1.4 Land to which plan applies

This plan applies to land identified in blue on the map in figure 1.

MAP 1 The land where this chapter applies

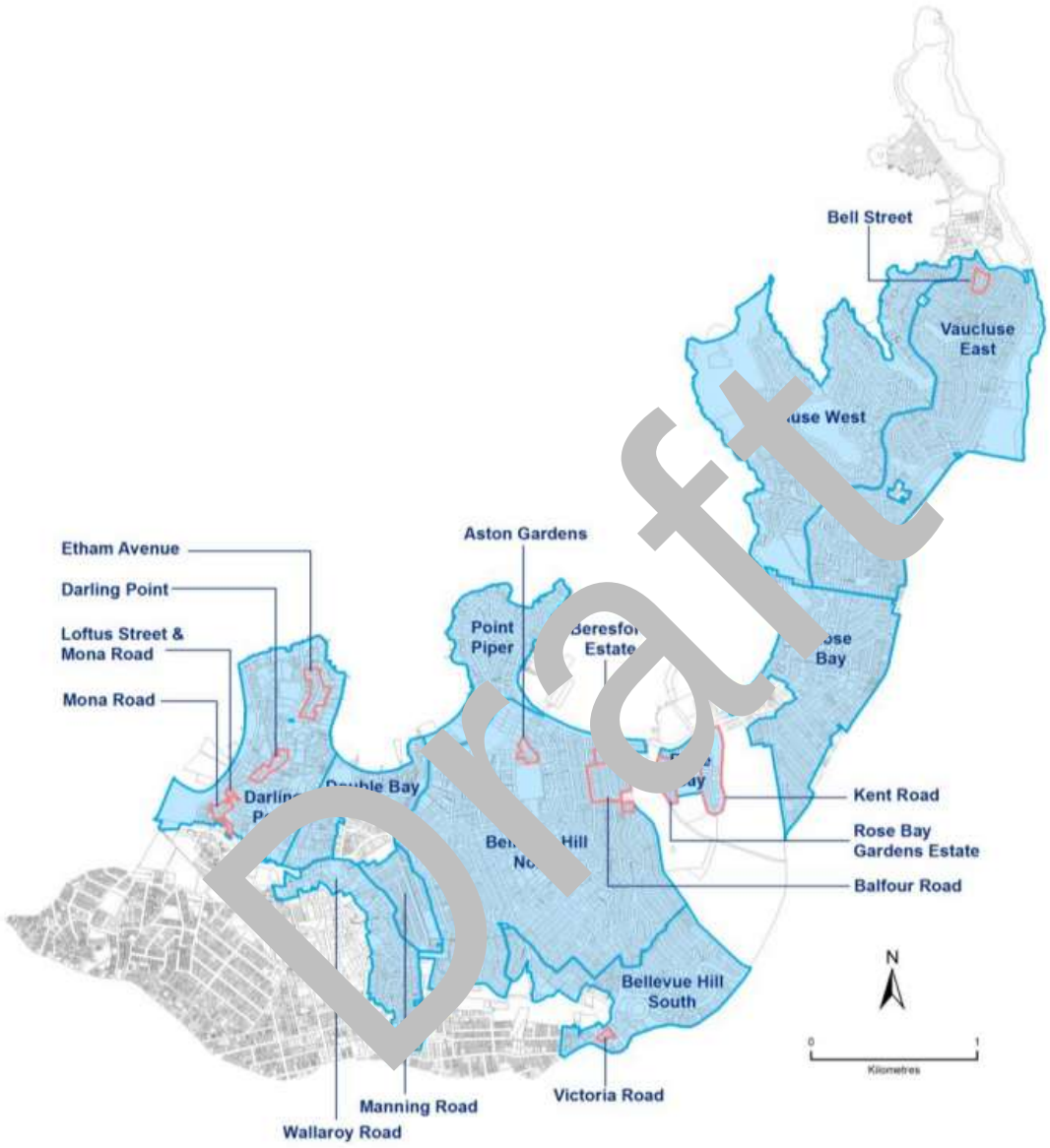

Figure 1: Land to which plan applies (extract from Section B3.1.1 Woollahra Development Control Plan 2015)

1.5 Relationship of this plan to the Act, Regulation and other plans or environmental planning instruments

This plan has been prepared under Division 3.6 of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2000*.

Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) applies to land to which this plan applies. In the event of an inconsistency between this plan and the Woollahra LEP 2014, the Woollahra LEP 2014 prevails.

1.6 Approval and commencement of this plan

This plan was approved by Woollahra Municipal Council on *TBC* and came into effect on *TBC* as appointed by notification in the local newspaper and on Woollahra Municipal Council's public website.

Part 2 Amendment of Woollahra Development Control Plan 2015

This plan amends Woollahra Development Control Plan 2015 as follows.

2.1 Part A, Clause A1.19

Insert at the end of the clause:

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 96 of the EP&A Act and applications for review of determinations under section 82A of the EP&A Act that were made prior to but not determined before the commencement of Amendment No *TBC [Indoor residential amenity and subterranean habitable spaces]* to this DCP.

2.2 Part A, Clause 1.4

Insert new row at the end of the clause table:

Amendment	Date of approval and commencement	Description of amendment
No *TBC*	*Date approved –* *Date commenced -*	Amend Chapter B3 General Development Controls to insert a new section called *B3.5.5 – Internal amenity* to ensure that rooms in a dwelling, particularly rooms that are located below natural ground level, have high levels of indoor residential amenity for the health and well-being.

[3] Part B, Chapter B3

Insert after *B3.5.4 – Acoustic and visual privacy*:

B3.5.5 Internal amenity

Solar and daylight access and natural ventilation are important for providing pleasant and healthy indoor environments for people to live. This is particularly important for designing comfortable habitable rooms and other areas that are occupied for extended periods.

Provision of natural light and ventilation reduces the reliance on artificial lighting, heating, air-conditioning and mechanical ventilation. This improves energy efficiency and residential amenity.

Note:

Habitable rooms exclude bathrooms, corridors, hallways, stairways, lobbies, and other like spaces of a specialised nature occupied neither frequently nor for extended periods.

B3.5 Built form and context ▸ *3.5.5 Internal amenity*

Objectives	Controls
O1 To encourage high levels of internal amenity through the provision of direct natural light and direct natural ventilation.	C1 All habitable rooms in a dwelling must have at least one external wall primarily above the existing ground level which provides an unobstructed window opening,
O2 To encourage buildings that are designed to maximise natural light provision in habitable rooms.	C2 All habitable rooms and sanitary compartments in a dwelling must have direct natural light and direct natural ventilation,
	C3 The area of unobstructed window openings should be equal to at least 20% of the room floor area for habitable rooms,
	C4 Light wells must not be the primary air source for habitable rooms, and
	C5 Any room of a dwelling either partially or fully below existing ground level (excluding basement parking and storage areas) must have a minimum width to depth ratio of 2:1 to support effective natural ground level and room circulation. NOTE: For the purposes of this provision, width is to be based on the external wall occupied by the primary window.

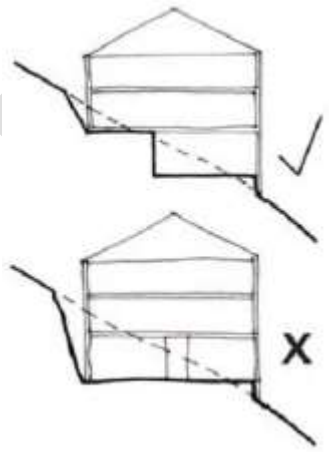

FIGURE 19A
Dwellings should be designed to locate rooms primarily above existing ground level to maximise the provision of natural light from unobstructed window openings.