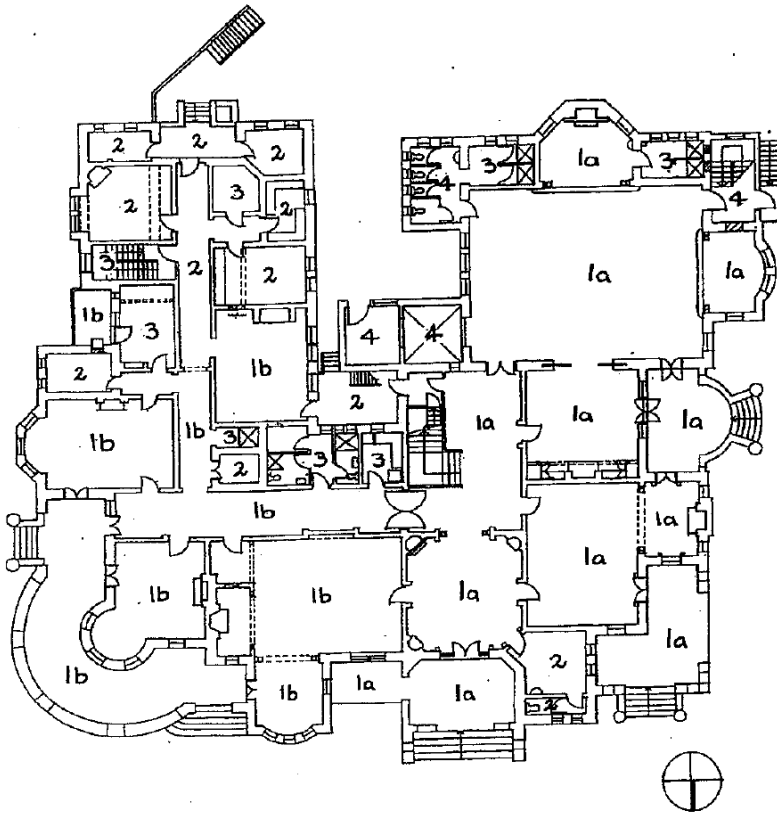


FIGURE 2C Babworth House (first floor) - graded zones of significance

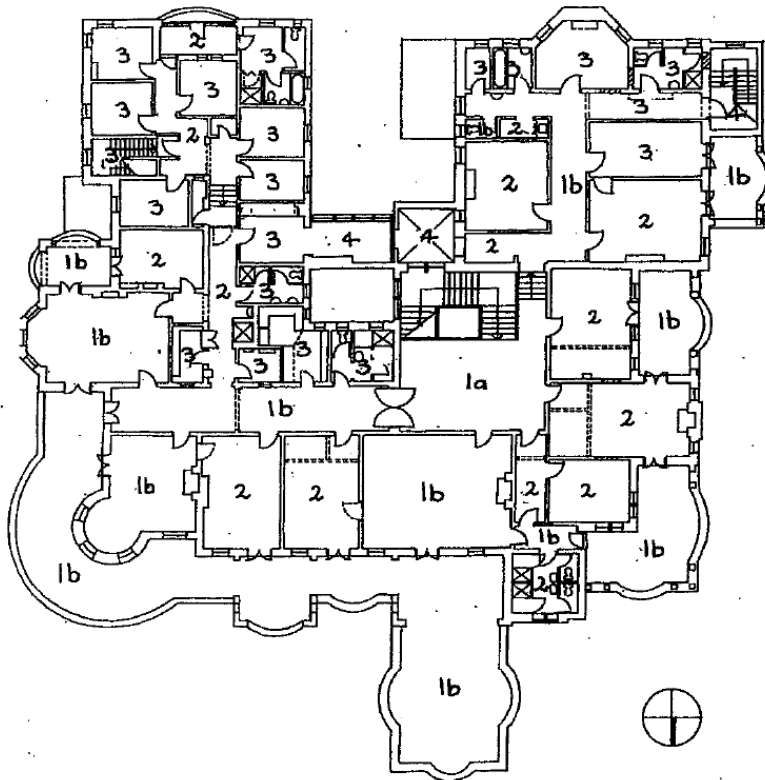


FIGURE 3 Garage - graded zones of significance

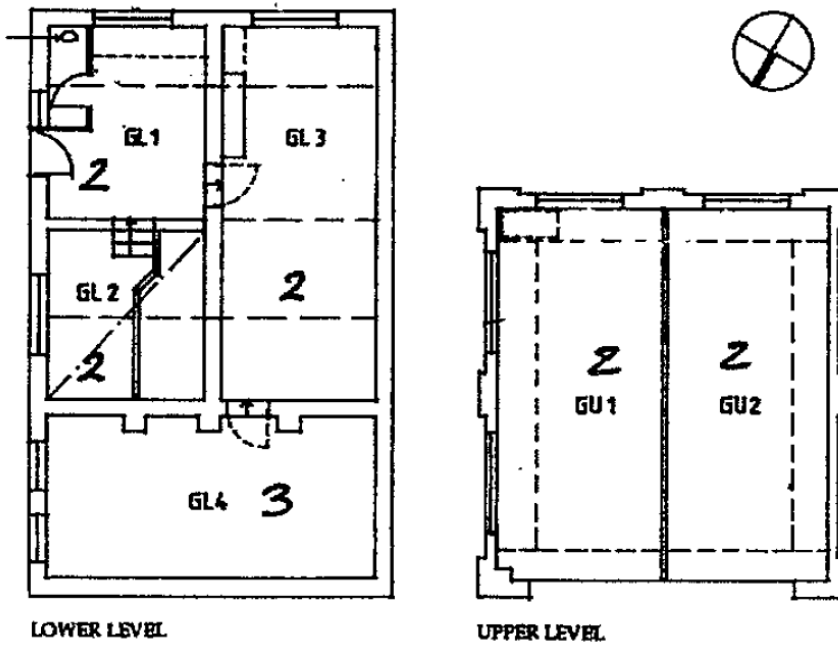


FIGURE 4 Landscaped graded zones of significance

1a – Preservation

1b – Repairs/maintenance

1c – Redevelopment/maintenance

 Hatched areas contain significant elements associated with Babworth House which exist outside the present site boundary

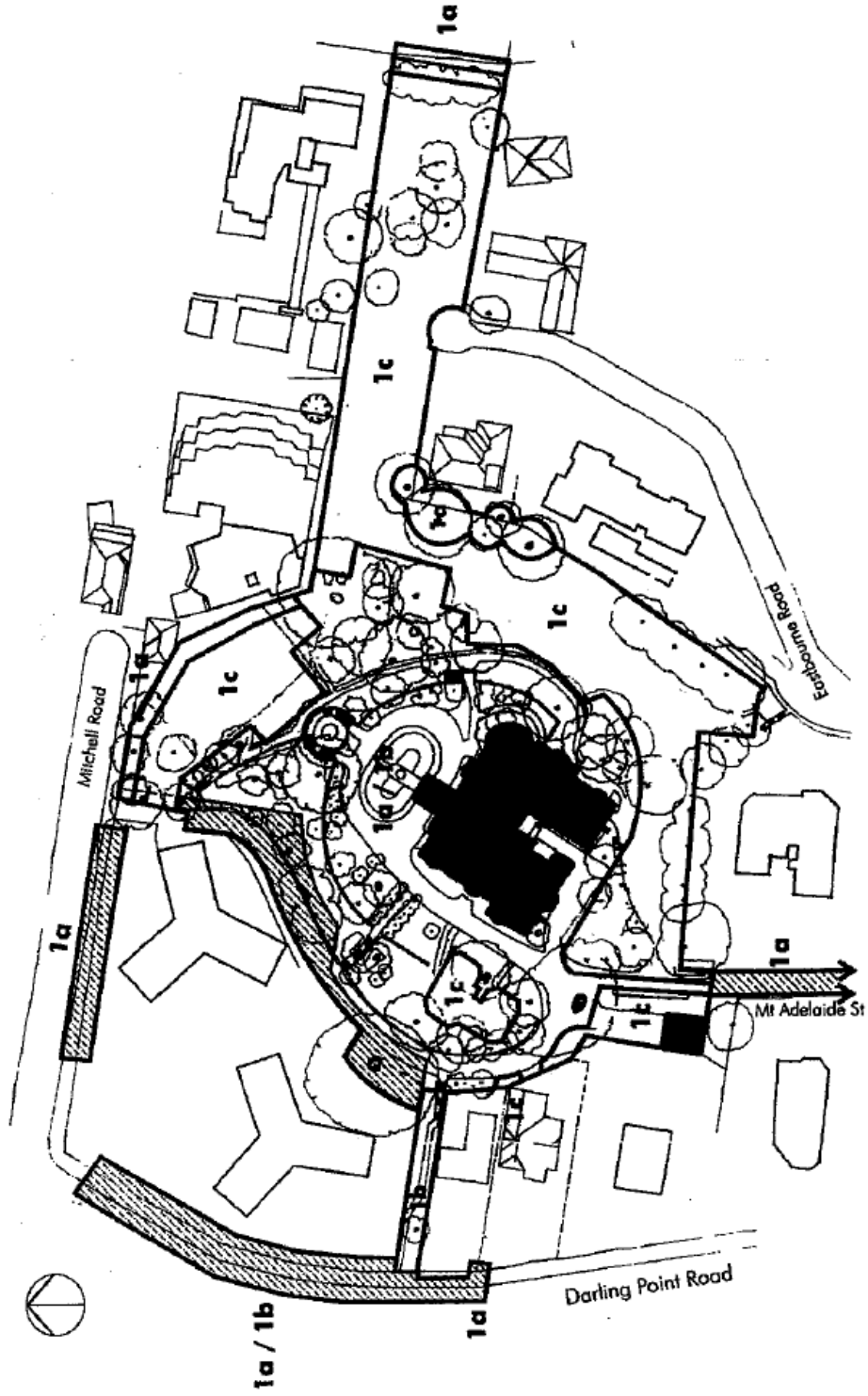
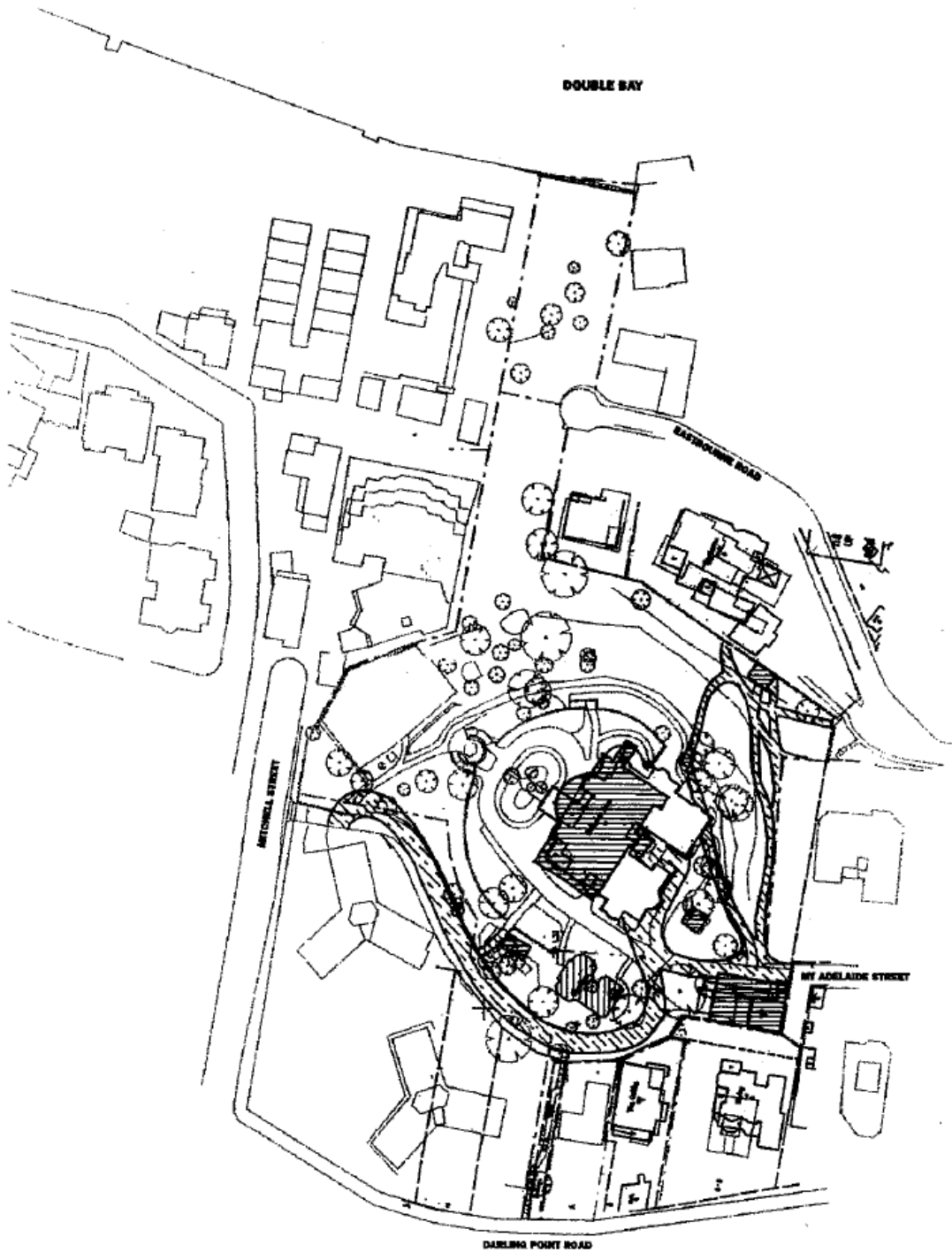


FIGURE 5 Archaeological zoning plan

-  Zone A – Mt Adelaide house and outbuildings
-  Zone B – Mt Adelaide landscape features
-  Zone C – Features associated with Babworth House



1.4.3 Site layout

Site layout refers to the arrangement of buildings, spaces and access arrangements over the site.

Objectives

- O1 To achieve a site layout that considers and respects the existing character and cultural significance of the site.
- O2 To achieve a site layout that relates to the site analysis referred to in Section 1.4.1 and the adopted Conservation Management Plan.
- O3 To protect views to, from and over the site.
- O4 To maintain a visual landscape link between Babworth House and the harbour.
- O5 To provide a high level amenity for future occupants of the site and maintain the amenity of neighbouring properties.

Controls

- C1 The site layout:
 - a) locates new buildings within the landscaped zone of significance (see Figure 4);
 - b) takes into consideration and respects the dominant position of Babworth House;
 - c) takes into consideration the orientation and placement of buildings for solar access;
 - d) retains or where possible enhances the significant attributes of the site (e.g. views, vistas, substantial trees, spaces and elements);
 - e) relates building and landscape design to the site topography and to the desired future character objective of the site;
 - f) retains trees in the 'finger of land' to the waters of Double Bay, as identified in the adopted Conservation Management Plan;
 - g) takes advantage of multiple access points and existing driveways;
 - h) provides opportunities for access to and use of public transport; and
 - i) respects and does not obscure or confuse the historic site layout.
- C2 The site layout provides for retention of the principal view corridors as identified in Figures 6 and 7.

C3 Development is located within the building areas nominated in the Conceptual Layout Plan and Site Precinct Plan (see Figures 8 and 9) and is within the building envelopes nominated in the Building Envelope Diagrams (see Figures 10-18).

Note: All building envelopes are indicative. Provisions of the *Environmental Planning and Assessment Act 1979* and statutory provisions within environmental planning instruments which apply to the land together with the planning principles, objectives and controls mentioned in this chapter take precedence over the Conceptual Layout Plan (Figure 8) and the building envelopes (Section 1.4.4).

Council may require deletion or variation of building envelopes or footprints if the proposed development is considered by Council to be unsatisfactory in terms of the relevant provisions of the Act, the environmental planning instruments, planning principles, objectives and controls.

FIGURE 6 Existing view corridors – views from Babworth House

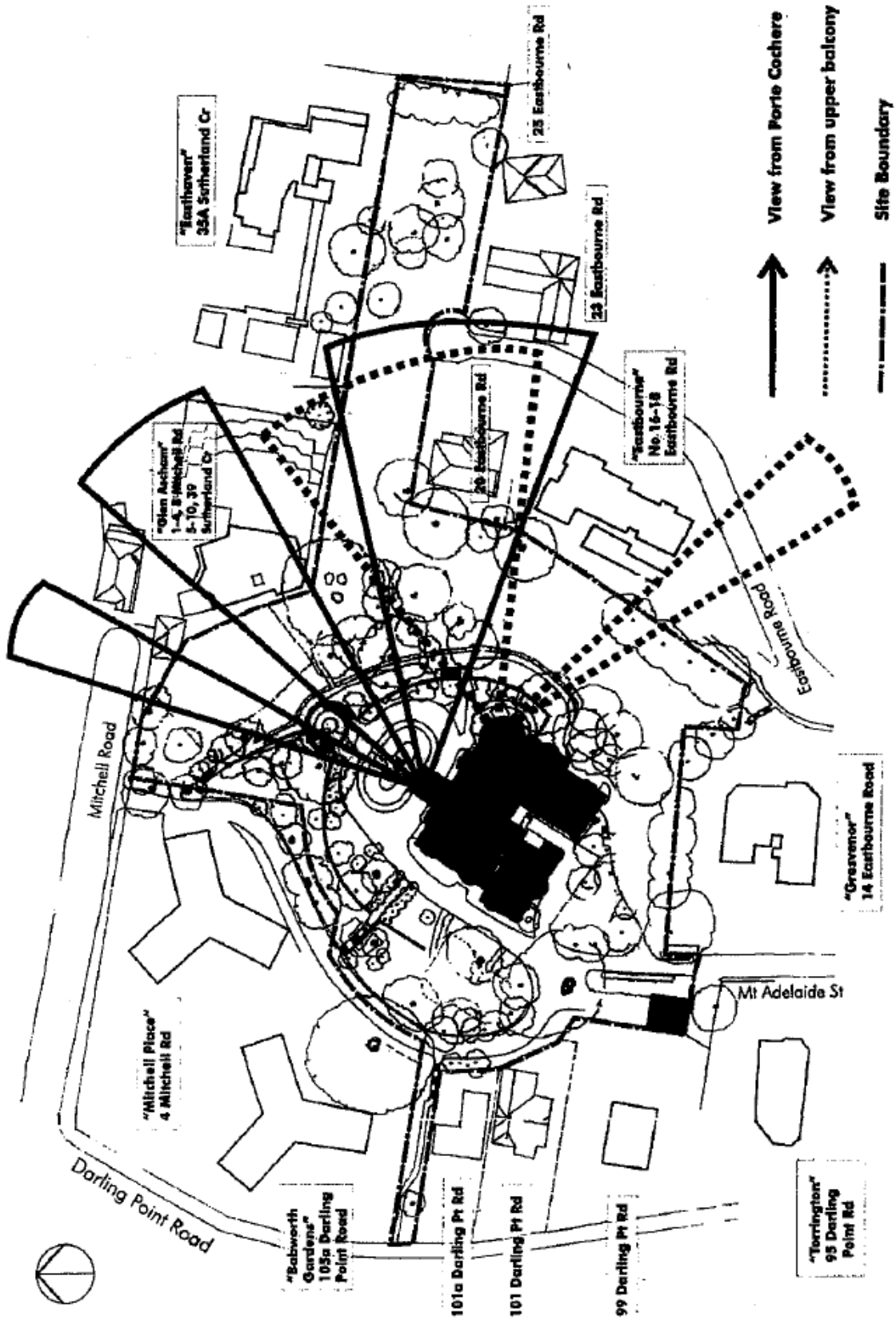


FIGURE 7 Existing view corridors – views over Babworth House

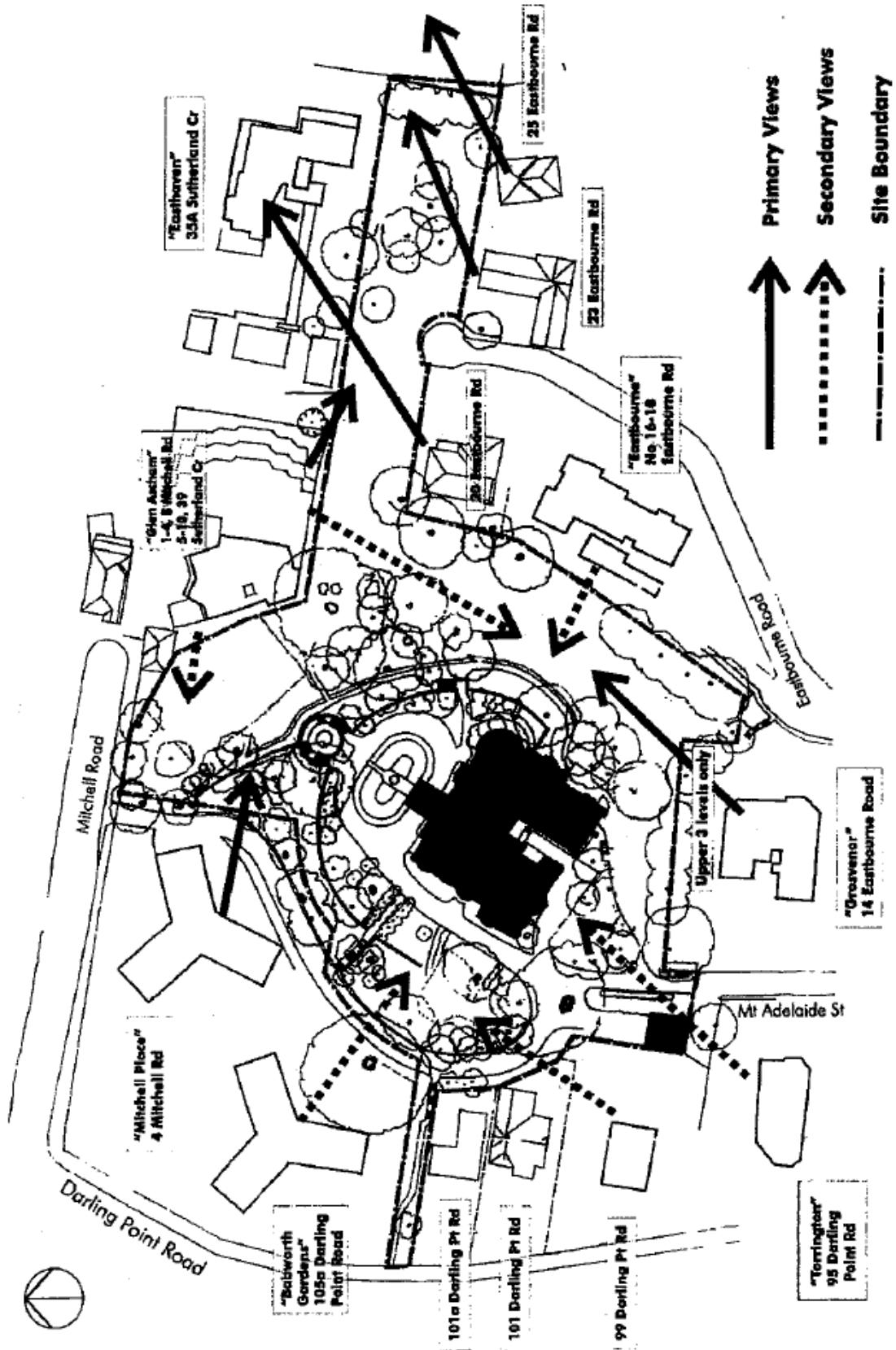
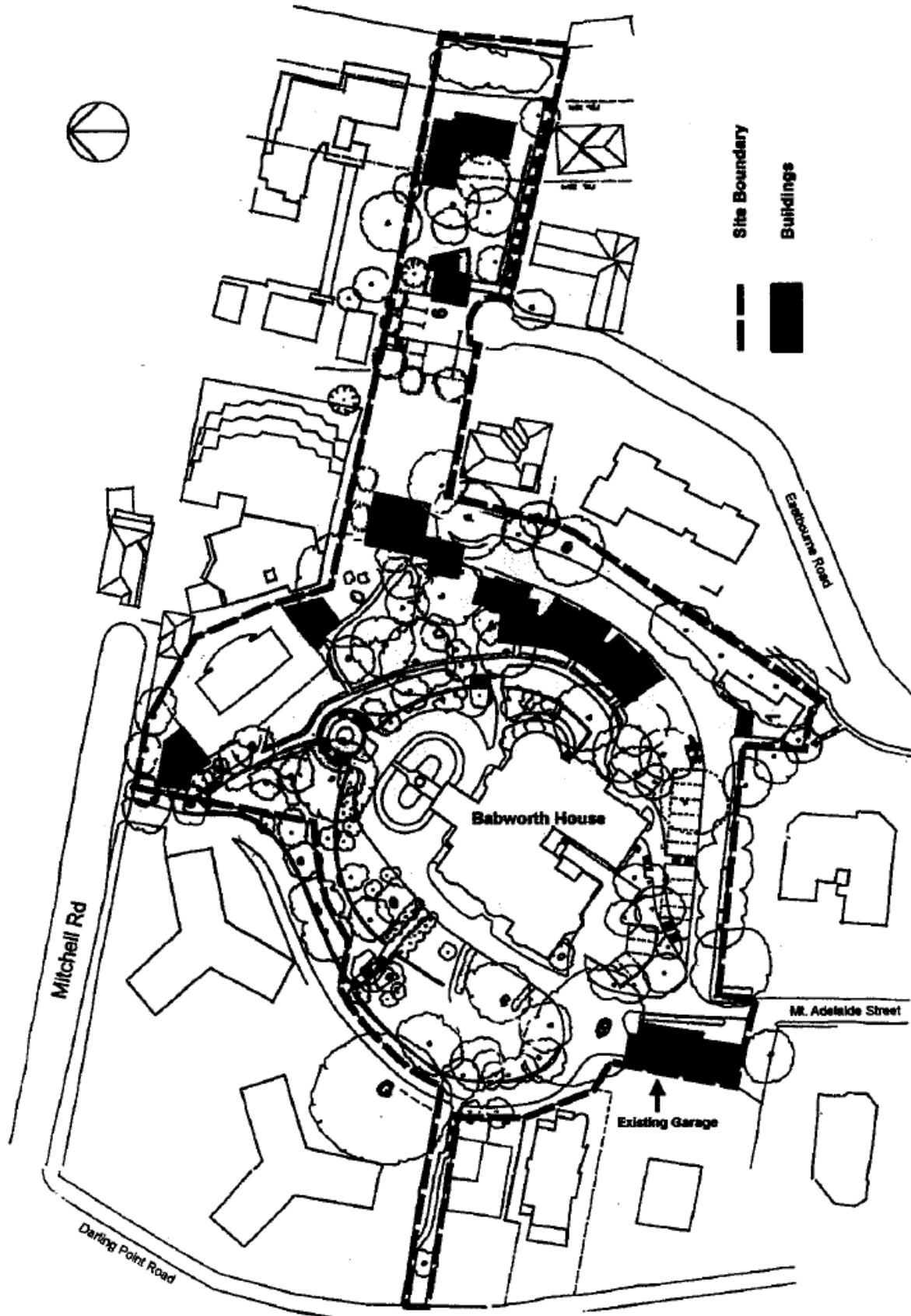


FIGURE 8 Conceptual layout plan



1.4.4 Building envelope

The siting and scale of buildings, including height and setbacks, set the character of development on the site.

Building envelope provisions have been established to control the siting, scale, bulk and height of development so that it satisfies the desired future character objectives and is appropriate in terms of impacts on Babworth House and adjoining properties.

The building envelope represents the maximum limits of development and may not be able to be achieved in all circumstances.

Objectives

- O1 To ensure the built form and intensity of new development respects the scale and character of Babworth House and does not detrimentally affect the significant attributes on the site.
- O2 To ensure the built form and intensity of new development respects the desired future character of the area and does not detrimentally affect the amenity of the area.
- O3 To protect principal views to, from and over the site and ensure buildings are of a height and scale which allows the sharing of views.
- O4 To allow adequate daylight, sunlight and ventilation to living areas and private open space of new and neighbouring development.
- O5 To preserve significant trees and vegetation and retain a landscape link to the harbour.
- O6 To maintain where possible the existing topography of the site.

Controls

- C1 Buildings are located only within the 1c landscape zone of significance as identified under the adopted Conservation Management Plan (see Figure 4) and generally within the nominated building footprints identified in the Conceptual Layout Plan (see Figure 8).
 - C2 Buildings are located within a building envelope nominated in the Building Envelope Diagrams provided for each precinct. The precincts are those identified on the Site Precinct Plan (see Figure 9). Individual building envelopes are identified in Figures 10-18.

Note: All building envelopes are indicative. Provisions of the *Environmental Planning and Assessment Act 1979* and statutory provisions within environmental planning instruments which apply to the land together with the planning principles, objectives and controls mentioned in this chapter take precedence over the Conceptual Layout Plan (Figure 8) and the Building Envelope Diagrams (Figures 10-18).
 - C3 Council may require deletion or variation of building envelopes or footprints if the proposed development is considered by Council to be unsatisfactory in terms of the relevant provisions of the Act, the environmental planning instruments, planning principles, objectives and controls.
-

For instance, Council may require additional setbacks from boundaries, variations to the building footprint and variations to the building envelopes, including reduction in height in order to mitigate the impact of development on the residential amenity of the site and adjoining properties, maintain view corridors, promote view sharing, improve or maintain solar access, retain significant trees and site elements and minimise excavation.

- C4 Balconies, decks, bay windows, non-retractable awnings or other non-retractable solar screening devices and roof terrace balustrades are to be included within the planes of the building envelopes.
- C5 Fascias, gutters, downpipe, eaves up to 0.6m, masonry chimneys, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services, retractable solar screens and blinds, light fittings, electricity and gas meters, aerials, steps, landings may project beyond the planes of the building envelope provided it can be demonstrated that views and privacy are not compromised.
- C6 Conserving significant trees, elements, vistas and archaeological remains as identified in the adopted Conservation Management Plan takes precedence over the permissible maximum building envelopes described in Figures 10-18. The envelopes may therefore need minor adjustment.
- C7 Stepped buildings are encouraged on steeply sloping land within the building footprints and building envelopes identified in Figures 10-18.
- C8 Buildings are sited and designed so that:
- privacy is provided to adjoining dwellings;
 - sunlight is provided to at least 50% (or 35m² with minimum dimension 2.5m, whichever is smaller) of the main ground level private open space of adjoining properties for a minimum of two hours between 9am and 3pm on 21 June. Where existing overshadowing is greater than this, sunlight is not further reduced by more than 20%;
 - adequate daylight is provided to habitable room areas in adjoining dwellings;
 - building forms enable a sharing of views with surroundings and permit views from public streets and open spaces; and
 - the building footprint minimises cut and fill.
- C9 Development has a minimum side boundary setback of 1.5m, increased on a pro rata basis by 0.5m for each additional metre (or part thereof) that the wall height adjacent to the boundary exceeds 3m.
- C10 The building envelope complies with the maximum height limit under the Woollahra LEP.
- C11 If a variation to the maximum height limit is sought through clause 4.6 "Exceptions to development standards" in Woollahra LEP for development on any part of the site, it must as a minimum requirement contain the following information:
- a description of the particular nature and condition of the site and any other circumstances which has led to a design which exceeds the height limit; and

- b) a statement which describes how the design satisfies the relevant planning principles, the desired future character objectives and the objectives and performance controls for site layout, building envelope, landscape, open space and acoustic and visual privacy as set down in this chapter.

C12 Development on Lot E is to be of a design and is to use a method of construction which requires minimal excavation. Any building on Lot E is to be of a stepped design which responds to the sloping nature of the land.

C13 All new buildings and works shall not be built within the canopy drip line of significant trees unless information to the satisfaction of the Council can be provided which demonstrates that the construction technique, excavation works, construction works and finished buildings together with associated servicing and landscaping will not have an adverse impact on the immediate and long term preservation, health, vigour and aesthetic quality and the likely future growth habits of the trees.

C14 Buildings B2-B5 are designed and located so as to:

- a) ensure the retention of the Cape Honeysuckle (*Tecomaria capensis*) hedge adjoining the gravel pathway to the east of Babworth House; and
- b) ensure that the buildings are not visible from the upper garden terrace adjoining the eastern side of Babworth House (generally with a ground level of RL 53 AHD).

Note: Ground levels shown on the building envelope diagrams are indicative and are required to be accurately determined for development applications by survey carried out by a qualified surveyor.

The number and location of floor levels shown within the building envelope on the isometric and section diagrams are suggestive rather than prescriptive.

