
Waverley Development Control Plan 2006 (Amendment No.4)



Enquiries:

For information about this development control plan, contact:

Customer Service Centre
Waverley Council
Phone: 9369 8008

Waverley Council

Mail: PO Box 9
Bondi Junction NSW 2022
Phone: 02 9369 8000 (General Enquiries)
02 9369 8008 (Duty Officer)
Facsimile: 02 9387 1820
Email: waver@waverley.nsw.gov.au
Website: www.waverley.nsw.gov.au

Waverley DCP 2006 (Amendment No.4) is published by Waverley Council.

Amendment History

Amendment No.	Date of Adoption	Date of Effect	Amendment Description
1	16 October 2007	24 October 2007	<ol style="list-style-type: none"> 1. Insertion of new Part, namely Part F5 – Local Village Centres. 2. Subsequent amendments, on account of 1 above, made at: <ol style="list-style-type: none"> i) Part A – Preliminary/Statutory Information: Section 7.0. ii) Part B – Submitting a Development Application: Section 2.0. iii) Part D2 – Multi-Unit Housing: Sections 1.1, 1.2, 2.1, 2.2, 2.3 and 3.0 and correction of numbering at Figures 6-8. iv) Part E1 – Retail and Commercial Premises: Sections 1.0 and 2.2. v) Part E2 – Advertising and Signage: Sections 3.0 and 8.2. vi) Part F2 – Bondi Beach: Sections 1.0, 2.2, 2.7, 2.8, 3.0 (various Development Control Area diagrams) and 4.0 (various Development Control Guideline diagrams) and 5.0. vii) Part G1 – Site Waste Minimisation Management: Section 6.1.1. viii) Part G2 – Solar Access: Section 1.0. ix) Part H2 – Charing Cross Conservation Area: Sections 2.0, 6.0, 6.2(a), 6.2(e) and 6.5(a). x) Part I1 – Land Use and Transport: Section 1.5. xi) Definitions: insert definition of 'café'.
2	20 November 2007	5 December 2007	<ol style="list-style-type: none"> 1. Insertion of new controls: <ol style="list-style-type: none"> i) Part B – Submitting a Development Application: Clause 2.0. ii) Part C2 – Exempt and Complying Development: Table 1 and 2. iii) Part C3 – Advertised and Notified Development: Clause 4.8 and 5.0. iv) Part D1 – Dwelling House and Dual Occupancy Development: Clause 5.1, 5.1.1a, 5.2.3, 5.3.1b, 5.7.3, 5.8.2, 5.9, insertion of new Figures 68 and 85 and new Annexure D1-2. v) Part D2 – Multi-Unit Housing: Clause 1.1, 3.3.3, 3.5.3, 4.2.3, 4.7.3, and 4.10.3e. vi) Part E1 – Retail and Commercial Premises: Clause 2.6. vii) Definitions: insertion of "fill" and "Building Height" definitions. 2. Subsequent amendments, on account of 1 above made at: <ol style="list-style-type: none"> viii) Part D1 – Dwelling House and Dual Occupancy Development: renumbering of figures 68 to 85. ix) Part E1 – Retail and Commercial Premises: renumbering of controls. 3. Insertion of new Part G4 – Water Management. 4. Subsequent amendments, on account of 3 above made at: <ol style="list-style-type: none"> i) Part A – Preliminary/Statutory Information: Clause 7.0. ii) Part B – Submitting a Development Application: Additional Clauses 9.0 and renumbering.

Waverley Development Control Plan 2006 (Amendment No.4)

			<p>Part C1 – Exempt and Complying</p> <ul style="list-style-type: none"> i) Development – Bondi Junction: Annexure C1-2. ii) Part C2 – Exempt and Complying Development: Annexure C2-3. iii) Part D1 – Dwelling House and Dual Occupancy Development: Clause 1.1 and 5.8.6. iv) Part D2 – Multi-Unit Housing: Clause 1.2. v) Part E1 – Retail and Commercial Premises: Clause 1.0 and 2.8(10). vi) Part F3 – Imperial Avenue: Clause 4.9. vii) Part I1 – Land Use and Transport: Clause 1.5 and 6.7. viii) Definitions – insertion of various new definitions. <p>4. Insertion SEPP BASIX amendments:</p> <ul style="list-style-type: none"> i) Part B – Submitting a Development Application: Clause 10.0. ii) Part G2 – Solar Access: Clause 1.4. <p>5. Part E3 – Footpath seating for Restaurants: Deletion of Appendix E3-4.</p>
4	7 October 2008	5 November 2008	<p>1. Proposed amendments</p> <ul style="list-style-type: none"> i) Part A – Preliminary / Statutory Information: Clause 5.0, 6.0, 7.0. ii) Part B – Submitting a Development Application – Bondi Junction: Table 1 and Table 2. Clauses 3.2 and 6.0. iii) Part C1 – Exempt and Complying Development: Table 1 and Table 2. iv) Part C2 – Exempt and Complying Development: Table 1 and Table 2. v) Part C3 – Advertising and Notification: Clause 2.0, 4.1.1, 4.2, 4.4, 4.8, 4.8 and Table 1. vi) Part D1 – Dwelling House and Dual Occupancy Development Clause 1.8, 3.3, 5.0, 5.2.1b, 5.6.2, 5.7.2, 5.10 and 5.11. vii) Part D2 – Multi Unit Housing Clause 1.3, 1.4, 1.8, 1.10, 3.3.3, 3.4.2, 4.12, 5.10.2, 5.10.3, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 7.0. viii) Part D3 – Boarding House, Backpacker Accommodation, and Bed and Breakfast Establishments: Clause 1.1, 2.2, 2.3, 3.8.4, 4.4.3, 4.4.4. ix) Part E1 – Retail and Commercial Premises: Clause 2.4, 2.4.5, 2.4.6, 2.8, 2.9 and 2.10. x) Part F1- Bondi Junction Centre: Clause 3.10, 3.15. xi) Part F2 – Bondi Beach: Clause 6.0, 7.0, 8.0. xii) Part F3 – Imperial Avenue: Clause 2.0, 3.0. xiii) Part F4 – 36-48 Ocean Street: Clause 1.0, 1.1, 2.1. xiv) Part G1 – Site Waste Minimisation and Management: Clause 1.3. xv) Part G2 – Solar Access: Clause 1.2, 2.0, 5.0, 8.0. xvi) Part G3 – Telecommunication and Radiocommunication Utilities: Clause 1.1. xvii) Part G4 – Water Management: Table 1. Clause 2.1.1 and Map of Ponding Areas. xviii) Part H1 – Heritage Conservation Area: Clause 2.3. xix) Part I1 – Land Use and Transport: Clause 1.3, 3.2.1, 3.6, 5.5, 6.1, 6.2, 7.0. xx) Part J1 – Community Crime Prevention: Omit. xxi) Part J2 – Accessibility: Omit. xxii) Definitions: Amendments.

[This page is intentionally blank]

Contents

Part A Preliminary/Statutory Information	1
1.0 Preamble	2
2.0 Citation	2
3.0 Adoption	2
4.0 Land to which this Plan applies	2
5.0 Savings Provision	2
6.0 Relationship to other Environmental Planning Instruments	3
7.0 The Purpose of draft WDCP 2006 (Amendment No. 4)	3
8.0 How to use draft WDCP 2006(Amendment No.4).	3
9.0 Consultation	4
10.0 Other Relevant Legislation	4
Part B Submitting a Development Application	1
1.0 Development Application Requirements	2
2.0 Statement of Environmental Effects (SEE)	2
2.1 Additional requirements – Boarding House, backpacker and bed and breakfast Development	4
3.0 Other Legislative requirements	4
3.1 State Environmental Planning Policy No. 10 – Low Cost Rental Accommodation (SEPP No. 10)	4
3.2 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP No. 65)	5
4.0 Models and Photomontages	6
5.0 Site plans and survey plans	6
6.0 Landscaping plans	7
7.0 Solar access and shadow diagrams	7
8.0 Acoustic Reports	8
9.0 Swimming, plunge, lap pools and spas	9
10.0 Heritage Items and Heritage Conservation Areas	9
11.0 Water Management	9
11.1 Site Plan	9
11.2 Additional requirements	9
11.3 Construction Certificate (CC) Stage	11
12.0 SEPP (Building Sustainability Index: BASIX) 2004	12
13.0 Voluntary Planning Agreements (VPA)	12
14.0 The benefits of engaging professionals	13
15.0 Common Development Applications – Checklist	13
Part C Exempt, Complying, Advertised and Notified Development	1
C1 Exempt and Complying Development – Bondi Junction	1
1.0 Introduction	2
1.1 Objective of Part C1.	2
1.2 Relationship to other Plans	2
1.3 Exempt Development	2
1.4 Complying Development	2
1.5 Application of this Part	3
2.0 Exempt Development	3
2.1 Heritage Items and Heritage Conservation Areas	4
3.0 Complying Development	15

C2	Exempt and Complying Development	1
1.0	Introduction	2
1.1	Objective of Part C2	2
1.2	Relationship to other Plans	2
1.3	Exempt Development	2
1.4	Complying Development	2
1.5	Application of this Part	3
2.0	Exempt Development	3
2.1	Heritage Items and Heritage Conservation Areas	4
3.0	Complying Development	16
C3	Advertised and Notified Development	1
1.0	Introduction	2
2.0	Aims – Advertising and Notification	2
3.0	Relationship to other Plans	2
4.0	Notification and advertising procedures	3
4.1	Persons to be notified	3
4.2	Process to determine the extent of notification	4
4.3	Time period for notification	4
4.4	Form of the written notification and Notification Plan	4
4.5	Applications which do not require notification	5
4.6	Advertising procedures	6
4.7	Site Notices	6
4.8	Notification of amendments prior to determination	6
4.9	Notification of reviews of determination	7
4.10	Notification of modifications of development consent	7
5.0	Advertising and Notification Requirements	8
Part D	Residential	1
D1	Dwelling House and Dual Occupancy Development	1
1.0	Introduction	2
1.1	Relationship to other Parts	2
1.2	Aims of Part D1	2
1.3	Strategic Context	3
1.4	How to use this Part	3
1.5	Residential Character Studies	3
1.6	Generic Controls	4
1.7	Consultation with Council	4
1.8	Protection of Aboriginal Sites	4
2.0	Dover Heights Residential Character Study	4
2.1	Land to which the Character Study applies	4
2.2	Existing Character Elements	4
2.3	Objectives Specific to the Dover Heights Residential Character Study area	12
3.0	Queens Park Residential Character Study	20
3.1	Land to which the Queens Park Residential Character Study applies	20
3.2	Existing Character Elements	20
3.3	Objectives Specific to the Queens Park Residential Character Study area	25
4.0	Bronte Beach Residential Character Study	31
4.1	Land to which the Bronte Residential Character Study applies	31
4.2	Distinctive Characters of Bronte	31
4.3	Bronte Terraces existing Character Elements	33
4.4	Objectives specific to the Bronte Terraces Area	36
4.5	Bronte Plateau existing Character Elements	41

Waverley Development Control Plan 2006 (Amendment No.4)

5.0	Generic Controls	47
5.1	Building Height	48
5.2	Size and Bulk of Dwelling Houses and Dual Occupancy Development	51
5.3	Setbacks	53
5.4	Streetscape and Visual Impact	57
5.5	Fences	62
5.6	Privacy and Noise Controls	63
5.7	Vehicular Access and Parking	65
5.8	Landscaped Open Space	67
5.9	Laneway Development and Ancillary Buildings	70
5.10	Community Crime Prevention	72
5.11	Accessibility and Adaptable Housing	75
D2	Multi-Unit Housing	1
1.0	Introduction	2
1.1	Land to which this Part Applies	2
1.2	Relationship to Other Parts	2
1.3	Relationship to other Council policies	2
1.4	Aims of Part D2.	2
1.5	How to use this Part.	3
1.6	Special Character Areas	4
1.7	Generic Controls	4
1.8	General – Waverley Affordable Housing Program.	4
1.9	Consultation with Council	5
1.10	Protection of Aboriginal Sites.	5
2.0	Special Character Areas	5
2.1	Bondi Heights Special Character Area	7
2.2	North Bondi Special Character Area	9
2.3	Ben Buckler Special Character Area.	12
2.4	Mill Hill Special Character Area	14
3.0	Building Envelope Controls	15
3.1	Building Envelope Definition	15
3.2	Minimum Site Frontage	16
3.3	Height	17
3.4	Floor Space Ratio	20
3.5	Street Setback	20
3.6	Rear Setback	22
3.7	Side Setback	23
3.8	Building Length at Street Frontage	24
3.9	Building Depth	25
3.10	Building Separation	25
4.0	Streetscape and Site Design Controls	27
4.1	Fences and Walls	28
4.2	Vehicular Access and Parking.	29
4.3	Building Services	30
4.4	Roof Design and Attic Levels	31
4.5	Pedestrian Access and Entry	34
4.6	Landscaping and Deep Soil Planting	35
4.7	Communal Open Space	36
4.8	Planting on Structures	38
4.9	Solar Access and Overshadowing	39
4.10	Views and View-Sharing	40
4.11	Design for Mixed Use	41
4.12	Waverley Affordable Housing Program	42
5.0	Building Design Controls	47
5.1	Ceiling Heights	47
5.2	Habitable Attic Rooms	47
5.3	Private Open Space	49
5.4	Storage	50

Waverley Development Control Plan 2006 (Amendment No.4)

5.5	Visual Privacy	50
5.6	Acoustic Privacy	51
5.7	Natural Ventilation	52
5.8	Apartment Mix	53
5.9	Minimum Dwelling Size	53
5.10	Alterations and Additions	54
6.0	Community Crime Prevention	55
6.1	Site and Building Layout	55
6.2	Lighting	57
6.3	Landscaping and Fencing	57
6.4	Security	58
6.5	Building Identification	58
6.6	Building Materials and Maintenance	59
7.0	Accessibility and Adaptable Housing	59
D3	Boarding House, Backpacker Accommodation and Bed and Breakfast Establishments	1
1.0	Introduction	2
1.1	Relationship to environmental planning instruments and draft WDCP 2006 (Amendment No. 4)	2
1.2	Objectives of Part D3	3
2.0	Development Applications	3
2.1	Preparation of development applications	4
2.2	Community Crime Prevention	4
2.3	Accessibility	5
3.0	Controls for Boarding Houses	5
3.1	Density provisions	5
3.2	Height	6
3.3	Setbacks	7
3.4	Building appearance	8
3.5	Landscaping / Private open space	8
3.6	Car parking	9
3.7	Energy efficiency	9
3.8	Safety, health and amenity	9
3.9	Other issues	11
4.0	Controls for Backpacker Accommodation/Hostels.	12
4.1	Site layout and building envelope	12
4.2	Parking	13
4.3	Energy efficiency	13
4.4	Safety, health and amenity	14
4.5	Other issues	16
5.0	Controls for Bed and Breakfast Establishments	18
5.1	General planning considerations	18
5.2	Health and amenity	18
5.3	Signage	19
5.4	Fire requirements	19
5.5	Registration	19
Part E	Commercial	1
E1	Retail and Commercial Premises	1
1.0	Introduction	2
1.1	Objectives	2
2.0	Controls	3
2.1	Retail frontages	3
2.2	Signage	3
2.3	Lighting	4
2.4	Hours of operation	4

Waverley Development Control Plan 2006 (Amendment No.4)

2.5	Delivery vehicles	8
2.6	Amenity	9
2.7	Waste	10
2.8	Energy efficiency and water conservation	10
2.9	Community Crime Prevention	11
2.10	Accessibility	14
E2	Advertising and Signage	1
1.0	Introduction	2
2.0	Objectives	2
3.0	Application of the Part	3
4.0	Requirements for signage	3
5.0	Matters to consider for an advertising sign or structure	3
6.0	Siting and locational criteria	4
6.1	Design	4
6.2	Siting	4
6.3	Proportion	4
6.4	Colour	5
6.5	General requirements	5
7.0	Residential Zones	6
8.0	Business Zones	6
8.1	Standard sign provision	6
8.2	Exceptions to the standard sign provisions	7
8.3	Retail frontage	7
8.4	Other forms of commercial development	11
8.5	Number of signs	12
9.0	Advertising on buildings of Heritage Significance	13
E3	Footpath Seating for Restaurants	1
1.0	Introduction	2
1.1	Designated Areas for Footpath Restaurants	2
1.2	The Relationship with Other Legislation	2
1.3	Aims and Objectives	2
2.0	Application Requirements	3
3.0	General Controls	3
3.1	Types of Premises	3
3.2	Footpath Seating Space	4
3.3	Location of Seating	4
3.4	Furniture	5
3.5	Accessories	6
3.6	Health and Safety	7
3.7	Advertising	7
3.8	Hours of Operation / Noise Impacts	7
3.9	Car Parking	7
3.10	Insurance	7
3.11	Footway Plan	7
3.12	Cleaning and Maintenance	7
4.0	Designated footway restaurant areas	8
5.0	Approvals	8
5.1	Maximum Permissible Period	8
5.2	Breaches of Consent	8
E4	Child Care Centres	1
1.0	Introduction	2

Waverley Development Control Plan 2006 (Amendment No.4)

1.1	Licensing	2
1.2	Aims of this Part	3
2.0	Applications to Council	3
2.1	Development Applications	3
3.0	Centre-based Care	4
3.1	General locational preferences	4
3.2	Parking requirements	4
3.3	Number of children in care	5
3.4	Staff requirements	5
3.5	Site area requirements	5
3.6	Designing outdoor areas	5
3.7	Landscaping	6
3.8	Indoor spaces	6
4.0	Home-based Care	7
4.1	Family Day Care Scheme	7
4.2	Physical suitability of the dwelling	7
5.0	All Services: facilities and equipment	7
5.1	Laundry	8
5.2	Food preparation facilities	8
5.3	Toilets and washing facilities	8
5.4	Nappy changing facilities	8
5.5	Sleeping facilities	8
5.6	Storage facilities	8
5.7	Fencing	9
5.8	Glass	9
5.9	Telephone	9
5.10	Pools	10
5.11	Cleanliness, maintenance and repairs	10
5.12	Development and play equipment	11
5.13	Ventilation, light and heating	11
5.14	Fire safety	11
5.15	Hot water	12
5.16	First aid	12
5.17	Plants	12
6.0	References	12
7.0	Contact details of relevant agencies	12

Part F Site Specific1

F1 Bondi Junction Commercial Centre1

1.0	Introduction	2
1.1	Land to which this Part applies	2
1.2	Submission of Applications	2
2.0	Objectives	3
2.1	General Objectives	3
2.2	Specific Objectives	3
3.0	Building Siting and Design	5
3.1	General Considerations	5
3.2	Skyline	5
3.3	Massing	6
3.4	Height	7
3.5	Roofline (Lift motor rooms and plant rooms)	9
3.6	Façade Treatment	11
3.7	Colonnades	15
3.8	Corner Sites	15
3.9	Access to Buildings	16
3.10	Community Crime Prevention through Environmental Design	16
3.11	Roller Shutters	17
3.12	Carparking in Relation to Building Facades	17

Waverley Development Control Plan 2006 (Amendment No.4)

	3.13	Vehicular Entrances	17
	3.14	Bicycles	18
	3.15	Accessibility	18
4.0		Landmark and Heritage Considerations	18
	4.1	Entry Points	18
	4.2	Heritage Conservation	20
5.0		Environmental Considerations	23
	5.1	General Considerations	23
	5.2	Solar Access	23
	5.3	Wind Effects	24
	5.4	Reflectivity	29
	5.5	Climate Control – Awnings and Trees	29
	5.6	Energy Efficiency in Buildings	33
6.0		Streetscape and Pedestrian Amenity	35
	6.1	Preliminary	35
	6.2	Footpath Paving	35
	6.3	Street Furniture	36
	6.4	Outdoor Seating and Eating Controls	36
	6.5	Outdoor Advertising Signs and Structures	37
	6.6	Pedestrian Arcades Through-Site Links	40
	6.7	Retention of Views from Public Places	42
7.0		Key Nodes – Objectives and Design Principles	42
	7.1	General	42
	7.2	Denison Community Nodes	44
	7.3	Eastgate Node	45
	7.4	Bus / Rail Interchange	46
F2 Bondi Beach			1
1.0		Introduction	2
	1.1	How to Use Part F2 – Bondi Beach	3
2.0		Street Design Policies	3
	2.1	Campbell Parade	4
	2.2	Hall Street	5
	2.3	Gould Street	5
	2.4	Jacques Avenue	5
	2.5	Roscoe Street (Between Campbell Parade and Gould Street)	6
	2.6	Curlewis Street	7
	2.7	Glenayr Avenue	8
	2.8	Other Residential Streets	8
3.0		Development Controls by Area	9
4.0		Development Control Guidelines	11
5.0		Design Guidelines	12
6.0		Bondi Beach Trading Hours	12
7.0		Community Crime Prevention	12
8.0		Accessibility	13
F3 Imperial Avenue			1
1.0		Introduction	2
	1.1	Aims of this Part	2
	1.2	Development to which this Part applies	3
	1.3	How to use the Imperial Avenue Controls	3
	1.4	Making a development application	3
2.0		Background	4
3.0		Site and Context	5
	3.1	Study Area Development History	5
4.0		Precinct Controls	6
	4.1	Existing character	6

Waverley Development Control Plan 2006 (Amendment No.4)

4.2	Future character	11
4.3	Heritage	12
4.4	Streetscape	14
4.5	Building size and location	15
4.6	Open space and landscaping	16
4.7	Fences and walls	17
4.8	Views	17
4.9	Stormwater management	17
4.10	Acoustic and visual privacy	17
4.11	Access and mobility	17
4.12	Carparking and driveways	18
4.13	Site facilities	18
F4	36–48 Ocean Street, Bondi	1
1.0	Introduction	2
1.1	Land to which this Part applies	3
1.2	Aims and objectives of this Part	3
1.3	Relationship of Part D2 – Multi-Unit Housing	4
2.0	Specific Design Guidelines and Controls	4
2.1	Introduction	4
2.2	Building height	4
2.3	Building appearance and design	5
2.4	Streetscapes	6
2.5	Solar access	7
2.6	Vehicle access and parking	8
3.0	Models of Surrounding Development	8
3.1	Single 2-storey Detached Dwelling, 2-3 storey Dwelling (Up to 9.5 metres)	9
3.2	3-6 storey Multi-Unit Developments (Up to 18 metres)	9
F5	Local Village Centres	1
1.0	Introduction	3
1.1	Land to which this Part applies	3
1.2	Relationship to other Parts	3
1.3	Aims of Part F5	4
1.4	Use of this Plan	4
2.0	Local Village Centres	8
2.1	Hierarchy of Waverley Local Village Centres.	8
3.0	Generic Controls	9
3.1	Introduction.	9
3.2	Land Uses.	9
3.3	Public Domain Interface.	10
3.4	Built Form.	14
3.5	Building Façade Articulation.	15
3.6	Buildings of Historic Character.	16
3.7	Signage and Advertising.	16
3.8	Building Services and Site Facilities.	18
4.0	Bronte Beach Neighbourhood Centre.	20
4.1	Existing Character & Built Form.	20
4.2	Desired Future Character Objectives.	21
4.3	Planning Controls	21
5.0	Bronte (Macpherson Street) Neighbourhood Centre.	26
5.1	Existing Character & Built Form.	26
5.2	Desired Future Character Objectives	27
5.3	Planning Controls.	27
6.0	Charing Cross Small Village.	37
6.1	Existing Character & Built Form.	37
6.2	Desired Future Character Objectives	39

Waverley Development Control Plan 2006 (Amendment No.4)

6.3	Planning Controls	40
7.0	Murray Street Neighbourhood Centre	47
7.1	Existing Character & Built Form	47
7.2	Desired Future Character Objectives	48
7.3	Planning Controls	48
8.0	Bondi Road Village	52
8.1	Existing Character & Built Form	52
8.2	Desired Future Character Objectives	53
8.3	Planning Controls	54
9.0	Rose Bay Neighbourhood Centre	63
9.1	Existing Character & Built Form	63
9.2	Desired Future Character Objectives	65
9.3	Planning Controls	66
10.0	Hall Street Town Centre	78
10.1	Existing Character & Built Form	78
10.2	Desired Future Character Objectives	79
10.3	Planning Controls	79
11.0	Glenayr Avenue Neighbourhood Centre	85
11.1	Existing Character & Built Form	85
11.2	Desired Future Character Objectives	86
11.3	Planning Controls	87
12.0	North Bondi Neighbourhood Centre	95
12.1	Existing Character & Built Form	95
12.2	Desired Future Character Objectives	96
12.3	Planning Controls	96
13.0	Murrivier Road Neighbourhood Centre	101
13.1	Existing Character & Built Form	101
13.2	Desired Future Character Objectives	102
13.3	Planning Controls	102
14.0	Rose Bay Small Village (North and South)	107
14.1	Existing Character & Built Form	107
14.2	Desired Future Character Objectives	109
14.3	Planning Controls	109
15.0	Blake Street Neighbourhood Centre	116
15.1	Existing Character & Built Form	116
15.2	Desired Future Character Objectives	116
15.3	Planning Controls	117
Part C Environment		1
G1 Site Waste Minimisation and Management		1
1.0	Introduction	2
1.1	Objectives and guiding principles	2
1.2	Development covered by this Part	3
1.3	Submission Requirements	3
	How to use this Part	4
2.0	Demolition and Construction	5
2.1	General Controls	5
2.2	Space Control	6
2.3	Access Controls	6
2.4	Amenity Control	6
3.0	All Developments	6
3.1	General controls	7
3.2	Space controls	7
3.3	Access controls	7
3.4	Amenity controls	8
3.5	Construction controls	8
3.6	Management controls	9
4.0	Residential development	10

