



**Development Control Plan for
9A Cooper Park Road, Bellevue Hill**

Repealed by WDCP 2015 on 23/05/15

Contents

Part 1. Introduction	1
1.1 Name of this development control plan	1
1.2 Where this development control plan applies	1
1.3 Development to which this plan applies	2
1.4 Objectives of the development control plan	2
1.5 Related plans and policies	2
Part 2. Design and siting of development	3
2.1 Objectives and controls	3

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Part 1. Introduction

Land at 9A Cooper Park Road, Bellevue Hill, is zoned to 2(b) Medium Density Residential under the Woollahra Local Environmental Plan 1995 (Woollahra LEP). The Woollahra LEP also sets a maximum building height of 9.5 metres and a floor space ratio of 0.625:1 for the land.

It is envisaged that the land will be redeveloped for a residential purpose. The LEP controls will permit medium density residential development.

The controls in this DCP seek to guide development on the land.

1.1 Name of this development control plan

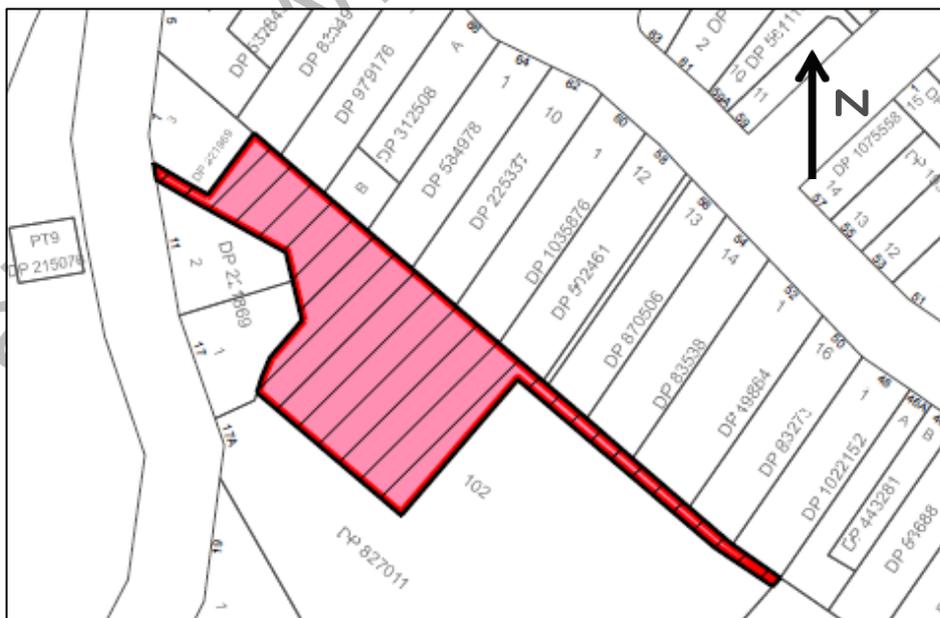
This plan is known as the "Development Control Plan for 9A Cooper Park Road, Bellevue Hill" (the DCP).

This plan was adopted by Council on 16 December 2013 and came into effect on 8 January 2014.

It has been prepared under Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act) and Part 3 of the *Environmental Planning and Assessment Regulation 2000*.

1.2 Where this development control plan applies

This plan applies to land known as 9A Cooper Park Road, Bellevue Hill, being Lot 101 DP 827011, as identified on the plan below.



1.3 Development to which this plan applies

This plan applies to development requiring consent under Woollahra LEP.

Under section 79C of the Act, Council is required to take into consideration the relevant provisions of any applicable DCP when determining an application for development.

1.4 Objectives of the development control plan

The objectives of this DCP are to:

- ▶ facilitate development that is permissible under the provisions of Woollahra LEP; and
- ▶ guide the design and location of development to address the amenity of adjoining properties.

1.5 Related plans and policies

Woollahra LEP 1995

This DCP supplements the requirements of Woollahra LEP and must be read in conjunction with that LEP. If there is any inconsistency between this DCP and Woollahra LEP, the LEP will prevail.

Council's development control plans

This DCP is to be read in conjunction with Council's other DCPs applying to the land, including but not limited to:

- ▶ Woollahra Residential Development Control Plan 2003; and
- ▶ Parking Development Control Plan 2011.

In the event of any inconsistency between this plan and the other development control plans, this plan prevails unless otherwise specified in this plan or in other plans.

State environmental planning policies

State environmental planning policies may also apply to the land to which this DCP applies. Where this occurs, the statutory provisions of those policies and plans prevail.

Part 2. Design and siting of development

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 A setback is provided at all boundaries which adjoin the property that:</p> <ul style="list-style-type: none"> ► is sufficient for development to minimise privacy and overshadowing impacts; ► can deliver best practice building separation controls contained in the Residential Flat Design Code 2002; ► is an effective dimension to enable opportunities for private open space in conjunction with landscaping; and ► can accommodate substantial and effective landscape planting and screening along boundaries. <p>Note: 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> <p>C2 Where suitable, deep soil landscaping or screen landscaping is to be provided within the boundary setback areas to reduce overlooking.</p>
<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"> ► reduced development intensity, such as a single storey building height, on parts of the north-eastern end of the site; ► increased setbacks along the boundary adjoining No.60 Bellevue Road; ► building modulation including separation of buildings or their components;

Objectives	Controls
	<ul style="list-style-type: none"> ► articulated roof forms; ► suitable location of vegetation, particularly in regard to the height and width of species; ► location of aerials and telecommunication devices; ► location of photovoltaic panels; and ► 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>
<p>O4 To improve pedestrian connections from the site to Bellevue Road.</p>	<p>C7 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>
<p>O5 To ensure that vehicle and pedestrian access to the site is safe and convenient for residents and visitors.</p>	<p>C8 Where vehicular access to the site is by a single lane, traffic signals are installed to manage vehicles entering and exiting the site.</p>