FIGURE 9 Site precinct plan

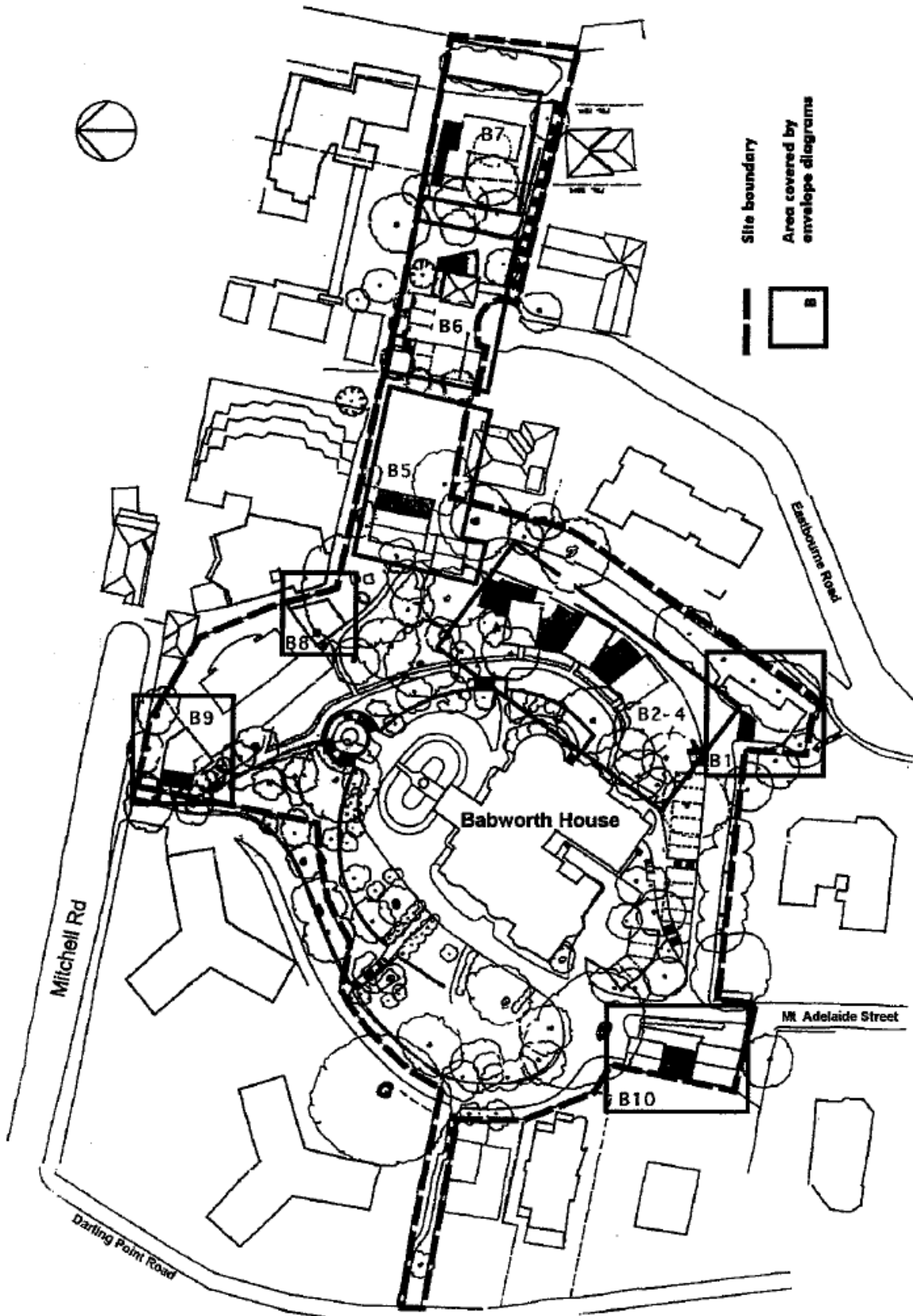


FIGURE 10 B1 – Building envelope diagram

All levels are to AHD

Note: Areas shaded light grey are terraces

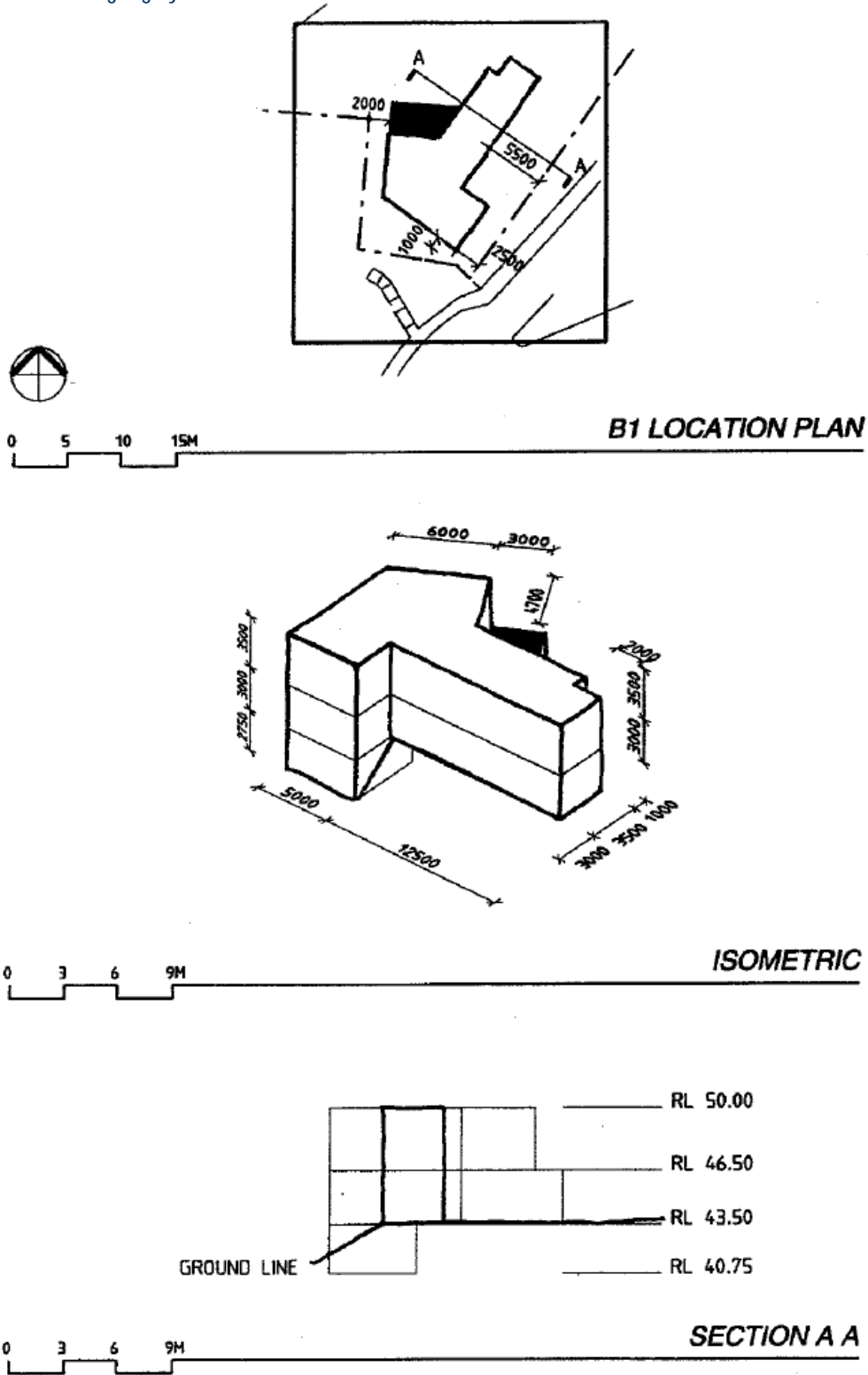


FIGURE 11 B2 to B4 – Building envelope diagram (location and isometric)
All levels are to AHD

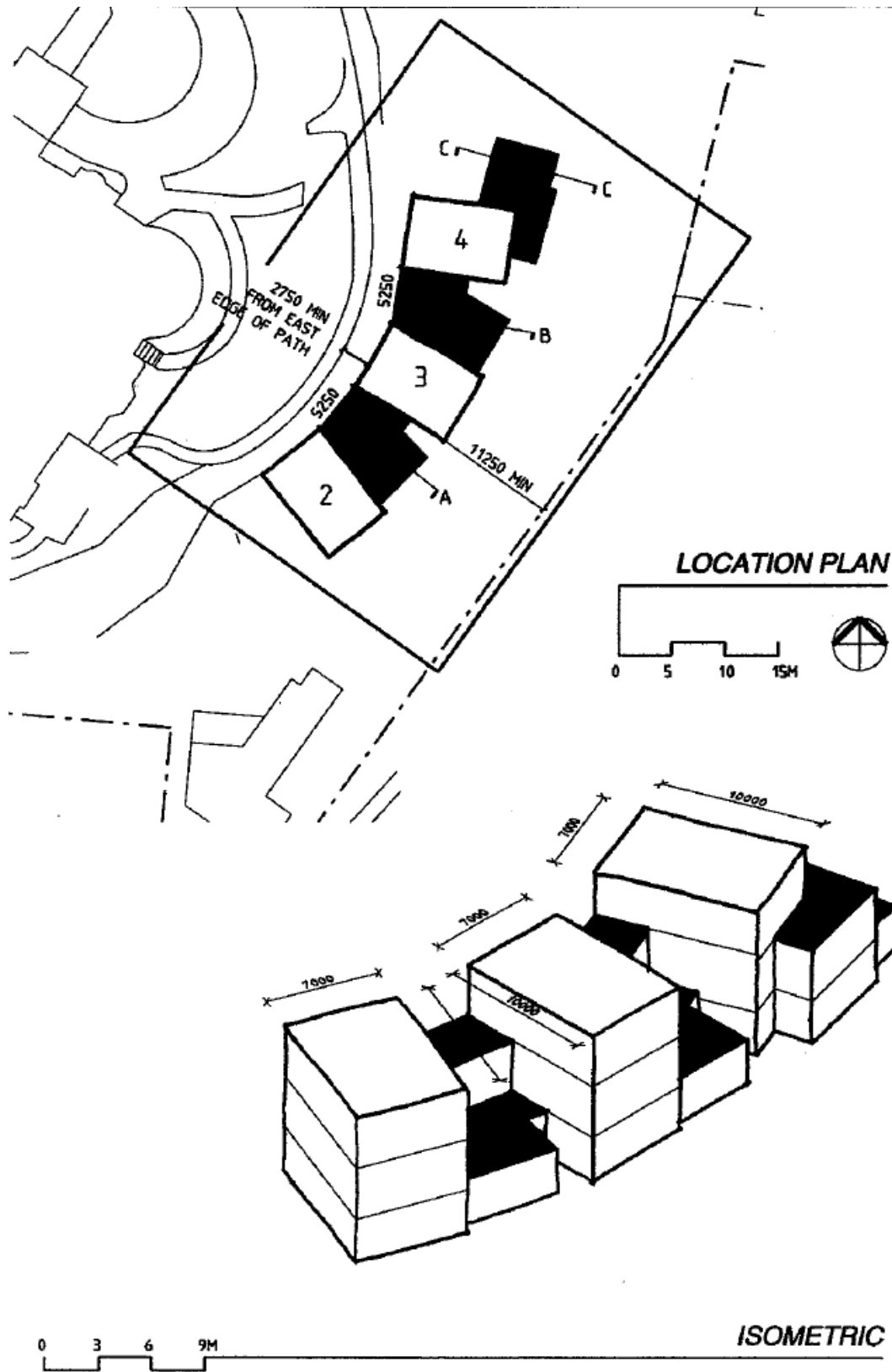


FIGURE 12 B2 to B4 – Building envelope diagram (sections)
All levels are to AHD

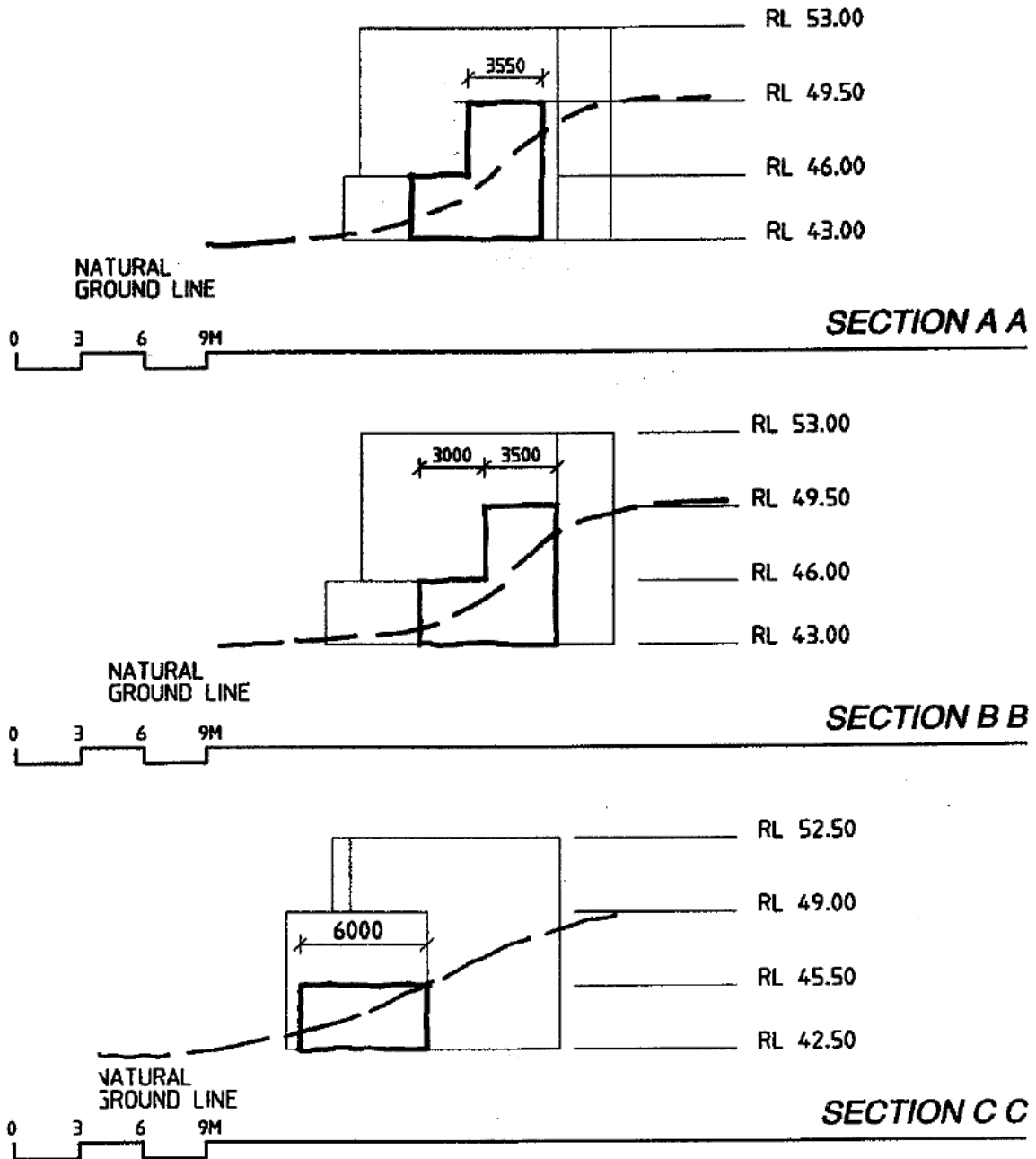


FIGURE 13 B5 – Building envelope diagram

All levels are to AHD

Note: The final location of building B5 is subject to a report from an arborist which confirms to Council’s satisfaction that the construction technique, excavation works and finished building together with associated servicing and landscaping will not have an adverse impact on the immediate and long term preservation, health, vigour and aesthetic quality and the likely future growing habits of surrounding trees. The location of building B5 may involve the relocation of the Phoenix Palm to a position on the site agreed to by the Council.

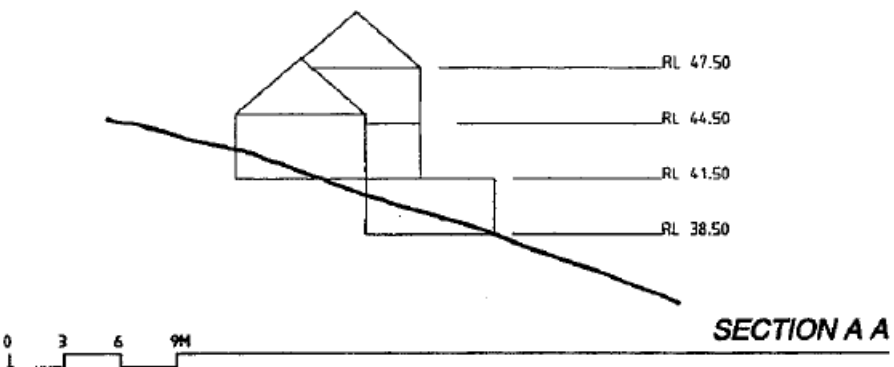
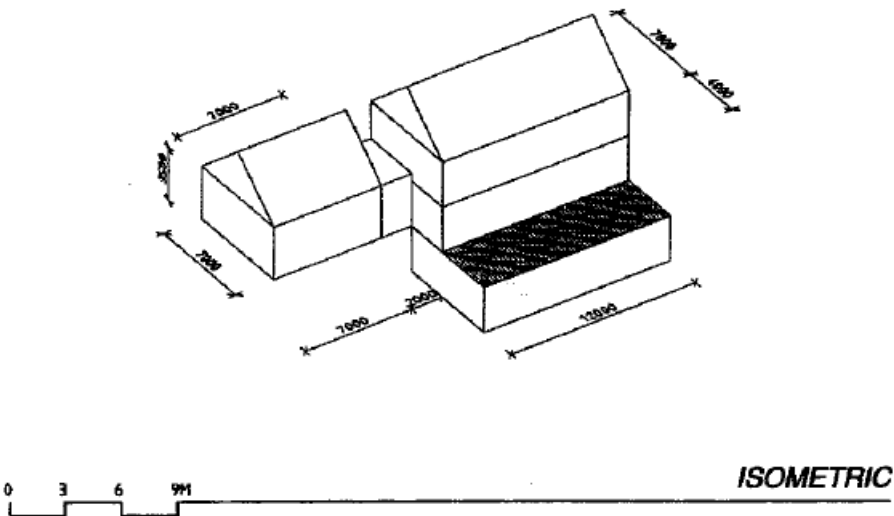
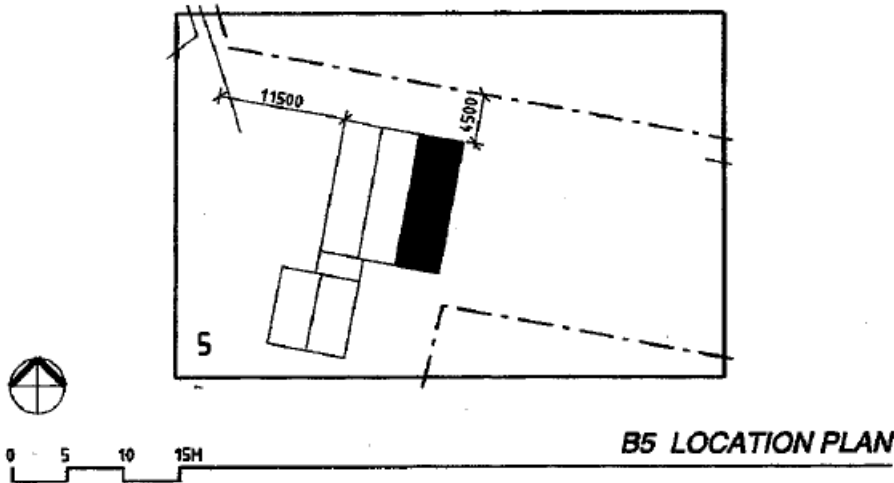


FIGURE 14 B6 – Building envelope diagram
All levels are to AHD

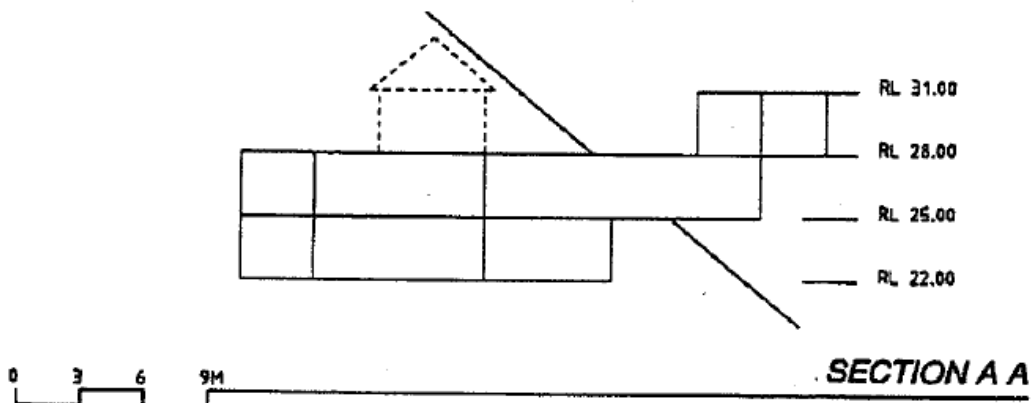
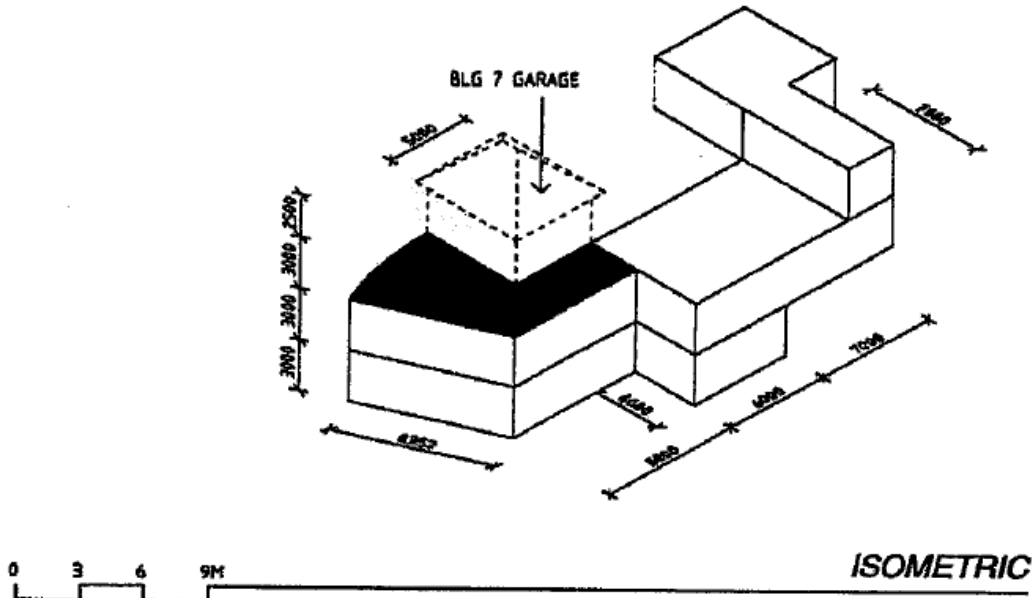
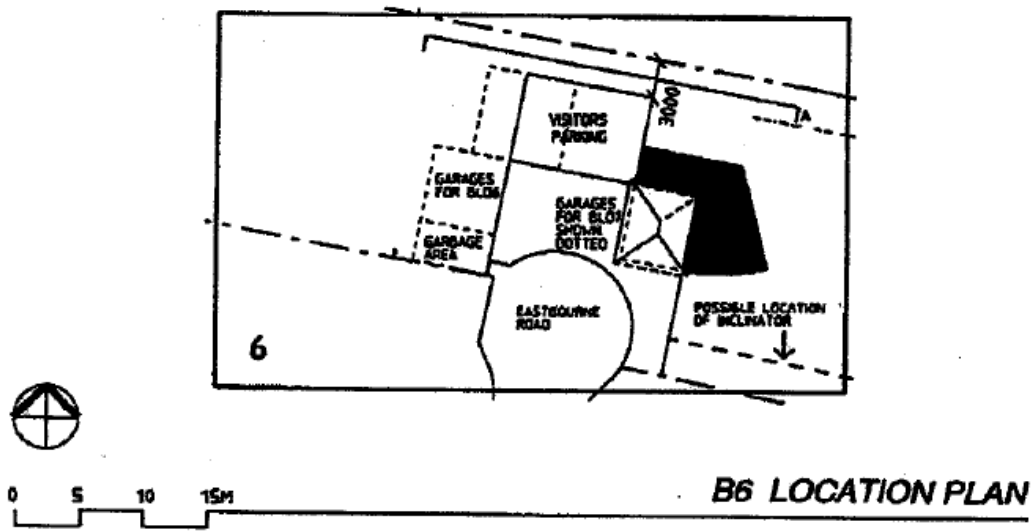


FIGURE 15 B7 – Building envelope diagram
All levels are to AHD

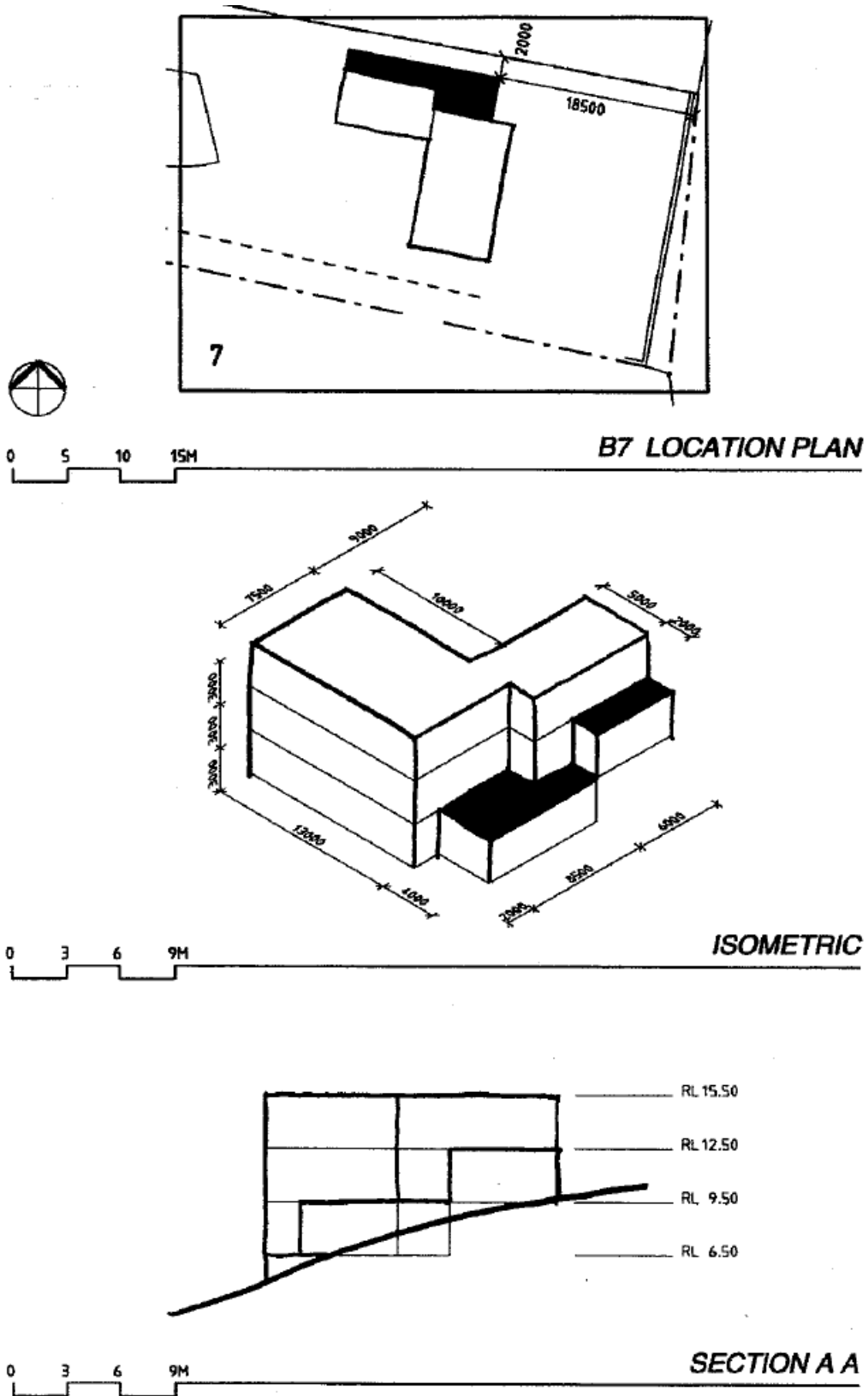


FIGURE 16 B8 – Building envelope diagram
All levels are to AHD

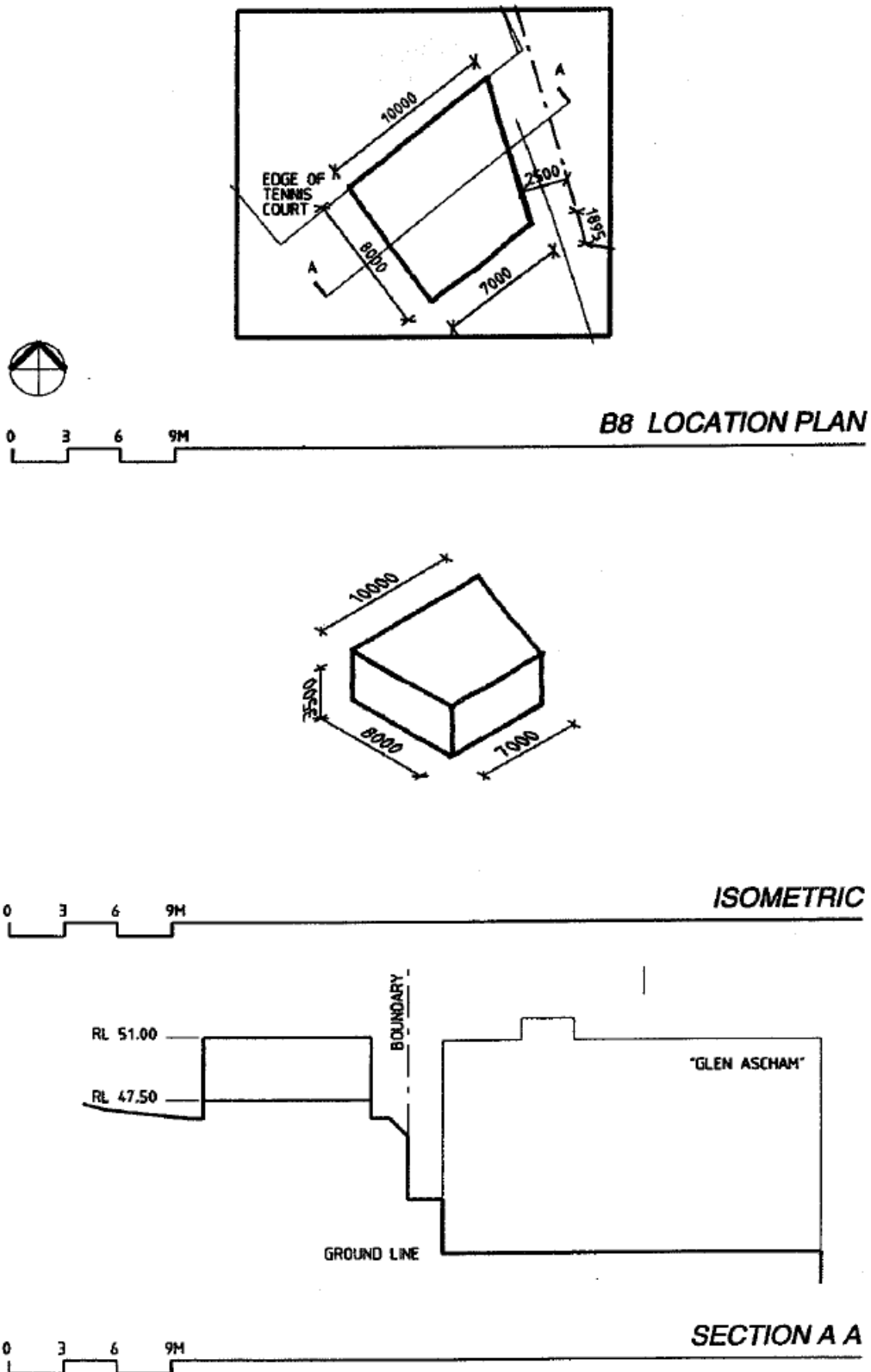


FIGURE 17 B9 – Building envelope diagram
All levels are to AHD

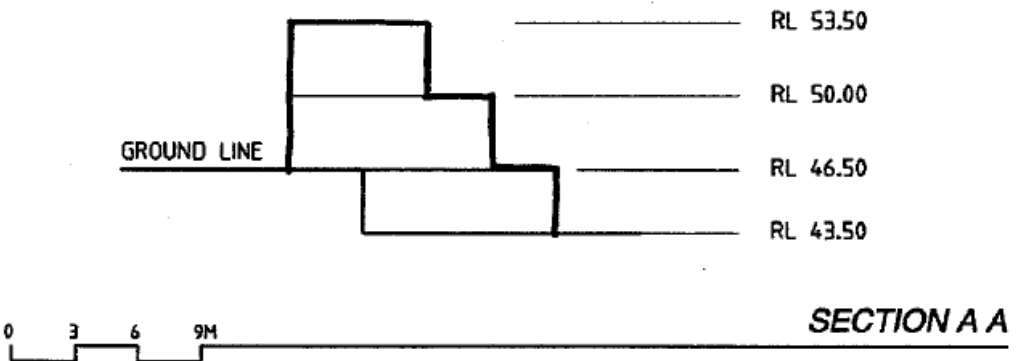
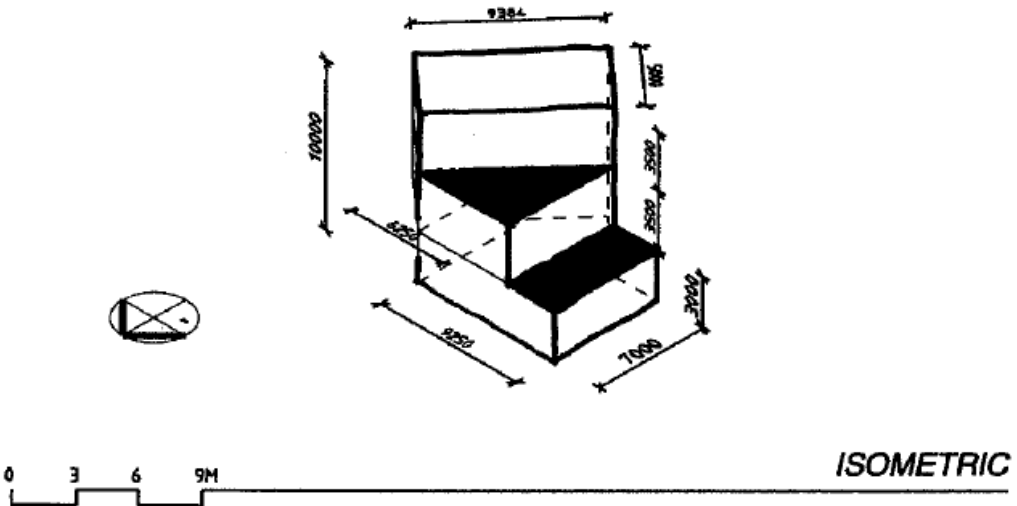
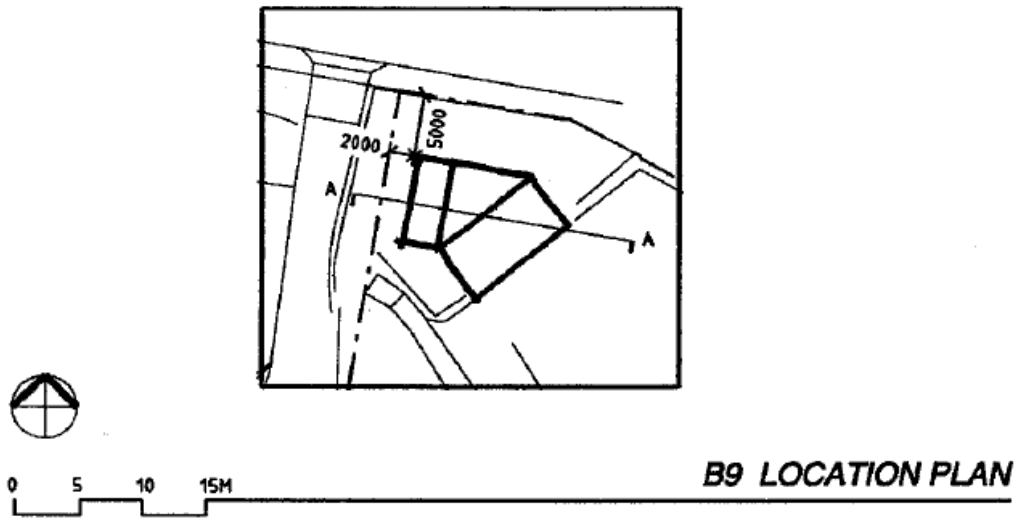
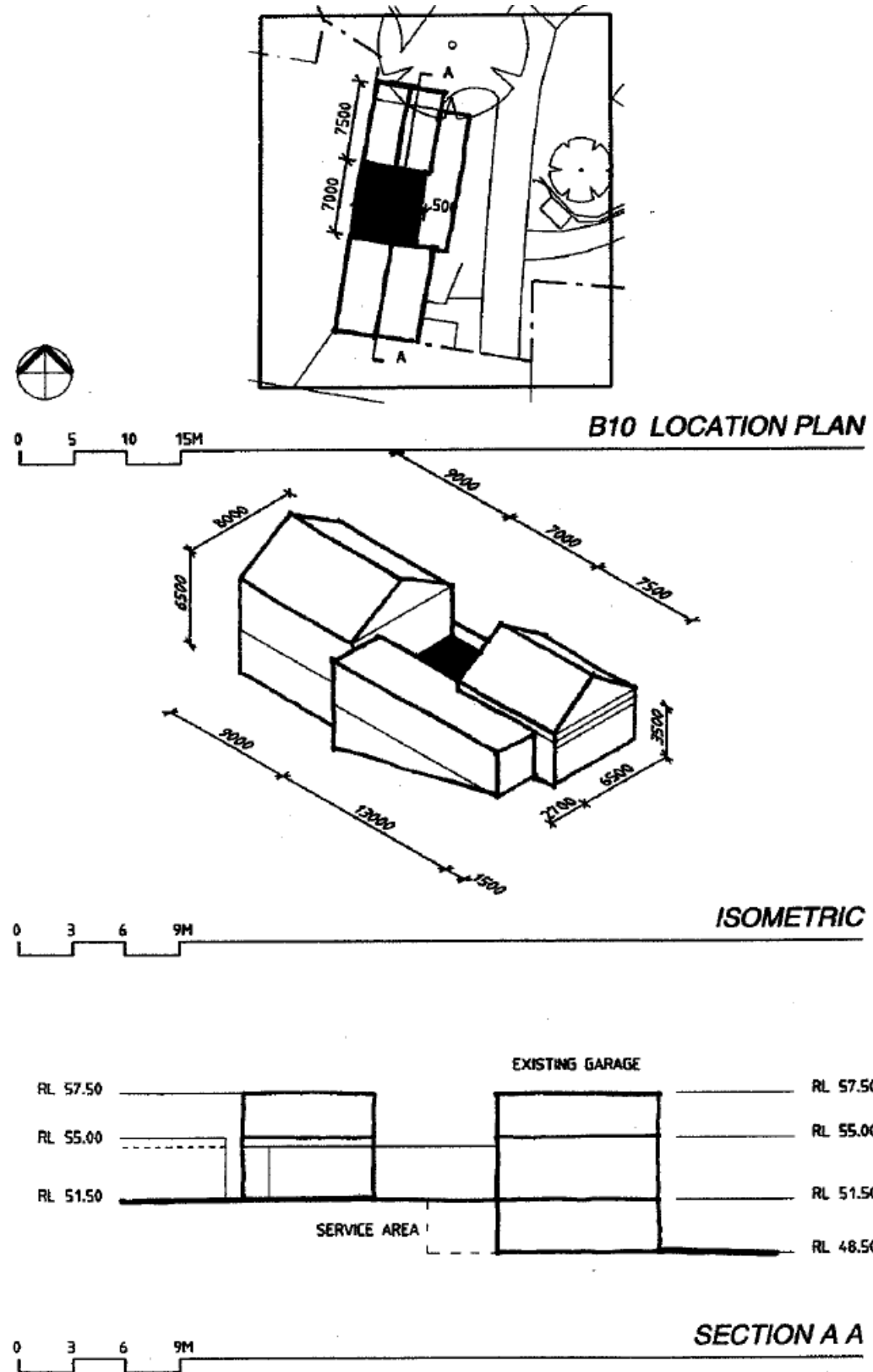


FIGURE 18 B10 – Building envelope diagram
 All levels are to AHD



1.4.5 Design elements, roof form and building materials

New buildings and alterations and additions should have a consistency of character, form and colour, so that they are identified as 'belonging' to the Babworth House Estate and are subservient to the overall character of the Estate.