Waverley Development Control Plan 2006 (Amendment No.4)

4.1	Single dwelling controls	10
4.2	Multi-unit Residential Buildings, Boarding Houses, Backpackers, Serviced Apartments controls	11
5.0	Commercial development	13
5.1	Restaurants, Food retailers, Clubs, Hotels, Retail Premises	13
5.2	Commercial offices	14
6.0	Mixed development	14
6.1	Mixed development controls	14
7.0	Further information	15
G2	Solar Access	1
1.0	Introduction	2
1.1	Objectives	2
1.2	How to use this Part	3
1.3	SEPP (Building Sustainability Index: BASIX) 2004	3
2.0	Submission requirements	3
2.1	What to submit with a development application	3
2.2	How to determine compliance	4
2.3	Site analysis	4
3.0	Solar access	5
3.1	Background principles	5
3.2	Submission requirements for solar access	6
3.3	Subdivision	6
3.4	Urban design and landscaping	8
4.0	Single dwellings	8
4.1	Background principles	8
4.2	Orientation and solar access	8
5.0	Alterations and additions	9
5.1	Background principles	10
5.2	Solar design and access	10
6.0	Medium density and attached dwellings	10
6.1	Background principles	11
7.0	Multi-unit residential dwellings	11
8.0	General controls	11
8.1	Urban design and landscaping	11
8.2	Submission requirements for subdivision design and multi-unit residential buildings	12
8.3	Private landscaping	12
8.4	Other information	13
G3	Telecommunication and Radiocommunication Facilities	1
1.0	Introduction	2
1.1	Background	2
1.2	Application of this Part	3
1.3	Purpose of this Part	3
1.4	Objectives of this Part	4
1.5	Relationship with other Legislation	5
2.0	Making a Development Application	6
2.1	Lodgement requirements	6
3.0	Design Controls	8
3.1	Visual impact	8
3.2	Co-location	9
3.3	Location	9
3.4	Heritage and environment	10
3.5	Physical design controls for telecommunication or radiocommunication facilities	10
3.6	Facility health controls	11

G4	Water Management	1
1.0	Introduction	2
1.1	Objectives	2
1.2	What sections apply to my development?	3
2.0	Stormwater systems	5
2.1	Stormwater disposal methods	5
2.2	On-site detention of stormwater	8
2.3	Roofwater harvesting	8
2.4	Stormwater harvesting & re-use	9
2.5	Permeable surfaces/paving	9
2.6	Stormwater quality	10
3.0	Floor level control	10
3.1	Application of this section	10
3.2	Planning controls	10
4.0	Seepage water, dewatering, groundwater extraction and use	12
4.1	Application of this section	12
4.2	Planning controls	12
5.0	Greywater & blackwater re-use	12
5.1	Application of this section	12
5.2	Planning controls	13
Part H	Heritage	1
H1	Heritage Conservation	1
1.0	Objectives	2
2.0	Context	2
2.1	Introduction	2
2.2	Heritage Items	3
2.3	Heritage Conservation Area	3
2.4	Streetscape	4
2.5	The main architectural styles of Waverley	4
2.6	Elements to be considered during the design process	6
3.0	Heritage Studies – WLEP 1996 and JLEP 1991	7
4.0	Application Requirements	7
4.1	When is a Development Application required?	7
4.2	State Heritage Trust	7
4.3	National Trust	7
4.4	Consultation with Council	7
4.5	Seek Professional/Architectural Assistance	8
4.6	Other heritage significant buildings and areas in the Waverley local government area (LGA)	8
5.0	Planning Parameters	8
5.1	Design Principles	8
5.2	Land size and siting	10
5.3	Modifying existing facades	13
5.4	Materials and details	14
H2	Charing Cross Conservation Area	1
1.0	Background	2
1.1	Village character	2
2.0	Introduction	2
3.0	Heritage Listings	3
4.0	Aims and Objectives	4
5.0	The Need for Conservation: Style Indicators	4
5.1	Characteristics of Victorian Italianate	4
5.2	Characteristics of the Federation Free Style	5

	5.3	Characteristics of the Art Deco Style	6
	5.4	Characteristics of the Inter-war Functionalist Style	6
6.0	Controls		7
	6.1	General	7
	6.2	Height	7
	6.3	Setbacks	8
	6.4	Corner setbacks	8
	6.5	Floor Space Ratios (FSR)	8
	6.6	Carparking requirements	8
	6.7	Façade proportion	8
	6.8	Window materials and proportions.	9
	6.9	Under awning shop fronts	10
	6.10	Façade materials	10
	6.11	Awnings	11
	6.12	Colour	11
	6.13	Signs	11
	6.14	Verandah enclosures	12
	6.15	Vehicular entrances	12
	6.16	Infill development – specific controls	12
	6.17	Energy efficiency	13
	6.18	Community Crime Prevention.	14
	6.19	Accessibility.	14
Part I Land Use and Transport			1
11 Land Use and Transport			1
1.0	Introduction		2
	1.1	Strategic framework	2
	1.2	Objectives	2
	1.3	How to use this Part	3
	1.4	Consultation	3
	1.5	Relationship with other Parts	3
2.0	Parking provision - context.		3
	2.1	Introduction	3
	2.2	Public transport initiatives	4
	2.3	Bicycle infrastructure initiatives	4
3.0	Parking controls		4
	3.1	Residential parking provision zones	4
	3.2	Parking provision rates	7
	3.3	Development within Bondi Junction commercial centre	9
	3.4	Pedestrian dominated streets in Bondi Junction	10
	3.5	Development within Charing Cross	10
	3.6	Affordable housing parking provisions.	10
	3.7	Mixed use development	11
	3.8	Accessible parking.	11
	3.9	Assessment of parking provisions	12
	3.10	Excess parking.	12
	3.11	Variations of standards.	12
	3.12	Residential parking schemes	12
	3.13	Traffic generating development	13
4.0	Provision of loading facilities		13
5.0	Urban design, streetscape and heritage conservation		13
	5.1	Design considerations	13
	5.2	Design of parking and access	14
	5.3	New vehicle crossings	14
	5.4	Landscaping	15
6.0	Design guidelines for parking and loading facilities		15
	6.1	Adoption of Australian Standards	15
	6.2	Accessible parking	15

Waverley Development Control Plan 2006 (Amendment No.4)

6.3	Parking spaces for small cars and motorcycles	16
6.4	Design and layout of parking facilities.	17
6.5	Use of templates	17
6.6	Gradients	17
6.7	Drainage, light and ventilation.	18
6.8	Access to residential allotments.	18
6.9	Stacked car parking.	18
6.10	Allocation for car parking spaces.	18
7.0	Community Crime Prevention.	18
7.1	General controls.	19
7.2	Underground/multi storey car parks.	19
7.3	Ground level car parks.	20
Definitions		1

Part A Preliminary/Statutory Information

Contents

1.0 Preamble	2
2.0 Citation	2
3.0 Adoption	2
4.0 Land to which this Plan applies	2
5.0 Savings Provision	2
6.0 Relationship to other Environmental Planning Instruments	3
7.0 Purpose of Waverley Development Control Plan 2006 (WDCP 2006) (Amendment No. 4)	3
8.0 How to use Waverley Development Control Plan 2006 (WDCP 2006) (Amendment No. 4)	3
9.0 Consultation	4
10.0 Other Legislation	4

A Preliminary/Statutory Information

1.0 PREAMBLE

On 15 December 2005, Council resolved to repeal all outdated Development Control Plans (DCP) and amalgamate the remaining twenty-two DCPs and Retail and Commercial Policy into a single DCP known as Waverley Development Control Plan 2006 (WDCP 2006).

2.0 CITATION

This document is referred to as Waverley Development Control Plan 2006 (WDCP 2006) (Amendment No. 4). It has been prepared in accordance with the procedures set out in the *Environmental Planning and Assessment Act 1979* (EP & AA 1979).

3.0 ADOPTION

WDCP 2006 (Amendment No. 4) was adopted by Council on 7 October 2008 and came into force on 5 November 2008.

4.0 LAND TO WHICH THIS PLAN APPLIES

This Plan applies to the whole of the Waverley Council local government area (LGA).

5.0 SAVINGS PROVISION

The objective of this clause is to provide savings protection for development applications lodged prior to the adoption and effect of WDCP 2006 (Amendment No. 4).

Any development application lodged, but not finally determined, prior to the appointed day will continue to be assessed and determined under the provisions of the environmental planning instruments (EPI) that were in force immediately before the commencement of this Plan.

While any consent granted on the determination of a staged development application for a site remains in force, nothing in this Plan prevents Council from granting consent to any further development application in respect of that site.

When determining an application to which this clause applies, the Consent Authority must have regard to the provisions of this plan as if it had been exhibited under the Act but had not been made.

6.0 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING INSTRUMENTS

This Plan should be read in conjunction with the following EPI's:

- Waverley Local Environmental Plan 1996 (WLEP 1996);
- Waverley and Woollahra Joint Local Environmental Plan 1991 – Bondi Junction Commercial Centre (JLEP 1991);
- Woollahra Planning Scheme Ordinance 1972; and
- Woollahra Local Environmental Plan (No. 46).

The abovementioned list is not exhaustive of all relevant EPI's applying to the Waverley LGA. Refer to Council's website in determining all relevant EPI's to a development application specifically, all relevant State Environmental Planning Policies (SEPP), Sydney Regional Environmental Plans (SREP), Regional Environmental Plans (REP), Codes and Guidelines and draft Plans.

7.0 THE PURPOSE OF WAVERLEY DEVELOPMENT CONTROL PLAN 2006 (AMENDMENT NO. 4)

WDCP 2006 (Amendment No. 4) includes detailed development standards and performance criteria beyond those contained in the relevant EPI's affecting the Waverley LGA.

WDCP 2006 (Amendment No. 4) provides detailed criteria for the assessment of development applications expanding upon the aims and objectives held by the relevant EPI's applying to the Waverley LGA actively promoting and encouraging sustainable building practices.

8.0 HOW TO USE WAVERLEY DEVELOPMENT CONTROL PLAN 2006 (AMENDMENT NO. 4)

WDCP 2006 (Amendment No. 4) is divided into the following Sections:

Part A – Preliminary/Statutory Information deals with the administrative aspects of the DCP and summarises the content.

Part B – Submitting a Development Application outlines the requirements when lodging a development application such as the Statement of Environmental Effects (SEE) and other plans you need to submit with your application.

Part C – Exempt, Complying, Advertised and Notified Development deals with exempt and complying development in Bondi Junction and for the rest of the LGA. This Part also comprises Council's advertising and notification requirements.

Part D – Residential details controls for residential development including dwelling house and dual occupancy; multi-unit housing; and boarding house, backpackers and bed and breakfast establishments.

Part E – Commercial contains the controls for commercial related development such as, yet not limited to, retail and commercial development and works, advertising and signage, footpath seating for restaurants, and child care centres.

Part F – Site Specific provides controls for site specific locations including Bondi Junction Commercial Centre, Bondi Beach, Imperial Avenue, 36-48 Ocean Street and Local Village Centres. These controls must be considered in addition to other controls held in WDCP 2006 (Amendment No. 4).

Part G – Environment deals with all matters relating to the environment, establishing controls for waste, solar access and environmental amenity, telecommunications and water management.

Part H – Heritage component deals with all controls relating to Heritage Items and Heritage Conservation Areas ranging from site specific to Council-wide heritage controls.

Part I - Land Use and Transport details traffic and parking controls. All development applications must have regard to these controls.

Definitions contains the definitions to terminology held within WDCP 2006 (Amendment No. 4).

A development control may not normally be varied. However, if an applicant is able to clearly demonstrate that a particular control is unreasonable or unnecessary in the circumstances of the case, Council may consider varying or waiving the control as deemed appropriate. Conversely, having regard to the physical characteristics of the site and the nature and proximity of adjoining and nearby development, Council may require a more restrictive control to minimise or eliminate any likely negative impacts.

9.0 CONSULTATION

If you are proposing a new development and unsure about what information you need to submit, you can visit Council's website (www.waverley.nsw.gov.au) and obtain the necessary information. You can also discuss the application with the Council's Duty Officer (Phone: (02) 9369 8008).

10.0 OTHER RELEVANT LEGISLATION

Depending on the proposed development, other Acts, Regulations or EPIs may affect a development proposal. The onus is on the applicant to identify and address all relevant legislative requirements.

All New South Wales legislations can be downloaded from: (www.legislation.nsw.gov.au).

Part B Submitting a Development Application

Contents

1.0 Development Application requirements	2
2.0 Statement of Environmental Effects (SEE)	2
2.1 Additional requirements – Boarding House, backpacker and bed and breakfast development	4
3.0 Other Legislative requirements	4
3.1 State Environment Planning Policy No. 10 – Low Cost Rental Accommodation (SEPP No. 10)	4
3.2 State Environment Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP No. 65)	5
4.0 Models and photomontages	6
5.0 Site plans and survey plans	6
6.0 Landscaping plans	7
7.0 Solar access and shadow diagrams	7
8.0 Acoustic reports	8
9.0 Swimming, plunge, lap pools and spas	9
10.0 Heritage Items and Heritage Conservation Areas	9
11.0 Water Management	9
11.1 Site plan	9
11.2 Additional requirements	9
11.3 Construction Certificate (CC) Stage	11
12.0 SEPP (Building Sustainability Index: BASIX) 2004	12
13.0 Voluntary Planning Agreements (VPA)	12
14.0 The benefits of engaging professionals	13
15.0 Common Development Applications Checklist	13

B Submitting a Development Application

1.0 DEVELOPMENT APPLICATION REQUIREMENTS

The statutory requirements for the supporting information that needs to accompany a development application are established in Schedule 1, Part 1 of the *Environmental Planning and Assessment Regulation 2000*. Council's website also details the necessary additional steps required in preparing a development application (DA). Applicants are encouraged to visit: (www.waverley.nsw.gov.au/council/pes/da_home.asp#Procedures) to obtain all relevant information. You can also discuss the proposal with Council's Duty Officer (Phone: (02) 9369 8008).

2.0 STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

A Statement of Environmental Effects (SEE) must be submitted as a statutory requirement with all development applications. A SEE sets out details of the proposal and addresses all relevant issues for consideration and assessment. It does not have to be in any particular format. The SEE may, where necessary, refer to plans, maps, diagrams, models, photographs and other graphic material as appropriate.

A SEE must outline the following matters:

- (a) the environmental impacts of the development;
- (b) how the environmental impacts of the development have been identified;
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment; and
- (d) any matters required to be indicated by any guidelines issued by the Director-General for the purposes of this clause.

For all development, the SEE should include a statement expressing:

- compliance (or non-compliance) with all relevant development controls presented in the form of a compliance table;
- the likely visual impacts of the proposal;
- whether the proposal will cause any overshadowing to neighbouring properties;
- whether the proposal will cause any impacts on privacy or overlooking of neighbouring properties;
- the impact of the proposal on the views from neighbouring premises;
- the impact of the proposal on public views corridors;
- the overall impacts of the proposal; and
- compliance with principles of relevant Parts of WDCP 2006 (Amendment No. 4).

Where any relevant controls are not satisfied:

- A description of how the controls are satisfied by alternative means.

Where height or setback controls are not complied with:

- Diagrams showing overshadowing caused by the existing building and by the proposal. Elevations of buildings showing shadows are to be included. Diagrams should normally be prepared by either an architect or draftsman.

Where there is any uncertainty about whether the proposal will cause significant overshadowing impacts:

- Diagrams showing overshadowing caused by the existing building and by the proposal. Elevations of buildings showing shadows are to be included. Diagrams should normally be prepared by either an architect or draftsman.
- Shadow diagrams are required where the development exceeds requirements for height and setback (9am, 12pm, 3pm summer and winter solstice and the equinox). Additional requirements for shadow diagrams are provided in Section 6.0.

Where the proposal would alter the streetscape character or involve extensions clearly visible from the street:

- Supporting documentation which may include photographs, photomontages, isometric drawings, sketches or models should be provided. A statement about how the proposal relates to the streetscape of which it is part may also be included.
- For terrace style or semi-detached dwellings, details of the architectural style of the existing dwelling (see Annexure D1-1) should be included.
- Where the proposed works will impact on existing sandstone walls or natural rock faces the applicant is to demonstrate how the development of the site would preserve and complement the sandstone walls and/or natural rock faces, including:
 - street edge definition;
 - its detailing and character; and
 - reusing existing sandstone material onsite.

Where there is any uncertainty about whether the proposal would cause adverse privacy impacts to neighbouring premises:

- Supporting information in the form of photographs and diagrams demonstrating the privacy impacts of the proposal and details of any proposed measures taken to mitigate these impacts.

Where there is any uncertainty about whether the proposal would result in the loss of views from neighbouring premises:

- Supporting information in the form of photographs and diagrams that demonstrate the extent of the impacts on the views from affected properties.

Where the proposal involves the use, storage or transfer of hazardous substances and dangerous goods, e.g. paint shops, pool chemical supplies, hardware, car repair stations, service stations or the proposal may generate other environmental impacts:

- Details of the storage arrangements are to be submitted and shown on the plans, including measures proposed to prevent spills.
- Details of potential impacts and measures proposed to mitigate them or justification of why they are acceptable in the circumstances of the case.

2.1 Additional Requirements – Boarding House, Backpacker, Hostel, Bed and Break Fast Establishments

When an applicant proposes alterations and additions, a new development or change of use to a boarding house, backpacker, hostel or bed and breakfast establishment, the SEE must:

- demonstrate that consideration has been given to the environmental impact of the development;
- set out any measures taken to mitigate any likely adverse environmental or social impact;
- proposed vehicles ingress and egress, and the adequacy of any loading, unloading, turning or parking facilities;
- proposed landscaping of the site and whether any existing trees will be preserved;
- the impact on the landscape, streetscape or scenic quality of the locality;
- the existing and likely future amenity of the neighbourhood;
- the amount of traffic likely to be generated, particularly in relation to the adequacy of existing roads and present volume of traffic carried;
- whether public transport will be necessary to serve the development, and present availability and adequacy of public transport;
- social and economic effects of the development on the community, including the loss of affordable housing; and
- any special circumstances relating to the site or the locality.

3.0 OTHER LEGISLATIVE REQUIREMENTS

In the preparation of a DA it is necessary to consult and address all relevant environmental planning instruments (EPI) applicable to a given application.

3.1 State Environmental Planning Policy No. 10 – Low-Cost Rental Accommodation

SEPP No. 10 applies to boarding house, hostel, low-cost rental residential flat buildings whereby the proposed seeks to demolish, alter or add to the structure or fabric inside and out, change the use and / or strata subdivide. The assessment of SEPP No. 10 applications is completed by the Department of Planning (DoP). For the purpose of the

development application, the following information is required:

- Site plan;
- Floor plans showing current use of all rooms and external areas;
- Age and history of the building including details of past uses, approvals or licences;
- Photographs – internal and external of the existing building;
- Structural maintenance condition including details of fire safety or other orders which have been served and details of any work carried out to comply with orders;
- Details of existing accommodation, including:
 - (i) number of rooms / units / bedrooms which are occupied;
 - (ii) number of residents and their socio-economic position;
 - (iii) latest rent level for and duration of each tenancy; and
 - (iv) average length of stay and average vacancy rate.
- Description of adjoining properties and surrounding locality;
- Proposed plans and elevations showing proposed uses of all rooms and external areas;
- Description and purpose of the proposal;
- Other development options considered and why they were rejected;
- The likely impact of the development (refer to clause 7 of SEPP No. 10); and
- Details of how any adverse impacts are to be lessened or prevented.

The abovementioned criteria may be subject to change in accordance with the Department of Planning requirements. Please refer to www.planning.nsw.gov.au/settingthedirection/housing.asp to confirm submission requirements.

3.2 State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development (SEPP No. 65)

The SEPP No. 65 applies to:

- (a) the erection of a new residential flat building;
- (b) the substantial redevelopment or the substantial refurbishment of an existing residential flat building, subject to Council discretion; and
- (c) the conversion of an existing building to a residential flat building.

For the purpose of this SEPP, a residential flat building has:

- (a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level); and
- (b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops),

In preparing a development application whereby SEPP No. 65 is applicable, the following information is required:

- Architectural & Landscape Plans (A3 size only);

- Design Verification Statement prepared by a Registered Architect;
- SEPP 65 assessment pursuant the Policy's 10 Design Quality principles;
- Floor space drawings and compliance table;
- Photomontage or photos of model;
- Site analysis including adjoining buildings; and
- The applicable fee for referral.

The abovementioned criteria may be subject to change subject to the requirements of the Department of Planning. Please refer to the SEPP No. 65 Guidelines to confirm submission requirements.

4.0 MODELS AND PHOTOMONTAGES

A photomontage or model (as determined by the applicant) must be submitted with an application where by the proposal is for a new development or major alterations and additions that exceed construction costs of \$500,000, for the following:

- Dwelling house;
- Dual occupancy housing;
- Multi-unit housing (where SEPP 65 does not apply);
- Commercial and retail buildings;
- Mixed use development.

For all new multi-unit housing development where SEPP 65 applies, a model as well as a photomontage must be submitted with the development application for the purpose of assessment and public exhibition.

A scale model (minimum 1:200 scale) of the proposed development must include the subject property and its relationship to its context (adjoining developments). Three-dimensional (3-D) perspective photomontages should include the proposed development and its context.

Note: To assist in the assessment of an application, Council may require a photomontage for smaller scale development than those listed.

5.0 SITE PLANS AND SURVEY PLANS

Council requires Site Plans for all development applications. Site Plans should indicate the boundaries of the site and the relationship to adjoining buildings, any existing buildings on the site and the location of any proposed new buildings or alterations and additions to existing buildings. Information ~~to be~~ included in the Site Plan depends upon the size of the proposal and the impacts that it may have. Where the proposal raises particular issues, it may only be necessary to submit details relevant to those issues.

Further information that may be included in Site Plan submissions as follows:

Onsite Features:

- Contours/topography
- Existing vegetation (species name and size)
- Existing buildings and buildings to be retained
- Views from the site/existing building
- Drainage and services
- Orientation and micro climate
- Filled area and any contaminated soils
- Fences, boundaries and easements
- Any other notable features

Offsite Features:

- Location and use of adjacent buildings
- Adjoining private open space
- Windows of habitable rooms of adjoining dwellings along the shared boundary
- Views and solar access of adjoining dwellings
- Existing view corridors from the public domain
- Significant trees on adjoining properties
- Location and height of walls built to the site boundary
- Street frontage features and streetscape
- Difference in levels between the site and adjoining properties

Survey Plans showing levels to Australian Height Datum (AHD) and calculations of total site area are required for all applications involving a new commercial or retail building, a new dwelling house, dual occupancy housing and multi-unit housing; or an additional storey to an existing building. They may also be required for other applications as at the request of Council.

6.0 LANDSCAPE PLANS

For a new commercial or retail building; new dwelling house, dual occupancy housing or multi-unit housing; or major alterations and additions, it is generally necessary to submit a Landscape Plan. The following applications require Landscape Plans prepared by a qualified Landscape Architect:

- All DA's that involve changes in the public domain;
- All SEPP 65 applications;
- All applications in a Business Zone that have a landscape component;

The amount of detail contained in Landscaping Plans depends on the issues relating to the particular site, but may include part or all of the following:

- Existing vegetation and vegetation proposed to be retained (giving species name and size)
- All proposed landscaping structures, such as pergolas, decks, courtyard walls etc

- Existing and proposed contours of the site
- Overshadowing from existing and proposed structures
- Any areas where there may be privacy impacts to and/or from the proposal
- Measures to minimise structural impacts to buildings caused by vegetation growth
- A schedule of existing and proposed species and details of why these are chosen
- Reasons for removal of significant vegetation

7.0 SOLAR ACCESS AND SHADOW DIAGRAMS

Shadow diagrams are to be included as part of the development application except where a proposal does not change the external building form. Shadow diagrams should clearly show the shadow impacts of the proposed development. The plans should be at the same scale as the plans and elevations, and should include the following details:

- North point (true north);
- Scale;
- Position of existing and proposed buildings;
- Position of buildings on adjoining land;
- Shadows cast during the winter solstice for 9am, 12 noon and 3pm (show altitude and azimuth angles);
- Show change in shadows from existing to proposed development; and

If the proposal is likely to overshadow the windows of an adjoining building provide an elevation to show these shadow impacts.

Refer also to:

- Part G2 – Solar Access/Amenity; and
- Annexure F1-1 for development within the Bondi Junction Commercial Centre.