Construction techniques and materials important determinants of energy efficiency and the amount of non-renewable resources used in development.

Objectives

- O1 To promote building design that complements the architectural style and cultural significance of Babworth House and grounds without mimicking them.
- O2 To encourage referential and appropriate contextual design.
- O3 To promote a consistency between the new buildings on the site so that each clearly constitutes part of an integrated estate with a common design theme or character.
- O4 To encourage a variety of suitable roof forms that retain principal view corridors and solar access on and beyond the site.
- O5 To encourage the use of quality craftsmanship, materials and finishes for the exterior of new buildings and structures.
- O6 To encourage contemporary design of any new buildings or structures which through its design idiom, scale, massing, materials, detailing and construction techniques provides an appropriate response to the cultural significance of Babworth House and its landscape setting.
- O7 To encourage the use of reusable, recyclable and renewable resources in construction.
- O8 To promote energy efficient development.
- O9 To maximise the life cycle of buildings in order to reduce energy costs in demolition, reconstruction and recycling.

Controls

- C1 A design statement is submitted with development applications. In the design statement the applicant must demonstrate that the proposed design through the design idiom, scale, massing, materials, detailing and construction techniques appropriately respond to the cultural significance of Babworth House and its setting.
- C2 Particular regard is given to roof design so as to protect existing views from buildings on adjoining properties.
- C3 Where pitched roofs are permitted on the Building Envelope Diagrams (see Figures 10-18), the roof pitch is within the range of 30° to 45°.

-
- C4 Where permitted on the Building Envelope Diagrams (see Figures 10-18), pitched roofs are sheeted with copper, zinc, slate or suitable slate substitute to complement Babworth House.
 - C5 Flat roofs are concrete plus waterproof membrane and covered with landscaping, water and/or min. 25mm gauge pebbles of approved colour.
 - C6 The impacts of large unbroken expanses of wall are suitably reduced by articulation, modelling, window openings etc.
 - C7 Solid, external walls of new buildings are cement rendered, integrally coloured or painted. A minimum of 70% of these solid walls throughout the site are painted the same colour and this colour is of a hue value of not less than 3-8 if white is 1 and black is 10. This is not a restraint on colour but on tone and applies in order to relate to the external colour of Babworth House.
 - C8 Windows and external doors and frames are painted, and this colour is of a hue not less than 3 if White is 1 and Black is 10 (as for external walls).
 - C9 Mirrored or other highly reflective materials (with a reflectivity of 15% are not used on building exteriors).
 - C10 Buildings have a good thermal mass through the use of materials such as concrete slab floors, cavity brick, concrete block and stone walls.
 - C11 Materials of high thermal mass are used for living areas and are located to maximize the absorption of heat from air circulating in the dwelling and from winter sun.

1.4.6 Landscape, open space

High quality landscape design is important for the creation of a quality setting, integrating the new buildings on the site with one another and with Babworth House, and in improving the appearance of the development, and the amenity of the area.

Landscaped open space may include the curtilage of Babworth House and significant spaces, and both communal and private open space areas.

Private open space contributes to the amenity of individual dwellings and should be clearly delineated from communal areas. Private open space may be provided at ground or above ground level. Above ground private open space may comprise balconies or rooftop areas.

Communal open space is the shared open space available for use by all residents of the site. Communal open space is for recreation and relaxation of residents may include landscaped areas, swimming pool or tennis court and is controlled by a common management.

Land within Lot E on the foreshore of Double Bay has potential significance as public open space subject to public pedestrian access being available from a public place.

Objectives

- 01 To allow conservation and interpretation of the significant landscape and grounds.
- 02 To provide adequate private and communal open space which meets user requirements for outdoor activities and use, and enhances the amenity of the area.
- 03 To retain significant trees, vegetation and other key landscape elements on the site.
- 04 To preserve the landscaped link with the harbour.
- 05 To fully integrate the landscape design in communal, private and public open space areas.
- 06 To enhance stormwater management.
- 07 To enhance the appearance, amenity and energy efficiency of housing through integrated landscape design.

Controls

- C1 The masterplan application includes a landscape concept plan which addresses:
 - a) restoration and location of significant landscape zones and elements as identified in the adopted Conservation Management Plan;
 - b) existing vegetation and proposed plantings and landscaping;
 - c) species to be retained and removed;
 - d) methods of delineating private and communal open space (devices such as hedges, changes in level). Fencing within the site is generally not acceptable, except safety fences (e.g. pool fences);

-
- e) location of communal facilities (e.g. tennis courts, swimming pools, change rooms and garden sheds);
 - f) lighting (e.g. along driveways and pathways);
 - g) watering and irrigation systems;
 - h) areas (m²) of private and communal space;
 - i) drainage and stormwater management; and
 - j) other relevant matters identified by Council during pre-DA discussions.
- C2 A detailed landscape plan (including an arborist report) and details of proposed work within 1a/1b graded zoned of significance (identified in Figure 4), prepared by a landscape consultant specialising in historic gardens, is submitted with development applications. A landscape plan includes a plan for the restoration and reconstruction of historic garden areas which is consistent with the historic character of the Babworth House garden.
- C3 Private open spaces are located:
- a) to take advantage of outlook and natural features of the site;
 - b) so as to receive at least 2 hours of sunlight per day in mid-winter, where possible;
 - c) to reduce adverse impacts of adjacent buildings on privacy and overshadowing; and
 - d) to address surveillance and privacy where private open space abuts communal open space or public open space.
- C4 Each dwelling (not being a dwelling unit within the Babworth House building) has private open space with:
- a) a minimum area of 25m² for dwellings of 2 or more bedrooms;
 - b) a minimum dimension of 2m;
 - c) direct access from a living area of the dwelling; and
 - d) delineation or screening where necessary to ensure privacy to users.
- C5 Any communal open space:
- a) provides adequate space for recreational uses;
 - b) maintains principal views and landscape character of the site;
 - c) assists with stormwater management;
 - d) links visually and functionally the new buildings within a consistent landscape framework or theme; and
 - e) is accessible to users.
- C6 Where there are communal open space areas, Council will require a Landscape Management Plan to provide details of the care, control and maintenance of all communal areas and facilities.

-
- C7 The design for private and communal open space:
- a) recognises the heritage landscape through the use of materials and plant species;
 - b) uses vegetation types and landscape materials, features and works which will not adversely affect the structure of proposed buildings or buildings on adjoining properties;
 - c) considers personal safety by ensuring good visibility along paths and driveways;
 - d) contributes to energy efficiency and amenity 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 areas;
 - e) provides privacy between dwellings;
 - f) avoids risk of damage to overhead power lines, sewer lines, stormwater drainage lines and other services; and
 - g) limits hard and impervious services at ground level to minimise potential for runoff from development.
- C8 Landscape design should demonstrate through the use of plant species, hard landscape elements and materials that it provides an appropriate response to the cultural significance of the Babworth House gardens and landscape.
- C9 Tennis courts or swimming pools are located within the areas graded 1c under the adopted Conservation Management Plan (see Figure 4).
- C10 Tennis courts or swimming pools are designed and have regard to existing ground levels of the site and adjoining properties and positioning of the buildings on adjoining properties and on the site.
- C11 Tennis courts or swimming pool are located and designed to mitigate noise and light spill impacts upon adjoining properties. Lighting of tennis courts is not guaranteed.
- C12 Swimming pools are setback from adjoining property boundaries to allow for sufficient landscaping and access.
- C13 Facilities associated with tennis courts or swimming pools are sited and designed to integrate physically and visually with the landscape and other built elements and complement the character of the site.
- C14 Tennis court fencing does not impact significantly on views from or over the site.
- C15 To avoid impact on adjoining properties a swimming pool should not be located in the north-eastern area of the site which comprised the former tennis court to Babworth House.
-

1.4.7 Acoustic and visual privacy

Visual and acoustic privacy is an important contributing factor to the amenity of a place, particularly for residential uses. Privacy needs of both prospective residents and existing neighbours influences the location of buildings and private open space areas, the placement of windows, screening devices (including landscaping) and the selection of materials.

Objectives

- O1 To provide adequate acoustic and visual privacy for future residents on the site and residents on adjoining land.

Controls

- C1 Buildings demonstrate consideration of:
- a) overlooking impacts to private open spaces and living room windows and mitigation measures;
 - b) locating sensitive areas of use, such as bedrooms, away from noise sources; and
 - c) acoustic treatment of noise sources (particularly plant areas)
- C2 Measures to provide adequate visual privacy include some or all of the following:
- a) a minimum distance separation of 9m where windows/balconies are directly facing;
 - b) off-setting of windows;
 - c) raised sill heights (over 1,600mm above floor levels); or
 - d) screen walls or plantings.
- C3 Acoustic treatment of shared walls and floors between new dwellings are constructed in accordance with the Building Code of Australia.

1.4.8 Access and mobility

Accessways need to be designed to perform their designated function and be compatible with the cultural significance of the site and its desired future character objectives.

Access and mobility provisions are necessary so that developments are accessible and able to be used by all members of the community.

The provisions are principally directed towards eliminating barriers to people with disabilities and the aged.

Because of the heritage significance of the site, access provisions are also necessary to ensure that adequate consideration is given at the design concept stage to the manner in which construction vehicles, equipment, machinery and facilities are to enter and leave the site and move around the site.

Unless otherwise specified, the objectives and controls set out in this section are not advocating or requiring the provision of access to the site by the general public.

Objectives

- 01 To ensure that vehicular access to and from the site is safe and convenient.
- 02 To provide public access to the foreshore of Double Bay.
- 03 To preserve the historical pedestrian link with Darling Point Road.
- 04 To ensure new buildings, associated spaces and communal areas are accessible, useable or adaptable for all people in the community, including people with disabilities and the aged.
- 05 To ensure that vehicular access is provided in a way that mitigates traffic impacts.
- 06 To maintain and use historic driveways and pathways, wherever possible.
- 07 To maintain the character and use of historic access points and driveways as configured (no widening) and without significant changes in level.
- 08 To minimise the adverse impact of the movement of construction vehicles, equipment, machinery and facilities on the heritage significance of the site and the amenity of the surrounding neighbourhood.

Controls

- C1 Use existing driveways from Mitchell Road and Mount Adelaide Road, and provide additional access from Eastbourne Road. The Mitchell Road access is via a right-of-way over part of 4 Mitchell Road. The right-of-way provides access only to Lot B of the site. The right-of-way is a private arrangement on the title of 4 Mitchell and continued access to Lot B over the right-of-way cannot be guaranteed by the DCP.
- C2 Where appropriate, split traffic loads either by several discrete in/out systems or in the case of Mitchell Road and Mount Adelaide Road access points by a one-way connection between those points.
- C3 Encourage direct pedestrian links to public transport and other facilities or services.
- C4 Use existing historical pedestrian link with Darling Point Road.
- C5 Public access is provided (and may be offset against any s.94 contribution) both physically and legally between Eastbourne Road and the foreshore, and along the foreshore. Council acknowledges that due to the steepness of the terrain in this area, access for the mobility impaired may not be achievable.
- C6 Maintain and encourage use of existing pathways as presently configured. Any new vehicular and pedestrian accessways are to be carefully designed with regard to:
 - a) the location of significant spaces or elements on the site;
 - b) significant trees;
 - c) the landscaped setting and character of the site; and
 - d) the provision of access for people with disabilities.
- C7 Accessways, driveways and open parking areas are suitably landscaped to enhance amenity while providing for security and accessibility of all residents and visitors.
- C8 Accessways are designed, surfaced and graded to facilitate onsite stormwater management in accordance with a stormwater management plan.
- C9 Vehicular accessways and driveways are designed to:
 - a) prevent traffic conflicts;
 - b) enable adequate manoeuvrability for all vehicles;
 - c) enable all vehicles to enter and exit the site in a forward direction;
 - d) enable vehicles to pass (where appropriate); and
 - e) reduce speed.
- C10 New driveways are of bitumen with clay or concrete brick kerbing, edges, trims and gutters.
- C11 The extension to Eastbourne Road is of brick or concrete paving.
- C12 The materials for new pedestrian pathways are gravel or bitumen with a brick edge or brick paved.

-
- C13 Paths provide uninterrupted, comfortable access for people with disabilities to all facilities and amenities generally accessible to building users.
- C14 Parking spaces are adequately designed to provide easy, convenient and safe access to all buildings or facilities within a development.
- C15 Doors and doorways are of adequate width and design to enable access to all public areas within a building (see Building Code of Australia for details).
- C16 All accessories such as door handles, bell pushes, switches and mail boxes are easy to manipulate and are located at an appropriate height.
- C17 The finish on ground and floor surfaces does not restrict access.
- C18 Signs including visual alarms are visible and legible to as many people as possible, including people with sight impairments or colour blindness.
- C19 A construction management plan is provided and is to include:
- a) the proposed movement of construction vehicles, equipment, machinery and facilities to, from and within the site;
 - b) the phases of construction;
 - c) the types of vehicles, equipment, machinery and facilities to be used throughout the construction;
 - d) the periods and times during the construction when movement will occur;
 - e) the steps which are to be taken to mitigate adverse impacts on the heritage significance of Babworth House and the site, the amenity of the surrounding neighbourhood and on-street parking; and
 - f) the location of materials and machinery stores.

Note: The use of right-of-way over 4 Mitchell Road by construction vehicles and for the storage of construction materials should be avoided other than where that use is associated with traffic management works, maintenance works and works which provide for the future shared pedestrian and vehicle use of the right-of-way.

1.4.9 Car parking and servicing

The onsite car parking requirements aim to satisfy the parking demand likely to be generated by residential development while discouraging unnecessary car use and site excavation resulting from the provision of overly-generous amount of on-site parking.

Limiting unnecessary car use and encouraging other modes of transport, such as walking, cycling and public transport helps to improve local amenity and minimise pollution and the use of non-renewable energy sources.

Parking areas, garages and driveways must be designed carefully so that they do not detract from the appearance of the development and the surrounding streetscape.

The design of parking and driveway areas should also acknowledge the need to limit the amount of impervious surfaces over a site and the amount of site excavation.

The overly generous use of impervious surfaces such as paving and bitumen can increase temperature in warmer months and lead to excessive stormwater runoff.

Excessive excavation can lead to site instability and interrupt ground water flows relied upon by surrounding vegetation.

Objectives

- 01 To maintain the integrity and amenity of Babworth House and its landscaped setting.
- 02 To maintain the amenity of adjoining properties and the safe and efficient operation of the local road network.
- 03 To provide convenient and safe car parking and access for residents and visitors.
- 04 To limit site excavation resulting from development.
- 05 To ensure that onsite car parking and driveways do not dominate or detract from the appearance of development and the integrity and amenity of Babworth House and its landscape setting.
- 06 To limit the adverse temperature and stormwater run-off impacts of impervious alternative modes of transport.
- 07 To encourage the use of public transport and alternative modes of transport.
- 08 To encourage suitably landscaped open car parking areas and accessways while providing for the needs of residents and visitors.

Controls

C1 The number of car parking spaces to be provided on the site is outlined in the table below.

Dwelling size	Number of spaces provided
1 bedroom	1 space/dwelling
2+ bedroom	2 spaces/dwelling
Visitors	¼ dwellings
Babworth House	Maximum of 14 spaces irrespective of use

C2 For uses other than those identified in PC1 or where variation to the rates set out in PC1 are sought, Council will consider parking provisions on its merits and in light of a traffic and parking report, to be submitted with development applications and other relevant considerations (e.g. heritage and amenity).

C3 Parking facilities are designed and located to:

- a) maintain cultural (heritage) significance of the grounds and not detract from the heritage significance of Babworth House and its gardens;
- b) provide easy, convenient and safe access to all buildings;
- c) enable the efficient use of car spaces and accessways, including safe manoeuvrability for vehicles between the parking areas and the street;
- d) preserve significant trees;
- e) reduce the visual dominance of car parking areas and accessways;
- f) enhance the landscaped setting and character of the site; and
- g) generally comply with the vehicular access, parking and servicing arrangements set out in Figure 19. Council may consider other arrangements on their merits.

C4 Innovative solutions in the provision of car parking (e.g. underground, semi-basement) may be implemented, where site conditions permit, to achieve the objectives for parking.

C5 The area of site excavated for the purpose of underground car parking is limited to the building footprint of each building as determined by the building envelope diagrams.

C6 Parking facilities are sited and designed to integrate physically and visually with the landscape and other built elements.

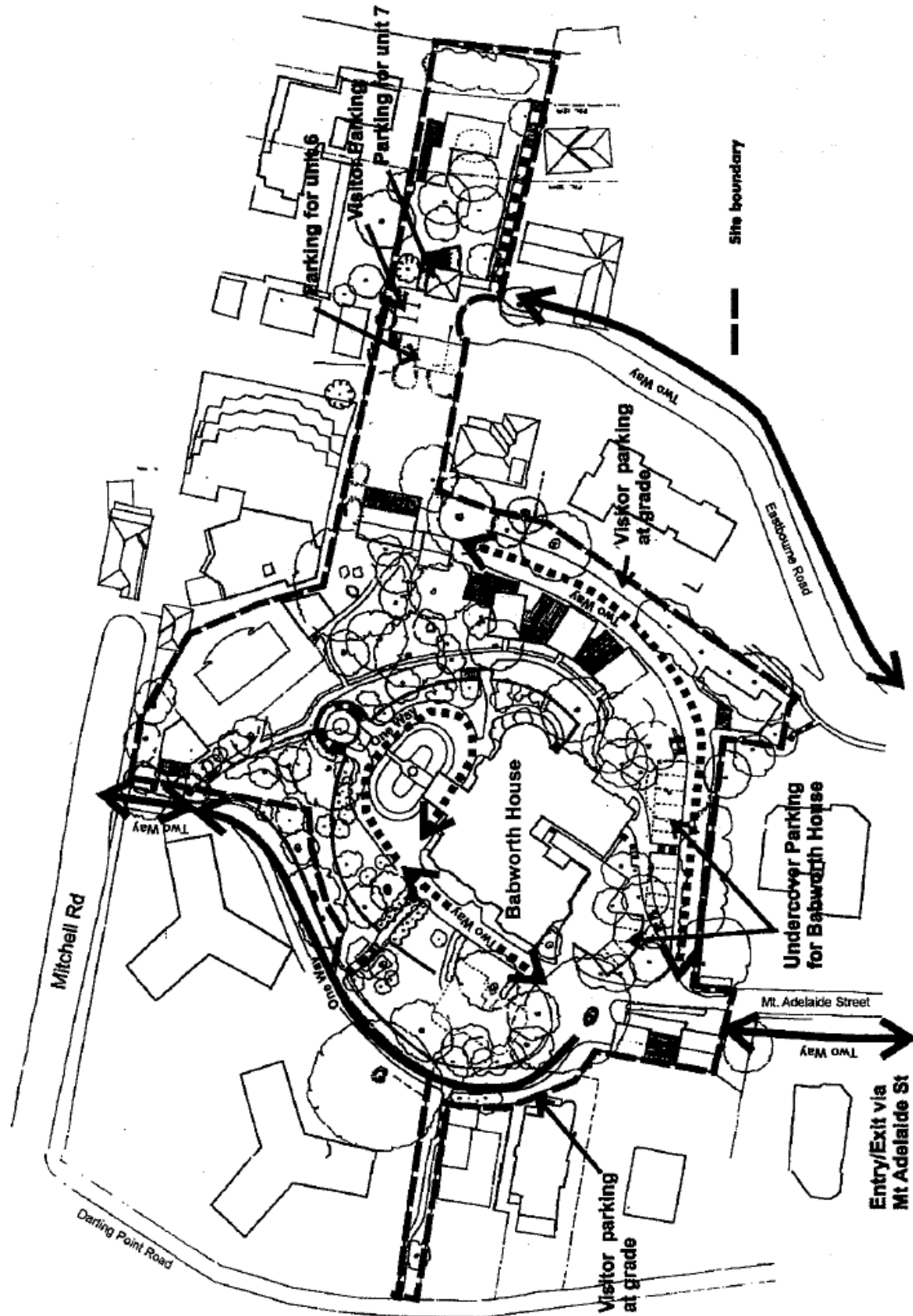
C7 Open car parking spaces are designed, surfaced and graded to facilitate onsite stormwater management in accordance with a Stormwater and Soil Management Plan.

C8 Adequate manoeuvrability and parking is provided for service vehicles.

C9 Utility service reticulation is provided underground.

- C10 One car wash bay is provided at the western at-grade visitor parking area and another at the at-grade parking area adjacent to buildings B2-B4. Each bay is to be graded to an internal drainage point and connected to a Sydney Water Corporation sewer. A trade waste agreement from the Corporation will be required for the connection. Council will favourably consider onsite wastewater recycling if the proposal is plausible.
- C11 The arrangement of parking spaces and driveways allow vehicles to enter and leave the site in a forward direction.
- C12 Accessways and driveways are designed to enable vehicles (the 85th percentile vehicle) to enter the designated parking space in a single turning movement and leave the space in no more than two turning movements.
- C13 Visitor car parking areas are designed to minimise impact on adjoining properties in regard to matters including noise and vehicle lights.

FIGURE 19 Vehicular access, parking and servicing



1.4.10 Site facilities

The main site facilities (other than those associated with tennis courts, swimming pools etc. as per Section 1.4.6) requiring design attention include:

- ▶ mail boxes;
- ▶ garbage storage areas; and
- ▶ clothes drying areas.

Objectives

- O1 To ensure site facilities are effectively integrated and are unobtrusive.
- O2 To ensure site facilities are adequate and accessible to all residents and easy to maintain.

Controls

- C1 All facilities are designed to accommodate the needs of people with disabilities and the aged.
- C2 There are minimal standalone structures on the site.
- C3 Garbage storage facilities and mailboxes are sited and designed to integrate physically and visually with other built elements and the landscape design, and complement the character of the site.
- C4 Garbage storage facilities are designed and located to adequately contain noise, odour and visual impacts to residences.
- C5 Residential development includes an outdoor area suitably for located clothes drying facilities. This area is located in a secure place and visually screened from public and communal spaces.
- C6 Garbage storage facilities enable the storage and collection of recyclable material.

1.4.11 Energy efficiency

Energy efficiency provisions aims to promote ecologically sustainable by reducing the emission of greenhouse gases and the consumption of non-renewable resources.

Energy efficiency can also lead to significant cost savings for households.

Energy efficiency provisions for the design of buildings refer to:

- ▶ the orientation of buildings and living areas;
- ▶ the size and location of glazing;
- ▶ shading and landscaping;
- ▶ air movement;
- ▶ insulation; and
- ▶ appliances.

Objectives

- O1 To promote ecologically sustainable development through the design of buildings.
- O2 To maximise the benefits of passive solar design.
- O3 To minimise fuel use.
- O4 To encourage use of public transport services.

Controls

- C1 Council may require an Energy Efficiency Report to accompany all development applications for any new building.
- C2 Development applications may be exempt from the energy efficiency compliance certificate requirement where:
 - a) compliance conflicts with the conservation requirements of Babworth House; and
 - b) compliance conflicts with the desired future character for the site.
- C3 New residential buildings, where possible, include at least one north-facing room capable of use as a living area.
- C4 Windows to living areas, where possible, receive at least 3 hours of sun between 9am and 5pm on 21 June.
- C5 North-facing windows to living areas of neighbouring dwellings do not have sunlight reduced to less than 3 hours between 9am and 5pm on 21 June.
- C6 East facing windows are provided where possible for morning sunlight during winter months.

- C7 Suitably screened external clothes drying areas with access to sunlight and breezes are available to all dwellings where possible.
- C8 Buildings are sited and designed to provide solar access to living areas and principal areas of open space, having regard to slope, views, existing vegetation and overshadowing.
- C9 Where possible, taking into account views, new buildings have an area of roof that is suitable for the installation of solar collectors and photovoltaic cells.
- C10 Building materials and insulation that assist in providing acceptable thermal conditions are used wherever possible.
- C11 Air movement by naturally ventilated systems within dwellings is encouraged, and should be designed to provide acceptable thermal conditions.
- C12 Building materials, appliances and fuel sources are selected to achieve greater energy efficiency.
- C13 Glazing to the west is avoided or otherwise treated by external screening devices (such as screens, pergolas and tree planting) to reduce summer heat load.

1.4.12 Water and soil management

Water and soil management on the site is required to ensure that the hydrological characteristics of the site and water quality of the harbor are not affected and soil erosion is avoided. Water management is also required to encourage the conservation and reuse of water.

Objectives

- O1 To minimise changes to the hydrological characteristics of the site.
- O2 To prevent soil erosion.
- O3 To prevent pollution of the harbour from stormwater run-off.
- O4 To encourage water conservation and reuse.
- O5 To reactivate the historic drainage channels on the site and integrate them to the overall management system.
- O6 To control stormwater quality and quantity and eliminate discharge impacts on adjoining properties.
- O7 To ensure cost-effectiveness in the provision and maintenance of stormwater drainage works.
- O8 To reduce the pressure of new housing development on domestic water supplies.
- O9 To ensure building and landscape design incorporates techniques for conserving mains water.

Controls

- C1 A stormwater and soil management plan is submitted with the masterplan application.
- C2 The stormwater and soil management plan demonstrates how runoff, sedimentation, erosion and groundwater flow is to be managed on the site.
- C3 Any development on the site minimises the extent of site clearing and earthworks.
- C4 Where excavation to a depth of more than 2m is proposed, Council will require the submission of a geotechnical report and a hydrological report as set out in the Woollahra Council Development Application Guide.
- C5 A stormwater drainage system is established onsite to control run-off and sediment during construction works.
- C6 Drainage and detention systems are designed to cater for a 100 year Average Recurrence Interval storm event.

- C7 New drainage systems are designed to:
- a) incorporate historic channels (e.g. drainage channels along pathways) where possible;
 - b) store water for irrigation of landscaped areas through measures such as detention systems and rainwater tanks;
 - c) reduce overall town water usage on the site;
 - d) control the discharge to the harbor, including the quality of runoff;
 - e) provide a suitable level of protection to people and to property;
 - f) ensure that existing downstream systems are not adversely affected;
 - g) fit in with the hydrology of the natural system as much as possible;
 - h) consider the distribution of soil types and the scope for onsite filtration in areas where infiltration will not affect surrounding properties or contribute to slope instability or ground water pollution; and
 - i) retain significant trees.
- C8 Any inground drainage system incorporates measures for onsite water quality management and reuse.
- C9 Measures to reduce water consumption may include:
- a) rainwater tanks with direct plumbing to dwellings to reduce mains water consumption and minimise the amount of stormwater entering the drainage systems;
 - b) dual flushing toilets;
 - c) locating and grouping new plants;
 - d) irrigation systems that respond to the varying water needs of different sections of the garden; and
 - e) directing run-off from hard impervious surfaces to vegetation.
- C10 Overland flow path between Eastbourne Road and the harbour is provided. Such overland flow path is designed to control water depth and flow velocity in extreme rainfall events to Council's specified guidelines.
- C11 The existing Council drainage easement over the site is to be retained and the stormwater drainage line within the easement is to be upgraded if necessary. Council may consider the possible relocation of the easement and drainage line to another part of the site.

1.4.13 Safety and surveillance

Safety and surveillance provisions aim to use design to maximise personal security, reduce anxiety and fear, and maintain general safety and wellbeing within the local environment.

Objectives

- O1 To ensure a safe environment by promoting crime prevention through design.
- O2 To provide personal and property safety and surveillance for residents and visitors and enhance perceptions of community safety.

Controls

- C1 Buildings adjacent to public or communal streets or open space have at least one habitable room window with an outlook to that area.
- C2 Site planning, buildings, fence, landscaping and other features clearly define public, communal, semi-private and private spaces.
- C3 Buildings are designed to minimise access between roofs, balconies and windows or adjoining dwellings.
- C4 Pedestrian and vehicle thoroughfares are identified and reinforced as 'safe routes' through:
 - a) appropriate lighting;
 - b) casual surveillance from dwellings;
 - c) minimised opportunities for concealment;
 - d) landscaping which allows long-distance sight lines between buildings and the street; and
 - e) avoidance of 'blind' corners.
- C5 Lighting is provided to pedestrian ways, dwelling entries, high fences to the street, driveways and car parks to ensure a high level of safety and security at night. Such lighting may need to be shielded or hooded to minimise nuisance to neighbours.
- C6 Individual dwellings and entries are well lit and readily identifiable by visitors and emergency vehicles through clear house numbering and visibility.

1.4.14 Subdivision, maintenance and management

The maintenance of the estate, particularly the grounds, in a consistent manner will be affected by the ownership and management structure. Should the estate be split into multiple ownership a common management arrangement is strongly preferred.

A community title scheme, which comprises house lots and common areas, and may include strata lots, provides an ideal mechanism for the management of the estate as a whole. This form of subdivision is therefore recommended if there is to be multiple ownership of the site.

Objectives

- O1 To prevent fragmentation of the estate into disparate allotments bearing no apparent relationship to one another or to Babworth House and its grounds.
- O2 To ensure the site remains under a single management structure.
- O3 Where there are multiple owners, to provide joint responsibility for the maintenance of significant elements and common facilities and areas.
- O4 Where there are multiple owners, to share the maintenance costs burden and provide a consistent standard of estate management.

Controls

- C1 The masterplan application includes a notional plan of subdivision showing how the current titles will be amalgamated and re-subdivided under a common management structure. A community title scheme would be deemed suitable for a multiple ownership option.
- C2 A management agreement (as for example under the *Community Titles Act*) is submitted with any application for subdivision and addresses matters including, but not limited to:
 - a) ongoing care and maintenance of common areas and facilities;
 - b) conservation management of Babworth House and significant elements of the estate;
 - c) funding arrangements; and
 - d) insurances.

Chapter G2

Kilmory, 6 Wentworth Street, Point Piper

Part G ▶ Site-Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter G2 ► Kilmory, 6 Wentworth Street, Point Piper

Contents

G2.1	INTRODUCTION	1
2.1.1	Land where this chapter applies	2
2.1.2	Development to which this chapter applies	3
2.1.3	Objectives	3
2.1.4	How to use this chapter	3
2.1.5	Relationship to other parts of the DCP	4
2.1.6	Relationship to other documents.....	4
G2.2	CHARACTER STATEMENT	5
2.2.1	Existing character elements	5
2.2.2	Desired future character	5
G2.3	PLANNING AND CONSERVATION PRINCIPLES	7
2.3.1	Planning and conservation principles.....	7
G2.4	DESIGN CRITERIA	8
2.4.1	Heritage conservation.....	8
2.4.2	Site layout and views.....	12
2.4.3	Building design	17
2.4.4	Open space and landscaping	20
2.4.5	Fences and walls	24
2.4.6	Acoustic and visual privacy.....	25
2.4.7	Access and mobility	26
2.4.8	Car parking and driveways	27
2.4.9	Site facilities	30
2.4.10	Stormwater management.....	31
2.4.11	Safety and surveillance	33
2.4.12	Subdivision, maintenance and management	34
2.4.13	Construction and site management.....	36

G2.1 Introduction

No. 6 Wentworth Street, Point Piper, known as Kilmory, is located on the north-eastern bend of Wentworth Street on the highest part of Point Piper. Because of this elevated position the building and its landscaped grounds can be seen from areas in Vaucluse, Rose Bay and Darling Point.

Kilmory is the largest site on the Point Piper peninsula and the last of that suburb's grand estates. The property has exceptional local heritage significance and is listed as a heritage item in Woollahra Local Environmental Plan 2014 (Woollahra LEP).

The house occupies a prominent and highly visible position on the site. From parts of Wentworth Street, it presents a striking and dominating form against an uninterrupted skyline. This elevated position also provides the house and the upper landscaped areas with expansive views of Sydney Harbour and the northern foreshore.

The house is an Arts and Crafts style building designed in 1913 by John William Manson of the architectural firm Manson and Pickering for Dr Alexander MacCormick (later Sir Alexander), an eminent member of Sydney's medical profession. Construction of the house was undertaken by the leading building firm of Stuart Bros. Co. over the period 1913 to 1914.

The house and its landscape setting, including sandstone walling, driveway, entry posts and gates, elevated terraces, gardens and prominent trees are highly significant and contributory elements in the Wentworth Street streetscape.

Because of Kilmory's heritage significance, its high streetscape value and the interest to redevelop the site, the Council decided to prepare site specific controls. The controls contained in this chapter are based on the Conservation Management Plan for Kilmory, 6 Wentworth Street Point Piper (January 1998 - issue F), which was adopted in part by the Council on 13 August 2001, and a set of conservation principles adopted by the Council on 12 August 2002.

Note: This chapter reflects the site specific development control plan adopted by Council on 16 December 2002, and which commenced on 23 December 2002.

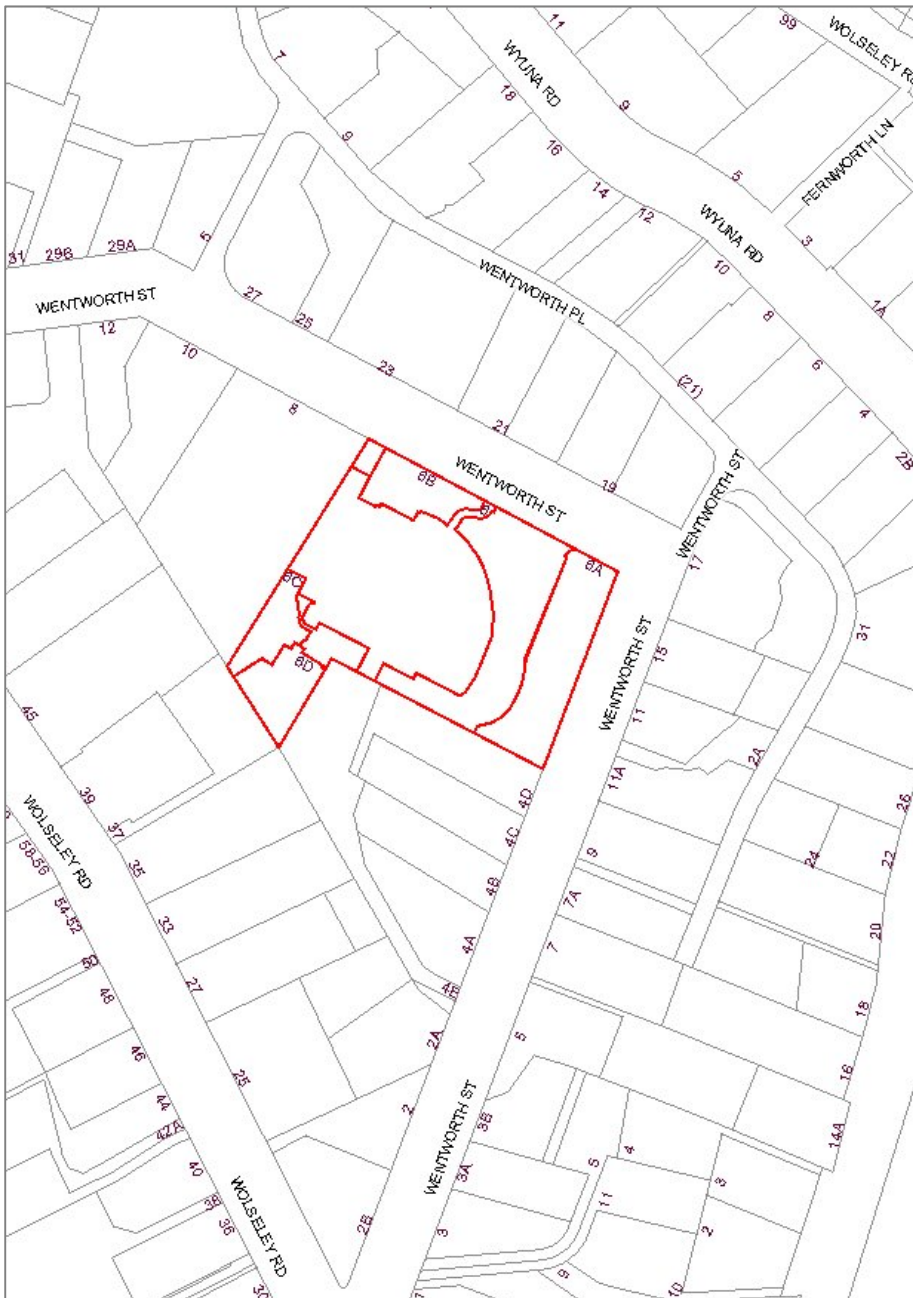


2.1.1 Land where this chapter applies

This chapter applies to No. 6, 6A, 6B, 6C and 6D Wentworth Street, Point Piper, being Lot 1-7 SP 77598 and Lot 3-6 DP 270495 (see Figure 1). The land is also known as Kilmory.

Note: For the purpose of this chapter, the whole of the site together with its built and natural elements is known as Kilmory. A reference in this chapter to Kilmory is intended to include a reference to all elements of the site. Objectives and controls may be provided for the whole site, for the house and for particular elements.

FIGURE 1
Land where this chapter applies



2.1.2 Development to which this chapter applies

This chapter applies to development requiring consent under Woollahra LEP.

2.1.3 Objectives

The objectives of this chapter are:

- O1 To conserve the heritage significance of Kilmory.
- O2 To provide planning and heritage conservation controls for Kilmory.
- O3 To encourage a high standard of architectural and landscape design in new development.
- O4 To maintain the visual setting of the house and the streetscape value of Kilmory.
- O5 To minimise the impact of new development on adjoining lands.
- O6 To encourage a single management structure for Kilmory.
- O7 To retain the outer subdivision boundaries of Kilmory.

Notes:

- ▶ Applicants must demonstrate in a statement of environmental effects and through the features of a proposal how development is consistent with the principle objectives of this chapter and the design criteria objectives.
- ▶ Council must not grant consent to the carrying out of development on the land to which this chapter applies unless it is of the opinion that the development would be consistent with the principle objectives of this chapter and the design criteria objectives.

2.1.4 How to use this chapter

This chapter is to be used primarily by:

- ▶ the property owners of Kilmory;
- ▶ applicants seeking consent for development on the site;
- ▶ Council's assessment officers; and
- ▶ Council's decision makers.

Applicants, in particular, must read all sections of this chapter in order to ensure that they:

- ▶ obtain an understanding of the chapter and its supporting and relating documents;
- ▶ prepare and submit applications that contain the information necessary to meet the Council's requirements for development applications; and
- ▶ prepare and submit applications that are consistent with the objectives, requirements, statements, principles and design criteria of the chapter.

Applicants must demonstrate in the statement of environmental effects that is submitted with a development application and through the features of the development proposal that the proposal is consistent with:

- ▶ the principle objectives of the chapter;
- ▶ the existing character elements of the site;
- ▶ the desired future character statement for the site;
- ▶ the planning principles for the site; and
- ▶ the design criteria objectives and design criteria for development.

2.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part B: Chapter B1 Residential Precincts (Point Piper)
- ▶ Part B: Chapter B3 General Development Controls
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails unless otherwise specified.

2.1.6 Relationship to other documents

Conservation Management Plan

Conservation Management Plan for Kilmory, 6 Wentworth Street, Point Piper (January 1998 - issue F), which was adopted in part by the Council on 13 August 2001, and a set of conservation principles adopted by the Council on 12 August 2002.

G2.2 Character statement

2.2.1 Existing character elements

The existing character elements represent the distinguishing and important features of Kilmory. The existing character elements of Kilmory are:

- a) The dominant form and visual presence of the house as seen from Wentworth Street and from other locations, both local and distant.
- b) The landmark qualities of the site.
- c) The open appearance of the site which contrasts with the densely built up character of Point Piper.
- d) The distinctive and unifying use of sandstone in the boundary walls, garden terraces and house.
- e) The terraced landform rising from street level and terminating with the house.
- f) The uninterrupted form of the house, particularly the roof lines, against the skyline when viewed from Wentworth Street.
- g) The formal entrance gates and gate posts on Wentworth Street and the winding driveway, ascending to the house.
- h) The sweeping views of Sydney Harbour, Woollahra foreshores and the northern foreshore areas from the house and upper gardens.
- i) The individual elements of the house and its grounds that are of heritage significance as identified in the document titled Conservation Management Plan for Kilmory, 6 Wentworth Street Point Piper (January 1998 - issue F).
- j) The significant trees and vegetation.

2.2.2 Desired future character

Desired future character is a vision statement about the future image and function of Kilmory.

This chapter seeks to achieve a desired future character for Kilmory that:

- a) conserves the heritage significance of the house, its landscape setting and garden elements;
- b) maintains the landmark qualities of the house and its grounds;
- c) maintains the dominant form and visual presence of the house;
- d) maintains the 'grand estate' image of the site;
- e) maintains the open appearance of the site and the spatial relationship of the house with its garden setting;
- f) maintains the streetscape qualities of the house and grounds; and
- g) maintains the significant views from the house and its grounds.

Notes:

- ▶ Applicants must demonstrate in a statement of environmental effects and through the features of a proposal how development retains the existing character elements and achieves the outcomes expressed in the desired future character statement.
- ▶ The Council must not grant consent to the carrying out of development on the land to which this chapter applies unless it is of the opinion that the development would be consistent with the existing character elements and the desired future character of the site.
- ▶ Since the completion and approval of the conservation management plan, demolition of buildings on the site and within the house has occurred. Significant fabric within the house has been removed. The conservation management plan must be amended to reflect the demolition of buildings, to provide grades of significance for those parts of the site where buildings have been demolished, and to reclassify those spaces within the house where significant fabric has been removed.

G2.3 Planning and conservation principles

Planning and conservation principles establish the fundamental planning rules for the site. These draw from the existing character elements and the desired future character statement. Along with the objectives of the chapter, the existing character elements and the desired future character statement, the planning and conservation principles establish a basis for the design criteria.

2.3.1 Planning and conservation principles

The planning and conservation principles applying to the site are:

Principle 1 - Research and investigation

Development of the site, irrespective of its intensity and form and including the use of the land, must be based on sound environmental planning and heritage conservation investigations and conclusions.

Principle 2 - Design

New development must demonstrate high quality architectural design that embraces conservation best practice.

Input to the design process from qualified and experienced professionals in the disciplines of architecture, heritage conservation, town planning and landscape architecture is essential.

Principle 3 - Conservation

Conservation of Kilmory as a whole is the primary outcome of all planning and development actions for the property. Conservation of the house in isolation does not satisfy this principle.

Conservation principles and practices set down in *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance 1999* (The Burra Charter) are adopted for the purpose of this chapter.

Principle 4 - Intensity of new development

The intensity of new development measured in terms of scale, form, location and quantity of new buildings is to be governed by matters including the impact on the heritage significance of Kilmory and the impact on adjoining lands (including public lands).

The intensity and type of development on neighbouring lands are not by themselves a justification for new development on Kilmory.

G2.4 Design criteria

2.4.1 Heritage conservation

Kilmory is a property that has exceptional local heritage significance. The significance of the property has been documented in the Conservation Management Plan for Kilmory, 6 Wentworth Street Point Piper (January 1998 - issue F) and recognised through its listing as a heritage item in Woollahra LEP. The conservation of Kilmory is the most important of the principle objectives of this chapter.

Notes:

Clause 2.3.5 of the *Conservation Management Plan for Kilmory, 6 Wentworth Street Point Piper* sets out the following summary statement of significance for Kilmory:

1. The property is of high local significance because it is one of the very few substantially intact estates in Point Piper with original Edwardian house and landscape intact on the early 1909 block subdivision and boundary which has been unaltered. It is a landmark property in Point Piper. The property has maintained significant views to Sydney Harbour, Rose Bay and Bondi.

It conveys the scale, detail and set up of a large Edwardian household.

The house is an important, rare and especially large example of the Arts and Crafts Style.

The property is important because of its prominent landmark setting. The house can be seen easily from many positions around the harbour in Point Piper.

2. Kilmory has historical associations with prominent figures in Sydney:
 - Sir Alexander MacCormick, a distinguished surgeon and entrepreneur; and
 - J.W.Manson a distinguished architect of the Edwardian period in Sydney.
3. Kilmory is associated with WWII and National Defence and accommodated staff of the Eastern Command.
4. A major institution for two orders of the Catholic Church in Australia:
 - The Jesuit Fathers, who established the Riverview Preparatory College.
 - The Franciscan Missionaries of Mary for their "Ave Maria" Retreat House.

Clause 2.3.4.1 of the *Conservation Management Plan for Kilmory, 6 Wentworth Street Point Piper* sets out an assessment of heritage values for Kilmory's buildings, individual rooms and landscape elements.

Conservation is defined in The Burra Charter as “all the processes of looking after a place so as to retain its cultural significance.” Article 14 of The Burra Charter states:

“Conservation may, according to circumstance, include the processes of: retention or reintroduction of a use; retention of associations and meanings; maintenance, preservation, restoration, reconstruction, adaptation and interpretation; and will commonly include a combination of more than one of these.”

Objectives

- O1 To conserve the heritage significance of Kilmory.
- O2 To ensure that all development, including works and uses, does not have a detrimental impact on the heritage significance of Kilmory.

Controls

General

- C1 Land uses must respect the heritage significance of Kilmory. This may be achieved through uses that:
 - a) are sympathetic and consistent with the original use of Kilmory, which was a single residence;
 - b) involve or require minimal change to highly significant fabric and spaces;
 - c) do not adversely affect the heritage significance of Kilmory;
 - d) continue or reintroduce activities and practices that contribute to the significance of Kilmory;
 - e) provide options to allow long-term management and conservation of Kilmory as a whole rather than in a fragmented manner; and
 - f) retain the boundaries of Kilmory that define the curtilage of the house.
- C2 Original building fabric and landscape features must be recorded and conserved.
- C3 All conservation work must involve minimum interference to the existing fabric to minimise the loss of heritage significance.
- C4 Detrimental intervention may occur only in areas of little or moderate significance and the work must be reversible.
- C5 Fabric must be retained in situ unless moving it is the sole means of achieving its survival. It must be recorded to archival standards before disturbance occurs.
- C6 Removed fabric of heritage significance must be kept in a secure repository on site after cataloguing and recording.
- C7 Fabric must not be demolished or removed before the issue of a construction certificate.

-
- C8 All development must comply in full with the detailed conservation policies 3.6.4 and 3.6.5 of the *Conservation Management Plan for Kilmory, 6 Wentworth Street, Point Piper, January 1998* issue F, by Tanner and Associates (pages 39-41).
- C9 The distinguishing and important features of Kilmory within the curtilage for the house must be conserved. This is to be achieved by complying with the controls within this chapter, particularly those for:
- a) site layout and views, especially those relating to protecting primary views and prohibiting buildings in landscape spaces of exceptional and high significance;
 - b) building design;
 - c) open space and landscaping;
 - d) fences and walls;
 - e) car parking and driveways;
 - f) site facilities; and
 - g) subdivision, maintenance and management.

House

- C10 Exceptional and highly significant fabric and spaces identified by the conservation management plan, are not to be damaged, destroyed or altered. Some change to areas of little or moderate significance may be permissible in order to accommodate any appropriate future use.
- C11 Reticulation of services must be carefully planned without causing damage to fabric or significant interior spaces.
- C12 New work must not detract from the heritage significance of the house and it must be reversible as far as practicable.

Note: The significance of individual rooms and elements in the house is identified in clause 2.3.4.1 of the *Conservation Management Plan for Kilmory, 6 Wentworth Street, Point Piper*.

Heritage conservation incentives

Woollahra LEP provides for heritage conservation incentives for listed heritage items. The incentives may relate to the use of buildings and land (beyond those permissible under the land use zone), building works, floor space ratios and the provision of car parking.

The incentive provisions are subject to the Council being satisfied that certain outcomes will be achieved by the proposed development (see below).

In forming a view about a proposal's impact on heritage significance and the amenity of the neighbouring area the Council will take into consideration matters including:

- ▶ the relevant conservation provisions of Woollahra LEP;
- ▶ objectives and controls in this chapter;
- ▶ other relevant DCP controls and requirements of other plans and policies that apply to the site; and
- ▶ section 79C of the *Environmental Planning and Assessment Act 1979*.

Notes:

- ▶ A statement of heritage impact prepared by a person qualified and experience in heritage conservation must accompany development applications. Guidelines for the preparation of statements of heritage impact can be found in the document produced by the NSW Heritage Office.
- ▶ The heritage impact statement must, as a minimum, describe:
 - the significance of the whole site and the individually significant spaces and elements of the house and grounds, including the landscape elements;
 - the impact of proposed development on that significance;
 - the measures that are proposed to mitigate the impact on significance;
 - the alternative development options that have been identified and why those options have not been pursued in order to achieve the conservation of Kilmory; and
 - how the proposed development will achieve the conservation of Kilmory.
- ▶ The Council will not grant consent to a development application relating to the land unless it has considered a statement of heritage impact.
- ▶ When a proposal seeks to use heritage incentives, the applicant must include within the statement of heritage impact:
 - evidence to demonstrate that all alternative options employing land uses permissible under the current zone for the site have been identified and examined; and
 - the reasons why those options have been discarded in favour of the proposed use.

2.4.2 Site layout and views

Site layout refers to the arrangement of buildings, spaces and access over the site. Site layout influences matters including views to and from the site, retention and protection of vegetation and open space, retention of significant site elements and impact on adjoining properties.

There are significant views to the house and grounds along Wentworth Street and from other areas.

Objectives

- O1 To achieve a site layout that considers and respects the existing landscape character and heritage significance of the site.
- O2 To protect primary views to and from the site.
- O3 To provide a high level of amenity for future occupants of the site.
- O4 To maintain the amenity of neighbouring properties.
- O5 To protect primary views of the site's significant landscape elements and spaces as seen from within the site, from Wentworth Street and from other areas.

Controls

General

- C1 The site layout must:
 - a) Retain and where possible enhance the important features of the site, including primary views (Figures 2 and 3), significant trees and vegetation (Figure 6), and landscape areas and elements of exceptional and high significance (Figure 4).
 - b) Relate building and landscape design to the site's contours and not involve:
 - large areas of excavation or landfill; or
 - new buildings, structures and landscape elements that block primary views.
- C2 New development, including planting, must not have a detrimental impact on the landmark qualities of Kilmory by blocking primary views of the house and significant landscape elements such as the sandstone terraces.
- C3 New buildings must not be located in the landscape areas of exceptional and high significance (Figure 4).
- C4 The building size and location controls in in Part B of this DCP, Chapter B3 General Development Controls apply to residential development on Kilmory excluding front setback, rear setback and building footprint requirements.

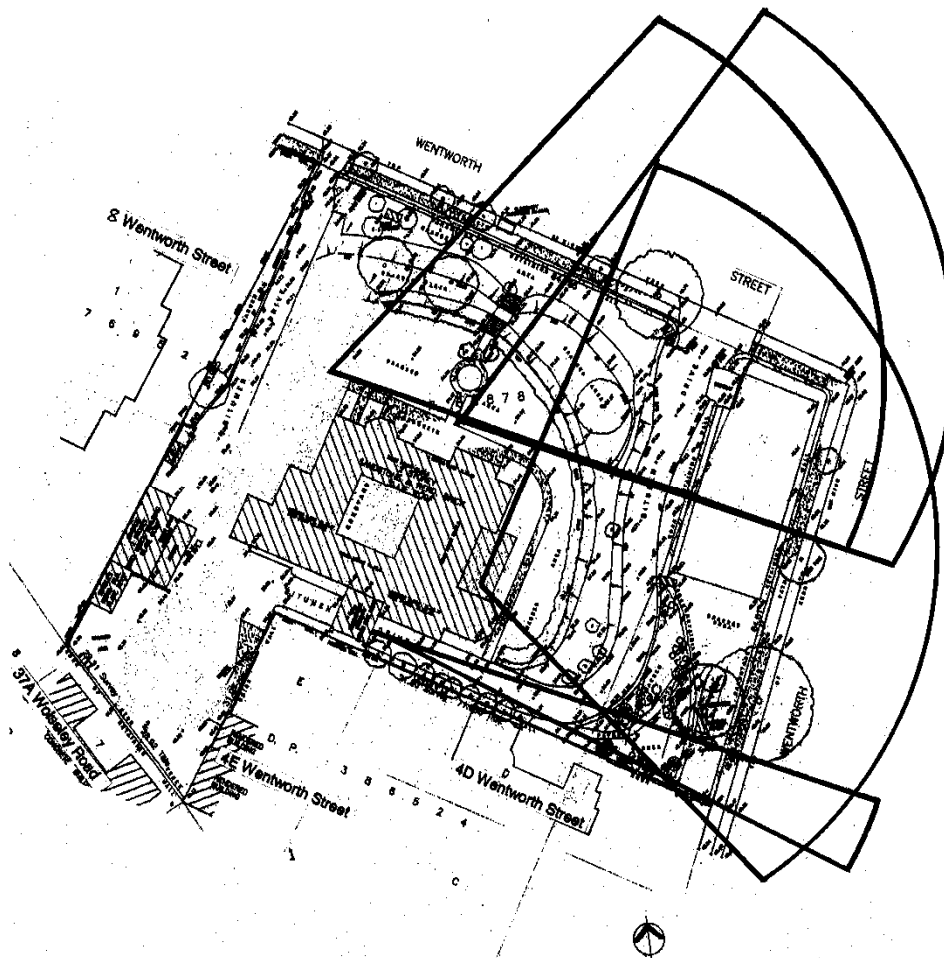
C5 Building footprints and setbacks:

- a) New development in the south-western corner, the south-eastern corner and adjoining the western elevation of the existing house must take place within the maximum building footprints and setbacks shown on Figure 5.
- b) All extensions to the existing house's western elevation must be setback from the principal external face of the existing building's northern elevation to allow views from Wentworth Street of the north-western corner of the existing building, particularly the gable end and archway.

Note: The principal external face of the northern elevation does not include the existing bay and gable projections.

- C6 Views to and from the house and from the northern garden area bounded by the Olea europea (Olive) hedge must be retained. In particular the views of the house and significant landscape elements and spaces from Wentworth Street must be retained.

FIGURE 2
Primary views from Kilmory



Note: Views are taken from upper garden area and from eastern ground floor verandah.
Views take into consideration reduction of Olive hedge to a height of 1-1.2m.

FIGURE 3
Primary views to Kilmory from Wentworth Street. Views over Kilmory from 4D Wentworth Street

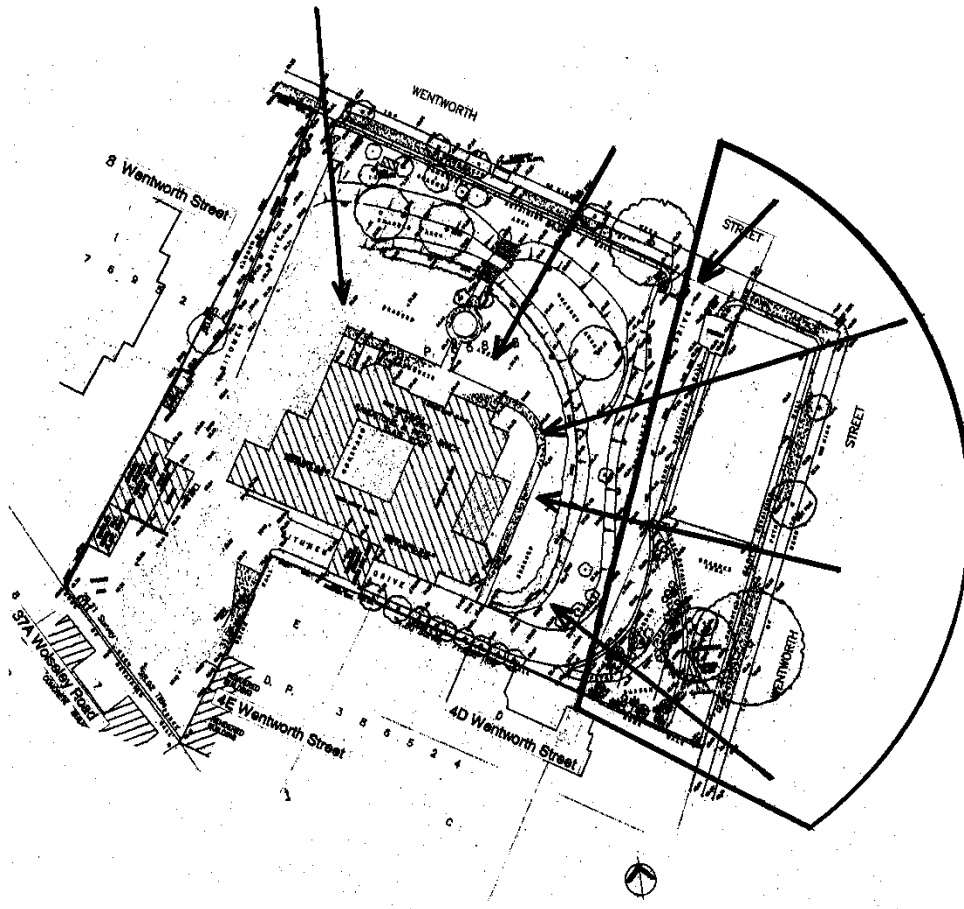
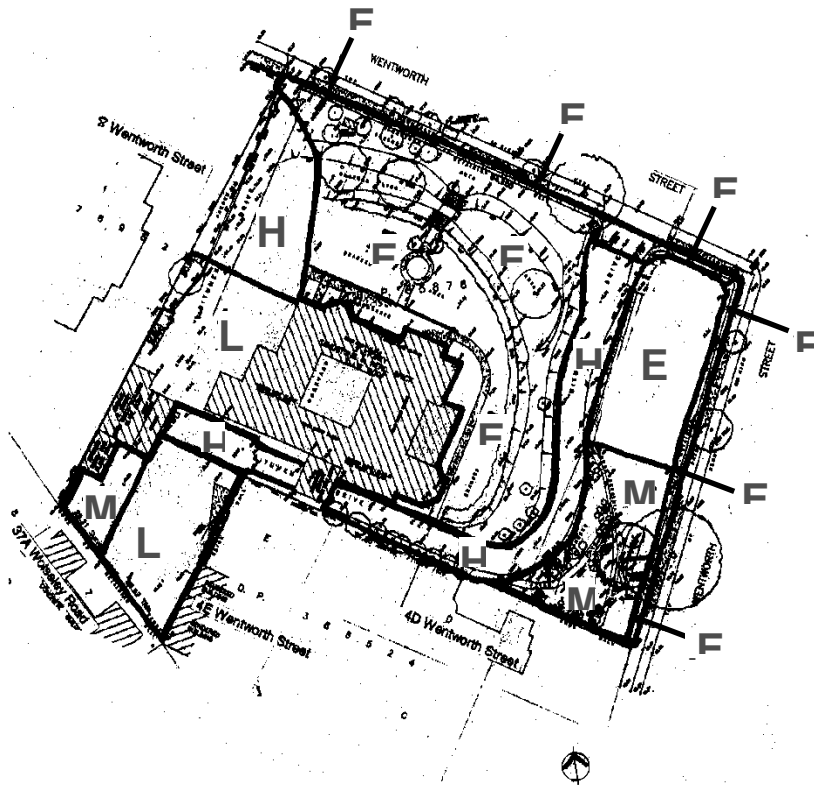


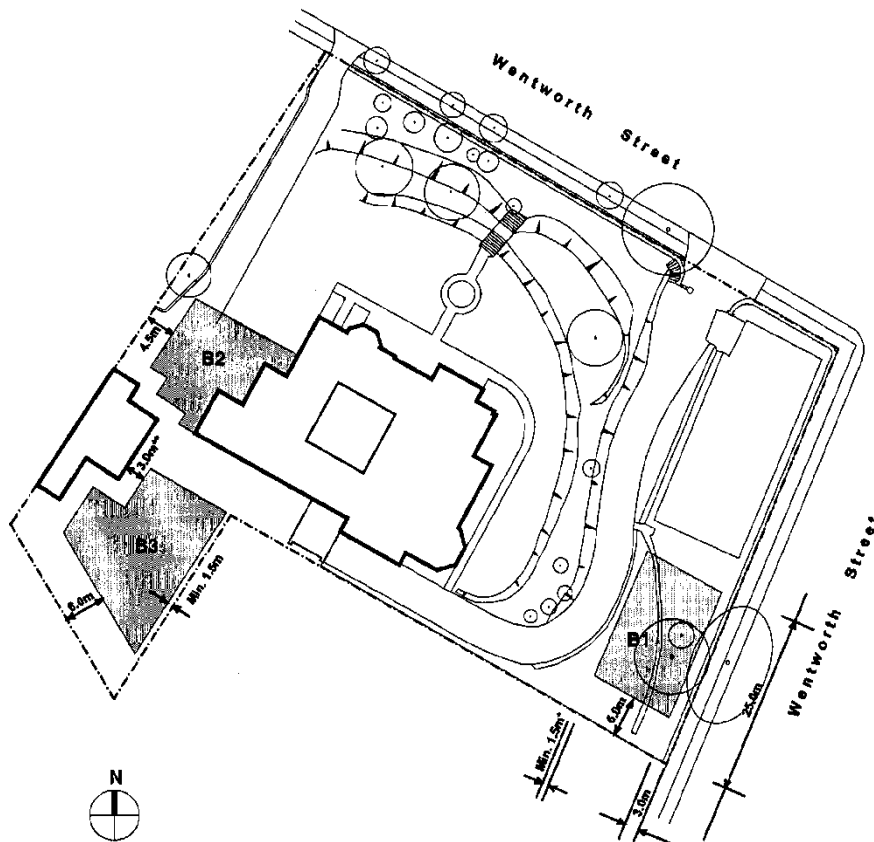
FIGURE 4
Landscape areas and elements of significance



Code	Significance value	Area and element
E	Exceptional	Eastern and northern sandstone boundary walls on Wentworth Street
E	Exceptional	Main sandstone gate posts and iron gates on Wentworth Street
E	Exceptional	Garden and landscape elements on northern and eastern side of house, including terracing, paths and sandstone steps (see Figure 6 for significant trees and vegetation)
E	Exceptional	Former tennis court area in north-eastern corner
H	High	Main driveway from Wentworth Street, including kerbs and gutters
H	High	Vacant area, former site of accommodation wing, north-western corner. A high significance value applies due to: <ul style="list-style-type: none"> ► the unbuilt nature of the area, which allows views to the house from Wentworth Street, and views from the house and adjoining garden area; ► the proximity to the garden area which is of exceptional value; and ► the potential to reinstate part of garden and terrace area.
M	Moderate	Garden in south-eastern corner of site (see Figure 6 for significant trees)
M	Moderate	Vacant area, former drying yard, in south-western corner
L	Little	Vacant area, former site of 4 storey building, in southern part of site
L	Little	Vacant area, former site of accommodation wing, adjoining western side of house and south of the house's northern building line (see Figure 6 for significant trees)

Sources: Tanner and Associates Pty Ltd. Issue F/January 1998. Conservation Management Plan for Kilmory, 6 Wentworth Street Point Piper and Woollahra Council assessment

FIGURE 5
Building footprints and setbacks



Setbacks	(metres) (min)
B1	1.5 from base of driveway retaining wall 6 from southern boundary 3 from eastern boundary
B2	4.5 from western boundary 3 from existing stables and garages
B3	1.5 from boundary adjoining No. 4E Wentworth Street 6 from boundary adjoining No. 37A Wolseley Road 3 from existing stables and garage
Footprints	(m ²) (max)
B1	110
B2	140
B3	230

Notes:

1. Setback and footprint of building B1 is only achievable subject to relocation of Kentia Palm and removal of Cheese Tree, pending consideration by Council of arborist's report.
2. Maximum building footprint areas must be located within the area shown shaded for each building.

2.4.3 Building design

To maintain the heritage significance of Kilmory careful consideration must be given to the design of new work to the house and to all new buildings on the site. Good design is also essential for providing sustainable living environments and a high amenity for residents and other users of properties.

The form, scale and height of development and the type of materials and finishes are fundamental design elements. These elements set the character of buildings and influence the way in which new buildings respond to their natural and built context.

Objectives

- O1 To ensure that new development respects the form, scale, height and character of the existing house on Kilmory and does not detrimentally affect the significant elements on the site.
- O2 To encourage high quality contemporary design that is compatible with the heritage significance of Kilmory and the important character elements of the neighbourhood.
- O3 To retain principle views to and from the existing house and its significant landscape elements and spaces, especially from Wentworth Street.
- O4 To minimise excavation and landfill.
- O5 To provide a high level of amenity for future occupants.

Controls

General

- C1 Building height:
 - a) The maximum height of new development must not exceed the height controls under Woollahra LEP. The maximum height will not be achievable where:
 - proposed buildings would impact on primary views to and from the existing house;
 - the scale of proposed buildings would, individually or collectively, compete with the scale of the existing house;
 - proposed buildings would not satisfy the objectives of the height standard; and
 - in addition, new development labelled B1, B2 and B3 on Figure 5 must not exceed 2 storeys in height.
- C2 The scale of new development, including additions to the house and works in the grounds, must be substantially subservient to the scale of the existing house.

-
- C3 New building work, including additions to the house and works in the grounds, must incorporate design elements that complement, but do not mimic the architectural character of the existing house, through:
- compatible, but distinctly lesser massing, scale and height;
 - similar roof forms (when visible);
 - similar proportions and solid-to-void ratios of openings for windows and doors; and
 - compatible materials, finishes and colours.
- C4 The large expanses of walls on new buildings must be broken by articulation, modelling, window openings and similar features.
- C5 In order to maintain the visual dominance and character of the existing house, new buildings must display less articulation and diversity than found in the existing house.
- C6 Acceptable materials, finishes and colours include:
- rendered masonry for walls;
 - traditional roof finishes such as lead, zinc, sheet copper or slate or its modern equivalent; and
 - restrained colour schemes that are sympathetic to the external colours of the existing house.
- C7 Mirrored or other highly reflective materials (with a reflectivity of 15%) must not be used on building exteriors.
- C8 Buildings must have a good thermal mass by using materials such as concrete slab floors, cavity brick, concrete block and stone walls.

House

- C10 The visual prominence and symbolic significance of the house within its setting must be retained, especially in the context of Wentworth Street.
- C11 The appearance of the house as a single, two storey residence with intact roof planes to the north and east must be retained.
- C12 The existing northern and eastern roof planes, including those over bay projections and gables, must not be altered by dormers, skylights, vents, aerials or by similar or other elements whether projecting, recessed or flush with the roof planes.

Notes:

- ▶ When major development is proposed to the existing house or within the grounds, or both, the applicant must submit a design statement with the development application. In the design statement the applicant must demonstrate that the proposed design through the design idiom, scale, massing, materials, detailing and construction techniques appropriately responds to the heritage significance of Kilmory and the neighbourhood's desired future character.
- ▶ With any development involving new structures and landscaping works within the grounds of Kilmory, the applicant must provide view line diagrams to illustrate the impact on the views and vistas to and from:
 - the house; and
 - the significant landscape elements and spaces of the site.