8.0 ACOUSTIC REPORTS

Where a DA is lodged at a premises proposing a place of public entertainment, extension of trading hours at a place of public entertainment, child care centre or review of trial period an acoustic consultant describing and assessing the impact of noise emphasis from the proposal is required. The acoustic report must include, but not limited to:

- (a) The identification of sensitive noise receivers potentially impacted by the proposal;
- (b) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and Department of Environment and Climate Change (DECC) requirements);
- (c) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;

- (d) The identification of operational noise producing facets of the proposal and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the prediction procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
- (e) A statement indicating that the development/use will comply with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

Council may request an acoustic report on any DA as deemed reasonable, necessary and appropriate.

9.0 SWIMMING, PLUNGE, LAP POOLS AND SPAS

Where a DA comprises of a swimming, plunge, lap pool or spa architectural drawings (i.e. plans, sections and elevations) must show:

- the location of the pool filter and pool motor;
- the reduced levels (RLs) of the coping of the pool in relation to the existing ground levels of the subject premises and adjoining premises; and
- the location of existing trees.

10.0 HERITAGE ITEMS AND HERITAGE CONSERVATION AREAS

If the building is an Item of Environmental Heritage, is within a Heritage Conservation Area, or is in the vicinity of a Heritage Item or Heritage Conservation Area refer to Part 4 Heritage Provisions of Waverley Local Environmental Plan (WLEP 1996) as well as Parts H1 and H2 of this DCP (the latter Part, only if the subject site is held within the Charing Cross Precinct). You can ask the Duty Officer if this affects your property (Phone: (02) 9369 8008).

11.0 WATER MANAGEMENT

11.1 Site Plan

For any development the following information is required to be shown on a site plan:

- (a) the location of the nearest Council stormwater pit and diameter of the Council stormwater pipe, regardless of the point of connection into Council's stormwater system;
- (b) the layout of the site, including imperviously paved and previously landscaped areas;
- (c) the location and extent of any overland flow paths through the site;
- (d) existing vehicle crossings and pedestrian accesses to the site;
- (e) easements that are either existing or required;
- (f) spot levels indicating the slope of the site; and
- (g) the location and extent of the proposed drainage system, including the pipe work, on-site detention (OSD) storage, rainwater tank installation, groundwater extraction and grey

water reuse systems and pumps.

11.2 Additional Requirements

11.2.1 Infiltration

When an infiltration system is proposed, the following additional information is to be supplied on a plan:

- (a) the volume and dimensions of the proposed system; and
- (b) setbacks of the infiltration system away from all buildings and property boundaries.

11.2.2 Pump Systems

When pump systems are proposed, the following additional information is to be supplied in a table:

- (a) the number of pumps;
- (b) the size of storage pit;
- (c) the point of discharge to the street system; and
- (d) evidence indicating that an easement cannot be obtained at a reasonable cost from the downstream property owner(s).

11.2.3 Charged Systems

When a charged system is proposed evidence indicating that an easement cannot be obtained at a reasonable cost from the downstream property owner(s).

11.2.4 On-Site Detention

When on-site detention (OSD) of stormwater is proposed, the following additional information is to be supplied in a table:

- (a) existing pervious and impervious areas (pre development);
- (b) proposed pervious and impervious areas (post development);
- (c) areas of the site draining through the OSD storage (both pervious and impervious areas);
- (d) areas of the site not draining through the OSD storage (both pervious and impervious areas);
- (e) location for OSD storage surcharges;
- (f) volume of the OSD storage;
- (g) available head of water above the orifice plate outlet (maximum water level minus centre of orifice level); and
- (h) cross-sectional area of the orifice plate.

11.2.5 Water Tanks

When a water tank is proposed, the following additional information is to be supplied:

- (a) tank location, height and size;
- (b) water end uses;
- (c) pump location and insulation;

- (d) overflow locations; and
- (e) other relevant characteristics, such as colour for heritage sites.

11.2.6 Greywater & Blackwater Systems

When a greywater or blackwater system is proposed, the following additional information is to be supplied:

- (a) system location and size;
- (b) greywater or blackwater end uses;
- (c) pump location & insulation;
- (d) overflow locations; and
- (e) NSW Department of Health Accreditation.

11.2.7 Erosion & Sedimentation Control

Depending on the extent of disturbed area, one of the following plans to manage erosion and sedimentation must be submitted with the DA:

- (a) for less than 250m² of disturbed area (i.e. all of the area affected by the development), a minimum of a hand marked up plan of proposed works and control measures is required to be prepared in accordance with the 'Water Management Technical Guidelines' (WM Technical Guidelines).
- (b) for 250m² to 2,500m² of disturbed area, an Erosion and Sediment Control Plan (ESCP) is required to be prepared in accordance with 'Managing Urban Stormwater' (Landcom 2004), otherwise known as 'The Blue Book', and the WM Technical Guidelines.
- (c) for greater than 2,500m² of disturbed area, a Soil and Water Management Plan (SWMP) is required to be prepared in accordance with Managing Urban Stormwater (Landcom 2004), otherwise known as 'The Blue Book', and the WM Technical Guidelines.

11.3 Construction Certificate (CC) Stage

The following information is required with the submission of the CC application.

11.3.1 General

- (a) Plans and details showing:
 - (i) building footprints and floor levels;
 - (ii) surrounding overland spot levels;
 - (iii) the internal drainage system showing pits and pipes;
 - (iv) cross sections and/or long sections through tanks, pits and trenches;
 - (v) the catchment area draining to each drainage structure;
 - (vi) locations and levels of the discharge points for each drainage structure; and
 - (vii) overflow structures and surcharge paths for each drainage structure.

- (b) Certification, from a suitably qualified professional, that the stormwater system has been designed in accordance with the WM Technical Guidelines.

11.3.2 Infiltration

- (a) The filling materials to be used in the infiltration system;
- (b) The storage volume of the trench based on pore space;
- (c) Location of overflow pipe;
- (d) Permeability of the soil; and
- (e) Assessment of groundwater contamination potential.

11.3.3 Pump Systems

- (a) The total head through which the water is being pumped;
- (b) The pump characteristic chart showing the flow rates versus the head for the proposed pumps; and
- (c) The size of storage pit including all storage calculations.

11.3.4 Charged System

A full hydraulic analysis of the system including a hydraulic grade line and calculations.

11.3.5 On-Site Detention

- (a) Volume of any rainwater tank that roof water may pass through before entering the OSD storage;
- (b) Available head of water above the orifice plate outlet (maximum water level minus centre of orifice level); and
- (c) Calculations used to determine (where applicable):
 - (i) the orifice plate outlet area;
 - (ii) the storage volumes compliant with this DCP and the WM Technical Guidelines;
 - (iii) all pipe lines and grades including long sections; and
 - (iv) a hydraulic grade line analysis.

12.0 SEPP (Building Sustainability Index: BASIX) 2004

Council will not accept a development application for the following without the submission of a BASIX certificate, as required under SEPP (Building Sustainability Index: BASIX) 2004 (the BASIX SEPP):

- (i) development containing one or more dwellings;
- (ii) for alterations or additions with a value greater than \$50,000; or
- (iii) for pools or spas with a capacity greater than 40,000 litres or more.

13.0 VOLUNTARY PLANNING AGREEMENTS (VPA)

In the instance a Voluntary Planning Agreement (VPA) is prepared pursuant to Section 93F of the EP & AA 1979 as part of a DA, the

applicant is required to refer to Council's Voluntary Planning Agreements Policy 2007 (VPAP 2007). The VPAP 2007 outlines the information to be prepared and submitted with the application including the Council's standard VPA Template, Explanatory Note and Form of Offer Template. Should an applicant seek to prepare a VPA for the purposes of affordable housing, it is recommended the Waverley Affordable Housing Program Policy 2007 (WAHPP 2007) is consulted. These policies can be found at (www.waverley.nsw.gov.au/publications).

14.0 THE BENEFITS OF ENGAGING PROFESSIONALS

In most cases engaging the services of professional consultants will not only enhance the quality of the development but will assist in gaining the necessary approvals from the decision making agencies.

The option for engaging consultants will vary depending on the complexity of the project. Generally, the following services are most likely to be required:

- *Architectural and Design Services*: Including architects, interior designers and other design services.
- *Builders*: A range of options exists for the management and the responsibility of project construction. Generally, a builder will be employed to take full responsibility for construction stages and trades.
- *Engineers*: For site services, structural considerations, particularly if the project involves alterations to an existing building.
- *Heritage Advisers*: Many qualified architects, designers or town planners specialise in heritage issues and will be beneficial if the subject site and/or project involves a heritage building or is within a Conservation Area.
- *Land Surveyors*: Will be required for site surveys and for the lodgement of formal subdivision and strata plans.
- *Landscape Architects*: Will generally be required to successfully design and integrate landscaping within the development.
- *Town Planners*: Will generally be required for the preparation of Statements of Environmental Effects.

15.0 COMMON DEVELOPMENT APPLICATIONS CHECKLIST

For the more common types of development proposals in Waverley, Table 1 lists these types of development and references the relevant Parts of WDCP 2006 (Amendment No. 4) that must be considered when preparing a development application. An applicant determines whether a DA is required by initially referring to Part C1 or Part C2 or contacting Council's Duty Officer on (02) 9389 8008.

Development Type	Part(s) of WDCP 2006 (Amendment No. 4) that need to be addressed:
<i>Backpacker/Boarding House or Bed and Breakfast Accommodation</i>	<ul style="list-style-type: none"> ▪ Part D3 ▪ Part E2 ▪ Part F1 (for land in Bondi Junction) ▪ Part F2 (for land in Bondi Beach) ▪ Part G1 ▪ Part G2 ▪ Part G4 ▪ Part H1 (for a Heritage Item or land within a Heritage Conservation Area) ▪ Part I1
<i>Car accommodation: Hardstands, carports, garages</i>	<ul style="list-style-type: none"> ▪ Part D1 (for dwelling house) ▪ Part D2 (for multi unit development) ▪ Part F4 (for development within the Imperial Avenue area) ▪ Part H1 (for Heritage Items or land within a Heritage Conservation Area) ▪ Part I1
<i>Child Care Centres</i>	<ul style="list-style-type: none"> ▪ Part E2 ▪ Part E4 ▪ Part G4 ▪ Part I1
Dwelling House Development:	
<i>Alterations and additions to dwelling house</i>	<ul style="list-style-type: none"> ▪ Part D1 ▪ Part F1 (for land in Bondi Junction) ▪ Part F2 (for land in Bondi Beach) ▪ Part F4 (for land in Ocean Street) ▪ Part G1 ▪ Part G2 ▪ Part G4 ▪ Part H1 (for a Heritage Item or land within a Heritage Conservation Area) ▪ Part H2 (for land within the Charing Cross Conservation Area) ▪ Part I1
<i>New dwelling house</i>	<ul style="list-style-type: none"> ▪ Part D1 ▪ Part F1 (for land in Bondi Junction) ▪ Part F2 (for land in Bondi Beach) ▪ Part F4 (for land in Ocean Street) ▪ Part G1 ▪ Part G2 ▪ Part G4 ▪ Part H1 (for a heritage item or land within a heritage conservation area) ▪ Part H2 (for land within the Charing Cross Conservation Area) ▪ Part I1
<i>Swimming, lap, plunge pools and spas</i>	<ul style="list-style-type: none"> ▪ Part D1 ▪ Part D2

Table 1. Common Development Applications Checklist

Multi Unit Development	
<i>Alterations and additions to Multi Unit Development</i>	<ul style="list-style-type: none"> ▪ Part D2 ▪ Part F1 (for land in Bondi Junction) ▪ Part F2 (for land in Bondi Beach) ▪ Part F4 (for land in Ocean Street) ▪ Part G1 ▪ Part G2 ▪ Part G4 ▪ Part H1 (for a Heritage Item or land within a Heritage Conservation Area) ▪ Part H2 (for land within the Charing Cross Conservation Area) ▪ Part I1
<i>New Multi Unit Development.</i>	<ul style="list-style-type: none"> ▪ Part D2 ▪ Part F1 (for land in Bondi Junction) ▪ Part F2 (for land in Bondi Beach) ▪ Part F4 (for land in Ocean Street) ▪ Part G1 ▪ Part G2 ▪ Part G4 ▪ Part H1 (for a Heritage Item or land within a Heritage Conservation Area) ▪ Part H2 (for land within the Charing Cross Conservation Area) ▪ Part I1
<i>Footpath seating for a café, restaurant or the like</i>	<ul style="list-style-type: none"> ▪ Part E1 ▪ Part E3
<i>Advertising and Signage</i>	<ul style="list-style-type: none"> ▪ Part E1 ▪ Part E2

[This page is intentionally blank]

Part C Exempt, Complying, Advertised and Notified Development

C1 Exempt and Complying Development – Bondi Junction

Contents

1.0 Introduction	2
1.1 Objective of Part C1	2
1.2 Relationship to other Plans	2
1.3 Exempt Development	2
1.4 Complying Development	2
1.5 Application of this Part	3
2.0 Exempt Development	3
2.1 Heritage Items and Heritage Conservation Areas	4
3.0 Complying Development	15
Note:	
Table 1: Exempt Development	5
Table 2: Complying Development	17

C1 Exempt and Complying Development – Bondi Junction

1.0 INTRODUCTION

This Part applies to the Bondi Junction Commercial Centre only. For exempt and complying development controls for land outside of the Bondi Junction Commercial Centre, refer to Part C2.

1.1 Objective of Part C1

This Part establishes the criteria for Exempt and Complying Development for the Bondi Junction Commercial Centre under the *Environmental Planning and Assessment Act 1979* (EP & AA 1979).

1.2 Relationship to other Plans

This Part is to be read in conjunction with Clause 30 of Waverley and Woollahra Joint Local Environmental Plan 1991 – Bondi Junction Commercial Centre (JLEP 1991).

1.3 Exempt Development

Exempt development is development of minor environmental impact that does not require development consent if the work is carried out in accordance with the criteria prescribed in Section 2.0 (a) to (i). Works outside the exempt development criteria in Table 1 (and your development does not fit complying development – see Section 1.4), requires development consent from Council by lodging a development application. If the proposal fulfils the development criteria, then you can obtain a complying development certificate (refer to Section 3.0 – Table 2 of this Part).

1.4 Complying Development

Complying development is development if the work is carried out in accordance with the criteria prescribed in Section 3.0 (a) to (i) as well as the criteria prescribed in Table 2. Complying development requires consent in the form of a complying development certificate. The certificate must be issued by Council or an accredited Private Certifier before construction commences.

If you obtain a complying development certificate, you do not have to go through the development application process as the complying development certificate serves as both development consent and a construction certificate. If you cannot satisfy all of the requirements for complying development then you must lodge a development application.

Standard conditions for complying development are held in Annexure C1-2.

1.5 Application of this Part

This Part applies to all activities or works which are specified under Tables 1 and 2 in all land within the Bondi Junction Commercial Centre as defined by JLEP 1991 except:

- (a) if the development is a state significant development, or
- (b) if the development is designated development, or
- (c) if the development is an integrated development , or
- (d) on land that is critical habitat (within the meaning of *the Threatened Species Conservation Act 1995*), or
- (e) on land this is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
- (f) is land within State Environmental Planning Policy No. 14 - Coastal Wetlands applies, or
- (g) is land within State Environmental Planning Policy No. 26 - Littoral Rainforests applies, or
- (h) on land that comprises an item of environmental heritage under *Heritage Act 1977*.

If the activity or work proposed does not comply with the criteria for exempt or complying development, then you must obtain approval by lodging a development application.

The EP & AA 1979 provides for severe penalties if you fail to comply with the criteria for Exempt or Complying Development or if you do not obtain development approval.

2.0 EXEMPT DEVELOPMENT

Exempt development is development listed in Table 1 of this Part. The development is only classified as exempt development if all the following criteria are satisfied:

- (a) The development does not cause interference with the amenity of the neighbourhood by reason of such things as noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit or oil.
- (b) The development complies with the relevant deemed to satisfy provisions of the Building Code of Australia.
- (c) The development complies with the relevant standards set by this Part.
- (d) The development does not contravene any conditions of development consent applying to the land.
- (e) The development does not obstruct drainage on the site.
- (f) The development is not located on land that is affected by an easement, a water main or a sewer main.
- (g) The development does not restrict vehicular or pedestrian access to, or from the site.

- (h) The development does not require a tree to be removed that would require consent under the Council's Tree Preservation Order.
- (i) A Subdivider/Developer Compliance Certificate has been issued for the development by Sydney Water Corporation under Section 73 of the *Sydney Water Act 1994* where the development involves a change in the type or volume of trade wastes from the premises, or an increase in water or wastewater usage.

The works or activities listed in Table 1 do not require an approval for you to carry out the work. You must however, comply strictly with the exempt development criteria conditions listed in the Table.

2.1 Heritage Items or Heritage Conservation Areas

If heritage provisions affect your land (ie. if your land is a heritage item or located in a heritage conservation area under WLEP 1996), you may need to apply to Council for development consent. There are severe penalties if you fail to comply with the exemption conditions.

The 'Exempt Development Criteria' column in Table 1 below establishes whether development consent is required or not.

Table 1. Exempt Developments.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Access ramps	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. Maximum height 1m above existing ground level. Maximum grade 1:14 and compliance with Australian Standard AS 1428.1 – Design for Access and Mobility. To be erected a minimum of 1m from any sewer or storm water main. 	
Advertising signs and structures General requirements	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. The erection of the advertising structure must comply with all the requirements of the BCA, including Section B1 (“Structural Provisions”). Signs must not cover mechanical ventilation inlets or outlet vents. The sign outlines the necessary directions or cautions relating to the place or premises. 	<p>Consent is required for all advertising structures, other than those listed in column 1 and those that do not meet the requirements set out in column 2.</p> <p>Consideration should be given to the provisions for Outdoor Advertising Sign and Structures contained in Part F1 Bondi Junction Commercial Centre.</p>
1. Business Identification sign - Flush wall sign (see example in Annexure C1-1)	<ul style="list-style-type: none"> Non-illuminated. Located at parapet height. Maximum one per site - residential premises. Maximum two per site - non residential premises or building. Maximum dimensions 450mm (length) x 300mm (height). Shall not project more than 300mm from the wall. Securely fixed to the building. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. The sign outlines the statutory notifications required or permitted to be displayed at the place or premises. 	
2. Fascia Sign – sign on the fascia or return end of an awning (see Annexure C1-1)	<ul style="list-style-type: none"> Non-illuminated. Maximum one per site. Does not project above or below the fascia or return end of the awning. Is flush with the fascia. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
3. Real Estate Sign	<ul style="list-style-type: none"> Non-illuminated. Residential premises or serviced apartment the sign does not exceed 2.5m² in area. Commercial premises the sign does not exceed 4.5m² in area. Relates to the letting or the sale of the site to which it is fixed and is removed no later than 14 days after the letting or the sale of the property. 	

Exempt Development Type	Exempt Development Criteria	Advisory Notes
4. Temporary Sign - Signs displayed on large scale development under construction, or during the selling phase or signs announcing a local event	<ul style="list-style-type: none"> Non-illuminated. Sponsor/s names or logos are subsidiary. Displayed no earlier than 28 days before an event. Removed within 7 days after the event. 	
5. Top Hamper Sign - A sign painted on or attached to the transom of a doorway or a display window (see Annexure C1-1)	<ul style="list-style-type: none"> Non-illuminated and illuminated. Illuminated signs must have electrical conduits taken directly into the building. One per premises. Flush to the external face of the shop front and projects no more than 100mm. Maximum dimensions of 600mm (height) x 4m (length). Minimum clearance of 2.13m above the natural ground level. Does not extend below the head of the doorway or window to which it is attached. Shall be setback 600mm from the side boundary. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
6. Under Awning Sign (see example in Annexure C1-1)	<ul style="list-style-type: none"> Non-illuminated and illuminated. Illuminated signs must have electrical conduits taken directly into the building. Maximum one per premises. Does not project beyond the awning. Erected horizontal to the ground and at right angles to the building. Maximum dimensions 1800mm (length) x 300mm (height). Not less than 2.65m above ground/pavement level. Structures over public roads are to be at least 600mm from kerb/roadway edge. Securely fixed by metal supports. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
7. Window Sign (see example in Annexure C1-1)	<ul style="list-style-type: none"> Non-illuminated. Maximum one per shop. Located on ground level façade. 60% of the shop window remains uncovered. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
Aerials / Antennae / Microwave antennae (not including satellite dishes)	<ul style="list-style-type: none"> Not attached to a heritage item. Maximum height of 3m above roof ridge. Not attached to the front facade of the building. Maximum of one per residential dwelling. 	The structure supporting the antennae is to be structurally adequate and capable of supporting all dead and live loads.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Air conditioning units for dwellings (attached to the external wall or ground mounted and excluding roof mounted units)	<ul style="list-style-type: none"> Located a minimum of 1.5m off any property boundary. The unit is located behind the front building line. The noise level does not exceed 5dBA above the ambient background noise level measured at property boundary. The building work must not reduce the structural integrity of the building. The unit must be rated no less than one star below the maximum Energy Star Rating for air conditioners (at the time of installation). 	The air conditioning unit shall be located so as to minimise noise interference to the adjoining properties.
Ancillary development (does not include outbuildings, garden sheds, decks, pergolas which are described elsewhere in this Part)	<ul style="list-style-type: none"> Located behind the front setback. Sited at least 900mm from all adjoining property boundaries and a maximum height of 1.8m above existing ground level. The development does not contain a hard paving or hard surface area of more than 10m². Does not involve excavation to a depth exceeding 600mm below existing ground level. The area is not used for the parking of vehicles/boats etc. Must not drain stormwater onto adjoining properties. To be erected a minimum 1m from any sewer or stormwater main. 	
Awnings and canopies	<ul style="list-style-type: none"> Not attached to a heritage item or the front of a building within a heritage conservation area. Maximum area of 10m². Minimum of 900mm from the side and rear boundaries. Not visible from a public place. To be of a light colour as appropriate to the design and colour scheme of the subject site. 	Awnings shall not be placed on dwellings in locations that will adversely affect neighbours light, ventilation or views.
Barbecues	<ul style="list-style-type: none"> Maximum size of 1200mm x 600mm. Maximum height of 1.8m above ground level. The structure is not to be visible from a public place. The barbeque must be located behind the building line and be set back a minimum of 900mm from the side and rear boundaries. To be erected a minimum 1 metre from any sewer or stormwater main. 	The installation of flues or chimneys that are more than 1.8m high require Council consent. Use of solid burning barbecues, such as incinerators are not permitted.
Basketball hoops and backing boards and playground equipment	<ul style="list-style-type: none"> Residential premises only. Located at the rear of a building identified as a heritage item. Located behind the front building alignment for a building within a heritage conservation area. Designed, fabricated and installed in accordance with Australian Standard AS 4685 Playground Equipment. To be erected a minimum 1m from any sewer or stormwater main. 	

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Building Alterations – External Residential and Commercial premises	<ul style="list-style-type: none"> Not to a heritage item or a building located in a heritage conservation area. Non structural alterations to the exterior of a building eg. plumbing, electrical, plastering, cement rendering, attaching fittings, down pipe and roof guttering. Alterations are undertaken to buildings that have been lawfully constructed. Must not drain storm water onto adjoining properties. A trade waste certificate has been obtained for the development, if required, from Sydney Water. 	
Building Alterations – Internal General Requirements	<ul style="list-style-type: none"> Not a heritage item. Alterations are undertaken to buildings that have been lawfully constructed. Must not drain storm water onto adjoining properties. A trade waste certificate has been obtained for the development, if required, from Sydney Water. Removal of non-structural internal walls. Water fixtures (taps, showerheads and toilets) must have a minimum 3A water efficiency rating. Light fittings must incorporate energy efficient technologies. Appliances must be rated no less than One Star below the maximum rating for that appliance type on the WELS water efficiency and / or Energy Star rating Schemes at the time of installation. 	<p>The alteration should not affect the structural strength and stability of the building. For example, external walls are often strengthened and stabilised by internal walls that resist loads such as wind forces.</p> <p>The removal of internal walls without considering the overall strength and stability may result in the failure of external walls.</p> <p>Examples of minor alterations include - new door, bathroom renovations, kitchen renovations etc. You are advised to consult a structural engineer, architect or Council building surveyor before commencing alterations to ensure that you comply with the Building Code of Australia and will not affect the structural sufficiency and stability of the building.</p> <p>Any works involving asbestos must comply with the WorkCover Authority's "Guidelines for Practices Involving Asbestos in Buildings" and Council's Asbestos Policy.</p>
Residential Premises	<ul style="list-style-type: none"> Carried out in a Council approved dwelling Replacement of doors; wall, ceiling or floor linings; or deteriorated frame members with equivalent or improved quality materials. Renovation of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards and wardrobes. Applies only to alterations or renovations to previously completed buildings. Does not include changes to the configuration of rooms whether by removal of existing walls, partitions or by other means. Does not cause an increase or a reduction in 	

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<p>window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas.</p> <ul style="list-style-type: none"> Work, including the replacement of external doors and window frames with identical doors and window frames, does not alter the front facade and side facade (if fronting a public area) of a building in a heritage conservation area. 	
Commercial Premises	<ul style="list-style-type: none"> Non structural work such as shelving, display benches and partitions. Floor area not exceeding 100m². Works must not compromise fire safety or affect the accessibility to a fire exit. Work, including the replacement of external doors and window frames with identical doors and window frames, does not alter the front facade and side facade (if fronting a public area) of a building in a heritage conservation area. 	Any work involving lead paint removal must not cause lead contamination of air or ground.
Change of Use – Shops and Commercial Premises Change of Use from: Shop to shop, Shop to office, Office to office, Food shop to non-food shop (excluding food shops, laundromats, nurseries and car washes)	<ul style="list-style-type: none"> Previous use must be a lawful use. The use complies with the requirements of Clause 11 of Waverley and Woollahra Joint LEP 1991 – Bondi Junction Commercial Centre. Operates in accordance with an existing legally approved consent. Hours of operation are in accordance with the conditions of consent. Requires no alterations or additions to the existing building form or structural alterations. The change of use requires no increase in off- street parking or loading provisions. Does not require changes to the layout of existing car parking spaces, loading facilities or vehicular entry and exit points. Does not change landscape requirements. The display and storage of goods occurs wholly within the premises. The proposed use does not involve the preparation or sale of food. A trade waste certificate has been obtained for the development, if required, from Sydney Water. Water fixtures (taps, showerheads and toilets) must have minimum 3A water efficiency rating. Light fittings must incorporate energy efficient technologies. 	
Clothes hoists/lines	<ul style="list-style-type: none"> Residential premises only. Not located on balconies or elevated decks. Located behind the front building alignment. To be erected a minimum of 1m from any sewer or storm water main. 	
Decks and patios (unroofed and attached to dwellings)	<ul style="list-style-type: none"> Not a heritage item. Maximum floor area of 10m². Maximum height of 300mm above ground. Maximum width 1.5m. Maximum length 6m. Minimum of 900mm from the boundary and at the rear of the property. To be erected a minimum of 1m from any sewer or storm water main. 	Roofing of a deck requires approval from Council.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Demolition	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. The demolition of a structure (other than a retaining wall) which is exempt development. The structure does not cover an area of more than 25m². Work is to be carried out in accordance with the requirements of Australian Standard AS 2601 - Demolition of Structures. 	<p>All work which involves asbestos cement is to be carried out in accordance with the current requirements of the WorkCover Authority.</p> <p>All work that involves lead paint is to be carried out in a safe manner to prevent causing a temporary or permanent hazard to the occupants of the premises and the adjoining sites.</p> <p>Works shall only be carried out between the hours of 7:00am to 5:00pm Monday to Saturday and no work is to be carried out on Sundays or public holidays.</p>
Driveways and Pathway (other than over a public land)	<ul style="list-style-type: none"> Replacement or resurfacing with similar or existing materials. Constructed to maintain the natural flow of water. Must not drain storm water onto adjoining properties. Does not require new gutter crossing. Not elevated or suspended above natural ground level. 	The installation of permeable paving is encouraged by Council.
Fences (other than fences covered by the <i>Swimming Pools Act 1992</i>) General requirements	<ul style="list-style-type: none"> Not heritage item. Not a building within a heritage conservation area All fences are to be constructed so that they do not prevent the natural flow of stormwater drainage. To be erected a minimum of 1 metre from any sewer or storm water main. Constructed of timber, metal or lightweight materials. No barbed wire or corrugated sheeting or broken glass. Gates forming a part of front fences that front a road must not encroach over the street alignment when opening or closing. 	<p>These requirements do not set aside the provisions of the <i>Dividing Fences Act 1991</i>. You are advised to talk to your neighbour at an early stage and consult the <i>Dividing Fences Act 1991</i>.</p> <p>Heights are to be measured from the lowest adjacent ground level.</p>
1. Front fences (between the building line and street or any other public place)	<ul style="list-style-type: none"> Maximum height of 1.2m if constructed of timber, metal or other lightweight materials. Corner properties - the maximum height of 1.8m is permitted for the fence located along the side boundary. 	
2. Side and rear boundary fences (between the building line and the rear boundary)	<ul style="list-style-type: none"> Maximum height of 1.8m if constructed of timber, metal or other lightweight materials 	
3. Masonry fences	<ul style="list-style-type: none"> Maximum height of 600mm and constructed in accordance with: <ul style="list-style-type: none"> Australian Standard AS 3700 – Masonry Code Australian Standard AS 3600 – Concrete Structures 	Masonry fences over 600mm require approval from Council. Masonry front fences including fencing between the front building alignment and the front boundary require Council approval.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Flagpoles	<ul style="list-style-type: none"> Associated with a dwelling. Free standing and prefabricated. Maximum height of 6m above ground level. Located behind the front building line. Maximum of one flag pole per dwelling. To be erected a minimum of 1m from any sewer or storm water main. 	If flagpoles are to project over a public road they must comply with Clause 138 of the <i>Roads Act 1993</i> .
Garden sheds (associated with residential buildings)	<ul style="list-style-type: none"> Free standing and pre-fabricated. Maximum floor area of 10m². Maximum height of 2.1m. 900mm from the boundary. Be of non-reflective materials. Must be located in the rear yard. 	Masonry structures require the approval of Council.
Hoardings	<ul style="list-style-type: none"> To form a consistent and secure border within the boundary of the site immediately adjacent the footpath. Must comply with Australian Standard AS 1576.1 Scaffolding – General Requirements and WorkCover Requirements. The vertical height above footpath level of the structure being erected or demolished must be less than 4m. A hoarding is to be constructed of solid materials to a height not less than 2.4m above level of the footpath or thoroughfare. Not to encroach onto public footway or thoroughfare. Appropriate signage is to be provided in accordance with Australian Standard AS 319 – Safety Signs for Occupational Environment. In the instance where the building is situated away from the boundary by twice the measurement of the height of the building other non-solid hoardings may be provided subject to appropriate signage being provided and provision made to minimise dust from the site. 	
Home Occupation	<ul style="list-style-type: none"> Must be carried out within a Council approved dwelling. No structural work is required to the property. Occupation does not involve the registration of the building under the <i>Factories, Shops and Industries Act 1962</i>. No employees other than permanent residents of the dwelling. No display of goods or advertising on the premises. No sale of goods from the premises. No interference with the amenity of the area by reason of such things as noise, vibration, smell, fumes, smoke or other waste products. Any notice, advertisement or sign is to be non-illuminated and not to exceed 0.75m². Noise generated from the occupation is not to exceed 5dBA above the ambient background noise level. 	

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<ul style="list-style-type: none"> Noise generated from the activity is not be audible from within any room of an adjoining premise between 10:00pm and 7:00am weekdays, and 10:00pm and 8:00am weekends or public holidays. The proposed use does not involve the preparation of food for commercial purposes. 	
Letter Boxes	<ul style="list-style-type: none"> Centrally located either/or close to the major street entry and lockable. Maximum height of 1.2m above ground level. Appropriate numbering visible from street. 	
Outbuildings - associated with dwellings including Aviaries, cabanas, green houses, cubby houses and other minor structures.	<ul style="list-style-type: none"> Structure is to be detached from the dwelling. Maximum floor area of 10m². Maximum height of 2.1m. The structure must be located in the rear of the dwelling and a minimum of 900mm from the boundary. Supporting posts must be fixed to concrete footings or slabs. The structure must be located so as not to interfere with the views of other property owners. To be erected a minimum of 1m from a sewer or storm water main. 	Any works involving asbestos must comply with the Work Cover Authority's "Guidelines for Practices Involved Asbestos in Buildings" and Council's Asbestos Policy.
Painting – external walls	<ul style="list-style-type: none"> Re-painting previously painted surfaces – excluding corporate colours associated with the building use, except where the building is a heritage item or located within a heritage conservation area. 	
Photovoltaic Panels	<ul style="list-style-type: none"> Not on a heritage item. Must not be visible from any public space. Installed to manufacturers specifications by a Clean Energy accredited tradesperson. 	
Parks, gardens and landscaping (excludes structures)	<ul style="list-style-type: none"> Constructed, designed, fabricated and installed in accordance with relevant Australian Standards and/or Building Code of Australia. 	Works are not to have a detrimental impact on public amenity.
Playground equipment (on land classified as community land)	<ul style="list-style-type: none"> Construction by or for the council and designed, fabricated and installed in accordance with AS 4685 – Playground Equipment. 	Community land is classified under the <i>Local Government Act 1993</i> . Works are not to have a detrimental impact on public amenity.
Public telephone and telephone booths	<ul style="list-style-type: none"> Not adjoining a heritage item. The facility does not contain vending devices. The structure is not used for advertising other than the advertising of the public phone. 	
Re-cladding of roofs or walls	<ul style="list-style-type: none"> Not a heritage item. Not a building within a Heritage Conservation Area. Replace existing materials with similar materials (eg. corrugated iron would be replaced with corrugated profile not another profile such as Trimdek, Klip-lok etc). Re-cladding is not to involve structural alterations. Works do not result in a change to the current roof alignment. 	Any work involving asbestos cement should comply with the WorkCover Authority's "Your Guide to working with Asbestos 2003" and Council's Asbestos Policy. Any work involving lead paint must not cause lead contamination of air or ground or enter drainage or stormwater systems.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Satellite Dishes	<ul style="list-style-type: none"> Refer to Clause 17 of SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development (available at: www.legislation.nsw.gov.au). 	
Scaffolding	<ul style="list-style-type: none"> Does not encroach onto footpath or public thoroughfare. Must enclose the work area. Must comply with Australian Standard AS 1576.1 – Scaffolding - General requirements. 	Any work involving asbestos cement should comply with the WorkCover Authority's "Your Guide to working with Asbestos 2003" and Council's Asbestos Policy.
Sky lights (Dwelling Houses only)	<ul style="list-style-type: none"> Not a heritage item. In non-habitable roof space. Not on the front facade of the building. Maximum area of the skylight is not to exceed 20% of the roof or part of the roof. The area of the skylight or roof window must not exceed 2m². Maximum of one sky light per 25m² of roof area. Must be at least 900mm from any boundary. Installed by a licensed contractor. 	
Solar Hot Water Heaters	<ul style="list-style-type: none"> Must not be visible from a public place. Installed to manufacturers specifications by a Clean Energy Council accredited tradesperson. 	
Streetscape and Civic Improvements (including street furniture, footpath, tables, lighting and paving, bins, picnic, tree planting – excluding bus shelters)	<ul style="list-style-type: none"> Construction by or for the Council and designed, fabricated and installed in accordance with relevant Australian Standards and/or Building Code of Australia. Located on land under control of the Council. Must not involve a display of an advertisement unless allowed by another provision. 	<p>Works are not to have a detrimental impact on public amenity.</p> <p>Consideration should be given to the provisions for Streetscape and Pedestrian Amenity contained in Part F1 Bondi Junction Commercial Centre.</p>
Temporary Building (including builders sheds, port-a-loos, marquees, tent, market stalls, stages. This excludes buildings involving the preparation of food).	<ul style="list-style-type: none"> Not used for residential purposes. Maximum height 3.6m. Set back 1.5m to all adjoining properties. To be erected a minimum 1 metre from any sewer or storm water main. Must not divert storm water to adjoining properties. Removal must occur immediately after completion of the activity or event. The total period over which the building is to be erected, used and removed must not exceed 5 years. 	
Water heaters (excluding solar water heaters)	<ul style="list-style-type: none"> Located behind the front building alignment. Located at ground level. Located 900mm from the boundary. To be erected a minimum 1 metre from any sewer or storm water main. Must not divert storm water to adjoining properties. 	

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<ul style="list-style-type: none"> Gas water heaters must be rated no less one Energy Star Rating below the maximum rating available at the time of installation. Electric storage water heaters should exceed the Minimum Energy Performance Standard (MEPS) by at least 10% (refer to www.energyrating.gov.au/meps1). Locate water heaters as near as practical to bathrooms to minimise heat loss during piped transport for hot water. 	
Water Supply, Sewerage & Stormwater Drainage Users	<ul style="list-style-type: none"> Stormwater drainage works of a public works or civil works nature constructed by, or for the Council. 	All necessary referrals must be made.
Water Tanks (at or above ground level)	<ul style="list-style-type: none"> Refer to Clause 16 of SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development (available at www.legislation.nsw.gov.au). 	
Works (emergency and maintenance building works)	<ul style="list-style-type: none"> Replace existing damaged materials with the same materials including fabric and colour (eg corrugated iron would be replaced with similar corrugated profile). 	
Windows, glazed areas and external doors	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. Replacement in residential premises with materials that comply with: <ul style="list-style-type: none"> Australian Standard AS 1288 - Glass in Buildings - Selection and Installation Australian Standard AS 2208 - Safety Glazing Materials for Buildings Does not increase or reduce the area provided for light and ventilation. Work including the replacement of external window frames with identical window frames, does not alter the front façade or side façade (as fronting a public place) of a building or Heritage Conservation Area. 	<p>You are advised to consult a structural engineer, architect or building surveyor to ensure alterations will comply with the BCA and structural support will not be affected.</p> <p>You should consult one of those professionals or a recognised glazier to ensure the appropriate quality of glazing is selected for the window or doorway concerned, especially as to whether safety glass is required and installed.</p> <p>Any work involving asbestos must comply with the WorkCover Authority's "Your Guide to working with Asbestos 2003" and Council's Asbestos Policy.</p> <p>Any work involving lead paint removal must not cause lead contamination of air or ground.</p>

3.0 COMPLYING DEVELOPMENT

Complying development is development listed in Table 2 of this Part along with the specific criteria. The development is only complying development if it also complies with the following requirements:

- (a) The development is not an existing use, as defined by in Section 106 of the EP & AA 1979.
- (b) The development does not have a detrimental impact on the amenity of a neighbourhood or public place.
- (c) The development complies with the relevant deemed to satisfy provisions of the Building Code of Australia.
- (d) The development complies with relevant standards set by this Part.
- (e) The development does not contravene any conditions of development consent applying to the land.
- (f) The development does not restrict vehicular or pedestrian access to or from the site or reduce the number of off street car spaces on the site.
- (g) The development does not require a tree to be removed that would require consent under the Council's Tree Preservation Order.
- (h) A certificate of compliance has been obtained for the development, if required from Sydney Water.
- (i) The development is not located on land that is identified as a heritage item or is within a heritage conservation area in the JLEP 1991.

Note: If heritage provisions affect your land (ie., if your land is a heritage item or within a heritage conservation area in the JLEP 1991) you must apply to Council for development approval. There are severe penalties if you fail to comply with the EP & AA 1979.

The works or activities listed in Table 2 require you to apply for approval from Council or an accredited Private Certifier prior to any work commencing. Approval is in the form of a complying development certificate. Once the certificate has been issued you do not need any further approvals. Complying developments require plans and specifications to be prepared.

The details required with applications for Complying Development, if being lodged with the Council are:

- A completed application form signed by the owner.
- Two (2) sets of professionally drawn plans and specifications complying with the Building Code of Australia.
- Engineering drawings if applicable.
- A written schedule which demonstrates how the application complies with the Complying Development criteria held above and in Table 2 and the relevant schedule.

The EP & AA 1979 requires Council or a Private Certifier to process complying development certificates within 7 days provided the plans and specifications satisfy all the complying development criteria from this part and the prescribed conditions of approval from the *EP&AA* 1979. This will include evidence of compliance with the Building Code of Australia and the payment of required fees such as the Builder's Long Service Levy and insurances.

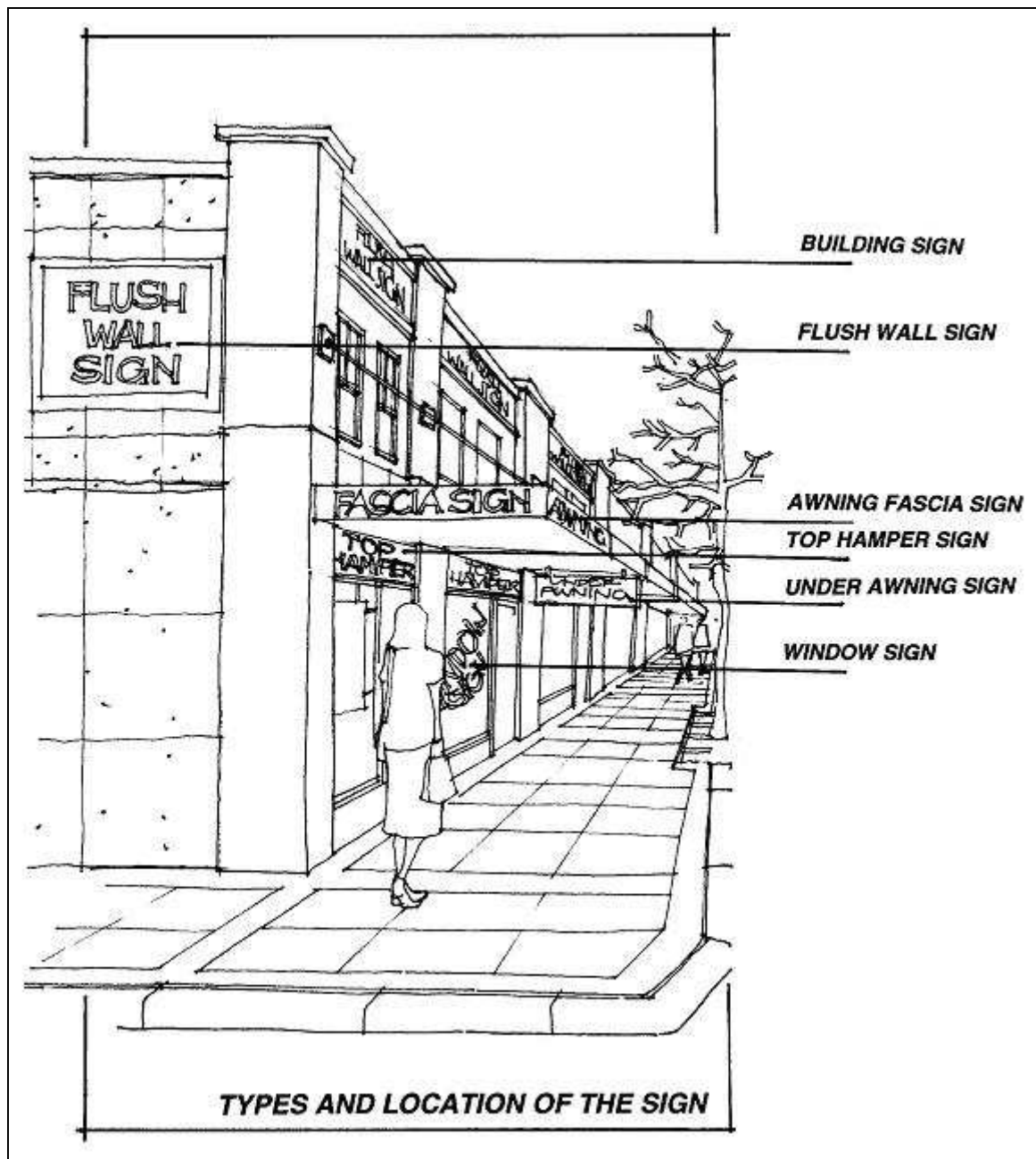
Before work commences, the applicant is required to appoint a principal certifying authority and give Council two (2) days notice of the commencement of work.

Table 2. Complying Development.

Complying Development Type	Complying Development Criteria
Bed and Breakfast Accommodation	<ul style="list-style-type: none"> Located in an approved dwelling house that is occupied by the owner. No structural work is required to the property. Providing temporary accommodation for visitors for a maximum period of 1 month. A minimum of two bathrooms. One sign per premises not exceeding 0.6m². Complies with the <i>Food (General Regulation) Act 1989</i>. Complies with Australian Standard AS 3786 - Smoke Alarms and AS 3000 - Electrical Installations. Has a fire extinguisher and fire blanket in the kitchen.
Commercial Premises and shops - building alterations	<ul style="list-style-type: none"> Internal alterations to buildings. Alteration to the entranceway or shopfronts. The proposed works are within the existing approved envelope of the shop. Any new entrance faces directly to the public street or pedestrian way on the property boundary of the building. Access to the premises complies with Australian Standard AS 1428.1 – Design for Access and Mobility. No roller shutter doors are permitted within the shopfront. The works do not result in an increase in the total floor area of the building. Works do not decrease the floor area used for pedestrian access paths or access to fire exists. Water fixtures (taps, showerheads and toilets) must have a minimum 3A water efficiency rating. Light fittings must incorporate energy efficient technologies. Appliances must be rated no less than one Energy Star below the maximum for that appliance type on the WELS water efficiency and / or Energy Star rating schemes at the time of installation.
Conservatory – attached to a dwelling	<ul style="list-style-type: none"> Located behind the front setback. Maximum floor area of 15m². Maximum height: 2.4m. Setback 900mm to all property boundaries. Must not drain stormwater onto adjoining properties. To be erected a minimum of 1 metre away from any sewer or stormwater main.
Decking and verandahs	<ul style="list-style-type: none"> Maximum floor area of 20m². Maximum height of 500mm above ground level. Minimum boundary setback of 900mm. Located in the rear yard area or behind the building line. Not visible from a public area. Not to be roofed or enclosed. External surfaces are to be of materials, colours and finishes that are in keeping with the surrounding natural and built environment.
Fences (masonry)	<ul style="list-style-type: none"> Located on the side (between the front building line and the rear boundary) and rear boundary only. Maximum height of 1.8m. Fences are to be constructed so they do not prevent the natural flow of storm water drainage.

Complying Development Type	Complying Development Criteria
Pergola (Open)	<ul style="list-style-type: none"> • Maximum floor area of 12m². • Maximum height of 2.4m above the natural ground level. • Located 900mm from the boundary. • Not to be roofed or enclosed. • Not to be visible from a public place.
Retaining walls	<ul style="list-style-type: none"> • Maximum height of 600mm. • Masonry walls to comply with: <ul style="list-style-type: none"> - Australian Standard AS 3600 – Concrete Structures - Australian Standard AS 3700 – Masonry Code • Timber walls to comply with: <ul style="list-style-type: none"> - Australian Standard AS 1720 – Timber Structures • All retaining walls are to be constructed so that they do not prevent the natural flow of stormwater drainage/run off. • To be erected a minimum of 1m from any sewer or storm water main. • The structure must not encroach onto any adjoining premises or public land. • Does not increase height of finished ground level. • Retains soil at existing ground level.
Subdivision	<ul style="list-style-type: none"> • Formalising existing lot boundaries. • Minor boundary adjustments resulting in a 5% variation in the size of the lot. • Correcting an encroachment on a lot. • A Section 73 Compliance Certificate (<i>Sydney Water Act 1994</i>) must be obtained from Sydney Water where a subdivision causes any lot to no longer have a sewer point of connection located in each lot.
Swimming, plunge, lap pools (commercial and residential), spas and tubs	<ul style="list-style-type: none"> • Ancillary to a dwelling and for private use only. • Pool coping no higher than 500mm above the existing ground level. • The pool is not between the dwelling and the front boundary. • Decking around the pool is no more than 500mm above the natural ground level. • The setback is 900mm from side and rear boundaries. • The noise level of the filtration equipment or pumps does not exceed 5dBA above the ambient background level measured at the boundary. • A minimum of 20% of the site is to be soft landscaping – excluding the swimming pool area. • No part of the swimming pool or ancillary structure is to be located within 3m of an existing tree. Council approval is required for the removal of a tree. • The swimming pool or ancillary structures are not to be sited below the crown of existing trees. • Provision of a pool safety fence constructed to comply with the <i>Swimming Pools Act 1992</i>. • All aspects of the structure complies with the <i>Swimming Pools Act 1992</i> and Australian Standard AS 1926.1 – Swimming Pool Safety. • Must not drain stormwater onto adjoining properties. • To be constructed a minimum of 1m from any sewer or stormwater main.
Temporary or Mobile Structures (temporary / mobile market stalls, mobile food (including coffee and ice cream), dog grooming and massage)	<ul style="list-style-type: none"> • Not to use structure for residential purposes. • Removal of the structure must occur immediately after the completion of the activity or event. • The development is not carried out within at least 1 metre of any easement or public sewer main. • Temporary food related events, stalls and mobile structures require registration and Council licensing. • All aspects of the structure comply with the State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007. • All aspects of the structure comply with Schedule 3A of the Environmental Planning and Assessment Regulation 2000.

Annexure C1-1
Advertising Structures – Shown Diagrammatically



Annexure C1–2

Complying Development Standard Conditions

The Standard Conditions to be applied in cases of Complying Development are detailed within this Annexure. The table below indicates the conditions to which are generally applied to certain types of Complying Development. These conditions may vary, and additional conditions may apply as appropriate.