2.4.4 Open space and landscaping

Kilmory contains numerous landscape elements that are of individual significance and that contribute to the site's overall significance. These include the sandstone entrance wall, sandstone posts and iron gates on Wentworth Street, the driveway, and the garden area on the northern side of the house.

High quality landscape design is important for a number of reasons. It will integrate the significant landscape elements and the house with new development and new landscape features. It will also contribute to the amenity of the area and the streetscape.

Objectives

- O1 To allow conservation and interpretation of the significant landscape elements.
- O2 To retain significant trees, vegetation and other landscape elements.
- O3 To provide an adequate amount of usable open space.
- O4 To ensure that an integrated landscape concept for the site is employed.
- O5 To ensure that new landscape features do not reduce views to and from the site.
- O6 To facilitate and improve stormwater management.
- O7 To enhance the appearance, amenity and energy efficiency of housing through integrated landscape design.

Controls

- C1 Landscape design must demonstrate through the use of plant species, hard landscape elements and materials that an appropriate response to the heritage significance of Kilmory's garden and landscape has been achieved.
- C2 Sandstone boundary walls, terraces, sandstone retaining walls, gate posts and iron gates, and sandstone kerbs and gutters must be retained and conserved.
- C3 Existing pathways and sandstone steps must be retained.
- C4 Significant trees and vegetation must be retained (Figure 6).
Note: Council consent is required for any tree works affecting trees or other vegetation that are prescribed under the Woollahra DCP.
- C5 The existing *Olea europea* (Olive) hedge must be retained and pruned to a height that allows views in a northern and eastern direction from the upper garden level.

-
- C6 New pedestrian accessways are to be designed with regard to:
- minimising the impact on significant spaces and landscape elements;
 - protecting significant trees and vegetation;
 - enhancing the landscape setting and character of Kilmory;
 - meeting access requirements for older people and people with a disability; and
 - providing privacy and security for new and existing development and neighbouring properties.
- C7 The open space and landscaping controls in Part B of this DCP, Chapter B3 General Development Controls Section 3.7.1 (Landscape areas and private open space) apply to development for the purpose of residential development on Kilmory with the exception of C5 and C12.
- C8 In the case of residential development other than a dwelling house, each dwelling must have private open space with:
- at least two hours of sunlight per day in mid-winter;
 - a minimum area of 25m² for dwellings of 2 or more bedrooms;
 - a minimum dimension of 2m; and
 - direct access from a living area of the dwelling.
- C9 Private open spaces must be located so that they provide surveillance and privacy in cases where they adjoin communal open spaces.
- C10 Methods of delineating private and communal open space must involve landscape features such as hedges, planting beds and changes in level. Fencing within the site is not acceptable, except for safety reasons such as pool fences, or for a tennis court.
- C11 A lightweight retractable net must be provided around the tennis court.
- C12 Tennis court lighting is not allowed.

House

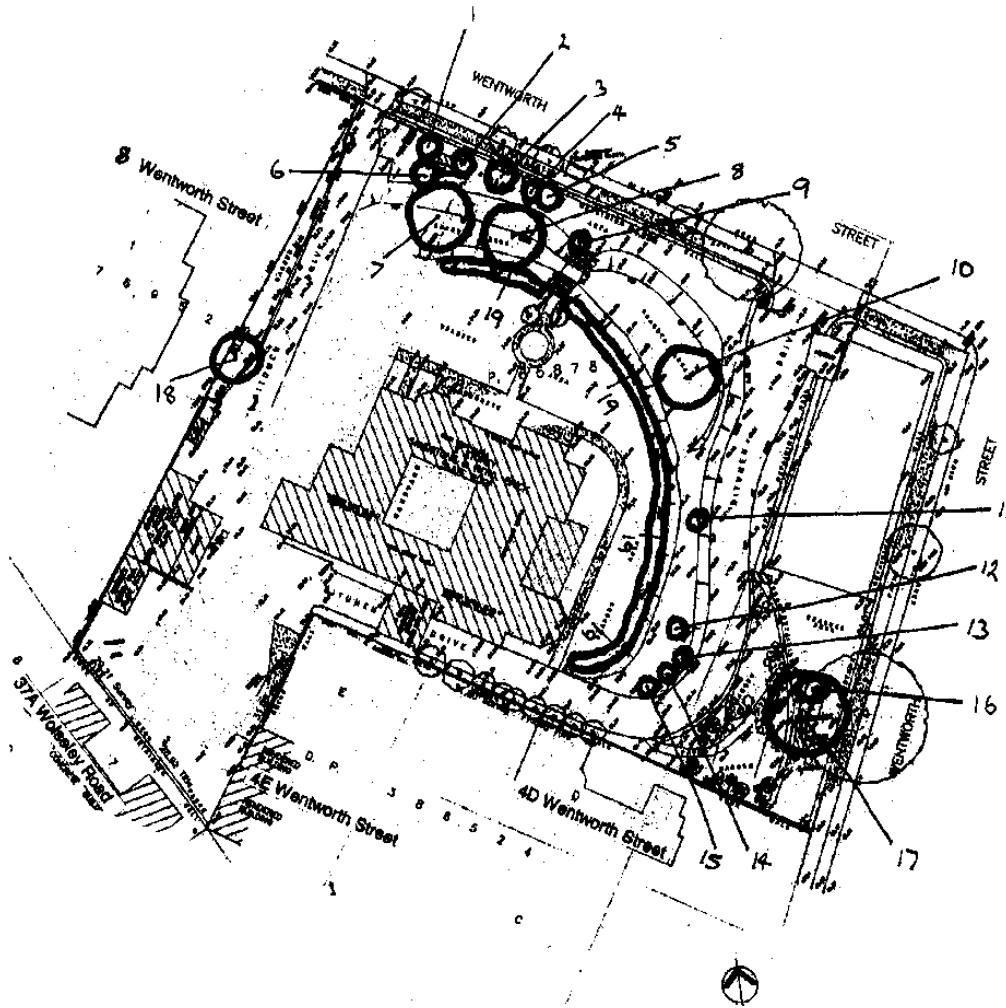
- C13 New planting and landscape elements must not reduce views to and from the house, especially from the Wentworth Street context.

Notes:

- ▶ When major development is proposed for the grounds of Kilmory a detailed landscape plan must be provided with the development application and must be approved by the Council.
- ▶ A landscape plan, prepared by a landscape consultant qualified and experienced in historic gardens, must accompany the development application and include:
 - a description and plan of the significant landscape zones and elements;
 - an arborist's report on the condition of all significant trees and vegetation and all trees proposed for removal;

-
- a plan for the restoration and reconstruction of significant landscape zones and elements which is consistent with the heritage significance and character of Kilmory’s garden;
 - plant species to be retained and removed;
 - details of new work including:
 - location of proposed lighting
 - watering and irrigation systems
 - drainage and stormwater management
 - new plants, paths and stairs
 - location of private open space facilities
 - location of communal open space and facilities (where multiple occupancy is proposed)
 - methods of delineating private and communal open space and facilities; and
 - other relevant matters identified by the Council’s officers during pre-DA discussions.

FIGURE 6
Significant trees and vegetation



No.	Botanical name	Common name	No.	Botanical name	Common name
1	Camellia sp.	Camellia*	11	Cupressus spp	Cypress Pine
2	Camellia sp.	Camellia*	12	Camellia sp.	Camellia
3	Camellia sp.	Camellia*	13	Cupressus spp	Cypress Pine
4	Camellia sp.	Camellia*	14	Cupressus spp	Cypress Pine
5	Plumeria acutifolia	Frangipanni	15	Cupressus spp	Cypress Pine
6	Archontophoenix alexandrae	Alexander Palm*	16	Howea forsteriana	Kentia Palm*
7	Araucaria heterophylla	Norfolk Island Pine	17	Glochidion ferdinandii	Cheese Tree
8	Ficus rubiginosa	Port Jackson Fig	18	Gordonia axillaris	Gordonia
9	Camellia sp.	Camellia*	19	Olea europea	Olive
10	Cinnamomum camphora	Camphor Laurel			

* Denotes may be transplanted within the site

Source: Woollahra Council assessment

2.4.5 Fences and walls

Kilmory's northern and eastern sandstone boundary walls are significant heritage elements and also make significant contributions to the streetscape of Wentworth Street.

The walls provide security for the property and at their existing height do not interrupt primary views to the house and its landscape setting.

Objectives

- O1 To conserve the significant sandstone boundary walls on Wentworth Street.
- O2 To retain primary views to the house and its landscape setting from Wentworth Street.
- O3 To retain the significant contribution made by the existing northern and eastern sandstone boundary walls to the streetscape of Wentworth Street.
- O4 To ensure that new fencing on the southern and western boundaries is compatible with the heritage significance of Kilmory.
- O5 To ensure that new fencing on the southern and western boundaries provides adequate privacy and security for Kilmory and for adjoining properties.

Controls

- C1 Sandstone boundary walls on Wentworth Street must be retained and conserved.
- C2 The height of the sandstone boundary walls on Wentworth Street must not be increased.
- C3 New fencing on the southern and western boundaries must not exceed 1.8m in height where the site is level with the adjoining site, or 1.8m measured from the low side where there is a difference in level either side of the boundary.
- C4 Fencing within the site is not permitted, except for pool fencing or fencing for a tennis court.
- C5 Methods of delineating private and communal open space must involve landscape features such as hedges, planting beds and changes in level.
- C6 Tennis court fencing associated with a court in the north-eastern corner of the site is to be designed and constructed so that it can be lowered below the existing height of the Wentworth Street boundary wall.
- C7 No openings are allowed in the existing sandstone boundary walls on Wentworth Street except for a new garage opening in the south-western corner (Figure 7) and a single pedestrian gate on the northern boundary wall, if required.
- C8 The fences and walls controls in Part B of this DCP, Chapter B3 General Development Controls Section 3.7.2 (Fences) do not apply to residential development on Kilmory with the exception of C7 and C15.

2.4.6 Acoustic and visual privacy

Visual and acoustic privacy are important factors in the amenity of a place, particularly for residential uses. Kilmory is located in a dense residential area and is adjoined on two sides by residential development of mixed intensity. Acoustic and visual privacy needs of both future residents of Kilmory and neighbouring development will require sensitive and careful design.

Objectives

- O1 To protect the acoustic and visual privacy of neighbouring development.
- O2 To provide adequate acoustic and visual privacy for future residents of Kilmory.

Controls

- C1 The acoustic and visual privacy controls in Part B of this DCP, Chapter B3 General Development Controls Section 3.5.4 (Acoustic and visual privacy) apply to residential development on Kilmory.
- C2 Trees and other vegetation can be used on the southern and western boundaries to provide acoustic and visual privacy.
- C3 Existing vegetation on the southern and western boundaries must be retained and supplemented if necessary.

2.4.7 Access and mobility

Access and mobility provisions are necessary so that development is accessible and able to be used by all members of the community.

The provisions are principally directed towards eliminating barriers to people with a disability and older people and are intended to complement the access controls in this DCP (refer to Part E Chapter E8 Adaptable Housing) .

Because of the heritage significance of the site, access provisions require special consideration at the design stage.

Objectives

- O1 To ensure that new buildings, associated spaces and any communal areas are accessible, usable or adaptable for all people in the community, including people with a disability and older people.

Controls

- C1 The access and mobility controls in Part E of this DCP, General Controls for All Development, apply to development for the purpose of dwelling houses and multiple dwellings on Kilmory.

2.4.8 Car parking and driveways

Provision of on-site parking and driveways for Kilmory needs to be carefully planned and introduced so that there are minimal impacts on the heritage significance of the house and landscape elements and minimal disturbances to the existing landform. For these reasons special parking requirements are provided for Kilmory. These requirements are different to those normally required for dwelling-houses and residential flat buildings.

Objectives

- O1 To maintain the heritage significance of Kilmory.
- O2 To ensure that on-site parking and driveways do not dominate the landscape setting of Kilmory.
- O3 To maintain the amenity of adjoining properties.
- O4 To minimise the impact of car parking facilities and driveways on the streetscape of Wentworth Street.
- O5 To provide convenient and safe car parking and access for residents and visitors.
- O6 To limit site excavation and changes to the landform of Kilmory.
- O7 To minimise stormwater runoff.

Controls

- C1 The car parking and driveway controls in Part B of this DCP General Development Controls, Chapter B3 Section 3.6 (On-site parking) and Chapter E8 (Parking and Access) apply to development for the purpose of dwelling houses and multiple dwellings on Kilmory except where inconsistent with the controls in this chapter.
- C2 Proposals for new dwellings on the grounds of Kilmory, or for the creation of separate dwellings in the existing house, or both, must provide on-site parking to meet the requirements outlined in the following table.

Dwelling size	Maximum number of spaces per dwelling
1 bedroom	1
2 bedrooms	1.5
3 or more bedrooms	2
Visitors	0.25

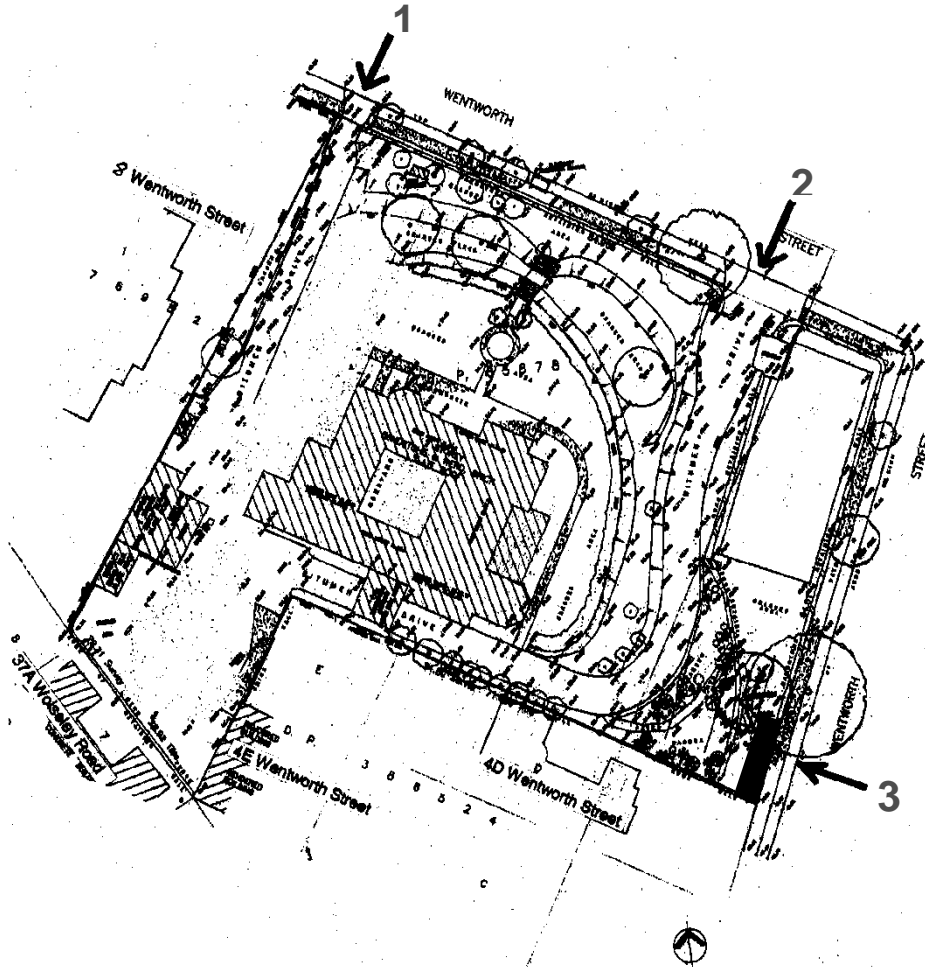
Note: Spaces are to be rounded to the nearest whole number.

- C3 Where Kilmory is used for the purpose of a dwelling-house, two on-site parking spaces must be provided.

-
- C4 For uses other than those stated in C2 and C3 or where variations to the rates set out in the table to C2 are sought, the Council will consider parking provision on its merit and in light of matters including:
- the impact on the heritage significance of Kilmory;
 - the impact on the streetscape of Wentworth Street;
 - the extent of any excavation and the impact on the landform of Kilmory and the provision of deep soil landscaping; and
 - the effect on the bulk, scale and form of new development.
- C5 The area of site excavation for the purposes of underground car parking is to be substantially limited to the building footprint of new buildings for which parking is required. In order to protect the significance of the existing house, excavation for the purpose of car parking underneath the footprint of the existing house should not occur.
- C6 Car parking and driveways must be designed and located to:
- conserve the heritage significance of Kilmory;
 - maintain views to and from the house;
 - maintain significant trees and vegetation;
 - provide convenient and safe access to all buildings;
 - prevent traffic conflicts;
 - minimise excavation and changes to the landform of Kilmory;
 - integrate physically and visually with the landform and built elements;
 - enable the efficient use of car spaces and accessways, including safe manoeuvrability for vehicles between the site and Wentworth Street;
 - allow vehicles to enter and leave the site in a forward direction;
 - minimise impacts on adjoining properties in regard to matters including noise and vehicle headlights; and
 - minimise the visual dominance of parking areas, structures and accessways.
- C7 Open car parking spaces must be designed, surfaced and graded to facilitate on-site stormwater management set out in a stormwater and soil management plan for Kilmory.
- C8 Resident parking must be concealed.
- C9 Vehicle entry and exit points are restricted to:
- the existing points on the northern boundary of the site; and
 - a new point in the south-eastern corner of the site, if required (see Figure 7).
- C10 The sandstone gate posts, gates, and associated sandstone walls in the north-eastern corner of the site must be retained and conserved in their existing location, form and configuration.
- C11 The existing driveway must be retained and resurfaced with an appropriate pervious surface.
- C12 Adequate parking and manoeuvrability must be provided for service vehicles.
-

FIGURE 7
Vehicle entry and exit points

- 1. Existing secondary
- 2. Existing main
- 3. Possible future secondary



2.4.9 Site facilities

Residential development requires site facilities such as mail boxes, garbage collection areas and clothes drying areas. Careful consideration to the location and treatment of these facilities can improve the amenity of occupants and mitigate potential adverse visual and odour impacts on adjoining properties.

The impacts of site facilities on the appearance of the existing house, its grounds and the streetscape need to be considered.

Objectives

- O1 The objectives for site facilities in Part B General Residential apply to residential development on Kilmory.

Controls

- C1 The controls for site facilities in Part B of this DCP, Chapter B3 General Development Controls, Section 3.7.3 (Site facilities) apply to residential development on Kilmory.
- C2 All site facilities must be designed so that they can be used by people with a disability and older people.
- C3 Satellite dishes must not be visible from the street.

2.4.10 Stormwater management

Stormwater management is particularly important and necessary for heritage properties due to the potential damage that can be caused to significant fabric and spaces by water penetration, flooding and erosion. The elevated topography and terraced landform of Kilmory also create particular issues for water run-off.

Because of Kilmory's proximity to Sydney Harbour, stormwater management is essential to ensure that water quality of the harbour is not affected.

Objectives

- O1 To protect the fabric of the house and the significant landscape elements of Kilmory.
- O2 To minimise changes to the hydrological characteristics of Kilmory.
- O3 To prevent soil erosion.
- O4 To reduce pollution of Sydney Harbour from stormwater run-off.
- O5 To encourage water conservation and reuse.
- O6 To ensure that the historic drainage channels on the site operate effectively and are integrated with new stormwater management facilities.
- O7 To control the quantity and quality of stormwater run-off.
- O8 To minimise stormwater run-off impacts on adjoining and neighbouring lands.
- O9 To reduce the pressure of new development on domestic water supplies.
- O10 To ensure that building and landscape design incorporate techniques for conserving mains water.

Controls

- C1 The stormwater management controls in Part E of this DCP, Chapter E2 Stormwater and Flood Risk Management apply to residential development on Kilmory.
- C2 Development should involve minimal site clearing and earthworks.
- C3 Drainage and detention systems must be designed to cater for a 100 year Average Recurrence Interval storm event.
- C4 New drainage systems must be designed to:
 - a) incorporate the effective historic drainage channels of Kilmory;
 - b) store water for irrigation of landscaped areas;
 - c) reduce overall mains water usage on the site;
 - d) control the quality of drainage discharge to Council's drainage system;

-
- e) ensure that existing systems are not adversely affected;
 - f) fit in with the hydrology of the natural system as much as possible;
 - g) retain significant trees and vegetation; and
 - h) allow for maximum on-site infiltration but subject to:
 - underlying geological conditions
 - the stability of the site
 - the impact of infiltration on the fabric of the house and significant landscape elements
 - the impact of infiltration on adjoining properties.

Notes:

- ▶ Where major development is proposed for the house or the grounds, or both, a stormwater and soil management plan must be lodged with the development application and approved by the Council in conjunction with a consent for the application. The plan must demonstrate how run-off, sedimentation, erosion and groundwater flow is to be managed on the site.
- ▶ Where excavation to a depth of more than 2m is proposed, a geotechnical and hydrogeological report must be provided with the development application.

2.4.11 Safety and surveillance

Safety and surveillance provisions can maximise personal security, reduce anxiety and maintain general safety and well-being within the local environment.

Objectives

- O1 To ensure a safe environment by promoting crime prevention by design.
- O2 To ensure personal and property safety and surveillance for residents and visitors.

Controls

- C1 Where new dwellings are proposed in the grounds:
 - a) windows or balconies are to be provided in external walls to habitable rooms adjacent to open spaces; and
 - b) individual dwellings must be designed to minimise access between roofs, balconies, windows and adjoining dwellings.
- C2 Shared and private dwelling entries must be well lit, visible and readily identifiable by visitors and emergency personnel.
- C3 Site planning must clearly define communal and private open space areas through distinct landscape features. Fencing is not to be used for this purpose other than on the extreme boundaries of the site.
- C4 Pedestrian accessways must be identified as safe routes through:
 - a) appropriate lighting;
 - b) casual surveillance from dwellings;
 - c) minimised opportunities for concealment;
 - d) landscaping that allows long-distant sight lines between buildings and the street; and
 - e) avoidance of blind corners.
- C5 Lighting must be provided to pedestrian accessways, dwelling entries, driveways and car parks to ensure a high level of safety and security at night. Such lighting may need to be shielded or hooded to minimise nuisance to neighbouring properties.

2.4.12 Subdivision, maintenance and management

The maintenance and management of Kilmory in a consistent manner is critical to its conservation. Issues of land subdivision and land tenure are extremely influential in management practices and outcomes. The current land boundaries of Kilmory define the estate. These boundaries have remained intact since 1909 and are highly significant elements of Kilmory.

Under the NSW land title system there are numerous options that can be used for Kilmory depending on the nature of development.

Objectives

- O1 To prevent fragmentation of Kilmory into disparate allotments.
- O2 To ensure that the site remains under a single management structure.
- O3 To ensure that responsibility for management and maintenance of Kilmory is shared fairly and reasonably where the site is under multiple ownership.
- O4 To ensure that a consistent standard or estate management occurs.

Controls

- C1 The boundaries of Kilmory as defined by Lot 1, Deposited Plan 65878 should not be altered.
- C2 Subdivision of the land is not preferred.
- C3 The property should remain under single title.
- C4 In the case where subdivision is proposed:
 - a) a community title scheme would be suitable for a multiple ownership option and
 - b) delineation of boundaries by fencing is not acceptable. Allotment boundaries can be delineated by landscape features such as hedges, planting beds and changes in level. Fencing within the site is not acceptable, except for safety reasons such as pool fences and for a tennis court.

Notes:

- ▶ The Council must not grant consent to an application for subdivision unless it is satisfied that adequate arrangements are in place or will be put into place for:
 - the funding and implementation of conservation works; and
 - the provision of ongoing maintenance, to ensure the ongoing conservation of Kilmory.
- ▶ Where subdivision is proposed, a management plan, such as one provided under the Community Titles Act, must be submitted with the application for subdivision and approved by the Council. The plan must address matters including:
 - ongoing care and maintenance of common areas and facilities, including communal open space areas;

-
- conservation management of the house and other significant elements of the estate;
 - funding arrangements for conservation of the house and grounds; and
 - insurances.
- ▶ When major development or a new land use, or both, are proposed, a decision making procedure must be submitted with the application and approved by the Council. Professionals with appropriate levels of conservation skills and experience must be engaged to provide advice in the decision-making process. The procedure must be approved by Council prior to commencement of any work. Appropriate direction and supervision by suitably qualified and experienced professionals must be maintained at all stages of works. Records must be kept of findings and decisions. Copies of all catalogued fabric, reports and records must be placed in a permanent archive such as the Woollahra Local History Library and made publicly available.

2.4.13 Construction and site management

Because of the heritage significance of Kilmory, adequate consideration is required at the design stage of the manner in which construction is staged and the way in which construction vehicles, machinery and facilities enter, move around and leave the site.

Objectives

- O1 To minimise the adverse impact of the movement of construction vehicles, machinery and facilities on the heritage significance of Kilmory and the amenity of the neighbourhood.
- O2 To ensure that construction vehicles access into and from Kilmory is safe and does not create vehicle and pedestrian conflict.

Controls

- C1 When a major development is proposed for Kilmory a construction management plan must be submitted with the development application and approved by Council.

Note: A construction management plan for major development must include the following information:

- ▶ proposed movement of construction vehicles, equipment and facilities to, from and within Kilmory;
- ▶ phases of construction;
- ▶ types of vehicles, equipment and facilities to be used throughout the construction;
- ▶ periods and times during the construction when movement to and from Kilmory will occur;
- ▶ steps that are to be taken to mitigate adverse impact on the heritage significance of Kilmory, the amenity of neighbouring properties and on-street parking; and
- ▶ location of materials and machinery stores on Kilmory.

Chapter G3
Hawthornden,
6-12 Roslyndale Avenue, Woollahra

Part G ▶ Site-Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter G3 ► Hawthornden, 6-12 Roslyndale Avenue, Woollahra

Contents

G3.1	INTRODUCTION	1
3.1.1	Land where this chapter applies	1
3.1.2	Development to which this chapter applies	1
3.1.3	Objectives	1
3.1.4	Relationship to other parts of the DCP	2
3.1.5	Relationship to other plans and documents	2
3.1.6	Decision-making criteria	2
3.1.7	Conservation outcomes	3
G3.2	THE CULTURAL SIGNIFICANCE OF THE SITE	4
3.2.1	Statement of significance	4
3.2.2	Rankings of significance	5
G3.3	THE CURTILAGE FOR THE SITE	10
G3.4	CONSERVATION POLICY FOR THE SITE	11
3.4.1	The conservation policy: general principles	11
3.4.2	The existing house	12
3.4.3	Other site elements	12
3.4.4	Implementation of the conservation policy	13
G3.5	SPECIFIC DEVELOPMENT CONTROLS	14
3.5.1	Subdivision	14
3.5.2	The dwelling	14
3.5.3	Heights	15
3.5.4	External materials, colours and finishes	16
3.5.5	Garden elements, landscaping and management of significant vegetation	16
3.5.6	Protection of viewsheds	17
3.5.7	Future development in the grounds	18
3.5.8	Pedestrian and vehicular access and parking	19
3.5.9	Conservation incentives relating to heritage items	19
G3.6	REQUIREMENTS FOR DEVELOPMENT APPLICATIONS AFFECTING THE SITE	20
3.6.1	Preparatory steps	20
3.6.2	Minor development	20
APPENDIX 1 - CURTILAGE OF THE SITE		21
	Background	21
	History of development	21
	Methodology for determining a curtilage	22
	Conclusion	25

APPENDIX 2 - CONSERVATION POLICY: CONSTRAINTS 26

 Constraints arising from the statement of significance..... 26

 Constraints arising from the Burra Charter 26

 Constraints arising from the physical circumstances of the site 27

G3.1 Introduction

This chapter applies to the place known as *Hawthornden*, situated at 6-12 Roslyndale Avenue, Woollahra, which is listed on the Heritage Schedule to the Woollahra Local Environmental Plan 2014 (Woollahra LEP).

Conservation is the process of retaining these significant qualities. It generally aims at preserving as much as possible of the original fabric and setting of the heritage item or place. This chapter lays down Council's requirements for the conservation of Hawthornden and the assessment of any proposals for future development or use of the site.

Note: This chapter reflects the site specific development control plan adopted by Council on 25 November 1996, and which commenced on 4 December 1996.

3.1.1 Land where this chapter applies

The land to which this chapter applies is situated at 6-12 Roslyndale Avenue, Woollahra, being Lot 100, DP738428.

The dwelling house, known as Hawthornden, the gardens, gate posts, gates, and Bunya Pine are listed as heritage items in the schedule to Woollahra LEP. The house, gardens and trees are also listed as heritage items on the register of the National Trust of Australia (NSW).

3.1.2 Development to which this chapter applies

This chapter applies to development requiring consent under Woollahra LEP.

3.1.3 Objectives

The objectives of this chapter are:

- O1 To define and conserve the cultural significance and curtilage of the property known as Hawthornden at 6-12 Roslyndale Avenue, Woollahra.
- O2 To encourage the preservation, restoration or reconstruction of its buildings/landscape elements (including vegetation) and setting which together contribute to its heritage significance.
- O3 To specify controls to ensure that any future development within its curtilage is subservient to the principal building and is undertaken in a manner that is sympathetic to and does not detract from its overall heritage significance and the heritage significance of the adjacent heritage item at 14 Roslyndale Avenue.

3.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part B: Chapter B1 Residential Precincts (Woollahra)
- ▶ Part B: Chapter B3 General Development Controls
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails unless otherwise specified.

3.1.5 Relationship to other plans and documents

Conservation Study

Applicants must refer to the Conservation Study of Hawthornden, prepared by Rod Howard Heritage Conservation Pty Ltd, August 1994.

3.1.6 Decision-making criteria

In making a decision on any development application with regard to Hawthornden, Council will take into account the extent to which it complies with the following criteria:

- a) the provisions of this DCP, Woollahra LEP and the Conservation Study;
- b) the objectives in Section 3.1.3 above;
- c) the statement of significance in Section G3.2 and illustrated in Figures 1, 2 and 3;
- d) the site curtilage as defined in Section G4.3 and illustrated in Figure 5;
- e) the conservation policy in Section G3.4;
- f) the detailed controls in Section G3.5; and
- g) the conservation outcomes in Section 3.1.7 below.

3.1.7 Conservation outcomes

The purpose of this chapter is to achieve the following conservation outcomes:

- a) The exterior form, fabric and architectural detail of the 19th century and significant early 20th century sections of Hawthornden will be conserved. Any proposed alterations will not diminish or destroy significant original fabric on any of the facades of the building.
- b) Significant spaces, fabric and detailing of the interior of the building which contribute to the overall significance of the place will be conserved. There will only be minimal and sympathetic alterations to heritage fabric or areas of most significance.
- c) Generally, all future alterations or additions to the buildings will read as new work. For example, details such as skirting, window and door frames and ceiling cornices will be similar and sympathetic, but not identical.
- d) The curtilage, setting and significant viewsheds from Hawthornden to the north and north-east will be preserved.
- e) The grounds, including especially the mature trees, distinctive functional spaces, driveway, and stone stairways and retaining walls will be conserved.

G3.2 The cultural significance of the site

The first step in the conservation process is to identify and understand what is significant about the heritage item and/or place. This is in the form of a statement of significance, based on the terminology of the Burra Charter. Various items and elements of the site are then ranked in order of their heritage significance, as shown in Figures 1, 2 and 3.

3.2.1 Statement of significance

The cultural significance of the site is based on the following value criteria:

Historical

Hawthornden has historical significance as one of the oldest 19th century mansions (1858) in the suburban area of Sydney to survive with its regional setting and approach.

The whole of the site, one of the largest remnants in this locality, is evidence of the history of subdivision and social development in Woollahra in the 19th century, including subdivision into smaller leasehold estates.

Social

Hawthornden has social significance through its past use as a suburban estate and its successive occupancy by prominent figures of the day, including one who became Treasurer of the newly formed State of Queensland, another who later became Chief Justice and Lt. Governor of NSW, and several leading businessmen and directors.

Hawthornden provides evidence of affluent, upper-middle class life in the State since 1860, as demonstrated through the dignity of the house, its relationship to the garden, the spacious layout of the grounds, the nature of the various subservient buildings, and the range of its recreation facilities.

Hawthornden is held in high esteem by the local community, who value the presence of the large, landscaped and treed grounds in an area of Woollahra otherwise dominated by intensive subdivision and high densities of building.

Aesthetic

Hawthornden has aesthetic value deriving from the relative intactness of its Victorian Regency architecture, with colonial revival overlays, the spaciousness of its landscaped grounds, and its skilful perched siting and setting, in which the house is seen against trees, harbour and sky when viewed from the entrance gates, the driveway and from the Bellevue Hill Ridge.

Valuable, mature trees dating from the earliest period of development remain on this site, and have a rich visual presence in the surrounding locality. The composite palette of plantings that has accumulated over the last 140 years serves to enhance the setting, frame the house, and integrate it well into its site.

Technical/Educational

In terms of its footprint, form, fabric and spatial arrangements, Hawthornden is largely intact and maintains some of its mid-Victorian structural qualities as well as many of its colonial revival details, ceilings, sashes, tile roof, etc. The house is a distinguished example of the remodelling work of the colonial revival architects, Wilson, Neave and Berry. It is unusual in their output in that it was a conversion of a plain Victorian Regency style house (subsequently refurbished in the filigreed 1880s 'boom' style) into a colonial [Georgian] revival house with a Mediterranean style verandah. Together with the contemporary neighbour Struan Lodge (14 Roslyndale Ave.) also by Wilson, Neave and Berry, built on the 1918 subdivision, it forms an interesting enclave of that firm's work.

The early specimen trees provide important evidence of late 19th century and early 20th century plantings and gardening practice in the Woollahra area. The successive planting overlays are each typical of their period, reflecting the prevailing style of landscaping at the time, the plants' availability in local nurseries, and the occupants' tastes and preferences.

Representativeness

Hawthornden is a good representative example of a generous 19th century suburban state with a substantial stone mansion and landscaped grounds designed for and occupied since 1860 by affluent, upper-middle class residents of some eminence in NSW society.

It is also a good representative example of how such estates were successively subdivided as a consequence of increased pressure for land in this locality.

Rarity

Hawthornden has rarity value in the Sydney metropolitan area as a private property, particularly with colonial revival style detailing, to have survived with its original building and an ample, core part of its setting largely intact.

It is also a rare example of the first houses erected on the edge of the ridge cliffs (hence Edgecliff Road) area of the Cooper Estate.

3.2.2 Rankings of significance

Heritage elements of various degrees of significance are listed below.

Most significance

In general terms the elements of most significance are:

- ▶ the external form and plan configuration of the mansion (the house);
 - ▶ extant 19th century built fabric;
 - ▶ extant fabric from the 1927 modifications; and
 - ▶ the setting and landscaped grounds.
-

FIGURE 1 Plan of ground floor indicating significant fabric

Source: Rod Howard Heritage Conservation Pty Ltd. 1994

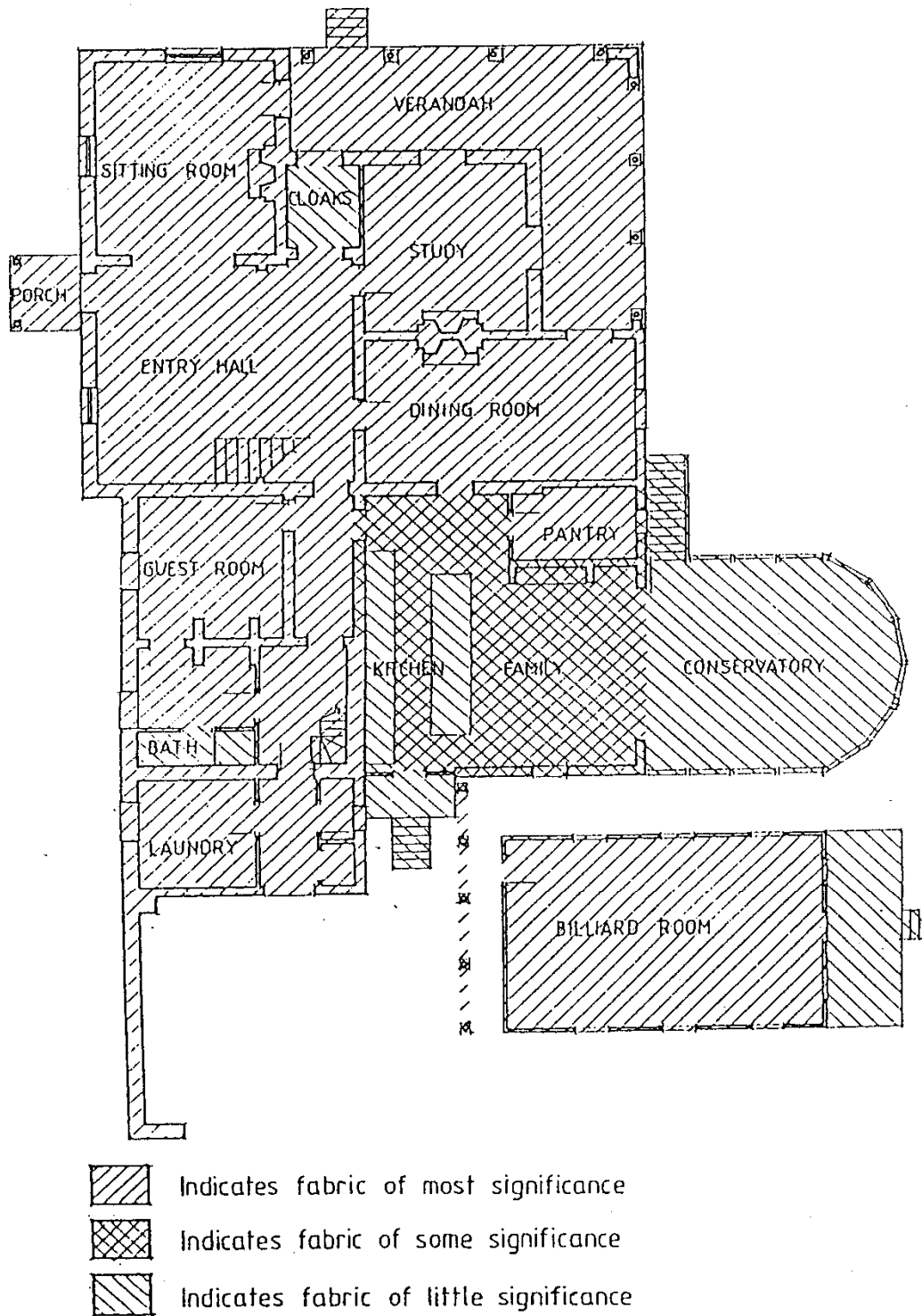
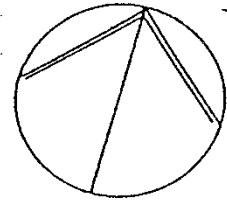
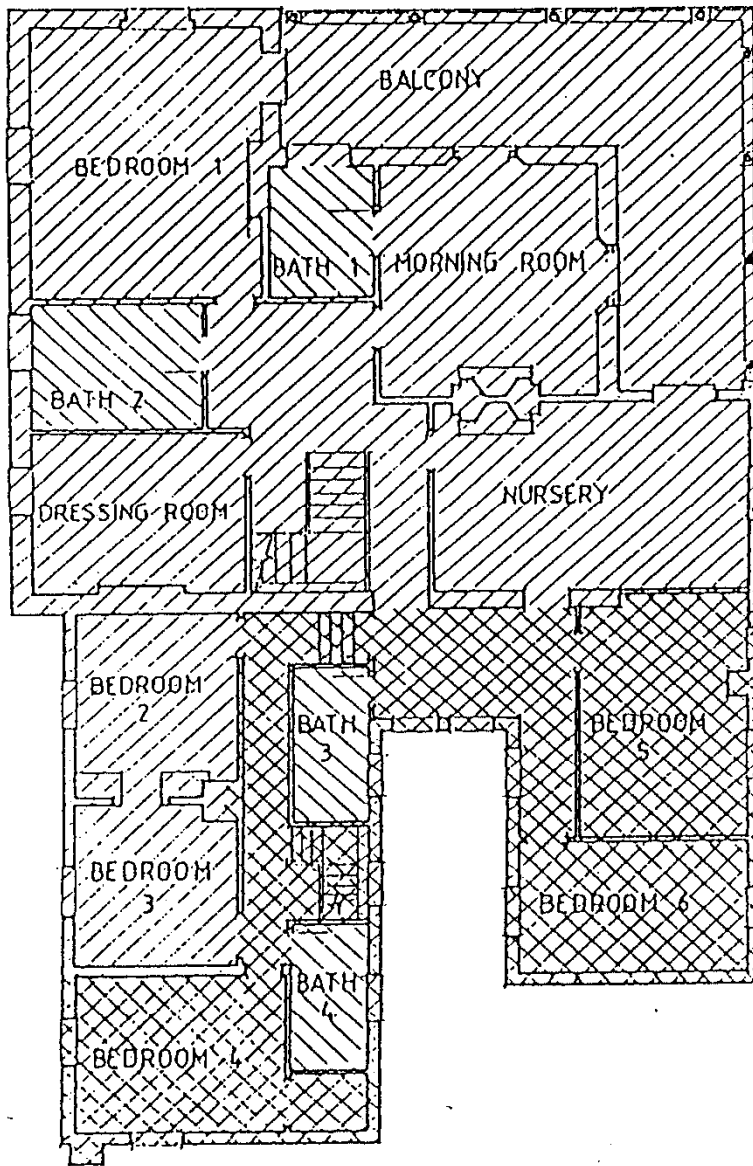


FIGURE 2 Plan of first floor indicating significant fabric

Source: Rod Howard Heritage Conservation Pty Ltd. 1994






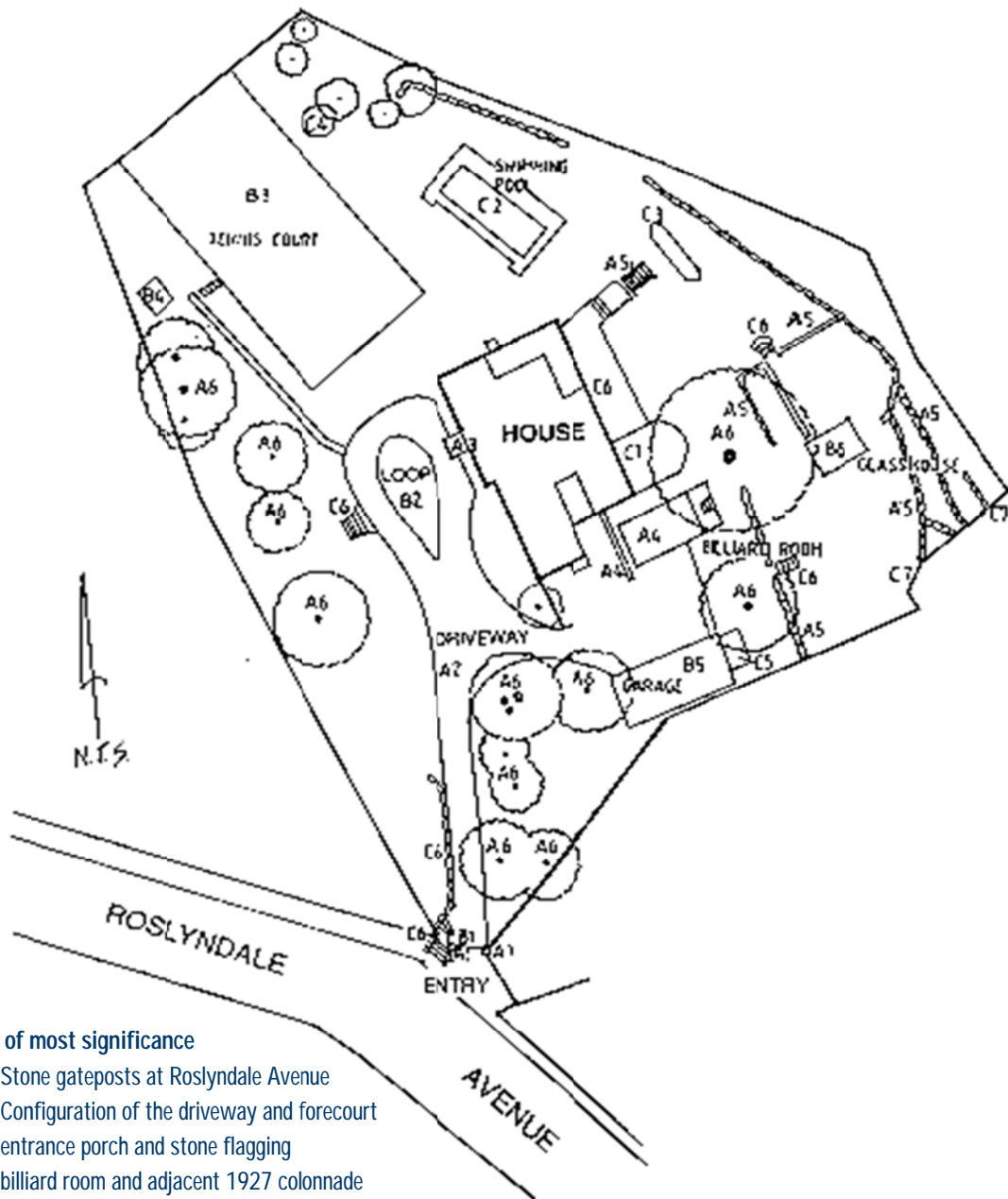
-  Indicates fabric of most significance
-  Indicates fabric of some significance
-  Indicates fabric of little significance

FIGURE 3 Items of heritage significance

**Items of most significance**

- A1 Stone gateposts at Roslyndale Avenue
- A2 Configuration of the driveway and forecourt
- A3 entrance porch and stone flagging
- A4 billiard room and adjacent 1927 colonnade
- A5 Original stone staircase and retaining in the garden
- A6 Bunya Pine and other 19th century and early 20th century trees
- A7 Viewshed to the north (see Figure 4)
- A8 Viewshed to the north-east (see Figure 4)

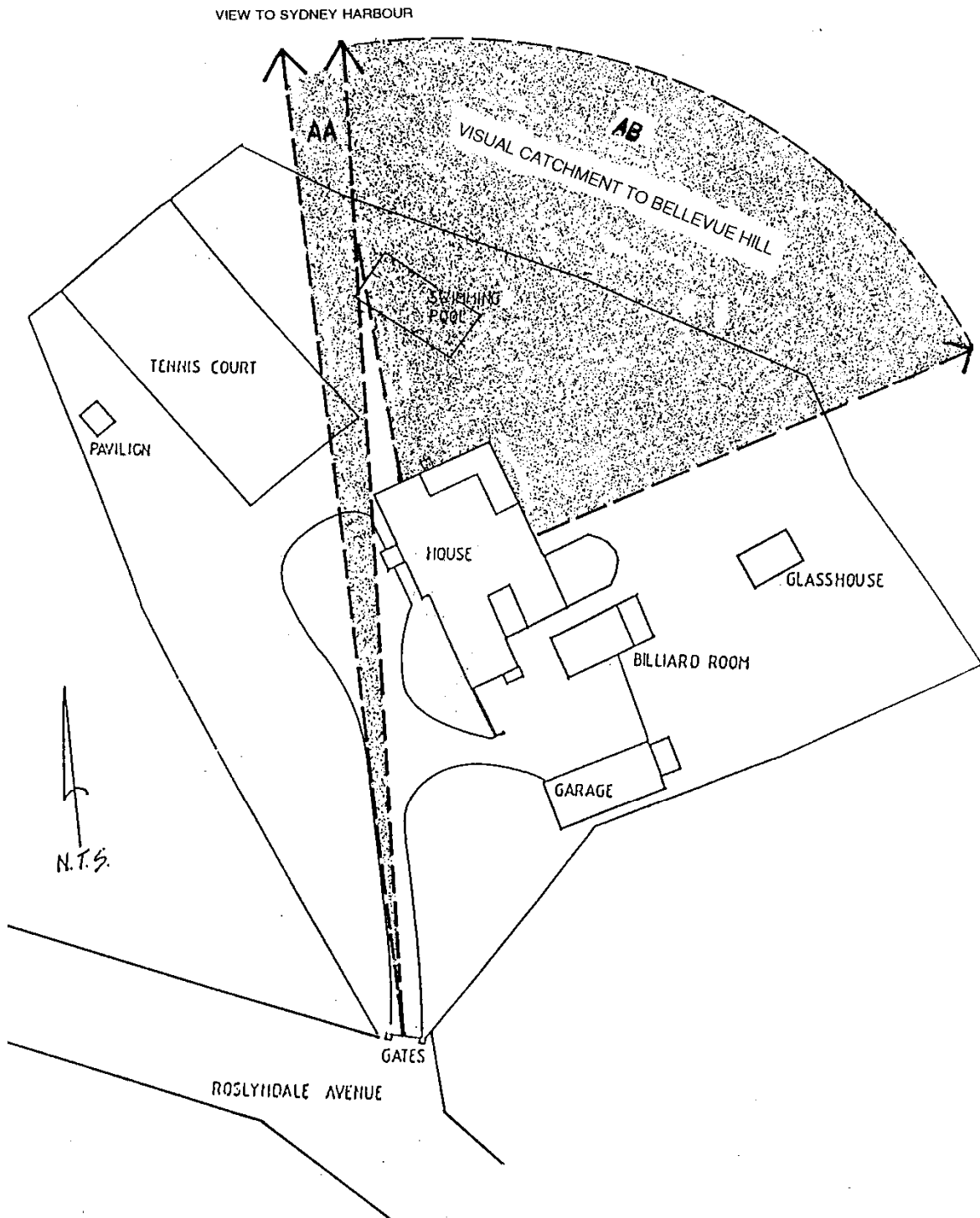
Items of lesser significance

- B1 Wrought iron entrance gates (not original)
- B2 Teardrop carriage loop
- B3 Tennis court
- B4 Timber tennis pavilion
- B5 Portion of the garage post-1927
- B6 Glass house (renewed several times)

Later elements of little significance

- C1 Glazed conservatory
 - C2 Swimming pool
 - C3 Lower pond
 - C4 Circa 1978 tennis pavilion (cabana)
 - C5 Later (eastern) addition to the garage
 - C6 Recent stone borders, steps and retaining walls in the garden areas
 - C7 Recent brick boundary wall near the south-eastern corner of the site
- Plus recent plantings and alterations to the garden

FIGURE 4 Viewsheds to the north and north-east



G3.3 The curtilage for the site

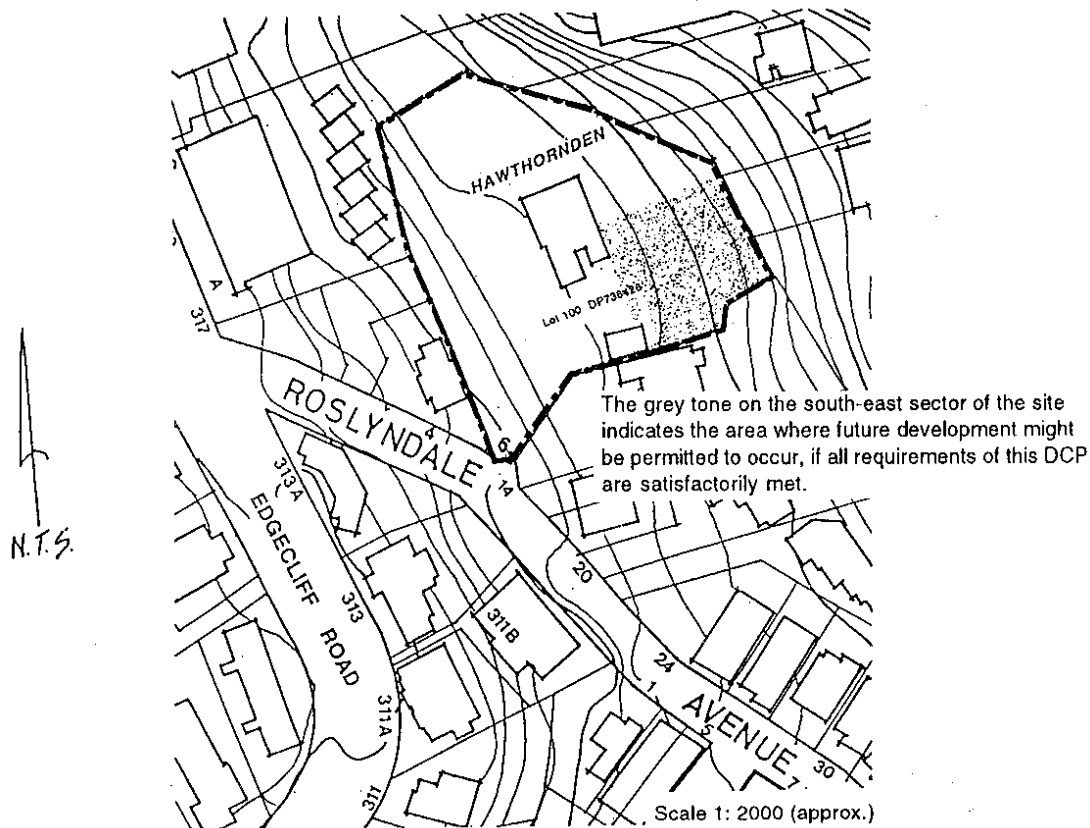
A curtilage may be defined as the area of land surrounding heritage items of places which is essential for their interpretation and the maintenance of their cultural significance.

It has been determined that the curtilage comprises the whole of the property as it currently exists, i.e. Lot 100, DP738428, and shown on the plan in Figure 5. The reasons for this determination are set out in Appendix 1 of this chapter.

However, should it become necessary for any development to be undertaken in order to generate funds to meet the cost of conserving the heritage fabric of the place, this may occur within the curtilage but only in the south-east sector of the site, and provided it is small in scale, subservient to the purposes of the main building, and no subdivision or strata titles on the land are involved. Such development must be undertaken in a manner that is sympathetic to and does not detract from the overall heritage significance of the dwelling house, the place as a whole and the adjacent heritage item at 14 Roslyndale Avenue.

FIGURE 5 The curtilage for Hawthornden

The curtilage is indicated by the broken line on the below plan and encompasses the whole of Lot 100 DP 738428. This plan is indicative only, and the boundaries are subject to verification through survey.



G3.4 Conservation policy for the site

The conservation policy for the site includes the physical constraints and those arising from the statement of significance and Burra Charter, which are set out in Appendix 2 of this chapter.

3.4.1 The conservation policy: general principles

- P1 Any conservation work undertaken on the house, significant site elements, or its setting should retain or recover the cultural significance of the place. The 'significant elements' are those noted in Section 3.2.2.
- P2 The perception of the house and setting as a consistent, holistic entity should be retained, as should all the component elements that contribute to its distinctive character as a Victorian 'gentleman's residence'.
- P3 No new construction, demolition or modification which would adversely affect the setting should be allowed and/or which would interrupt or obstruct:
 - a) the existing view of the house and beyond it to the Harbour gained by passers by looking down the entrance driveway from Roslyndale Avenue (see viewshed AA shown on Figure 4);
 - b) the existing view from the house itself north to the Harbour and east to Double Bay and Bellevue Hill (see viewshed AB on Figure 4); and
 - c) the successive views outward (as above) as one moves around the grounds.
- P4 Elements of significance occur in all portions of the site and should be retained and conserved in a manner appropriate to their degree of significance. Adaptation may be permitted where it does not substantially detract from the place's cultural significance.
- P5 Fabric deemed to be of little significance may be removed or modified if it is intrusive, inappropriate, or harms significant fabric or stylistic elements. However, any such fabric should be recorded before removal.
- P6 An appropriate use should be found for the site which respects its original purpose, fabric and various spaces which facilitated its use and enjoyment.
- P7 All works on items deemed to be of high significance should be carried out under the direction and supervision of experienced conservation practitioners.
- P8 Any work carried out in the south eastern sector of the property must not have an adverse effect on the heritage significance of 14 Roslyndale Avenue.

3.4.2 The existing house

- P1 The exterior form and architectural detail of the 19th century and significant 20th century sections of the building as identified on Figures 1 and 2 should be conserved.
- P2 No alterations which could interfere with, or diminish, original (1858) or 1927 remodelled fabric on any of the facades of the building as identified on Figures 1 and 2.
- P3 The design of any new development within the property adjacent to the existing house should be similar to the architectural form, scale and character of that building and not detract from the cultural significance of the place.
- P4 Any construction activity occurring in the immediate vicinity of the building should be accompanied by all necessary precautionary action to prevent damage or other interference which could reduce its significance.
- P5 Significant interior spaces and principal features of the building which contribute to the overall significance of the place should be conserved. Only minimal and sympathetic alterations that are reversible and do not damage or remove significant fabric should be permitted in areas of most significance.
- P6 The billiard room should be retained and conserved. However, it has already been moved once in the past, and if - as part of any new development - it proves impractical to retain it in its present position, consideration could be given to relocating it, but only within the south-east sector of the site.

3.4.3 Other site elements

- P1 The sandstone gate piers at Roslyndale Avenue and the entrance driveway with tear drop loop in front of the house should be retained in their present location and configuration, and their sandstone elements conserved.
- P2 The historic open, sunny and spacious entrance forecourt should be retained.
- P3 The existing ground levels, and the various garden spaces and elements listed in the statement of significance as being of 'most significance' should be retained.

3.4.4 Implementation of the conservation policy

Every effort should be made to conserve the setting and historical fabric of most significance, and no intervention should be instigated without careful consideration of the alternative processes outlined in the Burra Charter to accomplish this end.

Fabric and site features deemed to have lesser significance should also be conserved wherever possible, with as little intervention as possible.

A program of maintenance should be established to ensure the continued good condition of all these elements.

Conservation works should be carried out in the following ways:

- ▶ conservation of remaining fabric of most significance in situ;
- ▶ removal of intrusive and, if necessary, non-significant fabric;
- ▶ reconstruction of elements of most significant fabric to be based on existing evidence and to match existing intact fabric as closely as possible; and
- ▶ preservation or restoration of the setting and landscape elements of most significance.

If retention of fabric of lesser significance adversely affects the proper conservation and adaptive reuse of fabric of most significance, it should be removed, but before doing so, it should be fully recorded and documented.

All demolition work of fabric of lesser significance that is deemed essential in any adaptive works to the house should be carried out in a manner which would not affect the fabric of most significance.

Any new works should be designed, located and executed in a manner which enhances and does not interfere with the significant elements of the house. New buildings or extensions should be designed in sympathy with the house.

G3.5 Specific development controls

The controls below are based on the conservation policy in the previous section. The controls are to guide future development on the site.

3.5.1 Subdivision

Given that the curtilage consists of the whole site, a proposal for any further subdivision (including strata subdivision) of the property would be unacceptable to Council, being inconsistent with the objective of maintaining Hawthornden's integrity as a heritage item.

3.5.2 The dwelling

Exterior

- C1 The exterior form, fabric and architectural detail of the 19th century and significant early 20th century sections of the dwellings as identified in Figures 1 and 2 are to be conserved. Proposed alterations must not diminish or destroy significant original fabric on any of the facades of the building.
- C2 Any proposed new structures should be consistent with the plain, rectangular form of the dwelling.
- C3 The walls of any ground floor extensions to the dwelling should be of ashlar sandstone blocks of similar proportions, surface treatment and mortar jointing as in the original walls. However, the walls of the first floor should be of brick, cement rendered, ruled out with joints to indicate the original sandstone coursing, and painted to match the rest of the building.
- C4 The proportions of the openings and their timber frames in any new structures or extensions should be similar, but not identical, to those of the dwelling.
- C5 Any supporting columns, e.g. in a new verandah, should be of the same Tuscan style, capitals, relative proportions and material as those of the 1927 remodelling.
- C6 All windows should be of the wooden, double-hung sash type, with four or six panes similar to those on the northern section of the house.
- C7 Any new roof should match the hipped form of the house. Its tiling should match the existing Wunderlich French pattern tiles installed in 1927.
- C8 New chimneys should be constructed to similar form, height, materials and detailing to the original chimneys at the northern end of the house.

Interior

- C1 Significant interior spaces, fabric and detailing of the building identified in Figures 1 and 2 which contribute to the overall significance of the place are to be conserved. Only minimal and sympathetic alterations will be permitted to heritage fabric or areas of most significance.
- C2 The internal joinery of the windows, particularly those in the northern section of the house should be carefully conserved. Joinery for windows in future alterations or extensions to the eastern or southern sections of the house should generally be similar to, but need not be identical with, those in the northern section.
- C3 It is desirable, wherever possible, to conserve the original ceilings and cornices or those fitted during the 1927 remodelling of the house. If conservation work uncovers earlier ceilings above the latter which could be restored or preconstructed, expert advice sought as to whether they should have precedence over the 1927 fabric. Ceilings fitted after 1927 are not regarded as having heritage significance, and could be replaced by ones that resemble either the original ceilings or those of the 1927 refitting.
- C4 Skirting boards should be of timber and generally follow the form and dimensions of those in the north-eastern rooms of the house.
- C5 Light fittings should generally be sympathetic to the historic character of the house.
- C6 Fireplaces, grates, mantelpieces and their surrounds should generally be in the style and materials of those typical of the mid to late Victorian period, or of the early 20th century, and not be fitted uncharacteristically forward of the fireplace opening.
- C7 Because Victorians used both a wide range of paint colours and wall papers in interior decoration, and schemes used in the colonial revival style are generally more muted and plainer, it is not possible to specify any particular scheme in this DCP. In any case, interior decoration is an area in which some allowance should be made for personal taste and self-expression. However, it is recommended that the advice of a period interior designer or house historian be sought when interior redecoration is being considered.

3.5.3 Heights

- C1 The wall height of any proposed extension or addition must not exceed the height of the walls of the existing dwelling.
- C2 The roof height, pitch and form of any proposed extension or addition should preferably be up to 500mm lower than that of the main building.
- C3 The height of any new self-standing, subsidiary structures on the site should not exceed that of the existing billiard room and garage. An increase could be permitted to the extent (i.e. by the number of metres of vertical fall) that the proposed new structure would be downslope of those present structures. Any increase allowed must consider the effect of the height on the amenity and heritage significance of the adjacent property at 14 Roslyndale Avenue.

3.5.4 External materials, colours and finishes

- C1 Generally, the materials, finishes and colours of new structures on the site should be sympathetic to those of the existing 1927 colonial revival architectural style.
- C2 The colours of any new works should match those of the exterior walls of the existing building. The present colour (ivory/cream) is generally regarded as appropriate; however, alternatives could be approved if investigations reveal that these were original (1858) or used in the 1927 redecoration.
- C3 The colour of elements such as shutters, verandah railings, and the external woodwork of windows and doors should be of an appropriate contrasting hue. The present dark green is appropriate, but alternatives could be approved if investigations reveal that these were original (1858) or used in the 1927 redecoration.
- C4 The driveway, including the tear drop loop of the entrance forecourt should continue to be of bitumen, with sandstone kerbing.

3.5.5 Garden elements, landscaping and management of significant vegetation

- C1 The existing levels and features of the various garden spaces such as sandstone stairways, retaining walls, paths and edging should be retained.
- C2 The sandstone gate piers at Roslyndale Avenue and the entrance driveway and carriage loop at the front of the house should be conserved.
- C3 The entrance forecourt should be retained. The interior of the tear-drop loop should be paved with gravel and its slope and levels should be adjusted just sufficiently to collect and drain water away from the front of the house. A Bangalay Palm could be planted within the northern section of the loop, as in the 1920s.
- C4 Trees dating from the 19th and early 20th century should be protected and conserved. Any remedial work should be undertaken by a qualified and experienced arborist.

Note: Council consent is required for any tree works affecting trees or other vegetation that are prescribed under the Woollahra DCP.

- C5 Where mature trees have become senescent or have been poisoned, consideration should be given to their replacement, if possible in advance of their final demise and removal. Given the desire of owners of more recently built neighbouring dwellings on the western perimeter also to have access to sun and views across the grounds of Hawthornden to the north-east, consideration could be given to replacing them by plants with a similar character and design intent, but of more modest height and canopy spread. However, 'signature' or landmark plantings such as the Bunya Pine should only be replaced by the same species.

-
- C6 Some plants popular in the late 19th and early 20th century such as Camphor Laurel, Wild Olive, Giant Bamboo and Privet, have since been declared noxious because of their rapid reproductive capacities. Should they die, they should not be replaced by the same species. An effort should be made to select plants with a similar character and design intent, but with a more modest height and canopy spread and no propensity to multiply.
 - C7 Not all plantings made since 1927 have been well located, and as they are of little heritage value, Council is prepared to consider applications for their removal or relocation to a more appropriate position. This applies particularly to the two Liquidambars planted at the northern end of the entry forecourt, as they obstruct the view to the harbour from the entrance drive and have no heritage significance.
 - C8 The steeply sloping banks, turfed in buffalo grass, of the terraced eastern garden are characteristic of the late 19th and early 20th century, and should be retained and carefully maintained.
 - C9 The various garden 'rooms' and divisions in the south-east sector have no particular heritage value, although some of the mature plantings on the periphery do. Council would be prepared to consider applications for the redesign of this area by a qualified conservation landscape architect.
 - C10 Access to the excellent views outwards to the east could be improved by the judicious location of selected breaks in the screening planting. Council would be prepared to consider applications for this purpose, subject to the preparation of a landscape planting plan proposing an appropriate scheme prepared by a conservation landscape architect.
 - C11 Although the tennis court and the swimming pool are listed as being of lesser and no heritage significance respectively, the provision and location of these facilities is suitable and appropriate for this type of property. It is desirable, though not mandatory, that they be conserved.

Note: Council consent is required for any tree works affecting trees or vegetation that are prescribed under Woollahra LEP.

3.5.6 Protection of viewsheds

- C1 No construction of buildings or planting of trees should take place which would obstruct the viewsheds defined in Figure 4.
- C2 Some consideration should be given to the desire of neighbours on the western side of Hawthornden's boundary for access to view to the north-east. Judicious pruning of exuberant tree canopies by a skilled arborist could assist in facilitating that aim.

3.5.7 Future development in the grounds

General

No new structures shall be permitted other than in the south-east sector of the site (see Figure 5), where views outwards are blocked by thick plantings (some of heritage value), both within and beyond the property. Consideration must be given to the impact of any new structure on the heritage significance of the property at 14 Roslyndale Avenue.

- C1 Only structures which satisfy the service or recreational needs of the occupants of the dwelling would be considered in that quarter.
- C2 The design of any new development within the south-east sector or adjacent to the existing house should be sympathetic to the architectural form, scale and character of that building, and be of such a limited mass as in no way to compete with it.
- C3 Any construction activity occurring in the immediate vicinity of heritage buildings should be accompanied by all necessary precautionary action to prevent damage or other interference which could reduce their significance.
- C4 In order to avoid damage to the roots of trees of heritage significance (e.g. the 19th century Camphor Laurels) the use of pier and beam construction rather than traditional foundations may need to be considered.
- C5 The billiard room should be retained and conserved. However, as this has already been moved one before, consideration may be given to adjusting the location of this element, but only within the south-east sector of the site.
- C6 Should demolition of the glass house, post-1927 alterations to the garage, or a section of the garden's sandstone retaining walls be proposed to allow new subservient structures to be erected to improve the amenity of the dwelling, Council is prepared to consider this. Although each of these elements has some significance, the loss of one, or possibly two, of them would not adversely affect the interpretation of the site. However, they must be recorded before any approved demolition occurs. If they are to be retained, they should be treated in such a manner that their significance is not diminished.

Setback requirements

The subdivision of this site occurred in 1918 and the existing setback of the 1927 garage and man's quarters do not comply with Council's general setback standards in this DCP.

Given that situation and the width and configuration of the Hawthornden site, it may be inappropriate for the general side setback controls to be applied to future development on that site. Generally, however, any new subservient structure in the south-east section of the site should be set back no less than 7m from the eastern boundary, and 3m from the southern boundary.

3.5.8 Pedestrian and vehicular access and parking

- C1 It would better suit the heritage value of Hawthornden to maintain the present arrangements for pedestrian and vehicular access.
- C2 If future owners were to consider that provision for visitor parking should be upgraded, Council is prepared to consider a proposal, provided it does not adversely affect the heritage fabric or cultural significance of the place.

3.5.9 Conservation incentives relating to heritage items

Refer to clause 5.10(10) of Woollahra LEP.

G3.6 Requirements for development applications affecting the site

3.6.1 Preparatory steps

Persons preparing a development proposal should make a prior study of:

- ▶ Council's heritage report information requirements;
- ▶ the statement of significance as set out in Section 3.2.1 of this chapter;
- ▶ the curtilage as set out in Section G3.3 of this chapter; and
- ▶ the specific controls as set out in Section G3.5 of this chapter

before proceeding to the drafting of any plans or development application.

3.6.2 Minor development

Minor development such as:

- ▶ routine maintenance;
- ▶ interior redecoration of rooms remodeled after 1930;
- ▶ planting or replanting schemes for small shrubs, perennials and annuals; and
- ▶ relocation of minor garden elements

does not require a development application to be submitted.

However, applicants should check with Council officers whether any other Council codes or development control plans are applicable to the development proposed.

Appendix 1 – Curtilage of the site

Background

The leasehold land on which Hawthornden was built comprised approximately 10 acres in July 1857. The estate was substantially subdivided in 1918, leaving Hawthornden with an area of land comprising 1 acre, 2 roods and 21.5 perches. In 1985 and 1986 two minor subdivisions were made, involving small adjustments to the southern boundary. The site is known as Lot 100 in DP 738428 and comprises 6,517m².

History of development

The basic layout of the site appears to have been established quite early, with major plantings such as the Camphor Laurels and the Bunya Pine. The entrance gates and driveway were well established by 1884, and the whole of the land to the north of the mansion was shown as 'shrubbery and flower garden'. The garden to the east was also a terraced flower garden. The land immediately to the east of the entrance drive gate (but south of the house) was shown as 'cultivation'.

Despite the remodelling of the house in 1927, the general setting of the garden and grounds was retained within a still very large block, and the extensive gardens continued to be maintained to a high standard.