Development Type	Complying Development Conditions
Bed and Breakfast Accommodation	1
Commercial Premises and shops – building alterations	1, 2, 10, 11, 12, 13, 14, 15 (if changes to shopfront), 16, 19, 30, 31, 35, 37, 40, 43, 56, 64
Commercial Premises and shops – new use or change of use	1, 3, 4, 5, 6, 7, 14, 41, 56, 59, 60, 61, 64
Decking, Pergolas and Verandahs	1, 11, 12, 13, 16, 17, 18, 19, 26, 27, 29, 31, 34, 35, 37, 40, 42, 48, 56
Demolition	1, 11, 12, 13, 15, 16, 30, 31, 32, 33, 34, 37, 48
Dwelling Houses	1, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 56, 58, 62, 63, 64 (if vacant site), 65, 66
Fences – masonry	1, 11, 12, 13, 17, 19, 20, 21, 22, 23, 27, 33, 34, 35, 37, 40, 42, 48, 56
Satellite Dishes	1, 11, 12, 13, 27, 31, 35, 37, 40, 42, 46, 56
Subdivision	1, 57, 58
Swimming Pools	1, 11, 12, 13, 16, 19, 25 (if applicable), 27, 28, 31, 32, 33, 34, 35, 37, 38, 40, 42, 48, 49, 50, 51, 52, 53, 54, 55, 56
Temporary Buildings	1, 10, 11, 12, 13, 15, 16, 18, 19, 24, 26, 28, 29, 31, 32, 33, 35, 37, 40, 43, 44, 45, 46, 47, 48, 56, 63, 66

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) Complying Development Certificate No.;
- (b) Architectural Plan Nos **[plan Nos]**, tables and documentation prepared by **[author]**, dated **[date]**, and received by Council on date **(date)**, except where amended by the following conditions of consent;

[Delete those not applicable from the below list]

- (c) Landscape Plan No. **[plan Nos]** and documentation prepared by **[author]**, dated **[date]**, and received by Council on **(date)**;
- (d) BASIX Certificate No. **[No.]** dated **[date]**, and received by Council on **(date)**;
- (e) Schedule of external finishes and colours received by Council on **(date)**; and
- (f) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist Part 1.

2. ROLLER SHUTTERS

The installation of roller shutters or grilles, in front of, or in place of a standard window or shop front is prohibited. Council Policy requires the retention of a glass shop front for window display purposes.

3. NO SPRUIKERS

Spruikers (with or without sound amplification) shall not operate without the prior written consent of Council.

4. NO FLASHING SIGNS

The use of flashing lights, flashing illuminated signs and the like is prohibited.

5. LOCATION OF SIGNS

No advertising signs or notices are to be affixed to the windows of the premises.

6. NO SIGNS OR GOODS ON PUBLIC AREA

Portable signs or goods for sale or display must not be placed on the footway or other public areas, without the prior approval of Council.

7. SIGNS

Any existing advertising structures displayed at the premises not relating to the approved use being removed and any proposed advertising structures to be displayed at the premises being the subject of a specific application to Council, unless allowed under Exempt Development.

8. USE OF DWELLING

The premises are to be used only as a single unit dwelling house.

9. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Excavation, proposed or undertaken in the certification or construction of the development, that results in additional habitable or non-habitable floor space (including storage) shall require the submission of a new application. During consideration of this application construction work on site shall cease without prior agreement of Council. Failure to comply with this condition may lead to Council prosecuting or taking a compliance action against the development for breach of its consent.

10. SECTION 94A CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 94A of the *Environmental Planning and Assessment Act 1979* and the "Waverley Council Development Contributions Plan 2006" in accordance with the following:

- (a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council:
 1. Where the total development cost is less than \$500,000: "**Waverley Council Cost Summary Report**"; or,
 2. Where the total development cost is \$500,000 or more: "**Waverley Council Registered Quantity Surveyor's Detailed Cost Report**". A copy of the required format for the cost reports may be obtained from Waverley Council Chambers (First Floor) or downloaded from: www.waverley.nsw.gov.au/publications/
- (b) Prior to the commencement of any works, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

Waverley Council Development Contributions Plan 2006 may be inspected at Waverley Council's Customer Service Centre, 55 Spring Street, Bondi Junction.

Advisory Note

- A development valued at \$100,000 or less will be exempt from the levy.
- A development valued at \$100,001 - \$200,000 will attract a levy of 0.5%.
- A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

11. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council (in accordance with Council's Pricing Policy) must be provided as security for the payment of the cost of making good any damage that may be caused to any Council property as a consequence of this building work. This deposit or guarantee must be established prior to the commencement of any work on the site. The full amount of the difference after recovery of Council's cost for any repair of damage to Council property will be refunded after satisfactory completion of the building work to the person who paid the deposit.

12. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect to this building work. In this regard, proof that the levy has been paid is to be submitted to Council prior to the commencement of any work on the site. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.35% of building work costing \$25,000 or more.

13. NOTICE OF COMMENCEMENT OF BUILDING WORKS

The building work, including demolition, must not be commenced until:

- (a) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with Section 81A(2)(b) of the *Environmental Planning & Assessment Act, 1979* and Form 7 of Schedule 1 of the Regulations;
- (b) Council **and** adjoining owners are given at least two days Notice in writing of the intention to commence the building works;
- (c) A sign is erected on the main frontage of the site detailing the name, address, licence number and contact details (including telephone number) of **both** the Principal Certifying Authority and principal contractor/builders;
- (d) Provision of a temporary on-site toilet;
- (e) Protection and support of any neighbouring buildings;
- (f) Protection of any public place from obstruction or inconvenience by the carrying out of the consent;
- (g) Provision is made for the prevention of any substance from falling on to a public place.

Note: The owner/applicant may make application to Council or an Accredited Certifier to be the Principle Certifying Authority.

14. ESSENTIAL SERVICES - EXISTING BUILDING

Details of the currently implemented and proposed essential fire safety measures shall be submitted to Council, prior to the commencement of any work on the site, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule. At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current

Fire Safety Schedule:

- (a) has been assessed by a properly qualified person; and
- (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.

15. HOARDING REQUIRED

A standard A-Class hoarding designed and constructed in accordance with the requirements of the Work Cover Authority being erected on the street alignments of the property, prior to the commencement of building operations, and such hoardings to be maintained during the course of building operations. Details of the hoarding are to be provided to Council prior to the commencement of any work on the site. Where the hoarding is to be erected over the footpath or any public place, the approval of Council must be obtained prior to the erection of the hoarding.

16. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) Checklist Part 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Council's DCP prior to the commencement of any works on the site. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible. The builder and all subcontractors shall comply with the approved SWRMP (Part 1 and 2) at all times during construction. At least one copy of the SWRMP is to be available on site at all times during construction.

17. EROSION, SEDIMENT AND POLLUTION CONTROL

Erosion, sediment and pollution control measures are to be implemented on this site. These measures are to be in accordance with Council's Part G4 – Water Management and are to be implemented prior to commencement of any work or activities on or around the site. Details of these measures are to be submitted to the Principal Certifying Authority prior to the commencement of any works on the site.

18. STORMWATER MANAGEMENT

All seepage and surface waters and roof waters being collected and disposed of in accordance with Part G4 – Water Management and this may involve the provision of an on-site detention system (OSD). Where OSD is required details prepared by a Hydraulics Engineer are to be submitted to and approved by the Principle Certifying Authority prior to the commencement of any works on the site.

19. ENGINEERING DETAILS

Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with approved works prior to the commencement of any such works on the site.

20. FENCE NOT TO ENCROACH BEYOND BOUNDARIES

No portion of the proposed fence, including the footings, is to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the construction of the party fence wall on the common boundary between these properties is to be submitted to Council prior to the commencement of any works on the site.

21. BRICK FENCES

The proposed brick fence being designed and constructed in accordance with the requirements of Council's Standard for Brick Fences. In this regard, details are to be provided prior to the commencement of any works on the site. Alternatively, a Certificate prepared by a practising Structural Engineer is to be submitted certifying that the footings are designed to withstand a maximum wind force of 0.8Kpa.

22. NEW BRICKWORK TO FENCE

The new brickwork to the altered fence is selected or treated to provide a uniform external finish to the completed fence.

23. FENCE HEIGHT

The proposed fence abutting the side and rear boundary of the site is not to exceed a maximum height of 1.8m above the existing ground level of the adjoining property.

24. ACCESS TO MAIN ENTRY

Access in accordance with AS1428.1 shall be provided to and within the main entrance and exit points of the development. Details are to be submitted to the Principal Certifying Authority prior to the commencement of any works on the site.

25. BASIX - NEW DWELLING HOUSE OR SWIMMING POOL OVER

The undertakings provided in the BASIX Certificate submitted with the Complying Development Certificate shall be provided for in the construction with the Principal Certifying Authority responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

26. USE OF RENEWABLE TIMBERS

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the commencement of any works on the site. Where the applicant is to use timbers not recommended in Council's Policy reasons are to be given why the alternative timbers recommended cannot be used.

27. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act*, 1989. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

28. EXCAVATION AND BACKFILLING

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

29. NO USE OF ORGANOCHLORIN PESTICIDES

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

30. DEMOLITION OR ALTERATION OF PRE 1987 BUILDINGS

At least five (5) days prior to the demolition, renovation work or alterations and additions to any building constructed before 1987, the person acting on the consent shall submit a Work Plan prepared in accordance with Australian Standard AS260-2001, Demolition of Structure and a Hazardous Materials Assessment by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- (a) outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (b) confirm that no asbestos products are present on the subject land; or
- (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC 2002 (1998);
- (d) describe the method of demolition;
- (e) describe the precautions to be employed to minimise any dust nuisance; and
- (f) describe the disposal methods for hazardous materials.

31. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS

All site works complying with the occupational health and safety requirements of WorkCover NSW.

32. SOIL AND WATER MANAGEMENT PLAN

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to Part G4 – Water Management and the DEC's Managing Urban Stormwater: Construction Activities. This Plan shall be implemented prior to commencement of any works or activities. All controls in the Plan shall be maintained at all time. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council Officers on request.

33. SOIL AND WATER MANAGEMENT SIGN

Throughout the demolition and construction period, Council's warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works. A copy of the sign is available from Council.

34. STOCKPILES

Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

35. ALL BUILDING MATERIALS STORED ON SITE

All building materials and any other items associated with the development are to be stored within the confines of the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.

36. TEMPORARY DIVERSION OF ROOF WATERS

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame shall not occur until this is completed.

37. CONSTRUCTION HOURS

Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays with no work to be carried out on:

- (a) The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends;
- (b) Sundays and public holidays; and
- (c) On the Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which immediately precede or follow industry Rostered Days Off, as agreed by the CFMEU and the Master Builders Association of NSW.

Noise from construction activities shall comply with the Protection of the Environment Operations (Noise Control) Regulation 2000.

38. USE OF HEAVY EARTH MOVEMENT EQUIPMENT

Excavation works involving the use of heavy earth movement equipment including rock breakers and the like must

only be undertaken between the hours of 7am and 5pm on Mondays to Fridays with no such work to be carried out on Saturday, Sunday or a public holiday.

39. CONSTRUCTION NOISE - PERIODS GREATER THAN 4 WEEKS

The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

40. BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

41. FIRE SAFETY

A building in respect of which there is a change of building use must comply with the Category 1 Fire Safety Provisions applicable to the proposed new use.

42. QUALITY OF CONSTRUCTION ACT - INSPECTIONS (DWELLING HOUSES CLASS 1 AND 10)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the *Building Legislation (Quality of Construction) Act 2002* and the *Environmental Planning and Assessment Regulations*. Also, documentary evidence of compliance with the relevant terms of conditions of the Complying Development Certificate and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certificate.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 1 and 10 building:

- (a) at the commencement of building work;
- (b) after excavation for, and prior to the placement of, any footings;
- (c) prior to pouring any in-situ reinforced concrete building element;
- (d) prior to covering of the framework for any floor, roof or other building element;
- (e) prior to covering any waterproofing in any wet areas;
- (f) prior to covering any stormwater drainage connections; and
- (g) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA:

[Delete those not applicable]

- (a) sediment control measures prior to the commencement of building work;
- (b) foundation material prior to undertaking building work;
- (c) shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d) steel reinforcement, prior to pouring concrete;
- (e) prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and
- (g) swimming pool fencing prior to filling the pool.

Note:

- 1. Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.
- 2. Should Council be appointed as the Principal Certifying Authority (PCA) an inspection fee in accordance with Council's Pricing Policy is to be paid prior to the commencement of works.

43. QUALITY OF CONSTRUCTION ACT - INSPECTIONS (COMMERCIAL CLASS 5, 6, 7, 8 AND 9)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the *Building Legislation (Quality of Construction) Act 2002* and the *Environmental Planning and Assessment Regulations*. Also, documentary evidence of compliance with the relevant terms of conditions of the Complying Development Certificate and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certificate.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 5, 6, 7, 8 or 9 building:

- (a) at the commencement of the building work;
- (b) prior to covering any stormwater drainage connections; and
- (c) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA: **[Delete those not applicable]**

- (a) sediment control measures prior to the commencement of building work;
- (b) foundation material prior to undertaking building work;
- (c) shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d) steel reinforcement, prior to pouring concrete;
- (e) prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and

- (g) swimming pool fencing prior to filling pool.

Note:

1. Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.
2. Should Council be appointed as the Principal Certifying Authority (PCA) an inspection fee in accordance with Council's Pricing Policy is to be paid prior to the commencement of works.

44. CERTIFICATE OF SURVEY - LEVELS

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground and finished ridge levels is to be submitted to the Principal Certifying Authority prior to the construction of any further stages of the building.

45. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

A Certificate of Survey prepared by a Registered Surveyor setting out the boundaries of the site and the actual situation of the building/works on the site is to be submitted to the Principal Certifying Authority to certify the building is located in accordance with the Complying Development plans. The Certificate is to be submitted prior to the construction of the external walls above the ground floor level of the building.

46. ENCROACH BEYOND THE BOUNDARIES

The proposed works are not to encroach beyond the boundaries of the property.

47. SMOKE ALARM SYSTEM

A smoke alarm system is to be installed within the building in accordance with the requirements of the Building Code of Australia.

48. TREE PROTECTION

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

49. CONSTRUCTION OF SWIMMING POOLS

The following applies to the construction of swimming pools:

- (a) Reinforcement is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete;
- (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool being installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules;
- (c) The finished level of the proposed pool is not to exceed a maximum height of [state] mm above the existing natural ground level;
- (d) To minimise the likelihood of accidental drowning, the swimming pool is to be provided with a child resistant safety fence, designed and constructed in accordance with the requirements of Australian Standard 1926-1993 "Fencing for Private Swimming Pools". This fencing is to be erected and inspected by the Principal Certifying Authority prior to the pool being filled with water; and
- (e) A final inspection of the completed pool is to be carried out by the Principal Certifying Authority prior to the pool being filled with water.

50. POOL DRAINAGE

Waste waters from the proposed pool being discharged into Sydney Water's sewerage system and in this regard, approved plans **MUST** be submitted to Sydney Water at least fourteen (14) days prior to commencement of building operations.

51. SWIMMING POOLS

The following requirements apply to the use and operation of the approved pool:

- (a) The pool water being treated by an approved water treatment and filtration unit.
- (b) The pool is to be fitted with a cover, that shall be fitted when the pool is not in use to minimise evaporation and conserve water.
- (c) To prevent noise nuisance to surrounding properties, the pool filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.

52. POOL MANUFACTURER'S CERTIFICATION

The proposed fibreglass pool is to be constructed in accordance with the Consulting Engineer's design as shown on the approved plans and in this regard, the pool is not to be filled with water until a Certificate has been submitted by the pool construction manufacturer to the Principal Certifying Authority.

53. POOL SIGN

An approved sign outlining details of resuscitation techniques for adults, children and infants must be placed in a prominent position, close to the pool prior to filling the pool with water. Signs are available from Council.

54. INSPECTION OF POOL

A final inspection of the completed pool is to be carried out by the Principal Certifying Authority prior to the pool being filled with water.

55. REFILLING/"TOP-UP" OF SWIMMING POOL

Future water requirements for refilling and "top-up" to the swimming pool is to be obtained from rainwater provided from an on-site rainwater tank or equivalent. In this regard, full details of the proposed location and size of the rainwater tank are to be provided to the Principal Certifying Authority prior to the commencement of works on the site.

56. FINAL OCCUPATION CERTIFICATE

The Principal Certifying Authority prior to occupation or use of the development must issue a final Occupation Certificate. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the *Environmental Planning & Assessment Act, 1979* have been satisfied. Note: Should Council be appointed as the Principal Certifying Authority (PCA) an inspection fee in accordance with Council's Pricing Policy is to be paid prior to the commencement of works.

57. SUBDIVISION

A Subdivision Certificate must be obtained from Council or an Accredited Certifier in accordance with Section 109C(d) of the *Environmental Planning and Assessment Act, 1979* prior to the registration of the linen plans.

58. SYDNEY WATER

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website www.sydneywater.com.au/customer/urban/index or telephone 13 20 92. Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the linen plan/occupation of the development.

59. WASTE STORAGE

The following requirements apply to waste management:

- (a) A waste management plan must be submitted to Council to include all waste removal arrangements such as the Contractor, recyclables and all other waste (collection and disposal), prior to the occupation of the premises.
- (b) Provide a separate waste storage area suitably covered, bunded and drained to the sewer. The waste storage receptacles must be maintained in good order and repair at all times.
- (c) Provide a suitable storage area affectively bunded for chemicals, pesticides and cleaning products.
- (d) Provide a separate storage area for used and unused cooking oils suitably covered, bunded and drained to the sewer.
- (e) Provide dry basket arresters to the floor wastes in the food preparation and waste storage areas.
- (f) Confer with Sydney Water regarding whether a Trade Waste Agreement is required. A copy of the agreement shall be forwarded to Council if one is entered into with Sydney Water.

60. DISPLAY OF WASTE MANAGEMENT PLAN

The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

61. RECYCLING OF WASTE PAPER

The operator of the business shall ensure that waste paper is recycled. In this regard, the operator shall make arrangements for removal by a recycling agent.

62. LANDSCAPE PLAN

The site is to be landscaped and turfed in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

63. LIGHTING

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.

64. STREET NUMBER/S

The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street. Should the number be fixed to an awning then it shall be a minimum 150mm high.

65. VEHICULAR ACCESS

Vehicular access and gradients of vehicle access driveway(s) within the site are to be in accordance with Australian Standard 2890.1 Parking Facilities - Off Street Car Parking with details provided on the plans prior to the commencement of work on the site.

66. WORK OUTSIDE PROPERTY BOUNDARY

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council at the applicant's expense.

Part C Exempt, Complying, Advertised and Notified Development

C2 Exempt and Complying Development

Contents

1.0 Introduction	2
1.1 Objective of Part C2	2
1.2 Relationship to other Plans	2
1.3 Exempt Development	2
1.4 Complying Development	2
1.5 Application of this Part	3
2.0 Exempt Development	3
2.1 Heritage Items and Heritage Conservation Areas	4
3.0 Complying Development	16

Note:

Table 1: Exempt Development	5
Table 2: Complying Development	18

C2 Exempt and Complying Development

1.0 INTRODUCTION

This Part applies to the Waverley local government area (LGA), excluding the Bondi Junction Commercial Centre. For exempt and complying development controls for land within the Bondi Junction Commercial Centre, please refer to Part C1.

1.1 Objective of Part C2

The objective of this Part is to establish the criteria for Exempt and Complying Development for land that excludes the Bondi Junction Commercial Centre under the *Environmental Planning and Assessment Act 1979* (EP & AA 1979).

1.2 Relationship to other Plans

This Part must be read in conjunction with Clause 12A of Waverley Local Environmental Plan 1996 (WLEP 1996).

1.3 Exempt Development

Exempt development is development of minor environmental impact that does not require development consent if the work is carried out in accordance with the criteria prescribed as Section 2.0 (a) to (k) and the criteria prescribed in Table 1. Works outside the exempt development criteria in Table 1 (and your development does not fit complying development – see Section 1.4), requires development consent from Council by lodging a development application. If the development proposal fulfils the complying development criteria, then you can obtain a complying development certificate (refer to Section 3.0 – Table 2 of this Part).

1.4 Complying Development

Complying development is development if the work is carried out in accordance with the criteria prescribed in Section 3.0 (a) to (k) (in Table 2) that requires consent in the form of a complying development certificate. The certificate must be issued by Council or an accredited Private Certifier before construction commences.

If you obtain a complying development certificate, you do not have to go through the development application process as the complying development certificate serves as both development consent and a construction certificate. If you cannot satisfy all of the requirements for complying development then you are required to lodge a development application.

Standard conditions for complying development are held in Annexure C2-3.

1.5 Application of this Part

This Part applies to all activities or works which are specified under Tables 1 and 2 (in Sections 2.0 and 3.0, respectively) in all land within the Waverley LGA as defined by the WLEP 1996 except:

- (a) if the development is a state significant development, or
- (b) if the development is designated development, or
- (c) if the development is development for which development consent cannot be granted except with the concurrence of a person other than:
 - (i) the consent authority, or
 - (ii) the Director-General of National Parks and Wildlife Service as referred to in Section 79B of the *Environmental Planning and Assessment Act 1979* (EP & AA 1979), or
- (d) on land that is critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
- (e) on land this is, or is part of, a wilderness area (within the meaning of the *Wilderness Act 1987*), or
- (f) is a site that has been previously used as a service station or waste storage or waste treatment and a notice of completion of remediation for the proposed use has not been given to Council in accordance with State Environmental planning Policy No.55 – Remediation of Land, or
- (g) is reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna or geological formations or other environmental protection purposes, or
- (h) is an Aboriginal site under the *National Parks and Wildlife Act 1974*, or on land that comprises an item of environmental heritage under *Heritage Act 1977*, or
- (i) on land within the foreshore building line as identified in WLEP 1996.

If your proposed development activity or work falls within the above criteria you must obtain consent by lodging a development application (and construction certificate application if applicable).

The EP & AA 1979 provides for severe penalties if you fail to comply with the criteria for Exempt or Complying Development or if you do not obtain development consent.

2.0 EXEMPT DEVELOPMENT

Exempt development is development listed in Table 1 of this Part, along with each development types' specific criteria. The development is only classified as exempt development if all the following criteria are also satisfied:

- (a) The development is permissible under the relevant environmental planning instrument, which applies to the land.
- (b) The development does not cause interference with the amenity of the neighbourhood by reason of such things as noise, vibration smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit or oil.
- (c) The development complies with the relevant deemed to satisfy provisions of the Building Code of Australia.
- (d) The development complies with the relevant standards set by this Part.
- (e) The development does not contravene any conditions of development consent applying to the land.
- (f) The development does not obstruct drainage on the site.
- (g) The development is not located on land that is affected by an easement, a water main or a sewer main.
- (h) The development does not interfere with Sydney Water or sewer main surface fittings.
- (i) A certificate of compliance has been obtained for the development, if required, from Sydney Water.
- (j) The development does not restrict vehicular or pedestrian access to, or from the site.
- (k) The development does not require the removal, lopping or the cutting of roots of a tree, which would require consent under the Council's Tree Preservation Order.

The works or activities listed in Table 1 do not require consent for the works to be carried out. You must however, comply strictly with the exempt development criteria listed in Table 1.

2.1 Heritage Items or Heritage Conservation Areas

If heritage provisions affect your land (ie. if your land is a Heritage Item or located in a Heritage Conservation Area within the WLEP 1996), you may need to apply to Council for development consent. There are severe penalties if you fail to comply with the exemption conditions.

The 'Exempt Development Criteria' column in Table 1 establishes whether development consent is required or not.

Table 1. Exempt Development.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Access ramps	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. Maximum height 1m. Maximum grade 1:14 and compliance with AS 1428.1 – Design for Access and Mobility. The development is not carried out within at least 1m of any easement or public sewer main. 	
Advertising signs and structures General requirements	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. The erection of the advertising structure must comply with all the requirements of the BCA, including Section B1 ("Structural Provisions"). Signs must not cover mechanical ventilation inlets or outlet vents. 	Consent is required for all advertising structures, other than those listed in column 1 and those which do not meet the Exempt, Circumstances/Requirements set out in column 2.
1. Business Identification sign (flush wall sign – see example in Annexure C2–2).	<ul style="list-style-type: none"> Non-illuminated. Maximum dimensions of 300mm (height) x 450mm (length). Maximum one per site. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. The sign outlines the necessary directions or cautions relating to the place or premises. The sign outlines the statutory notifications required or permitted to be displayed at the place or premises. 	
2. Fascia Sign (sign on the fascia or return end of an awning – see example in Annexure C2–2)	<ul style="list-style-type: none"> Business zones only. Non-illuminated. Maximum one per site. Does not project above or below the fascia or return end of the awning. Is flush with the fascia. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
3. Real Estate Sign	<ul style="list-style-type: none"> Non-illuminated. Residential premises or serviced apartment the sign does not exceed 2.5m². Commercial premises the sign does not exceed 4.5m². Relates to the letting or the sale of the site to which it is fixed and is removed no later than 14 days after the letting or the sale of the property. 	
4. Temporary Sign (signs displayed on large scale development under construction, or during the selling phase or signs announcing a local event)	<ul style="list-style-type: none"> Non-illuminated. Sponsor/s names or logos are subsidiary. Displayed no earlier than 28 days before an event. Removed within 7days after the event. 	