After a period of general neglect during 1973-76, the house was restored/refurbished between 1978 and 1993, as well as the gardens and grounds. Again, this was done within the general framework of the historic layout and planting, with some older materials such as sandstone being reused, especially in the south-eastern section.

In sum, much of the early extent, layout and planting of the historic garden setting to the house survives, namely:

- a) The important original siting of the house and its proximity to the sandstone cliff below to the north-east. This setback was a deliberate siting response to the topography and view possibilities.
- b) The house is still surrounded by a large extent of grounds on all its principal frontages (except the south). This is extremely rare in built-up areas of Sydney, especially for houses still in private ownership.
- c) The property still retains its original entrance gate pillars and carriage drive; it is not clear if the tear-drop shaped centre existed before 1927.
- d) The historic view to the harbour from the entrance driveway, and from the north and north-eastern frontages of the house remains, but is best seen from the upstairs verandahs.

- e) Many of the historic mid to late 19th century and early 20th century plantings remain. Most are in good health. The National Trust listing, revised in 1994, concluded that “the 19th century trees are important elements of 19th century gardening practice, as well as being important local landmarks. It is probably the last substantial garden situated on the Woollahra hillside.”

The Record of Hearing of the Land and Environment Court (Appeal no. 10487 of 1995) described the siting and layout of the house and grounds, noting the extensively landscaped gardens and the views of Sydney Harbour from the mansion’s two storey verandah. It added that:

“The harbour is also visible from the driveway near the gates looking towards the north. From this viewpoint the main section of Hawthornden is framed by an arcade of trees in the foreground, the landscaped gardens in the middle distance, the waters of the Sydney Harbour and the sky [in the background]. This view has changed little since the building was erected...”

Mr Lehany, in evidence, stated that, the house is picturesquely sited above a major sandstone escarpment and oriented towards dramatic harbour views from the north to the north-east. The Court assessment referred to the “perched nature of the grounds and the relationship to the harbour” from viewing points in the driveway. It agreed with Mr Lucas’ emphasis on the importance of the setting and approach, and said that the 1994 Conservation Study had given too little consideration to it.

Methodology for determining a curtilage

Based on the draft guidelines for determining curtilages for heritage places prepared for the Department of Urban Affairs and Planning in 1994, the following factors have been taken into account:

- ▶ Can the curtilage demonstrate the place’s historic allotment - the original land grant, leasehold, or at least the core portion of it?
- ▶ Is there evidence of original allotment boundaries that can be maintained?
- ▶ Can the curtilage demonstrate how the environmental context and setting of the place assist in understanding and interpreting it?
- ▶ What are the significant natural and human-made features of the place that must be preserved?
- ▶ How do the design and layout of the place (including its present boundaries) contribute to its significance?
- ▶ Does the proposed curtilage demonstrate and/or maintain the place’s traditional access and transportation links with the broader community?
- ▶ Does the combination of items, together with their surrounds, contribute in a cumulative way to the meaning and significance of the place?
- ▶ Do the functional uses of items and spaces and the relationships between them contribute to the understanding and interpretation of the site?
- ▶ Does the curtilage need to maintain scenic viewsheds, as well as visual links with key places - main roads, towns, rivers, harbours and hills?

-
- ▶ Will the proposed curtilage maintain the proportion or scale of an item within its site/setting?
 - ▶ Does the curtilage take account of the vegetation and its historic, aesthetic, functional and/or technical roles?
 - ▶ Does the proposed curtilage maintain the place's landmark qualities?
 - ▶ Does the proposed curtilage protect any possible archeological features?
 - ▶ Should the curtilage include or recommend framing and screening devices?

Taking each factor into consideration, the following conclusions have been reached:

1. The original allotment

As mentioned above, the leasehold land on which Hawthornden was built comprised approximately 10 acres in July 1857, being part of a large tract of land originally granted to Captain John Piper, and subsequently acquired by Daniel Cooper in 1826. When the 1918 subdivision occurred, adequate space was left to the north, from where there were views to the harbour. Only one new block was created between the neighbouring property (on which there was already one house in 1884) and the northern garden of Hawthornden.

The fact that this side was not more subdivided indicates that those owning the house understood that the northern sector, and the views through it to the Harbour, was the most important part of the grounds. That consideration was shared by the assessor in the recent case before the Land and Environment Court.

Although the construction of the tennis court resulted in the destruction of the shrubbery garden in the northern section of the block, it did at least ensure that by being 'transparent' open space, the view through to the Harbour from the entrance drive was retained, even though this has been partly obscured in summer by unfortunately placed plantings in more recent times.

2. Maintaining original boundaries

Although the 1918 subdivision reduced the estate to about one tenth of its original size, there was no reduction on the eastern side, where the steep rock benches are. This boundary is intact, and should remain so. Only a fragment of the original southern boundary is intact, and none of the western boundary is. However, these have remained virtually unaltered (apart from minor adjustments) since 1918.

3. Environmental context and setting

The 1994 Conservation Plan states that it is necessary to preserve the historic situation of the mansion as a free-standing 19th century building in a large estate, so characteristic of early settlement in Woollahra; and to preserve a sufficient portion of the site so that this relationship can be successfully interpreted. It is considered that the whole of the site is essential for this purpose.

4. Significant natural and human-made features

The significant natural features of the site comprise the sandstone rock benches, principally on the east and north-east which - because they fall sharply away - permit extensive views out in those directions. They also define that boundary edge of the site, and have protected it from further subdivision in that quarter.

The most significant human-made features of the site comprise the house itself, the entrance porch and stone flagging, the billiard room and adjacent 1927 colonnade, the stone staircase to the eastern terraced garden, the stone gateposts at Roslyndale Avenue, and the configuration of the driveway. Lesser items of significance are the wrought iron entrance gates, the 'tear-drop' turning area adjacent to the house, the glass house, the portion of the garage dating from 1927, and the tennis court and timber tennis pavilion. These should all be included within the curtilage.

5. Design and layout

The placement of the mansion towards the north-eastern edge of the original site ensured best access to the views out to the Harbour and to cooling breezes from that direction in summer. However, it was sufficiently set back to permit a terraced garden on the east, a generous shrubbery on the north, and a vegetable garden and orchard in the south-eastern sector. The gently sloping space to the west of the site permitted the development of a spacious forecourt which enabled the house to be best presented from that quarter and accessed via a driveway to the front porch (with the garage nearby). Many of these different functional spaces are linked by sandstone steps and paths, while bold planting, both on the perimeter and between the different areas, gives them a good sense of spatial definition and enclosure.

6. Access and transportation links

The place's access to Roslyndale Avenue was established at the time the house was built (c. 1858), and the entrance gateway presumably soon afterwards. This arrangement has remained unaltered since, primarily because access from the north and east was prevented by the sandstone rock benches and/or steep slopes. For historical, aesthetic and functional reasons, these arrangements should be maintained.

7 and 8. Combinations and interrelationships

It is the combination of, and interrelationships between, these various elements - the portentous entrance gates, the carriage drive and loop, the classically styled building, the billiard room, the tennis court, the swimming pool - that demonstrated the uses, activities and lifestyles of the successive upper-middle class occupants; in other words, that give the whole place its cultural meaning. By themselves, some of these items are of little if any inherent significance (as the list demonstrates): it is the role that, cumulatively, they play in contributing to the overall use, understanding and interpretation of the place that gives them significance.

9. Viewsheds and visual linkages

The view from the entrance gate through the frame of the planting on the property out to the Harbour is highly valued by the passing public, visitors, and residents. It is essential that the view be retained, both from the entrance driveway and from the rooms and verandahs of the house. Views out to the ridge and valley on the east, and of the property from the Bellevue Hill ridge, are also important to retain.

10. Proportion and scale

It is generally considered that the spacious grounds which surround the house are well proportioned in relation to the large scale of the house, and that it would be most undesirable to reduce them further in size.

11. Vegetation and its role

Numerous mature trees frame and screen the site, particularly on the south and west. One - the Bunya pine - is listed on Council's register of significant trees. A few trees are mid to late 19th century plantings, and demonstrate the landscaping style and taste in plants prevalent in Woollahra at that time. They also provide an indication of the attitudes and lifestyles of the occupants of the site, and contribute both aesthetic value and amenity. As LandArc's Landscape Heritage Assessment Report (1994) stated: "The sum total of all these trees adds enormously to the visual quality and asset value of the property". According to the Woollahra History and Heritage Society, "it is the largest remaining cluster of garden and trees on the Edgecliff escarpment". They should therefore be conserved.

Note: Council consent is required for any tree works affecting trees or other vegetation that are prescribed under the Woollahra DCP.

12. Landmark qualities

It is the same mature vegetation (particularly the Bunya Pine), rather than the house (which is partly obscured by the dense planting) which gives the place a rich green, landmark quality when viewed from the east. This characteristic, identifying feature should be preserved.

13. Archeological features

Neither the Conservation Study of 1994 nor subsequent reports have identified, or suggested that there might be, archaeological features that need to be protected via a curtilage on this site.

14. Framing, screening and buffer zones

The mature trees on the western and southern boundaries of the site provide a good measure of screening, while the line of Bangalay Palms on the northern boundary ameliorate the impact of the high apartment block beyond. It is desirable that this screening be conserved. However, elements such as the wisteria vine on the tennis court fencing, and the wild olives and bamboos along the eastern boundary, need to be firmly contained, as they interfere with the viewsheds.

Conclusion

There is no one portion of the site of distinctly less significance that it should not be conserved; the curtilage should therefore consist of the whole of the property as it currently exists. This corresponds with the views expressed by the Land and Environment Court in 1995.

Should it become necessary for any development to be undertaken in order to generate funds to meet the cost of conserving the heritage fabric of the place, this could occur within the curtilage but only in the south-east sector of the site, and provided it is small in scale, subservient to the purposes of the main building and no subdivision or strata titles on the land are involved. Such development must be undertaken in a manner that is sympathetic to and does not detract from the overall heritage significance of the dwelling house and the place as a whole.

Appendix 2 – Conservation policy: constraints

Constraints arising from the statement of significance

Generally, changes to the use of spaces and portions of the site may only take place if they do not affect the interpretation of the significance of the place. Thus no activity should occur which would:

- ▶ significantly detract from or interfere with the relationship between the house and its setting;
- ▶ remove or reduce the evidence of historical associations and social activity contained within the significant fabric of the house and component elements of the site; and
- ▶ reduce the intactness of the site's remaining significant fabric and setting.

Any future action should take the following into account:

- ▶ Original and significant fabric on the site should be retained and conserved. This includes the house, the billiard room, the garage, and mature trees.
- ▶ The site has throughout its history been used as a residence, for which purpose the building and its ancillary structures have been designed.
- ▶ Evidence of past use contained in the built fabric and in spaces such as the entrance forecourt, the presentation garden, the eastern terraced garden, and the fruit and vegetable garden, should be conserved wherever possible.
- ▶ No activity should occur which prejudices the character of the place.

Constraints arising from the Burra Charter

The Burra Charter provides guidelines for conservation work and practices. The following are constraints arising from the application to Hawthornden of relevant articles of the Charter:

- ▶ Conservation work should retain or recover the cultural significance of a place, and must include provision for its security, its maintenance and its future. [Article 2]
- ▶ All conservation is based on a respect for the existing fabric and should involve minimum intervention. It should not distort the evidence provided by the fabric. [Article 3]
- ▶ The conservation policy appropriate to a place must first be determined by an understanding of its cultural significance and its physical condition. [Article 6]
- ▶ The conservation policy will determine which uses are compatible. [Article 7]
- ▶ Conservation requires the maintenance of an appropriate visual setting, e.g. form, scale, colour, texture and materials. No new construction, demolition or modification which would adversely affect the setting should be allowed.
- ▶ Adaptation is acceptable where the conservation of the place cannot otherwise be achieved, and where the adaptation does not substantially detract from its cultural significance. [Article 20]. However, this must be limited to that which is essential to a use for the place determined in accordance with Articles 6 and 7.

-
- ▶ The contributions of all periods to the place must be respected. If a place includes the fabric of different periods, revealing the fabric of one period at the expense of another can only be justified when what is proposed to be removed is of slight cultural significance. [Article 16]
 - ▶ Any work on a place must be preceded by professionally prepared studies of the physical, documentary and other evidence, and the existing fabric recorded before any disturbance of the place. [Article 23]
 - ▶ Disturbance of fabric may occur in order to provide evidence needed for the making of decisions on the conservation of the place. [Article 24]
 - ▶ Appropriate professional direction and supervision must be maintained at all stages of the work. [Article 27]

Constraints arising from the physical circumstances of the site

The steep cliffs and rock benches on the eastern and north-eastern edge of the site have provided a natural boundary to the property throughout its history, and effectively prevent access to it from those directions. Intensive subdivision and construction of housing almost on the southern, western, and north-western boundaries also prevent access to the site from those quarters, and provide a strong sense of enclosure.

The virtual wall of multi-residential development along those boundaries indicates that the limits of development have been achieved in those sectors, except perhaps in that adjacent to the far northern boundary of Hawthornden, and that the surroundings and context of the property are now fixed. It also means that the grounds of Hawthornden are extensively overlooked and lack visual and aural privacy except in its lower, eastern sector.

Although not wholly a heritage issue, a further constraint is the poisoning of tall, dense, late 19th century heritage plantings along the property's western boundary. This is mute testimony to the desire of residents in most adjacent dwellings to have clear visual access across the grounds of Hawthornden to obtain good views to the north-east and east. There is therefore a need to achieve a just balance between Hawthornden's occupants' desire to retain heritage and other plantings which provide screening for privacy, and their neighbours' desire for access to good views.

Finally, the large extent of the grounds and their steady fall towards the east means that any further development on the site involving the creation of additional, impermeable surfaces will necessitate the installation of storm water detention basins to control the flow of runoff onto neighbouring properties below to the east. Unless skilfully designed, this could cause serious disruption to heritage elements.

Chapter G4

9A Cooper Park Road, Bellevue Hill

Part G ▶ Site-Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter G4 ▶

9A Cooper Park Road, Bellevue Hill

Contents

G4.1	INTRODUCTION	1
4.1.1	Land where this chapter applies	1
4.1.2	Development to which this chapter applies	1
4.1.3	Objectives	2
4.1.4	Relationship to other parts of the DCP	2
4.1.5	Relationship to other documents.....	2
G4.2	DESIGN AND SITING OF DEVELOPMENT	3
4.2.1	Objectives and controls.....	3

4.1.3 Objectives

The objectives of this chapter are:

- O1 To facilitate development that is permissible under the provisions of Woollahra LEP.
- O2 To guide the design and location of development to address the amenity of adjoining properties.

4.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part B: Chapter B1 Residential Precincts (Bellevue Hill South)
- ▶ Part B: Chapter B3 General Development Controls
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails unless otherwise specified.

4.1.5 Relationship to other documents

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

The New South Wales Government's State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development (SEPP 65) is a mandatory consideration for development applications involving a residential flat building that is 3 or more storeys and contains 4 or more self-contained dwellings.

SEPP 65 contains principles for good design and provides guidance for evaluating the merit of design solutions, and is supported by the Residential Flat Design Code 2002. The Code contains detailed information about how development proposals can achieve the design quality principles in the SEPP, addressing matters such as building separation and building configuration.

Where SEPP 65 applies, the development application must be accompanied by a design verification from a qualified designer, confirming that:

- ▶ he or she designed, or directed the design, of the development; and
- ▶ the design quality principles set out in SEPP 65 are achieved for the development.

G4.2 Design and siting of development

4.2.1 Objectives and controls

Objectives	Controls
<p>O1 To ensure that the siting of development does not unreasonably impact on the amenity of adjoining properties.</p>	<p>C1 No numeric setback is specified. A setback is provided at all boundaries which adjoin the property that:</p> <ul style="list-style-type: none"> a) is sufficient for development to minimise privacy and overshadowing impacts; b) can deliver best practice building separation controls contained in the Residential Flat Design Code 2002; c) is an effective dimension to enable opportunities for private open space in conjunction with landscaping; and d) can accommodate substantial and effective landscape planting and screening along boundaries. <p>Note:</p> <ul style="list-style-type: none"> ► The setback controls in Chapter B3 of the DCP, General Development Controls (B3.9 Additional controls for development on a battle-axe lot) do not apply to this site. ► The Residential Flat Design Code 2002 was produced by the NSW Planning Department as a resource to improve the design of residential flat development. <p>C2 Where suitable, deep soil landscaping or screen landscaping is provided within the boundary setback areas to reduce overlooking.</p>

Objectives	Controls
<p>O2 To ensure that development is designed to reflect view sharing principles.</p>	<p>C3 Having regard to views over the site from adjoining properties in Bellevue Road, the building design demonstrates that view sharing has been addressed. This should be through thoughtful distribution of built form across the site and well-considered building design and landscaping, addressing matters such as, but not limited to:</p> <ul style="list-style-type: none"> a) reduced development intensity, such as a single storey building height, on parts of the north-eastern end of the site; b) increased setbacks along the boundary adjoining No.60 Bellevue Road; c) building modulation including separation of buildings or their components; d) articulated roof forms; e) suitable location of vegetation, particularly in regard to the height and width of species; f) location of aerials and telecommunication devices; g) location of photovoltaic panels; and h) any other architectural and design solutions. <p>Note: A view analysis must be submitted with a development application addressing matters identified in <i>Tenacity Consulting v Warringah Council [2004] NSWLEC 140</i>.</p>
<p>O3 To ensure that building materials and roof forms are compatible with the setting and location of the site.</p>	<p>C4 Building materials and colours are recessive. Building design complements and does not detract from the visual quality and character of the neighbourhood.</p> <p>C5 Roof forms are well articulated and designed having regard to neighbouring amenity, overlooking, and the visibility of the site from North Cooper Park.</p> <p>C6 Air conditioning plant or other service equipment can be located on roofs with appropriate noise/acoustic attenuation.</p>

Objectives		Controls	
O4	To improve pedestrian connections from the site to Bellevue Road.	C7	<p>Land between Nos.56 and 58 Bellevue Road is landscaped and maintained to provide for safe pedestrian use, subject to arrangements with Council for right of way access.</p> <p>Note: Any arrangements to create a right of way in favour of 9A Cooper Park Road would be subject to a separate application to Council for a section 88B instrument under the <i>Conveyancing Act 1919</i>.</p>
O5	To ensure that vehicle and pedestrian access to the site is safe and convenient for residents and visitors.	C8	Where vehicular access to the site is by a single lane, traffic signals are installed to manage vehicles entering and exiting the site.

Chapter G5

3-9 Sisters Lane, Edgecliff

Part G ▶ Site-Specific Controls

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Chapter G5 ▶ 3-9 Sisters Lane, Edgecliff

Contents

G5.1	INTRODUCTION	1
5.1.1	Background	1
5.1.2	Land where this chapter applies	1
5.1.3	Development to which this chapter applies	2
5.1.4	Objectives	2
5.1.5	Relationship to other parts of the DCP	2
G5.2	CONSERVATION SIGNIFICANCE	3
G5.3	CHARACTER OF DEVELOPMENT	5

G5.1 Introduction

5.1.1 Background

This chapter applies to land that was formerly part of the Sisters of Charity property known as Monte Oliveto. It identifies the conservation significance of the site and its relationship to the Woollahra Heritage Conservation Area.

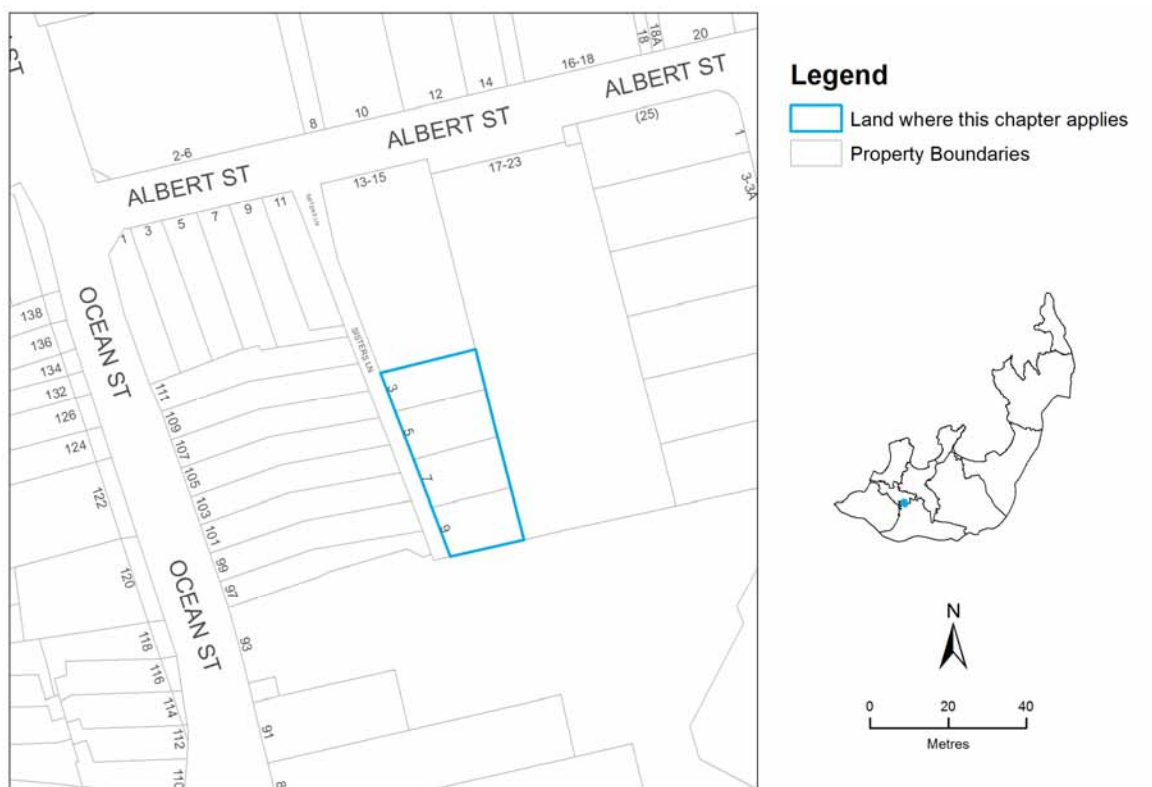
The original property at 13 Albert Street was subdivided, and the new lots at 3-9 Sisters Lane were developed for two storey contemporary terrace style housing, consistent with the controls in the original development control plan (DCP) for the site, adopted on 26 June 2000, and which commenced on 15 September 2000.

Recognising that the site is largely developed, this chapter only reflects those parts of the original site-specific DCP that may be relevant to further development on the site, such as additions and alterations.

5.1.2 Land where this chapter applies

This chapter applies to land identified on the map at Figure 1. The land comprises Nos.3-9 Sisters Lane, being Lots 1- 4 DP 1047567.

FIGURE 1 Subject sites



5.1.3 Development to which this chapter applies

This chapter applies to development requiring consent under Woollahra Local Environmental Plan 2014 (Woollahra LEP).

Given that the site has been largely redeveloped, it is likely that development would generally involve only additions and alterations.

5.1.4 Objectives

The objectives of this chapter are:

- O1 To ensure that development of the site takes place in a manner which is compatible with the character and built form of the locality.
- O2 To ensure that any development has regard to the two heritage items, “Fenton” and “Carmel” at No. 8 and 24 Albert Street in the vicinity of the site.
- O3 To ensure that any development on the site reflects its location within, and strengthens the integrity of the Woollahra Heritage Conservation Area.

5.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part C: Chapter C2 Woollahra Heritage Conservation Area (Rosemount Precinct); and
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails.

G5.2 Conservation significance

The site lies within and on the northern edge of the Woollahra Heritage Conservation Area (HCA) as defined in Woollahra LEP. There is a wide variety in the scale, style and bulk of buildings in the area.

The site formed part of property owned by the Sisters of Charity. Neither the site nor any of its buildings are listed in the schedule of heritage items contained in Woollahra LEP.

Construction of the convent building commenced in 1911. It has been used for various purposes associated with the work and ministries of the Sisters of Charity.

The architectural design of the convent building is in the style known as Federation Arts and Crafts which was common in the period circa 1890 to 1915. It was built as a convent and its much altered internal layout reflects this use. In 1994 fire destroyed the whole of the upper floor, which has been restored.

The Camphor Laurel trees on the western boundary of the site are not listed as heritage items. The Camphor Laurel trees contribute to the site's natural setting by providing shade and greenery. They also provide a natural buffer to adjoining development.

As part of demonstrating the conservation value of the locality, in close proximity to the site and within the context of this northern part of the HCA, there are some 15 sites and structures identified as being of heritage significance in their own right in Woollahra LEP. In fact, there are a number of fine examples of 1930s residential flat buildings in that section of Edgecliff Road from Albert Street to Ocean Street. This section of Edgecliff Road is an excellent example of a high quality streetscape.

The context of this northern edge of the precinct has been weakened by some of the styles of development in recent years. This has adversely impacted on the integrity of this section of the HCA.

The streetscape of Albert Street has a "quiet sense of enclosure" about it, notwithstanding that there is a noticeable volume of one way through traffic from Ocean Street in the west to Edgecliff Road in the east as well as vehicular movements generated by the local Catholic Parish Church and Parish Centre.

There is a "sense of entry" into Albert Street from Ocean Street due to the vegetation near the entrance of the street and the scale of the three pairs of circa 1880s two storey semi-detached terraces on the south western corner. This scale and style of development is a continuation of similar terrace style buildings from that corner along Ocean Street to the south.

The buildings along Albert Street are a mixture of single unit, one and two storey dwelling houses, terrace style housing ranging from circa 1880s to 1970s with residential flat buildings from circa 1930s together with a Church building, Parish Centre and the more recent aged care residential units.

Nos. 8 and 24 Albert Street, known as 'Fenton' and 'Carmel', which lie to the north-west and north-east of the site are heritage items in Woollahra LEP.

The rear portions of three pairs of circa 1880s two storey terraces lie to the west of the site and are separated from the site by the narrow Sisters Lane which has a heavily treed, quiet, country lane, atmosphere created by the row of Camphor Laurels on the west side of the site.

On the west side of Sisters Lane are some ten garages to the terraces on Ocean Street; four of these have first floor additions.

A large townhouse development, in what could be described as using the architectural language of the late 20th century Sydney Regional style, adjoins the site on its eastern boundary.

On the southern boundary is a multi-storey circa 1970s residential flat/unit tower building, known as 'Rosemont Gardens'. The architectural language of this development is somewhat similar to the townhouse development on the eastern boundary.

The strength of the edge of this section of the Woollahra Heritage Conservation Area is to be found in the three, two storey terraces to the west, the fine circa 1920s to 1930s large residence on the corner of Albert Street and Quambi Place.

'Fenton' and 'Carmel', the residential developments to the north east and the Church building give context and integrity to the precinct.

The range of scale, bulk and style of existing development in the vicinity of the site provides an excellent opportunity to design an infill development that responds to its setting, strengthens the edge of the precinct and contributes to the overall integrity of the HCA.

G5.3 Character of development

Development of the site must reflect and enhance the qualities in the area and contribute to an attractive residential environment that enhances the attributes of the Woollahra Heritage Conservation Area and heritage items in the vicinity of the site.

Development on the site is to be consistent with the built form and character of the surrounding area. Buildings on the site are to reflect the predominant built form and contribute to the variety of architectural styles of development in the area.

Objectives

- O1 To ensure that any building is consistent with the general character of dwellings in the conservation area.
- O2 To ensure that any buildings on the site exhibit an architectural style compatible with the existing streetscape and contribute to the architectural integrity and quality of the urban amenity of the area.
- O4 To ensure that the buildings on the site are visually compatible with the surrounding development and enhance the character of the area.

Controls

- C1 The buildings on the site must relate appropriately to the existing built form in the neighbouring area, while possessing their own architectural integrity.
- C2 The style and character of any buildings on the site must be compatible with the surrounding streetscape in the conservation area.
- C3 The principal elevations of buildings will be to Sisters Lane.
- C4 Building setbacks from Sisters Lane shall be an average minimum of 3m and reflect the need to protect trees that contribute to the natural setting of the site or to allow for replanting of vegetation which will retain the 'country lane' ambience of the lane.
- C5 Setbacks from Sisters Lane are to reflect the need to retain the 'country lane' ambience of the lane.
- C6 Building setbacks from the eastern site boundary are a minimum of 5m.
- C7 The height of any external enclosing wall is not more 7.2m to the underside of eaves, excluding that part of a wall that comprises the triangular configuration of a gable end.
- C8 Buildings have a two storey limit.
- C9 The building footprint is limited to 40% of the site area. (Building footprint means the area of land measured at finished ground level which is enclosed by the external walls of a building.)

Chapter G6 4A Nelson Street and 118 Wallis Street, Woollahra

Part G ▶ Site-Specific Controls

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Chapter G6 ▶ 4A Nelson Street and 118 Wallis Street, Woollahra

Contents

G6.1	INTRODUCTION	1
6.1.1	Background	1
6.1.2	Land where this chapter applies	1
6.1.3	Development to which this chapter applies	2
6.1.4	Objectives	2
6.1.5	Relationship to other parts of the DCP	2
6.1.6	Relationship to other plans and documents	2
G6.2	HERITAGE CONSERVATION FOR BROUGHAM AND ITS GARDENS	3
6.2.1	Landscape elements	3
6.2.2	Archeological relics	3
6.2.3	Development to maintain the significance of Brougham	4
6.2.4	Conservation Plan	4
G6.3	DEVELOPMENT CONTROLS	5
6.3.1	The siting of development	5
6.3.2	Height	7
6.3.3	Building form	8
6.3.4	Open space and landscaping	9

G6.1 Introduction

6.1.1 Background

This chapter applies to Brougham, its grounds and trees located at 4A Nelson Street and 118 Wallis Street, Woollahra. These properties are listed as heritage items under Woollahra LEP.

The original landholding at 118 Wallis Street, formerly known as ‘Brougham Hostel’ was used as a child welfare home under the guidance of various health organisations of the State Government. That land has since been subdivided, and a seniors living development, known as Emanuel Gardens, has been developed to the west and north-west of the heritage building, Brougham.

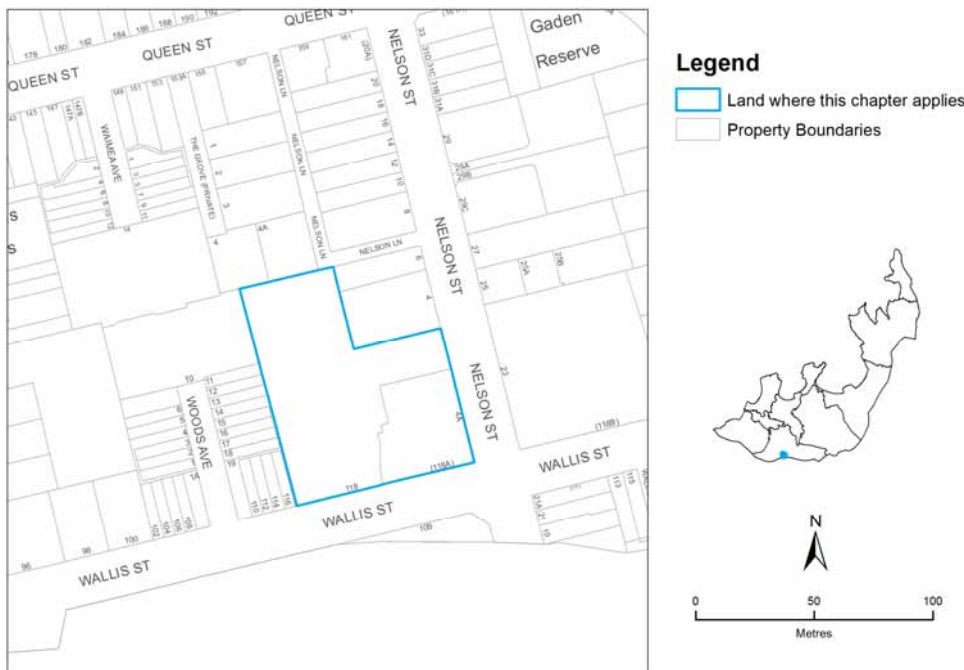
This chapter establishes parameters for any further development on either 4A Nelson Street or 118 Wallis Street to ensure that development has regard to the heritage significance of Brougham, its mature garden setting and the surrounding neighbourhood amenity.

Note: This chapter reflects the site specific development control plan adopted by Council on 22 May 1995, and which commenced on 31 May 1995.

6.1.2 Land where this chapter applies

This chapter applies to land identified on the map at Figure 1. The land comprises 4A Nelson Street (Lot 3 DP 1150167) and 118 Wallis Street (SP 61424) and contains the building known as ‘Brougham’ and its grounds.

FIGURE 1 Subject sites



6.1.3 Development to which this chapter applies

This chapter applies to development requiring consent under Woollahra Local Environmental Plan 2014 (Woollahra LEP).

6.1.4 Objectives

The objectives of this chapter are:

- O1 To ensure the conservation of Brougham and its mature garden setting.
- O2 To ensure the protection of significant trees located on the site.
- O3 To require that any new development or work is in harmony with the design, scale, form and character of Brougham and its mature garden setting.

6.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- ▶ Part C: Chapter C2 Woollahra Heritage Conservation Area (Nelson Precinct); and
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails.

6.1.6 Relationship to other plans and documents

Conservation Study

Applicants must refer to the Conservation Plan prepared by Dawson Brown and Ackert Pty. Ltd. for the Department of Planning, dated February 1991, and titled "Brougham's Hostel Woollahra".

G6.2 Heritage conservation for Brougham and its gardens

The following controls are to apply to any development on the site occupied by Brougham and its mature 19th century gardens and have been taken from the Conservation Plan for Brougham's Hostel Woollahra (1991).

These controls have been devised to ensure that new development maintains and enhances the significance of Brougham and does not lessen the form and features of the site.

6.2.1 Landscape elements

The site and the setting of Brougham Hostel have undergone considerable change from original natural bushland to the establishment of a Victorian house and garden and ultimately a child welfare home.

The landscape elements considered significant are:

- ▶ two Norfolk Island Pines;
- ▶ one Camphor Laurel Tree; and
- ▶ boundary wall and entry.

The existing Brougham gardens and landscaped areas are to be conserved and enhanced. Applicants should consult the Council's Tree Management Officer prior to formulating any proposals for altering the gardens and the landscaped areas.

The extent of the brick boundary fence along both Wallis and Nelson Street, defining the boundary of the site should be retained.

6.2.2 Archeological relics

Council will require an applicant to engage a suitably qualified person to supervise any major building or site works carried out on the land and to advise on appropriate action relating to any relics or remnants exposed during the work.

Should any work be proposed which requires the building to be disturbed or the site to be excavated it should be preceded by an assessment of the impact of this work on the archaeological resource. This applies in particular to the possible location of the stables and the coach house for which no exact location is known at present.

The applicant is required to seek a permit under section 140 of the *Heritage Act 1977* given the possibility of unearthing relics during the excavation of the site.