Exempt Development Type	Exempt Development Criteria	Advisory Notes
5. Top Hamper Sign (sign painted on or attached to the transom of a doorway or a display window – see example in Annexure C2–2)	<ul style="list-style-type: none"> Business zones only. Non-illuminated and illuminated. Illuminated signs must have electrical conduits taken directly into the building. One per premises. Flush to the external face of the shop front and projects no more than 150mm beyond the face of the building. Does not extend below the head of the doorway or window to which it is attached. Shall be setback 600mm from side boundary. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
6. Under Awning Sign (see example in Annexure C2–2)	<ul style="list-style-type: none"> Business zones only. Non-illuminated and illuminated. Illuminated signs must have electrical conduits taken directly into the building. Maximum one per premises. Does not project beyond the awning. Erected horizontal to the ground and at right angles to the building. Maximum dimensions 2400mm (length) x 450mm (height). Not less than 2.6m above ground/pavement level. Structures over public roads are to be at least 600mm from kerb/roadway edge. Securely fixed by metal supports. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
7. Window Sign (see example in Annexure C2–2)	<ul style="list-style-type: none"> Not illuminated. Maximum one per shop. Located on ground level façade. 60% of the shop window remains uncovered. The sign identifies the place or premises. The sign identifies the occupation or activities carried out at the place or premises. 	
Aerials/Antennae/ Microwave antennae (not including satellite dishes)	<ul style="list-style-type: none"> Not attached to a heritage item. Maximum height of 3m above roof ridge. Not attached to the front facade of the building. Maximum of one per residential dwelling. 	The structure supporting the antennae is to be structurally adequate and capable of supporting all dead and live loads.
Air conditioning units for dwellings (attached to the external wall or ground mounted)	<ul style="list-style-type: none"> The unit must be located a minimum of 1.5m off any property boundary. The unit is located behind the front building line. If visible from the street the unit must be suitably screened. The noise level does not exceed 5dBA above the ambient background noise level measured at property boundary. The building work must not reduce the structural integrity of the building. The unit must be rated no less than one star below the maximum Energy Star Rating at 	The air conditioning unit shall be located so as to minimise noise interference to the adjoining properties.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<p>time of installation.</p> <ul style="list-style-type: none"> Domestic air conditioning units, if audible from within any room of adjoining premises, must not be used from 10 pm to 7 am on weekdays and 10 pm to 8 am on weekends or public holidays. The premises have not been subject to a BASIX Certificate. 	
Ancillary development (does not include outbuildings, garden sheds, decks, pergolas which are dealt elsewhere in this Part)	<ul style="list-style-type: none"> Not a heritage item. Located behind the front setback. Sited at least 900mm from all adjoining property boundaries and a maximum height of 1.8m above existing ground level. The development does not contain a hard paving or hard surface area of more than 10m². Does not involve excavation to a depth exceeding 600mm below existing ground level. The area is not used for the parking of vehicles/boats etc. Must not drain stormwater onto adjoining properties. To be erected a minimum 1m from any sewer or stormwater main. 	
Awnings and canopies	<ul style="list-style-type: none"> Not attached to a heritage item or the front of a building within a heritage conservation area. Maximum area of 10m². Minimum of 900mm from the side and rear boundaries. Not to be visible from a public place. To be of a light colour as appropriate to the design and colour scheme of the premise. 	Awnings shall not be placed on dwellings in locations that will adversely affect neighbours light, ventilation or views.
Barbeques	<ul style="list-style-type: none"> Maximum size of 1.2m x 0.6m. Maximum height of 1.8m above ground level. The structure is not to be visible from a public place. The barbecue must be located at the rear of the building and be set back a minimum of 900mm from the side and rear boundaries. The development is not carried out within at least 1m of any easement or public sewer main. 	The installation of flues or chimneys that are more than 1.8m high requires Council consent. Use of solid burning barbeques, as incinerators are not permitted.
Building Alterations (External Residential and Commercial premises)	<ul style="list-style-type: none"> Not to a heritage item or a building located in a heritage conservation area. Non structural alterations to the exterior of a building eg plumbing, electrical, plastering, cement rendering, attaching fittings, downpipe and roof guttering. Alterations are undertaken to buildings that have been lawfully constructed. Must not drain storm water onto adjoining properties. 	Building works involving a tile roof or brickwork anywhere on the structure higher than 1m you will need to contact Sydney Water Corporation to ensure works satisfy the Corporation's requirements.
Building Alterations – Internal General Requirement	<ul style="list-style-type: none"> Not a heritage item. Alterations are undertaken to buildings that have been lawfully constructed. Carried out in Council approved premises. Removal of non-structural internal walls. Water fixtures (taps, showerheads and toilets) 	The alteration should not affect the structural strength and stability of the building. For example, external walls are often strengthened and stabilised by internal walls that resist loads such as wind forces.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<p>must have a 3A water energy efficiency rating.</p> <ul style="list-style-type: none"> • Light fittings must incorporate energy efficient models. • Appliances must be rated no less than one Star below the maximum rating for that appliance type on the WELS water efficiency and / or Energy Star rating schemes at the time of installation. 	<p>Where works involve fixtures such as basins, toilets, and showers, you are encouraged to contact Sydney Water to ensure works satisfy Sydney Water requirements.</p> <p>Developments are encouraged to comply with the Manual of Assessment Procedure for Water Efficient Appliances (SAA MP64-1995) for the following:</p> <ul style="list-style-type: none"> • Shower heads – 9 litres or less per minute; • Water tap outlets – 9 litres or less per minute; and • Dual flush toilet suite – 6/3 litre dual flush cistern or approved dual flush equivalent.
1. Residential Premises	<ul style="list-style-type: none"> • Replacement of doors; wall, ceiling or floor linings; or deteriorated frame members with equivalent or improved quality materials. • Renovation of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards and wardrobes. • Applies only to alterations or renovations to previously completed buildings. • Does not include changes to the configuration of rooms whether by removal of existing walls, partitions or by other means. • Does not cause an increase or a reduction in window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosure of open areas. • Work, including the replacement of external doors and window frames with identical doors and window frames, does not alter the front facade and side facade (if fronting a public area) of a building in a heritage conservation area. • Must not be for the purpose of on site car parking, or have the effect of allowing, directly or indirectly, the establishment, or enlargement, of areas to be used for on site car parking. 	<p>The removal of internal walls without considering the overall strength and stability may result in the failure of external walls.</p> <p>Examples of minor alterations include - new door, bathroom renovations, kitchen renovations etc. You are advised to consult a structural engineer, architect or Council building surveyor before commencing alterations to ensure that you comply with the Building Code of Australia and will not affect the structural sufficiency and stability of the building.</p> <p>Any works involving asbestos must comply with the WorkCover Authority's "Your Guide with working with Asbestos 2003" and Council's Asbestos Policy.</p>
2. Commercial Premises	<ul style="list-style-type: none"> • Non structural work such as shelving, display benches and partitions. • Floor area not exceeding 100m². • Works must not compromise fire safety or affect the accessibility to a fire exit. • Work, including the replacement of external doors and window frames with identical doors and window frames, does not alter the front facade and side facade (if fronting a public area) of a building in a heritage conservation area. 	<p>Any work involving lead paint removal must not cause lead contamination of air or ground or enter drainage or stormwater system.</p>

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Change of Use - Shops and Commercial Premises – Change of Use from: shop to shop, shop to office, office to office, food shop to non-food shop.	<ul style="list-style-type: none"> • Previous use must be a lawful use. • Operates in accordance with an existing legally approved consent. • Hours of operation are in accordance with the conditions of consent. • Requires no alterations or additions to the existing building form or structural alterations. • The change of use requires no increase in off street parking or loading dock provisions – in accordance with Part I1 – Land Use and Transport. • Does not require changes to the layout of existing car parking spaces, loading facilities or vehicular entry and exit points. • Does not change landscape requirements. • The display and storage of goods occurs wholly within the premises. • The proposed use does not involve the preparation or sale of food. • Access to the premises is to be in accordance with AS 1428.1 – Design for Access and Mobility. • Water fixtures (taps, showerheads and toilets) must have a 3A water energy efficiency rating. • Light fittings must incorporate energy efficient models. • Appliances must be rated no less than one Star below the maximum rating for that appliance type on the WELS water efficiency and / or Energy Star rating schemes at the time of installation. 	<p>The change of use of premises from food shop to food shop or non-food shop to food shop requires Council approval.</p> <p>Activities such as commercial car washes, commercial laundries, dry cleaners, medical centres, mechanical repairs, photographic processing and veterinary surgeon must contact Sydney Water Corporation regarding the need to obtain a trade waste certificate.</p> <p>Developments are encouraged to comply with the AAA rating as listed in the Manual of Assessment Procedure for Water Efficient Appliances (SAA MP64-1995) for the following:</p> <ul style="list-style-type: none"> • Shower heads - 9 litres or less per minute; • Water tap outlets -9 litres or less per minute; and • Dual flush toilet suite - 6/3 litre dual flush cistern or approved dual flush equivalent.
Clothes hoists/lines	<ul style="list-style-type: none"> • Installed to manufacturer specifications. • Not visible from the street or public place. 	
Clothes hoists/lines	<ul style="list-style-type: none"> • Installed to manufacturer specifications. • Not to be visible from the street or public place • The development is not carried out within at least 1m of any easement or public sewer main. 	
Decks and patios (unroofed and attached to dwellings)	<ul style="list-style-type: none"> • Not a heritage item. • Maximum floor area of 10m². • Maximum height of 300mm above ground. • Maximum width 1.5m. • Minimum of 900mm from the boundary and located at the rear of the dwelling. • The development is not carried out within at least 1m of any easement or public sewer main. 	Roofing of a deck requires approval from Council.
Demolition	<ul style="list-style-type: none"> • Not a heritage item. • Not a building within a heritage conservation area. • The demolition of a structure (other than a retaining wall) which is exempt development. • The structure does not cover an area of more than 25m². • The works are to be carried out in a safe manner and in accordance with the requirements of Australian Standard - AS 2601 Demolition of Structures. 	<p>All work which involves asbestos cement is to be carried in accordance with the current requirements of the WorkCover Authority and Council's Asbestos Policy.</p> <p>All work that involves lead paint is to be carried out in a safe manner to prevent causing a temporary or permanent hazard to the occupants of the premises and the adjoining sites.</p>

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<ul style="list-style-type: none"> Must not be for the purpose of on site car parking, or have the effect of allowing, directly or indirectly, the establishment, or enlargement, of areas to be used for on site car parking. 	Works shall only be carried out between the hours of 7:00am to 5:00pm Monday to Saturday and no work is to be carried out on Sundays or public holidays.
Driveways and Pathway (other than over a public land) (replacement only)	<ul style="list-style-type: none"> Replacement or resurfacing with similar or existing materials. Constructed to maintain the natural flow of water. Does not require new gutter crossing. Not elevated or suspended above natural ground level. 	The installation of permeable paving is encouraged by Council.
Fences (other than fences covered by the <i>Swimming Pools Act</i> 1992) General requirements	<ul style="list-style-type: none"> Not a heritage item. Not land located within a heritage conservation area. All fences are to be constructed so that they do not prevent the natural flow of stormwater drainage. The development is not carried out within at least 1m of any easement or public sewer main. Constructed of timber, metal or lightweight materials. No barbed wire or corrugated sheeting or broken glass. Gates as part of front fences fronting a road must not encroach over the street alignment when opening or closing. 	<p>These requirements do not set aside the provisions of the <i>Dividing Fences Act</i> 1991. You are advised to talk to your neighbour at an early stage and consult the <i>Dividing Fences Act</i> 1991.</p> <p>Heights are to be measured from the lowest adjacent ground level.</p> <p>Fences exceeding the provisions outlined in column 2 require approval from Council.</p>
1. Front fences (including fences forward of front alignment of building)	<ul style="list-style-type: none"> Maximum height of 600mm if constructed of timber, metal or other lightweight materials. 	Heights are to be measured from the lowest adjacent ground level.
2. Side (between the front building line and the rear boundary and rear boundary fences)	<ul style="list-style-type: none"> Maximum height of 1.8m if constructed of timber, metal or other lightweight materials. 	Heights are to be measured from the lowest adjacent ground level.
3. Masonry fences between the front building line and the rear boundary and rear boundary fences	<ul style="list-style-type: none"> Maximum height of 600mm and constructed in accordance with: <ul style="list-style-type: none"> AS 3700 – Masonry Code AS 3600 – Concrete Structures 	<p>Masonry fences over 600mm require approval from Council.</p> <p>Masonry front fences including fencing between the front building alignment and the front boundary require Council approval.</p>
Flagpoles	<ul style="list-style-type: none"> Associated with a dwelling. Free standing and pre fabricated. Maximum height of 6m above ground level. Maximum of one flag pole per dwelling. Located behind the front building line. The development is not carried out within at least 1m of any easement or public sewer main. 	If flagpoles are to project over a public road they must comply with Clause 138 of the <i>Roads Act</i> 1993.
Garden sheds associated with residential buildings.	<ul style="list-style-type: none"> Free standing and pre-fabricated. Maximum floor area of 10m². Maximum height of 2.1m. 900mm from the boundary. Be of non-reflective materials. Must be located in the rear yard. 	Masonry structures require the approval of Council.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
	<ul style="list-style-type: none"> If the garden is identified as a heritage item - landscape site the structure must be located so as not to alter the existing layout of the garden. The development is not carried out within at least 1m of any easement or public sewer main. 	
Hoardings	<ul style="list-style-type: none"> To form a consistent and secure border within the boundary of the site, immediately adjacent the footpath. Must comply with AS 1576.1 Scaffolding - General Requirements and WorkCover requirements. The vertical height above footpath level of the structure being erected or demolished must be less than 4m. A hoarding is to be constructed of solid materials to a height not less than 2.4m above level of the footpath or thoroughfare. Not to encroach onto public footway or thoroughfare. Appropriate signage is to be provided in accordance with AS1319 Safety Signs for Occupational Environment. In the instance where the building is situated away from the boundary by twice the measurement of the height of the building other non-solid hoardings may be provided subject to appropriate signage being provided and provision made to minimise dust from the site. 	
Home Occupation	<ul style="list-style-type: none"> Must be carried out within a Council approved dwelling. No structural work is required to the property. Occupation does not involve the registration of the building under the <i>Factories, Shops and Industries Act 1962</i>. No employees other than permanent residents of the dwelling. No display of goods or advertising on the premises. No sale of goods from the premises. No interference with the amenity of the area by reason of such things as noise, vibration, smell, fumes, smoke or other waste products. Any notice, advertisement or sign is to be non-illuminated and not to exceed 0.75m². Noise generated from the occupation is not to exceed 5dBA above the ambient background noise level measured at the property boundary/ Noise generated from the activity is not to be audible from within any room of an adjoining premise between 10:00pm and 7:00am weekdays and 10:00pm and 8:00am weekends or public holidays. The proposed use does not involve the preparation of food for commercial purposes. Water fixtures (taps, showerheads and toilets) must have a 3A water efficiency rating. Light fittings must incorporate efficient models. 	<p>Developments are encouraged to comply with the Manual of Assessment Procedure for Water Efficient Appliances (SAA MP64-1995) for the following:</p> <ul style="list-style-type: none"> Shower heads - 9 litres or less per minute; Water tap outlets -9 litres or less per minute; and Dual flush toilet suite - 6/3 litre dual flush cistern or approved dual flush equivalent.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Letter Boxes	<ul style="list-style-type: none"> Centrally located either/or close to the major street entry and lockable. Maximum height of 1.2m above ground level. Appropriate numbering visible from street. 	
Outbuildings – (associated with dwellings including aviaries, cabanas, green houses, cubby houses and other minor structures)	<ul style="list-style-type: none"> The structure is to be detached from the dwelling. Maximum floor area of 10m². Maximum height of 2.1m. The structure must be located in the rear of the dwelling and a minimum of 900mm from the boundary. Supporting posts must be fixed to concrete footings or slabs. The structure must be located so as not to interfere with the views of other property owners. If the garden is identified as a heritage item-landscape site, the structure must be located so as not alter the existing layout of the garden. The development is not carried out within at least 1m of any easement or public sewer main. 	Any works involving asbestos must comply with the Work Cover Authority's "Guidelines for Practices involved with Asbestos in Buildings" and Council's Asbestos Policy.
Painting – external walls	<ul style="list-style-type: none"> Re-painting previously painted surfaces – excluding corporate colours associated with the building use, except where the building is a heritage item or located within a heritage conservation area. 	
Parks, gardens and landscaping	<ul style="list-style-type: none"> Not a heritage item – landscaped site. Constructed, designed, and installed in accordance with relevant Australian Standards and/or Building Code of Australia. 	Works are not to have a detrimental impact on public amenity.
Pergola (Open)	<ul style="list-style-type: none"> Not a heritage item. Maximum pergola floor area of 20m². Maximum height of 2.4m above the natural ground level. Located a minimum of 900mm from the boundary Not to be visible from a public place. Not to be roofed or enclosed. The development is not carried out within at least 1m of any easement or public sewer main. 	Roofed, partly or fully enclosed pergolas require consent.
Photovoltaic Panels	<ul style="list-style-type: none"> Installed to manufacturers specifications by a Clean Energy Council accredited tradesperson. Must not be visible from a public place. 	
Playground equipment including basketball hoops and backing boards	<ul style="list-style-type: none"> Residential premises only. Located in the rear yard area of a building identified as a heritage item. Located behind the front building alignment for a building within a conservation area. Designed, fabricated and installed in accordance with AS 4685 - Playground Equipment. The development is not carried out within at least 1m of any easement or public sewer main. 	
Playground equipment (on land classified as community land)	<ul style="list-style-type: none"> Construction by or for the council and designed, fabricated and installed in accordance with AS 4685 - Playground Equipment. 	Community land is classified under the <i>Local Government Act 1993</i> . Works are not to have a detrimental impact on public amenity.

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Playground equipment including basketball hoops and backing boards	<ul style="list-style-type: none"> Residential premises only. Located in the rear yard area of a building identified as a heritage item. Located behind the front building alignment for a building within a conservation area. Designed, fabricated and installed in accordance with AS 4685 Playground Equipment. The development is not carried out within at least 1m of any easement or public sewer main. 	
Playground equipment (on land classified as community land)	<ul style="list-style-type: none"> Construction by or for the council and designed, fabricated and installed in accordance with AS - 4685 Playground Equipment. 	<p>Community land is classified under the <i>Local Government Act</i> 1993.</p> <p>Works are not to have a detrimental impact on public amenity.</p>
Re-cladding of roofs or walls	<ul style="list-style-type: none"> Not a heritage item. Not a building within a heritage conservation area. Replace existing materials with similar materials (e.g., corrugated iron would be replaced with corrugated profile not another profile such as Trimdek, Klip-lok etc). Re-cladding is not to involve structural alterations. 	<p>Any work involving asbestos cement should comply with the WorkCover Authority's "Guidelines for Practices.</p> <p>Involving Asbestos Cement in Building" and Council's Asbestos Policy.</p> <p>Any work involving lead paint must not cause lead contamination of air or ground or enter drainage or storm water systems.</p>
Retaining walls	<ul style="list-style-type: none"> Not a heritage item including a landscape site. Maximum height of 600mm. Masonry walls to comply with: <ul style="list-style-type: none"> AS3600 – Concrete Structures; and AS3700 – Masonry Code Timber walls to comply with AS1720 – Timber Structures. All retaining walls are to be constructed so that they do not prevent the natural flow of stormwater drainage/run off. The development is not carried out within at least 1m of any easement or public sewer main. Does not increase height of finished ground level. Retains soil at existing ground level. 	
Satellite Dishes	<ul style="list-style-type: none"> Refer to Clause 17 of SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development. 	
Scaffolding	<ul style="list-style-type: none"> Does not encroach onto footpath or public thoroughfare. Must enclose the work area. Must comply with AS1576 Scaffolding – General requirements. 	<p>Any work involving asbestos cement should comply with the WorkCover Authority's "Guidelines for Practices Involving Asbestos Cement in Building" and Council's Asbestos Policy.</p>

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Sky lights – Dwelling houses only	<ul style="list-style-type: none"> Not a heritage item. In non habitable roof space. Not on the front facade of the building. Maximum area of the skylight is not to exceed 20% of the roof or part of the roof. The area of the skylight or roof window must not exceed 2m². Maximum of one sky light per 25m² of roof area. Must be at least 900mm from any boundary. Installed by a licensed contractor. 	
Solar Hot Water Heaters	<ul style="list-style-type: none"> Not visible from a public place. Installed to manufacturers specifications by a Clean Energy Council accredited tradesperson. 	
Street Scape and Civic Improvements (including street furniture, footpath paving, bins, picnic, tables, lighting and tree planting – excluding bus shelters)	<ul style="list-style-type: none"> Construction by or for the Council and designed, fabricated and installed in accordance with relevant Australian Standards and/or Building Code of Australia. Located on land under control of the Council. 	Works do not have a detrimental impact on public amenity.
Temporary Structures (including building sheds associated with building sites, port-a-loos, marquees, tent, market stalls, and stages) and excluding the preparation of food.	<ul style="list-style-type: none"> Not used for residential purposes. Maximum height 3.6m. Located 1.5m from all boundaries. Removal must occur immediately after completion of the activity or event. The development is not carried out within at least 1m of any easement or public sewer main. 	Demountable buildings require approval.
Water Supply, Sewerage & Stormwater Drainage Users	<ul style="list-style-type: none"> Stormwater drainage works of a public works or civil works nature constructed by, or, for the Council. Water-main renewals and/or amplifications undertaken by or on behalf of Sydney Water Corporation. 	All cases. All necessary referrals must be made.
Water heaters (excluding solar water heaters)	<ul style="list-style-type: none"> Located behind the front building alignment. Located at ground level. Located 900mm from the boundary. Gas water heaters must be rated no less than one Energy Star below the maximum available at the time of installation. Electric storage water heaters should exceed the Minimum Energy Performance Standards (MEPS) by at least 10% (refer to www.energyrating.gov.au/meps1). Position water heaters as near as practical to bathrooms to minimise heat loss during piped transport to hot water. 	
Water Tanks (at or above ground level)	<ul style="list-style-type: none"> Refer to Clause 16 of SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development. 	Refer to www.legislation.nsw.gov.au

Exempt Development Type	Exempt Development Criteria	Advisory Notes
Works (emergency and maintenance building works)	<ul style="list-style-type: none"> Replace existing damaged materials with the same materials including fabric and colour (eg corrugated iron would be replaced with similar corrugated profile). 	Works (emergency and maintenance building works)
Windows, glazed areas and external doors	<ul style="list-style-type: none"> Not a heritage item. Not a building in a heritage conservation area. Replacement in residential premises with materials that comply with: <ul style="list-style-type: none"> AS 1288 - Glass in Buildings - Selection and Installation; and AS 2208 - Safety Glazing Materials in Buildings. Does not increase or reduce the area provided for light and ventilation. Work including the replacement of external window frames with identical window frames does not alter the front and side façade (if fronting a public area) or a building of heritage significance of within a Heritage Conservation Area). 	<p>You are advised to consult a structural engineer, architect or building surveyor to ensure alterations will comply with the BCA and structural support will not be affected. You should consult one of those professionals or a recognised glazier to ensure the appropriate quality of glazing is selected for the window or doorway concerned, especially as to whether safety glass is required and installed.</p> <p>Any works involving asbestos must comply with the WorkCover Authority's "Guidelines for Practices Involved Asbestos in Buildings" and Council's Asbestos Policy.</p> <p>Any work involving lead paint removal must not cause lead contamination of air or ground.</p>
Utilities – Electricity Supply Erection of low voltage over-head electricity conductors	Not in a heritage conservation area.	
Public Lighting	As requested by Council.	
Installation of underground connections	The works do not involve more than 20m of excavation of any road carriageway.	
Connection of cables to existing underground ducts and the connection to existing cable	The works do not involve more than 20m of excavation nor the excavation of any road carriageway.	
Additions and alterations to apparatus or equipment	The equipment is to be located within an existing building or enclosure.	
Maintenance of Distribution Assets		Tree lopping is to be undertaken in consultation with Council.

3.0 COMPLYING DEVELOPMENT

Complying development is development listed in Table 2 of this Part along with each development types' specific criteria. The development is only complying development if it also complies with the following requirements:

- (a) The development is permissible under the relevant environmental planning instrument, which applies to the land.
- (b) The development is not an existing use, as defined by in Section 106 of the EP & AA 1979.
- (c) The development does not have a detrimental impact on the amenity of a neighbourhood or public place.
- (d) The development complies with the relevant deemed to satisfy provisions of the Building Code of Australia.
- (e) The development complies with the relevant standards set by this Part.
- (f) The development does not contravene any conditions of development consent applying to the land.
- (g) The development does not restrict vehicular or pedestrian access to, or from the site, or reduce the number of off street car spaces on the site.
- (h) The development is to be carried out at least one metre from any easement or public sewer main and complies with the building over sewer requirements of Sydney Water applying to the land.
- (i) A certificate of compliance has been obtained for the development, if required from Sydney Water.
- (j) The development does not require the removal, lopping or cutting of roots of a tree, which would require consent under the Council's Tree Preservation Order.
- (k) The development is not located on land that is identified as a heritage item or is within a heritage conservation area in the WLEP 1996 and WLEP 1996 – Heritage Map.

Note: If heritage provisions affect your land (ie., if your land is a heritage item or within a heritage conservation area as identified within the WLEP 1996) you must apply to Council for development approval. There are severe penalties if you fail to comply with the EP & AA 1979.

The works or activities listed in Table 2 require you to apply for consent from Council or an accredited certifier prior to work commencing. Consent is in the form of a complying development certificate. Once the certificate has been issued you do not need any further approvals. Complying developments require plans and specifications to be prepared.