6.2.3 Development to maintain the significance of Brougham

The cultural significance of Brougham and its setting requires that any new development must comply with the following constraints:

- ▶ the house and the existing mature 19th century plantings should be retained;
- ▶ no new additions or adjoining development should significantly conceal the form and features of the original building; and
- ▶ new works or activities within the setting of the building should be carefully located, designed and formulated having regard to their impact on the cottage and garden nature of the site.

6.2.4 Conservation Plan

Works associated with the building known as Brougham should be carried out with regard to the Significant Fabric and Graded Zones of Significance as set down in Section 6.4 of the Conservation Plan.

G6.3 Development controls

The following controls apply to any development on the site. In the design of any new buildings on the site, attention is to be given to the following controls.

6.3.1 The siting of development

Objectives

- O1 To ensure aural and visual privacy for development on the subject site and the surrounding development.
- O2 To ensure sunlight and daylight access for development on the site and neighbouring land.
- O3 To promote a building scale and form which is compatible with the surrounding development.
- O4 To ensure compatibility with the character of the streetscape.
- O5 To integrate new development which does not dominate the scale of Brougham and its garden setting and is in sympathy with the curtilage established.

Controls

Development and the building curtilage

Development should be sited outside the building curtilage established for Brougham and the mature garden setting, which includes two Norfolk Island Pines that are listed as heritage items in Woollahra LEP. The curtilage is identified in Figure 2 below. The western boundary of the curtilage is based on the tree preservation zones for the Norfolk Island Pines, minus the built form at the north-western corner.

Development to Wallis Street

Development to Wallis Street should be suitably sited and articulated and continue the building lines and proportions of the adjoining development.

The minimum setback to Wallis Street from any point on the development should be 2m from the property boundary.

A minimum setback of 6m from the west and north-west boundaries of the site is required for all development.

In designing the development the applicant should have regard to both the heritage significance of properties along the Woods Avenue boundary and the residential amenity of the neighbouring property. The applicant should demonstrate that setbacks to all boundaries have taken into account the setbacks of adjoining properties and the amenity of the neighbourhood.

FIGURE 2 Building curtilage

The curtilage for the building and its landscape setting for Brougham, at 4A Nelson Street and 118 Wallis Street



6.3.2 Height

Objectives

- O1 To retain access to mid-winter sunshine on-site and to all neighbouring properties.
- O2 To maintain aural and visual privacy on the subject site and the surrounding development.
- O3 To ensure compatibility with the scale and the built form of the surrounding development to encourage a cohesive skyline.
- O4 To maintain a street facade of human scale.
- O5 To permit variations in building height to ensure compatibility with Brougham and the surrounding neighbourhood.

Controls

The height and roof pitch of new development should be consistent with the surrounding height and roofline of neighbouring development, particularly where new development fronts Wallis Street.

Development should be proportioned and stepped back in height from the street to achieve a human scale at street level and to continue the building lines established by adjoining development to introduce some scaled rhythm to the streetscape.

All new development should be the result of careful analysis of surrounding buildings and sympathetic interpretation of their design elements and the heritage significance of Brougham and the adjoining properties. Where development extends towards Brougham, the building height should be suitably scaled to relate to the height of Brougham. In this respect development should be stepped upwards in height back from Brougham.

The design of all external walls must take into account the wall height of adjoining buildings and apply suitable setbacks to the building to respect the built form of the surrounding development and amenity.

6.3.3 Building form

Objectives

- O1 To require that any new development or work is compatible with the design, scale, form and character of Brougham and its garden setting and surrounding development.
- O2 To ensure that new development does not significantly conceal the form and features of Brougham and its garden setting.
- O3 To protect and enhance the streetscape amenity.
- O4 To promote a high standard of building design and energy efficiency.

Controls

New development must take into account the style, scale, location, use of balconies or verandahs and the proportions of the facades as they relate to the historical significance and architectural features of Brougham and the heritage significance of all the buildings which adjoin the site on the south-western side of Wallis Street.

A design approach which is sympathetic rather than purely imitative is required.

New development should ensure that the existing character and nature of the street remains intact and introduces some scaled rhythm to the streetscape.

All external walls which face Brougham are to ensure that a sympathetic building form in terms of height and dimension is achieved. Furthermore, any development which faces Brougham must relate to and enhance the landscape setting established by the curtilage.

Any walls which directly face Brougham should be suitably designed and landscaped to blend and soften their appearance and such walls should be stepped back and proportioned in height to relate to the external wall height of Brougham and to respect the heritage significance of Brougham and its setting.

All external development components including garages, ancillary structures as well as side and rear facades should exhibit unity of building form and architectural detailing.

6.3.4 Open space and landscaping

Objectives

- O1 To ensure the retention and enhancement of the mature 19th century gardens and setting of Brougham because of their heritage significance and to achieve the following:
 - a) the creation of a buffer between Brougham and the proposed development;
 - b) the provision of a reasonable level of privacy for all users of the site; and
 - c) the provision of a landscaped setting that could act as a link to integrate Brougham and new development.
- O2 To ensure the provision of outdoor areas which are adequately sized, proportioned and located, for the use and enjoyment of the occupants of Brougham and the new development.
- O3 To promote the streetscape amenity.
- O4 To ensure the significant enhancement and retention of perimeter trees to screen and soften the impact of new development on adjoining properties.
- O5 To retain all significant trees on site.
- O6 To maintain sunlight and daylight penetration on the subject land and adjoining properties.

Controls

- C1 The 19th century mature gardens in the centre of the site should be retained as a focus and enhanced to provide an appropriate setting to link and formalise the space between Brougham and new development.
- C2 A landscaped buffer must be established between all new development on site and Brougham and its garden setting. All hard surfaces (except those already in existence) must be incorporated into a landscape setting.
- C3 The two Norfolk Island Pines and the Camphor Laurel Tree (as identified in Section 6.2.1 of this chapter) are to be retained. The mature gardens are also to be retained and may be added to subject to a detailed landscaping plan being approved by Council.
- C4 All significant trees should be retained on site.
- C5 Suitable landscaping shall be introduced on site to soften all solid walls which directly face Brougham.
- C6 Where it is determined that a tree is to be removed, it must be replaced with a suitable tree to the satisfaction of Council's Tree Officer.

Notes:

- i) Applicants should consult Council's Tree Officer prior to formulating a landscape plan for the site.
- ii) A detailed tree survey is required and a full appraisal of the present condition of the trees and the likely impact of future development on all trees. All trees listed as significant must be retained and protected during construction. A qualified arborist must thoroughly inspect all trees (including all trees listed as significant) to determine the health and stability/safety for retention in the long term. In order to retain trees in a stable and healthy manner, it is generally required (except where determined by a tree surgeon) that no excavation take place within the dripline or canopy spread of the trees. However, it must be recognised that for trees such as Norfolk Island Pines that the tree roots would be expected to substantially exceed the dripline of the trees in order to stabilise the tree. Further, no change in levels would be acceptable above the existing ground level at the trees root system.
- iii) The row of immature Camphor Laurel trees on the Woods Avenue boundary are required to be inspected by an arborist to determine whether their long term retention is viable. Where it is determined that a tree is to be removed, it must be replaced with a suitable tree to the satisfaction of Council's Tree Officer. Selective and gradual removal of trees is preferred in order to minimise loss of amenity to the properties in Woods Avenue. Replacement species shall be of a super-advanced plant stock (minimum 100 litre container).

Chapter G7 Former Royal Women's Hospital, Paddington

Part G ▶ Site-Specific Controls

DRAFT FOR EXHIBITION

Version: UPC October 2014

Chapter G7 ▶ Former Royal Women’s Hospital, Paddington

Contents

G7.1	INTRODUCTION	1
7.1.1	Background	1
7.1.2	Land where this chapter applies	1
7.1.3	Development to which this chapter applies	2
7.1.4	Objectives	2
7.1.5	Relationship to other parts of the DCP	3
G7.2	MASTER SITING PLAN	4
G7.3	OXFORD STREET FRONTAGE	5
7.3.1	Context statement	5
7.3.2	Urban design principles	6
G7.4	HERITAGE STANDARDS	7
G7.5	BUILT FORM GUIDELINES	9
G7.6	ARCHITECTURAL STANDARDS	12
G7.7	LANDSCAPE MANAGEMENT PLAN	15

G7.1 Introduction

7.1.1 Background

This chapter applies to land in Paddington previously occupied by the Royal Hospital for Women. The hospital played a major part in the history of Paddington, and its site together with certain buildings and structures form important elements of the Paddington conservation area. The hospital closed in the mid 1990s and the owners of the property, the Benevolent Society, sought the rezoning of the site to allow for redevelopment.

In November 1995, Council rezoned the site to a combination of residential, commercial and open space zones. Council then adopted a development control plan (DCP) for the site, which commenced on 24 January 1997. That DCP identified street dimensions, building siting, building setbacks, materials, building configuration, fences, parking, energy efficiency, heritage conservation and landscaping. The site was redeveloped consistent with the intent of the rezoning and the DCP.

Recognising that the site is largely developed, this chapter only reflects the following parts of the original site specific DCP that may be relevant to further development on the site, such as additions and alterations:

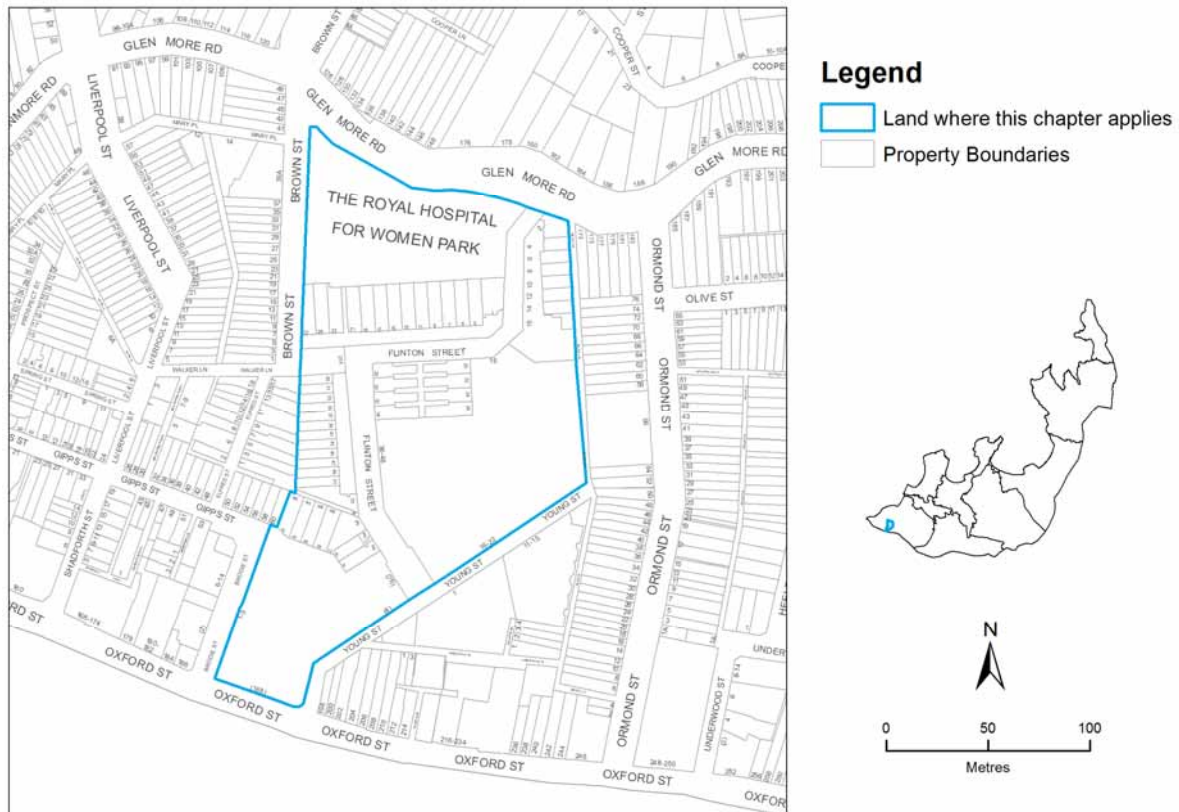
- ▶ master siting plan;
- ▶ context statement and urban design principles;
- ▶ heritage standards;
- ▶ architectural standards;
- ▶ built form guidelines; and
- ▶ landscape management plan.

7.1.2 Land where this chapter applies

This chapter applies to various lots in Paddington as identified on the map at Figure 1.

The lots are: SP 64257 (1-3 Brodie Street and 4 Young Street), Lot 56 & 57 SP 87117, SP 64558 (8, 16-22 Young Street, 18 and 36-48 Flinton Street), SP 64396 (62-74 Gipps Street), Lot 1-7 DP 1019806 (62 -74 Gipps Street), SP 65254 (20-34 Flinton Street), SP 65255 (1-27 Flinton Street), Lot 1-14 DP 1026156 (1 -27 Flinton Street), Lot 1-8 DP 1026153 (20-32 Flinton Street), Lot 1- 13 DP 1024561 and SP 65095 (29-53 Flinton Street), Lot 2 DP 1029153 (27A Flinton Street), Lot 1-8 DP 1049074 (2-16 Flinton Street), SP 69697 (2-16 Flinton Street) and Lot 8 DP 106623 (2 Flinton Street).

FIGURE 1 Subject sites



7.1.3 Development to which this chapter applies

This chapter applies to development requiring consent under Woollahra Local Environmental Plan 2014 (Woollahra LEP).

Given that the site has been largely redeveloped, it is likely that development would generally involve only additions and alterations.

7.1.4 Objectives

The objectives of this chapter are:

- O1 To ensure a high quality of development and compatible relationship between development on the site and development on adjoining properties.
- O2 To conserve items of heritage significance.
- O3 To achieve a high quality of public spaces.

7.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

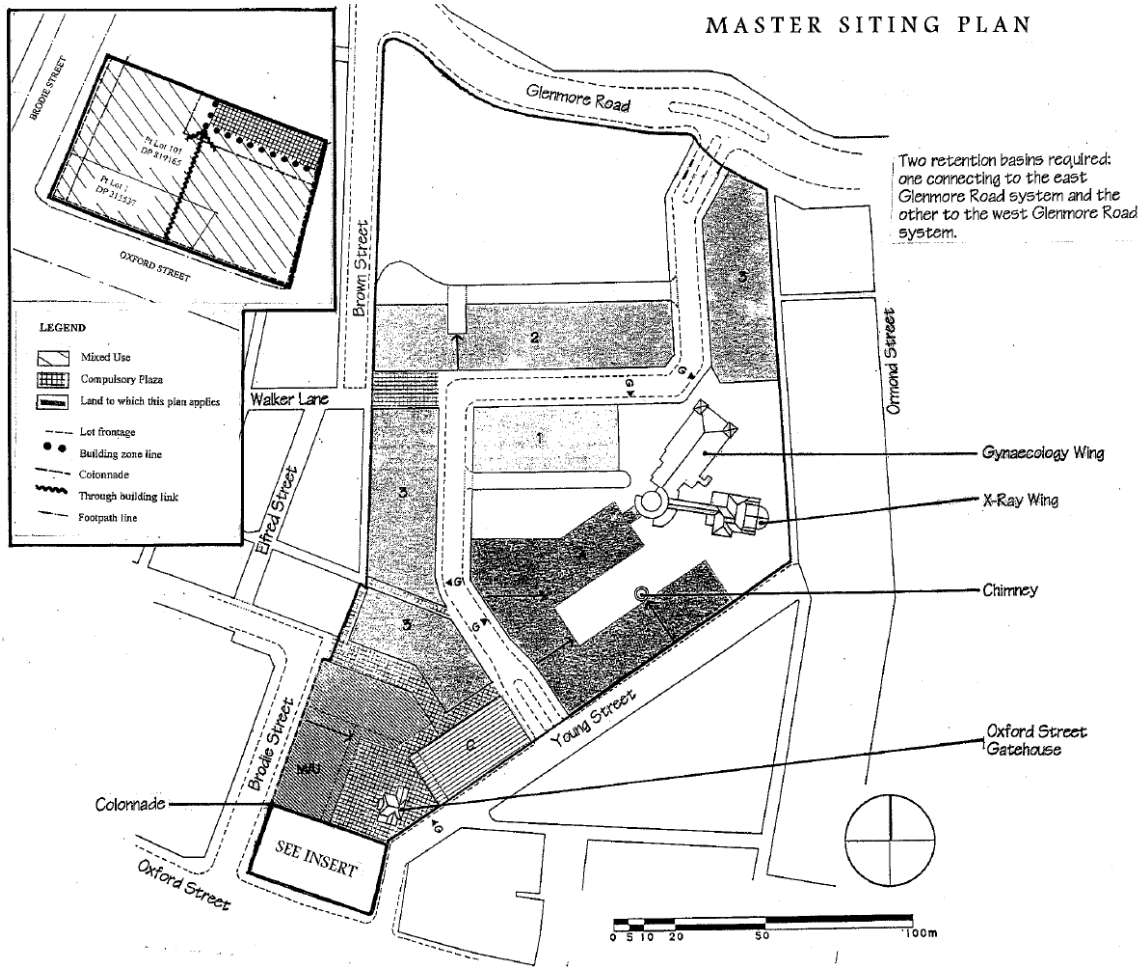
- ▶ Part C: Chapter C1 Paddington Heritage Conservation Area
- ▶ Part E: General Controls for All Development - this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

In the event of any inconsistency between this chapter and the other chapters, this chapter prevails.

G7.2 Master siting plan

The master siting plan shows the location of building types, public open space and roadways.

The location of these should not be altered unless there is a need to reduce or avoid adverse environmental impact or unless it can be demonstrated that environmental and conservation benefits for development and areas on the site and for development and areas outside the site will be achieved.



LEGEND

- 1 Terrace Type 1
- 2 Terrace Type 2
- 3 Terrace Type 3
- 4 Apartment
- Mixed Use
- Commercial
- Compulsory Plaza
- Retained Historic Building
- G Suggested Underground Carpark Entry
- Lot frontage
- Building zone line
- Colonnade
- Through building link
- Footpath line

G7.3 Oxford Street frontage

7.3.1 Context statement

Character zones

Oxford Street, between Queen Street to the east and Boundary Street to the west, may be divided into three distinct areas, or 'character zones'.

From the east, the first area is Paddington, which extends from Queen Street through to the Paddington Town Hall and the post office. Paddington is dominated by the small retail frontages along the northern side of the road, with the southern side being a combination of civic uses (churches/school) and retail. There are a few modern intrusions, such as the OTC/Telstra building. The western end of this section is terminated by a significant civic grouping of buildings, including Juniper Hall, the post office, the Town Hall and a small park.

The second area is known as 'Paddinghurst' and extends from the town hall and the post office down to Glenmore Road. Paddinghurst is the most diverse area of the three character zones. It is dominated on the southern side by Victoria Barracks for most of its length. The northern side is a broad mixture of building types. There are commercial shopfront terraces, residential terraces converted for retail and commercial uses, commercial buildings, a petrol station, modern housing, the hospital and the Paddington RSL. The latter four represent modern intrusions into a traditional streetscape.

The third area is from Glenmore Road to Boundary Street and is known as Darlinghurst. West of Glenmore Road, in Darlinghurst, the traditional small retail frontages start again on both sides on the street, though there are a few larger buildings on the southern side.

Oxford Street building typology

There are three distinct building typologies along Oxford Street:

- ▶ the terrace (commercial or residential);
- ▶ the 19th century/early 20th century civic/commercial buildings; and
- ▶ the modern commercial/residential development.

The commercial/residential terrace is distinguished by its long and narrow blocks, which are built to the boundary at the front, and usually also to both sides. Usually, shopfronts are located at the ground floor with offices, studios or residential above.

The 19th century/early 20th century civic/commercial developments are represented by hotels, such as the Imperial or Greenwood Tree Hotels, and the post office and Town Hall. The forms are longer, rectangular and well detailed, with a vertical emphasis above the awning. The commercial and hotel buildings usually have an awning.

Modern commercial/residential development exhibits a wide range of building typologies, which are grouped together, as their form and relationship to the street is similar. These are usually large in scale vertically (for example: OTC/Telstra, Oxford Towers), or large in scale horizontally (RSL, Apartments - No. 160). Architecturally, these modern buildings do not relate to earlier surrounding development.

Heights and skyline

The commercial/residential terrace form is the most common building type along Oxford Street. They are usually two storeys in height, being around 10m to the ridge/top of the parapet. These form a consistent skyline, punctuated by common walls or chimneys. The roof form is either a skillion behind a parapet or pitched roof.

The 19th century/early 20th century civic/commercial buildings punctuate the terraces as elements that visually stand out more among terraces. These buildings are generally higher, approximately 13m, with skyline elements such as towers and parapets, which then exceed the 13m height. The Town Hall and the Imperial Hotel are good examples of towers on corners which provide distinct landmarks along Oxford Street. The post office and Greenwood Tree Hotel are examples of buildings with strong parapets that add variety to the skyline of Oxford Street.

Modern development generally lacks the detail to the skyline, often presenting a flat plane to the street, as seen in the Oxford Towers and OTC/Telstra buildings.

7.3.2 Urban design principles

Development along the Oxford Street frontage is to adhere to the following urban design principles:

- ▶ Development shall align with the Oxford Street frontage.
- ▶ Development shall be modulated to break the continuous façade and to give the appearance of a number of building sections.
- ▶ The built form of new development shall reflect the civic/commercial building typology of Oxford Street.
- ▶ The ground floor of development along Oxford Street is to provide an active retail element.
- ▶ Development is to continue the skyline character of Paddington with its undulating parapets, providing interest and identity, using specific details and features.
- ▶ A distinctive gateway feature shall be provided on the ground floor level which links Oxford Street with the internal courtyard.

G7.4 Heritage standards

	Gynaecology building	X-ray wing	Gate house	Miscellaneous items
Form and use	<ul style="list-style-type: none"> ► Maintain existing form. No new major additions permitted. Remove the 1940s addition and other smaller additions and accretions ► Building is suitable for conversion to residential units, commercial suites. It is possible to have a child care on the ground floor 	<ul style="list-style-type: none"> ► Maintain existing form. No new major additions permitted ► Building is suitable for conversion to residential units, commercial suites. It is possible to have child care on the ground floor (with gynaecology wing) 	<ul style="list-style-type: none"> ► Remove recent additions and take back to original gatehouse form ► No new major additions permitted 	<ul style="list-style-type: none"> ► Chimney - retain in place with no alterations ► Repair, repoint and clean brick of chimney ► The pillars and crowns at the Oxford Street entry should be reused in an entryway to the site ► Brick and render side fences to Begg, Young and Brown Street to be retained to distinguish the boundaries, minimal intervention only ► Remnant sandstone blocks that are used as a wall to the carpark behind Hardwick House to be reused in the landscaping of the site ► 1820 memorial stone currently fixed to Macquarie House is to be reused on the building that the Benevolent Society decides to occupy on the site
External building walls	<ul style="list-style-type: none"> ► Repair, repoint and clean brick and stonework ► Rationalise services and repair locations where removed 	<ul style="list-style-type: none"> ► Repair, repoint and clean brick and stone work ► Rationalise services and repair locations where removed 	<ul style="list-style-type: none"> ► Repair, repoint and clean brick and stonework ► Rationalise services and repair locations where removed 	
Roofs and gutters	<ul style="list-style-type: none"> ► Repair roofing and slating where needed, replacing elements if needed ► Repair and replace roof plumbing where needed 	<ul style="list-style-type: none"> ► Repair roofing and slating where needed, replacing elements if needed ► Replace flat roof on circular turret with a reconstruction of the original ► Repair and replace roof plumbing where needed 	<ul style="list-style-type: none"> ► Repair roofing where needed, replacing elements if needed ► Repair and replace roof plumbing where needed 	
Windows, doors, balconies, verandahs	<ul style="list-style-type: none"> ► Return the verandahs to their original open configuration, maintain them as open space to the internal use ► Reinststate and maintain the external timber finishes to the verandahs ► Maintain existing timber windows 	<ul style="list-style-type: none"> ► Maintain openings with their timber shutters along connecting passageway ► Provide new exits (stairs/lift) either integrated in or as a discrete new structure ► Maintain and repair old stairs and lift ► Maintain existing timber windows 	<ul style="list-style-type: none"> ► Reinststate the original front porch ► Maintain existing timber windows 	
Internal finishes	<ul style="list-style-type: none"> ► Retain all early internal finishes where they remain ► Return wards to open form if practical with the proposed use 	<ul style="list-style-type: none"> ► Retain all early internal finishes where they remain ► Retain marble stairs in worn condition as a feature of the circulation space 	<ul style="list-style-type: none"> ► Retain all early internal finishes where they remain 	

General

- ▶ Development does not prevent the site being read as a whole.
- ▶ Any building or sections of buildings to be removed, including original fittings, are to be documented as part of the development process (as specified in the Burra Charter) prior to removal, and that the recoding be included in any interpretation of the site.
- ▶ Future structures shall be designed and sited in such a way that they will not detract from the heritage significance of Paddington, the site, or any buildings or structures to be retained.
- ▶ An interpretation of the site, incorporating a history of the property, shall be included in any future development, and displayed on the site. The interpretation shall cover the entire period of use of the site.
- ▶ Brick and render side fences to be retained to distinguish the boundaries, minimal intervention only.

G7.5 Built form guidelines

All measurements are in metres unless stated otherwise.

Terrace Type 1	Terrace Type 2	Terrace Type 3
<p>Building use</p> <ul style="list-style-type: none"> Uses of the buildings shown here are in conformance with the zoning 		
<p>Building siting</p> <ul style="list-style-type: none"> Buildings shall be located on lots relative to the property lines with setbacks as shown Setbacks from street frontages should occur only for groups of two or more buildings 		
<p>Permitted variations</p> <ul style="list-style-type: none"> Balconies, verandahs and bay windows are permitted in the areas shown Terraces may vary in width and setback 		
<p>Building height</p> <ul style="list-style-type: none"> Maximum heights are set in the LEP and are shown here diagrammatically Height is defined as being the greatest distance measured vertically from any point on the building to the existing ground level 		

Terrace Type 1	Terrace Type 2	Terrace Type 3
<p>Parking</p> <ul style="list-style-type: none"> ▶ Parking spaces will be provided within the areas shown here 		

Apartments	Commercial	Mixed use
<p>Building use</p> <ul style="list-style-type: none"> ▶ Uses of the buildings shown here are in conformance with the zoning ▶ Shopfronts to be on the ground floor at street level 		
<p>Note: The labeling of buildings in the DCP will not preclude variation of the nature and mix of uses in the Business 3(c) zone under the LEP. This note does not form part of the DCP adopted by the Council.</p>		

Building siting

- ▶ Buildings shall be located on lots relative to the property lines with setbacks as shown
- ▶ Setbacks from street frontages should occur only for groups of two or more buildings

THE SETBACKS SHOWN HERE ARE MINIMUM SETBACKS

THE SETBACKS SHOWN HERE ARE MINIMUM SETBACKS

THE SETBACKS SHOWN HERE ARE MINIMUM SETBACKS

Permitted variations

- ▶ Balconies, turrets, bay/dormer windows, awnings and colonnades are permitted in the areas shown
- ▶ Awnings shall be along street frontages and colonnades around the plaza

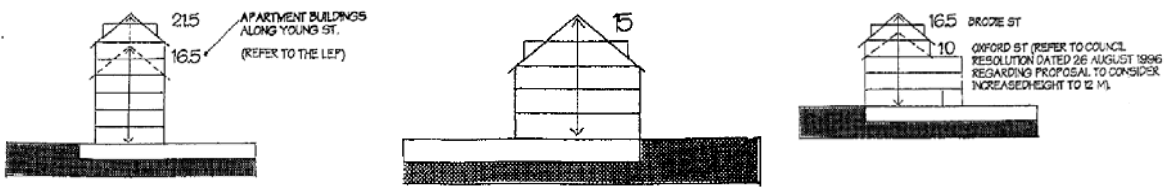
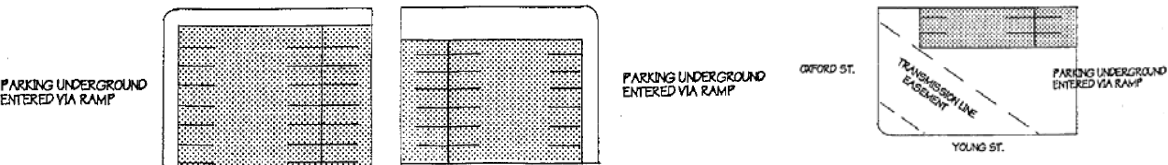
TURRETS, BAY/DORMER WINDOWS.

TURRETS, BAY/DORMER WINDOWS

ALLOTMENT BOUNDARIES

AWNING

COLONNADE

Apartments	Commercial	Mixed use
<p>Building height</p> <ul style="list-style-type: none">▶ Maximum heights are set in the LEP and are shown here diagrammatically▶ Height is defined as being the greatest distance measured vertically from any point on the building to the existing ground level 		
<p>Parking</p> <ul style="list-style-type: none">▶ Parking spaces will be provided within underground garages, accessed by ramp▶ The underground car park along Oxford Street shall set back from the underground transmission easement, unless the easement is relocated 		

G7.6 Architectural standards

	Materials	Configurations	Energy efficiency	General
External building walls	<ul style="list-style-type: none"> ▶ Rendered paint finish for terraces. ▶ Face brick and stucco shall be used for the apartments. ▶ Stone/detailing around windows, parapets shall be used for the apartments, along the lines of the existing gynaecology wing ▶ Mixed use buildings fronting Oxford Street <ul style="list-style-type: none"> – rendered paint finish 	<ul style="list-style-type: none"> ▶ Terraces: Common walls to be clearly articulated, expressing the rhythm of the terrace form ▶ Apartments/commercial: <ul style="list-style-type: none"> – window sills, floor levels to be clearly articulated; – Windows to be set into façade to provide a sense of depth; and ▶ Facades to be detailed, e.g. brick/stone banding ▶ Mixed use buildings fronting Oxford Street <ul style="list-style-type: none"> – modulate façade to give appearance of a number of sections – provide for a distinctive gateway feature on the ground floor level which links Oxford Street with the internal courtyard 	<ul style="list-style-type: none"> ▶ Southern walls - minimise openings ▶ Northern walls - maximize openings, while providing shade from summer sun to minimise cooling costs ▶ Provide appropriately insulated walls 	<ul style="list-style-type: none"> ▶ The materials used in the apartments should be sympathetic with the retained gynaecology and x-ray wings
Garden walls and fences	<ul style="list-style-type: none"> ▶ Cast iron/steel palisade fences with iron spearheads ▶ Timber pickets ▶ Base plinths and garden walls: stone, and pigmented renders. Rendered paint suitable for walls only 	<ul style="list-style-type: none"> ▶ Front fences and/or walls: <1.2m high ▶ Side fences: maximum 1.8m ▶ A degree of privacy should be maintained between the yards of terraces 	<ul style="list-style-type: none"> ▶ Recycled stone and timbers shall be used where possible 	<ul style="list-style-type: none"> ▶ Consider the historic character of fencing ▶ Consider the visual impact of fencing and walls ▶ Investigate semi-transparent fencing and hedging as alternatives ▶ Low retaining walls can double as fences

<p>Balconies, verandahs, etc.</p>	<ul style="list-style-type: none"> ▶ Balcony railings to be sympathetic with fencing ▶ Appropriate decorative timberwork important ▶ Curved roof form for balconies is an important element within Paddington ▶ Traditional steel or timber posted awnings on the commercial/mixed use buildings 	<ul style="list-style-type: none"> ▶ Balconies to be clearly expressed ▶ Bay windows may be used in place of balconies in apartments and commercial buildings, or end terraces ▶ Turrets permitted centrally or in corners of apartment or commercial buildings ▶ Mixed use buildings fronting Oxford Street: <ul style="list-style-type: none"> – modulate façade to give appearance of number of sections – provide for a distinctive gateway feature on the ground floor level which links Oxford Street with the internal courtyard 	<ul style="list-style-type: none"> ▶ Balconies to face north where possible 	
<p>Roofs and gutters</p>	<ul style="list-style-type: none"> ▶ Corrugated iron/Colorbond (especially for verandahs etc.), slate or imitation slate ▶ Important roof elements in Paddington include ornate gables and finials, as well as parapets and chimneys ▶ Gutters, flashing and fascias shall be used for the Paddington urban conservation area 	<ul style="list-style-type: none"> ▶ Terraces may have either a parapet and roof or pitched roof of approx. 40° ▶ Apartments and commercial buildings may use hipped roof forms of approx. 40° ▶ Appropriately proportioned dormer windows permitted in all building types ▶ Quad, half round or ogee gutter profiles suitable, but not modern profiles such as fascia gutters. Downpipes to be of circular section 	<ul style="list-style-type: none"> ▶ Collection of rain water for watering gardens, especially around the apartments ▶ Possible recycling of grey water 	<ul style="list-style-type: none"> ▶ Roof forms should relate to those traditionally found in Paddington, as well as surrounding buildings ▶ Use of roof space is desirable ▶ Opposite windows in apartments should be staggered so as not to face each other, to preserve privacy
<p>Windows and doors</p>	<ul style="list-style-type: none"> ▶ The following are permitted: <ul style="list-style-type: none"> – painted timber (preferred)/ aluminium (only where sufficient depth and width to frame and glazing elements; – clear glass; and – leadlight in doors, or small feature windows 	<ul style="list-style-type: none"> ▶ size, location and proportion should relate to those found in Paddington on traditional buildings ▶ Vertical emphasis 	<ul style="list-style-type: none"> ▶ Suitable shading devices should be used where possible to suit 	<ul style="list-style-type: none"> ▶ Appropriate acoustic treatment with respect to construction materials and openings in buildings shall be determined in accordance with Australian Standards AS 2107 and AS 3671. The steps involved are documented in Section C4.5 Acoustic treatment.

<p>Miscellaneous</p>	<ul style="list-style-type: none"> ▶ Colours: heritage colours or suitable variations are preferred ▶ Advertising signs on mixed use buildings fronting Oxford Street and other commercial buildings 	<ul style="list-style-type: none"> ▶ Future structures are to be designed and sited in such a way that they will not detract from the heritage significance of Paddington, the site, or any buildings or structures to be retained ▶ Advertising signs on mixed use buildings fronting Oxford Street and other commercial buildings <ul style="list-style-type: none"> – location, size and nature of all advertising signs is to conform with Council's advertising code 	<ul style="list-style-type: none"> ▶ Secondhand brick paving and recycled stone should be considered for landscaping ▶ Use of deciduous trees in appropriate locations to provide summer shelter and winter sun 	<ul style="list-style-type: none"> ▶ A minimum of two hours solar access to windows of habitable rooms should be achieved between 9am and 3pm on 22 June
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G7.7 Landscape management plan

This landscape management plan outlines how the existing landscape is to be managed when the site is redeveloped.

1. Cluster of existing trees to be retained, including:
 - ▶ *Cinnamomum camphora*;
 - ▶ *Cedrus deodora*;
 - ▶ *Ficus* sp;
 - ▶ *Bauhinia* sp; and
 - ▶ *Eucalyptus* sp.
2. Cluster of Camphor Laurels to be retained. Long term replanting will need to be undertaken.
3. Canary Island Date Palm to be transplanted.
4. Bangalow Palm to be transplanted.
5. Butia Palm to be transplanted.
6. London Plane Tree to be retained.