The details required with applications for a complying development certificate, if being lodged with the Council are:

- A completed application form signed by the owner;
- Two (2) sets of professionally drawn plans and specifications

<div>complying with the Building Code of Australia;</div> <div><ul style="list-style-type: none">• Engineering drawings if applicable; and• A written schedule, which demonstrates how the application complies with the complying development criteria as, listed in column 2 of Table 2.</div> <div>The EP & AA 1979 requires Council or an accredited certifier to process complying development Certificates within 7 days provided the plans and specifications satisfy all the complying development criteria from this plan and any prescribed conditions of consent from the EP & AA 1979. This will include evidence of compliance with the Building Code of Australia and the payment of required fees such as the Builder's Long Service Levy and insurances.</div> <div>Before work commences, the applicant is required to appoint a principal certifying authority and give Council two (2) days notice of the commencement of work.</div>	
---	--

Table 2. Complying Development

Complying Development Type	Complying Development Criteria
Bed and Breakfast Accommodation	<ul style="list-style-type: none"> • Located in an approved dwelling house that is occupied by the owner. • No structural work is required to the property. • No more than 2 guest bedrooms. • Accommodation is limited to no more than 4 guests. • Providing temporary accommodation for visitors for a maximum period of 1 month. • A minimum of two bathrooms. • One sign (non-illuminate) per premises - not exceeding 0.6m². • Complies with the <i>Food Act</i> 2003 and with AS 3786 Smoke Alarms and AS 3000 Electrical Installations – Building, Structures and Premises. • Has a fire extinguisher and fire blanket in the kitchen.
Commercial Premises and shops (building alterations)	<ul style="list-style-type: none"> • Internal alterations to buildings. • Alteration to the entranceway or shopfronts. • The proposed works are within the existing approved envelope of the shop. • Any new entrance faces directly to the public street or pedestrian way on the property boundary of the building. • No roller shutter doors are permitted within the shopfront. • The works do not result in an increase in the total floor area of the building. Or decrease the floor area used for pedestrian access paths or access to fire exists. • Water fixtures (taps, showerheads and toilets) must have a minimum 3A water efficiency rating. • Light fittings must incorporate energy efficient technologies. • Appliances must be rated no less than one star below the maximum rating for that appliance type on the WELS water efficiency and / or Energy Star schemes at the time of installation. • Developments must comply with the Manual of Assessment Procedure for Water Efficient Appliances (SAA MP64 -1995) for the following: <ul style="list-style-type: none"> • Shower heads - 9 litres or less per minute; • Water tap outlets - 9 litres or less per minute; and • Dual flush toilet suite - 6/3 litre dual flush cistern or approved dual flush equivalent. • Access to the premises is to comply with provisions AS 1428.1 Design for Access and Mobility.
Commercial Premises and shops (new commercial/ retail use in a commercial premises, Change of Use or variation of conditions of consent)	<ul style="list-style-type: none"> • In an existing approved and lawfully constructed premises. • No structural work is required to the property. • New use of a premises for shops, offices and commercial premises, excluding food shops. • A change of use between of shops, offices and commercial premises, excluding food shops. • Hours of operation do not exceed beyond 8:00am – 8:00pm Monday to Sunday. • The use of the premises is to comply with the requirements of WLEP 1996. • Activities such as commercial car washes, commercial laundries, dry cleaners, medical centres, mechanical repairs, photographic processing and veterinary surgeon must contact Sydney Water Corporation regarding the need to obtain a trade waste certificate. • Developments must comply with the AAA rating as listed in the Manual of Assessment Procedure for Water Efficient Appliances (SAA MP64-1995) for the following:

Complying Development Type	Complying Development Criteria
	<ul style="list-style-type: none"> Shower heads - 9 litres or less per minute; Water tap outlets - 9 litres or less per minute; and Dual flush toilet suite - 6/3 litre dual flush cistern or approved dual flush equivalent. The change of use requires no increase in the provision of off street car parking spaces – in accordance with Part 11.
Decking, Pergolas And Verandahs	<ul style="list-style-type: none"> Maximum floor area of 20m². Maximum height of 500mm above ground level. Minimum boundary setback of 900mm. Maximum height of the pergola structure 2.4m. Located in the rear yard area. Not visible from a public area. Not to be roofed or enclosed. External surfaces are to be of materials, colours and finishes that are in keeping with the surrounding natural and built environment.
Demolition	<ul style="list-style-type: none"> Must be demolition of a building, structure or work which is complying development described in this Part. Demolition must be carried out in accordance with AS 2601 – Demolition of Structures. Must not be for the purpose of on site car parking, or have the effect of allowing, directly or indirectly, the establishment, or enlargement, of areas to be used for on site car parking. <p>Note: This provision does not apply to development that satisfies the complying development criteria but which was constructed before 8/12/99 when this Part (previously known as DCP 27 – Exempt and Complying Development) came into effect.</p>
Dwelling Houses <ul style="list-style-type: none"> Erection of a detached single storey dwelling. Alterations and single storey additions to be used for habitable purposes only. 	<ul style="list-style-type: none"> Development occurs at the natural ground level. The erection of dwellings is only permissible on lots between 450m² and 1000m² in area. Minimum setback of 900mm from a side boundary. Complies with the requirements of Building Code of Australia and the Tree Preservation Act. Complies with the requirements outlined in Annexure C2 – 1. Must not be for the purpose of on site car parking, or have the effect of allowing, directly or indirectly, the establishment, or enlargement, of areas to be used for on site car parking. Water fixtures (taps, showerheads and toilets) must have an AAA energy efficiency rating. Appliances must be no less than one star below the maximum for that appliance type on the WELS water efficiency and / or Energy Star rating scheme at the time of installation.
Fences (masonry)	<ul style="list-style-type: none"> Located on the side (between the front building line and the rear boundary) and rear boundary. Maximum height of 1.8m. Fences are to be constructed so they do not prevent the natural flow of storm water drainage.
Subdivision (dwelling houses)	<ul style="list-style-type: none"> Formalising existing lot boundaries. Minor boundary adjustments resulting in a 5% variation in the size of the lot. Correcting an encroachment on a lot.
Swimming Plunge, Lap Pools and Spas.	<ul style="list-style-type: none"> Ancillary to a dwelling and for private use only. Pool coping no higher than 500 mm above the existing ground level. On lots greater than 325m². The pool is located between the dwelling and the rear boundary. Decking around the pool is no more than 500mm above the natural ground level. The setback is a minimum of 900mm from the boundaries.

Complying Development Type	Complying Development Criteria
	<ul style="list-style-type: none"> • The noise level of the filtration equipment or pumps does not exceed 5dBA above the ambient background level measured at the boundary. • No part of the swimming pool or ancillary structure is to be located within 3m of an existing tree. Council approval is required for the removal of a tree. • The swimming pool or ancillary structures are not to be sited below the crown of existing trees. • A minimum of 20% of the site is to be soft landscaping – excluding the swimming pool area. • Provide a pool safety fence constructed to comply with the <i>Swimming Pools and Regulation Act 1992</i> and AS 1926.1 Swimming Pool Safety. • Pump operation is to be restricted to 8am to 8pm on Sunday and 7am to 8pm on Monday to Saturday in accordance with the Department of Environment and Conservation's "Noise Guide for Local Government", (amended February 2007). • The premises have not been subject to a BASIX Certificate.
Temporary buildings (including demountable buildings used for offices, educational establishments)	<ul style="list-style-type: none"> • The establishment of a building and its use for a period of less than 5 years. • The building must be demolished or removed within 60 days of the expiry date. • The building is not to be used for residential purposes or the preparation and retailing of food. • Maximum height of the building is 1 storey. • Buildings are set back from every boundary by a minimum of 3 metres.
Temporary or Mobile Structures (temporary mobile market stalls, mobile food including ice cream and coffee, dog grooming and massage)	<ul style="list-style-type: none"> • Not to use structure for residential purposes. • Removal of the structure must occur immediately after the completion of the activity or event. • The development is not carried out within at least 1 metre of any easement or public sewer main. • Temporary food related events, stalls and mobile structures require registration and Council licensing. • All aspects of the structure comply with the State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007. • All aspects of the structure comply with Schedule 3A of the Environmental Planning and Assessment Regulation 2000.

Annexure C2-1 Dwelling Houses

Streetscape

- Building works are to be set back to the front building line – defined as the average setback of like dwellings on land on either side of the subject property unless the front setback of the adjoining buildings is less than 3m, then a minimum 3m setback must be observed.
- Building works fronting a public street or accessway has a front door or living room window facing the street.
- Building works reasonably match and are sympathetic to the design/architectural style of the dwelling and adjoining dwellings through roof form, materials, colour and detailing.
- Fencing must comply with the exempt and complying development criteria outlined in this Part.

Energy Efficiency and Water Conservation

- Building works creating habitable areas are constructed in accordance with the minimum 3.5 star rating under the Housing Energy Rating Scheme.
- Developments must comply with the AAA rating as listed in the Manual Assessment Procedure for water Efficient Appliances (SAA MP64-1995) for the following:
 - Shower heads – 9 litres or less per minute
 - Water tap outlets – 9 litres or less per minute; and
 - Dual flush toilet suite – 6/3 litre dual flush cistern or approved dual flush equivalent.
- New dwellings must comply with Part G4 – Water Management.

Bulk and Scale

- The ground floor level of the structure, at any point is no more than 500mm above natural ground level.
- The floor space ratio of the new dwelling must comply with the floor space requirements contained in Part D1 of WDCP 2006.
- The maximum height of the external wall does not exceed 2.7m.
- The external wall of the structure is set back at least 900mm from the side boundary.
- The external wall of the structure is setback from the rear boundary – in accordance with the existing rear building line, which is the average setback of like dwellings on land on either side of the subject property.
- The front set back is consistent with adjoining buildings unless the front setback of the adjoining building is less than 3m, then a minimum 3m setback must be observed.
- The roof pitch is no greater than 24 degrees and any openings are flush with the roof pitch.
- The private open space and habitable rooms of the adjoining properties are not to be in shadow between 10:00am and 3:00pm on 21 June, as a result of the proposed development.

Privacy

- Where windows of habitable rooms are directly looking out to windows of habitable rooms of adjacent dwellings, the windows in the proposed building works:
 - are offset from the edge of one window to the edge of the other by a distance of 0.5m;
 - have sill heights of 1.5m above floor level; and
 - have fixed obscured or translucent glass in any part of the window below 1.5m above the floor.

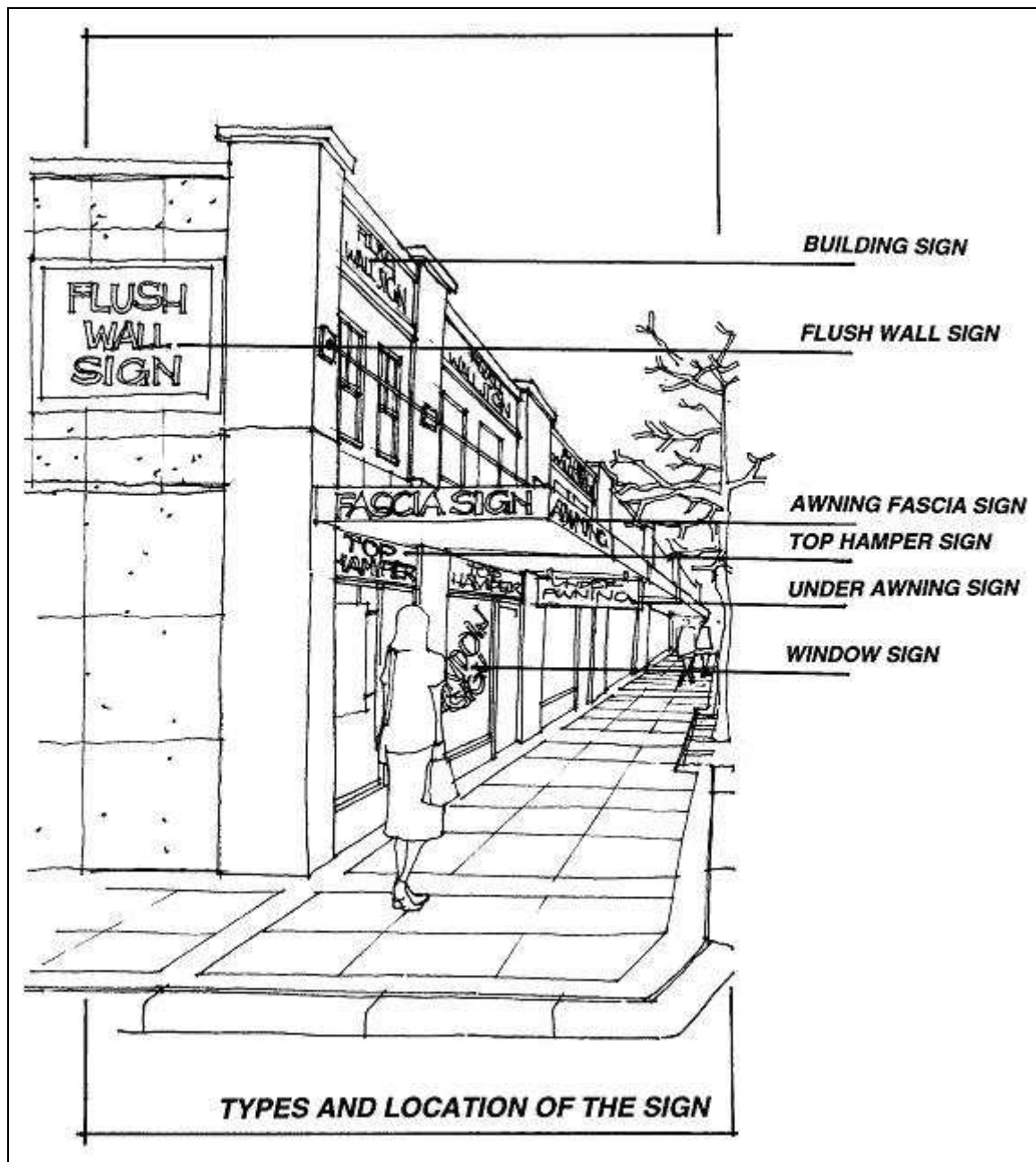
Open space and Landscaping

- A minimum of 33% of the site is to remain unbuilt upon.
- A minimum of 20% of the site to be soft landscaped.
- No mature vegetation is to be removed, without approval under Council's Tree Preservation Order.

Car parking and Driveways

- On site parking is to comply with the provisions of Part I1.
- All parking must be located behind the front building line.
- The design and location of the driveway must comply with the provisions of the Road and Traffic Authority Guide to Traffic Generating Developments.
- No part of a building is to be demolished for the purpose of on site car parking, or have the effect of allowing, directly or indirectly, the establishment, or enlargement, of areas to be used for on site car parking.

Annexure C2-2
Advertising Structures – Shown Diagrammatically



Annexure C2-3 Complying Development Standard Conditions

The Standard Conditions to be applied in cases of Complying Development are detailed within this Annexure. The table below indicates the conditions to which are generally applied to certain types of Complying Development. These conditions may vary, and additional conditions may apply as appropriate.

Development Type	Complying Development Conditions
Bed and Breakfast Accommodation	1
Commercial Premises and shops – building alterations	1, 2, 10, 11, 12, 13, 14, 15 (if changes to shopfront), 16, 19, 30, 31, 35, 37, 40, 43, 56, 64
Commercial Premises and shops – new use or change of use	1, 3, 4, 5, 6, 7, 14, 41, 56, 59, 60, 61, 64
Decking, Pergolas and Verandahs	1, 11, 12, 13, 16, 17, 18, 19, 26, 27, 29, 31, 34, 35, 37, 40, 42, 48, 56
Demolition	1, 11, 12, 13, 15, 16, 30, 31, 32, 33, 34, 37, 48
Dwelling Houses	1, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 56, 58, 62, 63, 64 (if vacant site), 65, 66
Fences – masonry	1, 11, 12, 13, 17, 19, 20, 21, 22, 23, 27, 33, 34, 35, 37, 40, 42, 48, 56
Satellite Dishes	1, 11, 12, 13, 27, 31, 35, 37, 40, 42, 46, 56
Subdivision	1, 57, 58
Swimming Pools	1, 11, 12, 13, 16, 19, 25 (if applicable), 27, 28, 31, 32, 33, 34, 35, 37, 38, 40, 42, 48, 49, 50, 51, 52, 53, 54, 55, 56
Temporary Buildings	1, 10, 11, 12, 13, 15, 16, 18, 19, 24, 26, 28, 29, 31, 32, 33, 35, 37, 40, 43, 44, 45, 46, 47, 48, 56, 63, 66

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) Complying Development Certificate No.;
- (b) Architectural Plan Nos **[plan Nos]**, tables and documentation prepared by **[author]**, dated **[date]**, and received by Council on date **(date)**, except where amended by the following conditions of consent;

[Delete those not applicable from the below list]

- (c) Landscape Plan No. **[plan Nos]** and documentation prepared by **[author]**, dated **[date]**, and received by Council on **(date)**;
- (d) BASIX Certificate No. **[No.]** dated **[date]**, and received by Council on **(date)**;
- (e) Schedule of external finishes and colours received by Council on **(date)**; and
- (f) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist Part 1.

2. ROLLER SHUTTERS

The installation of roller shutters or grilles, in front of, or in place of a standard window or shop front is prohibited. Council Policy requires the retention of a glass shop front for window display purposes.

3. NO SPRUIKERS

Spruikers (with or without sound amplification) shall not operate without the prior written consent of Council.

4. NO FLASHING SIGNS

The use of flashing lights, flashing illuminated signs and the like is prohibited.

5. LOCATION OF SIGNS

No advertising signs or notices are to be affixed to the windows of the premises.

6. NO SIGNS OR GOODS ON PUBLIC AREA

Portable signs or goods for sale or display must not be placed on the footway or other public areas, without the prior approval of Council.

7. SIGNS

Any existing advertising structures displayed at the premises not relating to the approved use being removed and any proposed advertising structures to be displayed at the premises being the subject of a specific application to Council, unless allowed under Exempt Development.

8. USE OF DWELLING

The premises are to be used only as a single unit dwelling house.

9. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Excavation, proposed or undertaken in the certification or construction of the development, that results in additional habitable or non-habitable floor space (including storage)

shall require the submission of a new application. During consideration of this application construction work on site shall cease without prior agreement of Council. Failure to comply with this condition may lead to Council prosecuting or taking a compliance action against the development for breach of its consent.

10. SECTION 94A CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 94A of the *Environmental Planning and Assessment Act 1979* and the "Waverley Council Development Contributions Plan 2006" in accordance with the following:

- (a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council:
 1. Where the total development cost is less than \$500,000: **Waverley Council Cost Summary Report; or,**
 2. Where the total development cost is \$500,000 or more: **Waverley Council Registered Quantity Surveyor's Detailed Cost Report.**A copy of the required format for the cost reports may be obtained from Waverley Council Customer Services Centre or downloaded from: www.waverley.nsw.gov.au/publications/.
- (b) Prior to the commencement of any works, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

Waverley Council Development Contributions Plan 2006 may be inspected at Waverley Council Customer Services Centre, 55 Spring Street Bondi Junction.

Advisory Note

- A development valued at \$100,000 or less will be exempt from the levy.
- A development valued at \$100,001 - \$200,000 will attract a levy of 0.5%.
- A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

11. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council (in accordance with Council's Pricing Policy) must be provided as security for the payment of the cost of making good any damage that may be caused to any Council property as a consequence of this building work. This deposit or guarantee must be established prior to the commencement of any work on the site. The full amount of the difference after recovery of Council's cost for any repair of damage to Council property will be refunded after satisfactory completion of the building work to the person who paid the deposit.

12. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect to this building work. In this regard, proof that the levy has been paid is to be submitted to Council prior to the commencement of any work on the site. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.35% of building work costing \$25,000 or more.

13. NOTICE OF COMMENCEMENT OF BUILDING WORKS

The building work, including demolition, must not be commenced until:

- (a) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with Section 81A(2)(b) of the *Environmental Planning & Assessment Act, 1979* and Form 7 of Schedule 1 of the Regulations;
- (b) Council **and** adjoining owners are given at least two days Notice in writing of the intention to commence the building works;
- (c) A sign is erected on the main frontage of the site detailing the name, address, licence number and contact details (including telephone number) of **both** the Principal Certifying Authority and principal contractor/builder;
- (d) Provision of a temporary on-site toilet;
- (e) Protection and support of any neighbouring buildings;
- (f) Protection of any public place from obstruction or inconvenience by the carrying out of the consent;
- (g) Provision is made for the prevention of any substance from falling on to a public place.

Note: The owner/applicant may make application to Council or an Accredited Certifier to be the Principle Certifying Authority.

14. ESSENTIAL SERVICES - EXISTING BUILDING

Details of the currently implemented and proposed essential fire safety measures shall be submitted to Council, prior to the commencement of any work on the site, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule. At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:

- (a) has been assessed by a properly qualified person; and
- (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.

15. HOARDING REQUIRED

A standard A-Class hoarding designed and constructed in accordance with the requirements of the Work Cover Authority being erected on the street alignments of the property, prior to the commencement of building operations, and such hoardings to be maintained during the course of building operations. Details of the hoarding are to be provided to Council prior to the commencement of any work on the site. Where the hoarding is to be erected over the footpath or any public

place, the approval of Council must be obtained prior to the erection of the hoarding.

16. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) Checklist Part 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Council's DCP prior to the commencement of any works on the site. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible. The builder and all subcontractors shall comply with the approved SWRMP (Part 1 and 2) at all times during construction. At least one copy of the SWRMP is to be available on site at all times during construction.

17. EROSION, SEDIMENT AND POLLUTION CONTROL

Erosion, sediment and pollution control measures are to be implemented on this site. These measures are to be in accordance with Council's Part G4 – Water Management and are to be implemented prior to commencement of any work or activities on or around the site. Details of these measures are to be submitted to the Principal Certifying Authority prior to the commencement of any works on the site. More information is included in Council's Water Management Technical Guidelines.

18. STORMWATER MANAGEMENT

All seepage and surface waters and roof waters being collected and disposed of in accordance with Council's Part G4 – Water Management and this may involve the provision of an on-site detention system (OSD). Where OSD is required details prepared by a Hydraulics Engineer are to be submitted to and approved by the Principle Certifying Authority prior to the commencement of any works on the site.

19. ENGINEERING DETAILS

Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with approved works prior to the commencement of any such works on the site.

20. FENCE NOT TO ENCROACH BEYOND BOUNDARIES

No portion of the proposed fence, including the footings, is to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the construction of the party fence wall on the common boundary between these properties is to be submitted to Council prior to the commencement of any works on the site.

21. BRICK FENCES

The proposed brick fence being designed and constructed in accordance with the requirements of Council's Standard for Brick Fences. In this regard, details are to be provided prior to the commencement of any works on the site. Alternatively, a Certificate prepared by a practising Structural Engineer is to be submitted certifying that the footings are designed to withstand a maximum wind force of 0.8Kpa.

22. NEW BRICKWORK TO FENCE

The new brickwork to the altered fence is selected or treated to provide a uniform external finish to the completed fence.

23. FENCE HEIGHT

The proposed fence abutting the side and rear boundary of the site is not to exceed a maximum height of 1.8m above the existing ground level of the adjoining property.

24. ACCESS TO MAIN ENTRY

Access in accordance with AS1428.1 shall be provided to and within the main entrance and exit points of the development. Details are to be submitted to the Principal Certifying Authority prior to the commencement of any works on the site.

25. BASIX

The undertakings provided in the BASIX Certificate submitted with the Complying Development Certificate shall be provided for in the construction with the Principal Certifying Authority responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

26. USE OF RENEWABLE TIMBERS

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the commencement of any works on the site. Where the applicant is to use timbers not recommended in Council's Policy reasons are to be given why the alternative timbers recommended cannot be used.

27. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act*, 1989. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

28. EXCAVATION AND BACKFILLING

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them

from being dangerous to life or property.

29. NO USE OF ORGANOCHLORIN PESTICIDES

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

30. DEMOLITION OR ALTERATION OF PRE 1987 BUILDINGS

At least five (5) days prior to the demolition, renovation work or alterations and additions to any building constructed before 1987, the person acting on the consent shall submit a Work Plan prepared in accordance with Australian Standard AS260-2001, Demolition of Structure and a Hazardous Materials Assessment by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- (a) outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (b) confirm that no asbestos products are present on the subject land; or
- (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC 2002 (1998);
- (d) describe the method of demolition;
- (e) describe the precautions to be employed to minimise any dust nuisance; and
- (f) describe the disposal methods for hazardous materials.

31. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS

All site works complying with the occupational health and safety requirements of WorkCover NSW.

32. SOIL AND WATER MANAGEMENT PLAN

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to SSROC's Soil and Water Management Brochure and the DEC's Managing Urban Stormwater: Construction Activities. This Plan shall be implemented prior to commencement of any works or activities. All controls in the Plan shall be maintained at all time. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council Officers on request.

33. SOIL AND WATER MANAGEMENT SIGN

Throughout the demolition and construction period, Council's warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works. A copy of the sign is available from Council.

34. STOCKPILES

Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

35. ALL BUILDING MATERIALS STORED ON SITE

All building materials and any other items associated with the development are to be stored within the confines of the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.

36. TEMPORARY DIVERSION OF ROOF WATERS

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame shall not occur until this is completed.

37. CONSTRUCTION HOURS

Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays with no work to be carried out on:

- (a) The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends;
- (b) Sundays and public holidays; and
- (c) On the Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which immediately precede or follow industry Rostered Days Off, as agreed by the CFMEU and the Master Builders Association of NSW.

Noise from construction activities shall comply with the *Protection of the Environment Operations (Noise Control) Regulation 2000*.

38. USE OF HEAVY EARTH MOVEMENT EQUIPMENT

Excavation works involving the use of heavy earth movement equipment including rock breakers and the like must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays with no such work to be carried out on Saturday, Sunday or a public holiday.

39. CONSTRUCTION NOISE - PERIODS GREATER THAN 4 WEEKS

The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

40. BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

41. FIRE SAFETY

A building in respect of which there is a change of building use must comply with the Category 1 Fire Safety Provisions

applicable to the proposed new use.

42. QUALITY OF CONSTRUCTION ACT - INSPECTIONS (DWELLING HOUSES CLASS 1 AND 10)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the *Building Legislation (Quality of Construction) Act 2002* and the *Environmental Planning and Assessment Regulations*. Also, documentary evidence of compliance with the relevant terms of conditions of the Complying Development Certificate and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certificate.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 1 and 10 building:

- (a) at the commencement of building work;
- (b) after excavation for, and prior to the placement of, any footings;
- (c) prior to pouring any in-situ reinforced concrete building element;
- (d) prior to covering of the framework for any floor, roof or other building element;
- (e) prior to covering any waterproofing in any wet areas;
- (f) prior to covering any stormwater drainage connections; and
- (g) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA:

[Delete those not applicable]

- (a) sediment control measures prior to the commencement of building work;
- (b) foundation material prior to undertaking building work;
- (c) shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d) steel reinforcement, prior to pouring concrete;
- (e) prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and
- (g) swimming pool fencing prior to filling the pool.

Note:

1. Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.
2. Should Council be appointed as the Principal Certifying Authority (PCA) an inspection fee in accordance with Council's Pricing Policy is to be paid prior to the commencement of works.

43. QUALITY OF CONSTRUCTION ACT - INSPECTIONS (COMMERCIAL CLASS 5, 6, 7, 8 AND 9)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the *Building Legislation (Quality of Construction) Act 2002* and the *Environmental Planning and Assessment Regulations*. Also, documentary evidence of compliance with the relevant terms of conditions of the Complying Development Certificate and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certificate.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 5, 6, 7, 8 or 9 building:

- (a) at the commencement of the building work;
- (b) prior to covering any stormwater drainage connections; and
- (c) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA: **[Delete those not applicable]**

- (a) sediment control measures prior to the commencement of building work;
- (b) foundation material prior to undertaking building work;
- (c) shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d) steel reinforcement, prior to pouring concrete;
- (e) prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and
- (g) swimming pool fencing prior to filling pool.

Note:

1. Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.
2. Should Council be appointed as the Principal Certifying Authority (PCA) an inspection fee in accordance with Council's Pricing Policy is to be paid prior to the commencement of works.

44. CERTIFICATE OF SURVEY - LEVELS

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground and finished ridge levels is to be submitted to the Principal

Certifying Authority prior to the construction of any further stages of the building.

45. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

A Certificate of Survey prepared by a Registered Surveyor setting out the boundaries of the site and the actual situation of the building/works on the site is to be submitted to the Principal Certifying Authority to certify the building is located in accordance with the Complying Development plans. The Certificate is to be submitted prior to the construction of the external walls above the ground floor level of the building.

46. ENCROACH BEYOND THE BOUNDARIES

The proposed works are not to encroach beyond the boundaries of the property.

47. SMOKE ALARM SYSTEM

A smoke alarm system is to be installed within the building in accordance with the requirements of the Building Code of Australia.

48. TREE PROTECTION

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

49. CONSTRUCTION OF SWIMMING POOLS

The following applies to the construction of swimming pools:

- (a) Reinforcement is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete;
- (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool being installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules;
- (c) The finished level of the proposed pool is not to exceed a maximum height of [state] mm above the existing natural ground level;
- (d) To minimise the likelihood of accidental drowning, the swimming pool is to be provided with a child resistant safety fence, designed and constructed in accordance with the requirements of Australian Standard 1926-1993 "Fencing for Private Swimming Pools". This fencing is to be erected and inspected by the Principal Certifying Authority prior to the pool being filled with water; and
- (e) A final inspection of the completed pool is to be carried out by the Principal Certifying Authority prior to the pool being filled with water.

50. POOL DRAINAGE

Waste waters from the proposed pool being discharged into Sydney Water's sewerage system and in this regard, approved plans **MUST** be submitted to Sydney Water at least fourteen (14) days prior to commencement of building operations.

51. SWIMMING POOLS

The following requirements apply to the use and operation of the approved pool:

- (a) The pool water being treated by an approved water treatment and filtration unit.
- (b) The pool is to be fitted with a cover, that shall be fitted when the pool is not in use to minimise evaporation and conserve water.
- (c) To prevent noise nuisance to surrounding properties, the pool filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.

52. POOL MANUFACTURER'S CERTIFICATION

The proposed fibreglass pool is to be constructed in accordance with the Consulting Engineer's design as shown on the approved plans and in this regard, the pool is not to be filled with water until a Certificate has been submitted by the pool construction manufacturer to the Principal Certifying Authority.

53. POOL SIGN

An approved sign outlining details of resuscitation techniques for adults, children and infants must be placed in a prominent position, close to the pool prior to filling the pool with water. Signs are available from Council.

54. INSPECTION OF POOL

A final inspection of the completed pool is to be carried out by the Principal Certifying Authority prior to the pool being filled with water.

55. REFILLING/"TOP-UP" OF SWIMMING POOL

Future water requirements for refilling and "top-up" to the swimming pool is to be obtained from rainwater provided from an on-site rainwater tank or equivalent. In this regard, full details of the proposed location and size of the rainwater tank are to be provided to the Principal Certifying Authority prior to the commencement of works on the site.

56. FINAL OCCUPATION CERTIFICATE

The Principal Certifying Authority prior to occupation or use of the development must issue a final Occupation Certificate.

In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the *Environmental Planning & Assessment Act*, 1979 have been satisfied. Note: Should Council be appointed as the Principal Certifying Authority (PCA) an inspection fee in accordance with Council's Pricing Policy is to be paid prior to the commencement of works.

57. SUBDIVISION

A Subdivision Certificate must be obtained from Council or an Accredited Certifier in accordance with Section 109C(d) of the *Environmental Planning and Assessment Act*, 1979 prior to the registration of the linen plans.

58. SYDNEY WATER

A Section 73 Compliance Certificate under the *Sydney Water Act* 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website www.sydneywater.com.au/customer/urban/index or telephone 13 20 92. Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the linen plan/occupation of the development.

59. WASTE STORAGE

The following requirements apply to waste management:

- (a) A waste management plan must be submitted to Council to include all waste removal arrangements such as the Contractor, recyclables and all other waste (collection and disposal), prior to the occupation of the premises.
- (b) Provide a separate waste storage area suitably covered, bunded and drained to the sewer. The waste storage receptacles must be maintained in good order and repair at all times.
- (c) Provide a suitable storage area affectively bunded for chemicals, pesticides and cleaning products.
- (d) Provide a separate storage area for used and unused cooking oils suitably covered, bunded and drained to the sewer.
- (e) Provide dry basket arresters to the floor wastes in the food preparation and waste storage areas.
- (f) Confer with Sydney Water regarding whether a Trade Waste Agreement is required. A copy of the agreement shall be forwarded to Council if one is entered into with Sydney Water.

60. DISPLAY OF WASTE MANAGEMENT PLAN

The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

61. RECYCLING OF WASTE PAPER

The operator of the business shall ensure that waste paper is recycled. In this regard, the operator shall make arrangements for removal by a recycling agent.

62. LANDSCAPE PLAN

The site is to be landscaped and turfed in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

63. LIGHTING

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.

64. STREET NUMBER/S

The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street. Should the number be fixed to an awning then it shall be a minimum 150mm high.

65. VEHICULAR ACCESS

Vehicular access and gradients of vehicle access driveway(s) within the site are to be in accordance with Australian Standard 2890.1 Parking Facilities - Off Street Car Parking with details provided on the plans prior to the commencement of work on the site.

66. WORK OUTSIDE PROPERTY BOUNDARY

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council at the applicant's expense.

Part C Exempt, Complying, Advertised and Notified Development

C3 Advertising and Notifications

Contents

1.0 Introduction	2
2.0 Aims – Advertising and Notification	2
3.0 Relationship to other Plans	2
4.0 Notification and advertising procedures	3
4.1 Persons to be notified	3
4.2 Process to determine the extent of notification	3
4.3 Time period for notification	4
4.4 Form of the written notification and Notification Plan	4
4.5 Applications which do not require notification	5
4.6 Advertising procedures	5
4.7 Site Notices	6
4.8 Notification of amendments prior to determination	6
4.9 Notification of reviews of determination	6
4.10 Notification of modifications of development consent	6
5.0 Advertising and Notification – Summary of requirements	7

C3 Advertising and Notifications

1.0 INTRODUCTION

This Part sets out the advertising and notification procedures applied to identify affected land owners and occupiers, the extent and type of the notification required for each type of development proposal and any subsequent requests for amendment, modification and review of development applications (DA).

This Part applies to all land within the Waverley local government area (LGA).

2.0 AIMS - ADVERTISING AND NOTIFICATION

This Part aims to:

- (a) encourage community participation, appreciation and understanding of development control and the environmental planning system and process;
- (b) set out the matters Council consider when forming its opinion whether or not the enjoyment of adjoining land may be detrimentally affected by a development after its completion or erection;
- (c) set out the procedure for notifying owners and/or occupiers of land affected by a DA;
- (d) clarify the circumstances under which a DA will be advertised and notified;
- (e) specify the circumstances when notification is not required;
- (f) detail the form that notification will take and the requirements for the notification plan; and
- (g) detail notification and advertising requirements, procedures and mechanisms whereby an application comprises of a Voluntary Planning Agreement (VPA) pursuant to Section 93F of the *Environmental Planning and Assessment Act 1979* (EP & AA 1979) and Regulation 2000.

3.0 RELATIONSHIP TO OTHER PLANS

This Part supplements the provisions outlined in those plans listed in Section 5.0 of Part A. This Part should be read in conjunction with Parts C1 and C2 that deal with complying development.

Whereby an application comprises of a Voluntary Planning Agreement (VPA), this Part should also be read in conjunction with Council's Voluntary Planning Agreement Policy 2007 (VPAP 2007) pursuant to the EP & AA 1979 and Regulation 2000. This policy is available from Council's website (www.waverley.nsw.gov.au/publications/).

Where there is an inconsistency between this Part and an environmental planning instrument (EPI), the provisions of the EPI shall prevail.

4.0 NOTIFICATION AND ADVERTISING PROCEDURES

4.1 Persons to be notified

Notification occurs where in the authorised Council Officer's opinion, the enjoyment of the adjoining or neighbouring land may be detrimentally affected by the development proposed in the DA (see Section 4.2). Where notification is required, a written notice will be sent to the owners and/or occupiers of the adjoining and neighbouring land to an application site. Council determines ownership pursuant computer rate records on the day of preparing the notification advice.

If the land to be notified is in an adjoining LGA, the names and addresses of those owners shall be obtained by Waverley Council from that adjoining Council.

Precinct Committees and elected Councillors are notified of all DA referred to by this Part as 'Advertised Development'.

4.1.1 Voluntary Planning Agreements

For any DA consisting of a VPA, Council will notify each owner and occupier within the given development and adjoining properties. The DA will be advertised in conjunction with the draft VPA template and accompanying Explanatory Note for a period of 30 days pursuant to the EP & AA 1979 and Regulation 2000. Refer to Council's Voluntary Planning Agreement Policy 2007 (VPAP 2007) for further information.

Council enters VPAs to acquire and secure units pursuant to the Waverley Affordable Housing Program (WAHP) and Waverley Affordable Housing Program Policy 2007 (WAHPP 2007). For further information with regard to the Waverley Affordable Housing Program refer to Part D2 Multi-Unit Housing of WDCP 2006 (Amendment No. 4) and the WAHPP 2007.

4.2 Process to determine the extent of notification

Council will give notice of a DA to persons who own or occupy adjoining or neighbouring land to an application site where, in the authorised Council Officer's opinion, the enjoyment of the land may be detrimentally affected in relation to:

- (a) loss of views to and from the land;
- (b) an increase in overshadowing;
- (c) loss of privacy;
- (d) an increase in the generation of noise;
- (e) the visual quality of the building in relation to the streetscape and character of the locality;

- (f) the scale or bulk of the proposed building, also in relation to adjoining buildings or others in the immediate locality;
- (g) the siting of the proposed building in relation to the application site boundaries;
- (h) hours of use;
- (i) light spillage or reflection;
- (j) means of access to or provision of parking on the application site;
- (k) the height, materials and position of fences erected on a boundary;
- (l) traffic generation;
- (m) the submission of VPA's; or
- (n) any other instance whereby an authorised Council Officer deems notification of a given DA is appropriate and required.

4.3 Time period for notification

Unless otherwise specified by the EP & AA 1979 and Regulation 2000, an environmental planning instrument or other part of WDCP 2006 (Amendment No. 4), the time periods for notification shall be no less than the time specified in Section 5 of this Part.

4.4 Form of the written notice and Notification Plan

The written notice to be forwarded by Council to the owners and/or occupiers of land defined in Section 4.1 shall contain the following:

- (a) the address to which the application relates;
- (b) a description of the proposed development and set of notification plans;
- (c) an invitation detailing the times and locations to view the application, accompanying plans and documentation;
- (d) the owners and/or occupiers right and time period to lodge a written submission in relation to the application which will be considered in the assessment;
- (e) the contents of a written submission may be included in reports and be available for the applicant to consider under the *Freedom of Information Act 1982*;
- (f) for any development application involving or affecting affordable housing, a statement to the effect that Council will consider the housing needs of any affected tenants or residents living within the building as part of the assessment process and that such persons should contact a designated Council Officer for further information; and
- (g) in the instance an application comprises of a draft VPA, the draft agreement, draft template and explanatory note are to be advertised and notified for a period of 30 days in combination with the DA pursuant to the EP & AA 1979 and Regulation 2000.

For the purposes of this Part, Notification Plan(s) shall:

- be prepared by the applicant and submitted with the application;
- be an A4 size sheet clearly illustrating the features of the proposal;
- show the height, size, dimensions and external configuration of the proposed building in relation to the site on which it is proposed to be erected;
- include a Site Plan and as required Survey Plan, showing the relationship of the proposed building to the boundaries of the allotment;
- show on the plan any new buildings or additions to existing buildings by means of cross hatching; and
- include information which, in the opinion of the authorised Council Officer; is appropriate to the DA.

4.5 Applications which do not require notification

Notification will not be carried out for the following:

- Exempt and Complying Development (Council encourages the applicant to discuss complying development proposals with adjoining neighbours before lodging a Complying Development Application);
- where, in the opinion of the authorised Council officers, the enjoyment of land will not be detrimentally affected in terms of the matters listed under Section 4.2 (a) - (l);
- development applications to strata title new buildings, which have not been occupied; and
- modifications under Section 96(1), Section 96(1A) or Section 96(2) as applicable.

4.6 Advertising Procedures

Applications required to be advertised will be advertised in a newspaper circulating in the area at the beginning of the notification period.

The advertisement is to contain the same information outlined in Section 4.4 (a) - (g) of this Part for:

- (a) advertised development and designated development in accordance with the provisions of the EP & AA 1979 and Regulation 2000 notices are required in the newspaper; or
- (b) heritage items and conservation areas listed in Waverley Local Environmental Plan 1996 (WLEP 1996) and Waverley and Woollahra Joint LEP Local Environmental Plan 1991 (JLEP 1991) (for items that fall south of Oxford Street) or items listed in the State Heritage Register under the *Heritage Act 1977*; and
- (c) applications comprising of a VPA and all supporting information.

4.7 Site Notices

Certain development will require the erection of a site notice on the application site, as prescribed in Section 5 of this Part. The site notice must contain the same information as the notice in the newspaper, including a sketch of the Site Plan.

Site notices for designated and advertised development must be in accordance with the EP & AA 1979 and Regulation 2000.

4.8 Notification of amendments prior to determination

An applicant may (but only with the agreement of Council) amend an application at any time prior to the determination of the application.

Where an amendment is made under this Section, any re-notification of the development will attract an additional notification fee. The fee is payable upon submission of the amended application. In the instance the application comprises of a VPA, this will result in additional advertising costs for the following:

- Where amended plans are submitted which relate to issues raised in written submissions from the notification process, the authorised Council Officer will re-notify those persons who made such submissions on the original application.
- Where the amended plans are submitted to address issues other than those identified in (A), and in the opinion of the authorised Council Officer those amendments will result in the development having the same or a lesser impact or effect, then re-notification is not required and submissions on the original application will be considered in the Council's assessment.
- Where the amended plans are submitted and result in amendments to the draft VPA, Council will re-notify persons contacted pursuant the original submission and re-advertise the amended agreement pursuant to the EP & AA 1979 and Regulation 2000.

4.9 Notification of reviews of determination

An applicant may request a review of DA determination under Section 82A of the EP & AA 1979. For such requests, Council will notify all persons previously notified of the application and those who objected to the previous application.

4.10 Notification of modifications of development consent

- An applicant may lodge an application to amend a development consent under Section 96 of the EP & AA 1979. Section 96 allows a development consent to be modified without the need for a new consent to be issued.
- For minor modifications under Section 96(1) of the EP & AA 1979, (involving minor error, misdescription or miscalculation), advertising and notification is not required under Regulation

2000.

- For modifications of minimal environmental impact under Section 96(1A) of the EP & AA 1979, (other than Designated Development), advertising and notification is not required, unless the authorised Council Officer determines that in the particular circumstance the proposed amendment may have an effect on the matters identified in Section 4.2 of this Part.
- For other modifications under Section 96(2) of the EP & AA 1979, (other than where the original consent was for Designated Development, State significant advertised development, nominated integrated development and any other advertised development where Council is not the consent authority, with the exception of the Land and Environment Court), notification will be made to all persons originally notified, original objectors and affected persons; and notification will be published in a newspaper circulating in the area if:
 - the authorised Council Officer is of the opinion that the proposed modification may have an effect on the matters identified in Section 4.2 of this Part; and
 - the original application was notified to the persons mentioned above and the original application was advertised in a local newspaper.
- Where a Section 96 application seeks to amend floor space to an application containing an affordable housing component, or amend a VPA, the application requires re-advertising and re-notification pursuant to Section 93F of the EP & AA 1979, Regulation 2000 and Council's VPAP 2007.

Such notification shall be in accordance with Sections 4.1 – 4.8 of this Part.

- All applications for modification under Section 96(2) of the *EP & AA 1979* will incur a notification fee.
- Where a Section 96 Application of the *EP & AA 1979* is submitted to the Land and Environment Court and where that application for amendment requires re-notification, Council will invite and consider submissions on the application for amendment, however the Court remains the consent authority and will ultimately determine the application. In such circumstances, the written notice needs to specify that the Court is the consent authority and will determine the application.

5.0 ADVERTISING AND NOTIFICATION REQUIREMENTS

Table 1 outlines advertising and notification requirements. Table 1 excludes developments listed in Tables 1 and 2 of the Exempt and Complying Development Parts (i.e. Parts C1 and C2).

Proposed Use/ Development	Letter to Adjoining Property Owners	Advertise in the Local Newspaper & Notify Councillors & Precinct Committees	Notice on Site	Notification Period
Additions to multi-unit housing (excludes internal alterations)	Yes	No	Yes	14 days*
Aged or disabled person's housing (SEPP Seniors Living applications)	Yes	Yes	Yes	14 days*
Any building or activity which in the opinion of the Council would detrimentally affect owners or occupiers of nearby land.	Yes	No	No	14 days*
Backpacker's accommodation (additional bed-spaces, conversions and new developments)	Yes	Yes	Yes	14 days*
Bed and breakfast establishments	Yes	No	Yes	14 days*
Boarding houses (conversions and new development)	Yes, including notification to occupiers	Yes	Yes	14 days*
Child care centres	Yes	Yes	Yes	14 days*
Designated development (EP & AA 1979)	Yes	Yes	Yes	30 days
Development on land covered by the Waverley & Woollahra Joint LEP 1991 that adjoins or is adjacent to land used for residential purposes (clause 23)	Yes	Yes	Yes	14 days*
Dual occupancy (2 dwellings attached or detached)	Yes	No	Yes	14 days*
Dwelling houses	Yes	No	Yes	14 days*
Educational establishments	Yes	Yes	Yes	14 days*
Footpath Seating for Restaurants and Cafes	Yes	No	No	14 days*

Table 1. Advertising and Notification requirements

Proposed Use/ Development	Letter to Adjoining Property Owners	Advertise in the Local Newspaper & Notify Councillors & Precinct Committees	Notice on Site	Notification Period
Heritage items and conservation areas (Development that is not considered minor work)	Yes	Yes	Yes	30 days from date of notice in news paper
**Minor work to a heritage item and buildings within a Conservation Area	Yes	No	No	14 days*
Home based child care service	Yes	No	No	14 days*
Multi-unit housing, including residential flat building, townhouses (3 or more dwellings), commonly known as group houses, semi-detached houses, terrace houses, villa homes and the like	Yes	Yes	Yes	14 days*
Non-conforming use of a commercial premises in a residential area	Yes	No	Yes	14 days*
Voluntary Planning Agreements (this applies in any instance involving the preparation, amendment or modification or review of a VPA)	Yes	Yes	Yes	30 days

* In circumstances where the notification period is 14 days and would commence between the third and last week of December, that notification period shall be extended to 21 days.

In certain circumstances, Council may use its discretion to allow an extension of the prescribed notification period.

This page is intentionally blank.

Part D Residential

D1 Dwelling House and Dual Occupancy Development

Contents

1.0 Introduction	2
1.1 Relationship to other Parts	2
1.2 Aims of Part D1	2
1.3 Strategic context	3
1.4 How to use this Part	3
1.5 Residential Character Studies	3
1.6 Generic Controls	4
1.7 Consultation with Council	4
1.8 Protection of Aboriginal Sites	4
2.0 Dover Heights Residential Character Study	4
2.1 Land to which the Character Study applies	4
2.2 Existing Character Elements	4
2.3 Objectives Specific to the Dover Heights Residential Character Study area	12
3.0 Queens Park Residential Character Study	20
3.1 Land to which the Queens Park Residential Character Study applies	20
3.2 Existing Character Elements	20
3.3 Objectives Specific to the Queens Park Residential Character Study area	25
4.0 Bronte Beach Residential Character Study	31
4.1 Land to which the Bronte Residential Character Study applies.	31
4.2 Distinctive Characters of Bronte	31
4.3 Bronte Terraces existing Character Elements	33
4.4 Objectives specific to the Bronte Terraces Area	36
4.5 Bronte Plateau existing Character Elements	41
5.0 Generic Controls	47
5.1 Building Height	48
5.2 Size and Bulk of Dwelling Houses and Dual Occupancy Development	51
5.3 Setbacks	53
5.4 Streetscape and Visual Impact	57
5.5 Fences	62
5.6 Privacy and Noise Controls	63
5.7 Vehicular Access and Parking	65
5.8 Landscaped Open Space	67
5.9 Laneway Development and Ancillary Building	70
5.10 Community Crime Prevention	72
5.11 Accessibility and Adaptable Housing	75

D1 Dwelling House and Dual Occupancy Development

1.0 INTRODUCTION

This Part applies to all dwelling house, dual occupancy, [semi-detached and terrace-style dwellings] on land zoned "Residential" under Waverley Local Environmental Plan 1996 (WLEP 1996) and includes the Residential 2(a), 2(b), 2(c1) and 2(c2) zones. This Part also applies to land zoned 3(a4) Business Special (Low Intensity Zone) under Waverley and Woollahra Joint LEP 1991 – Bondi Junction Commercial Centre (JLEP 1991). The objectives and controls of the zone will be taken into consideration in determining development applications.

Portions of this Part apply to the residential component of mixed development in the Business 3(a), 3(b) and 3(c) zones, including Bondi Beach. Specifically, sections 4.12, 5.1 and 5.11.

1.1 Relationship to other Parts

This Part needs to be read in conjunction with the following Parts:

- Part F1 – Bondi Junction Commercial Centre.
- Part F2 – Bondi Beach.
- Part G1 – Site Waste Minimisation and Management.
- Part G2 – Solar Access.
- Part G4 – Water Management
- Part H1 – Heritage Conservation.
- Part I1 – Land Use and Transport.

1.2 Aims of Part D1

- (a) To ensure that the scale of dwelling-houses and dual occupancy development is appropriate for allotment sizes and in relation to other dwellings in the vicinity;
- (b) To ensure that new dwelling-houses and dual occupancy developments do not significantly detract from the amenity, privacy and views of other dwellings and public view corridors;
- (c) To ensure that alterations to existing dwelling-houses and dual occupancy developments do not significantly detract from the amenity, privacy and views of other dwellings and public view corridors;
- (d) To ensure that council has regard to the principles of ecologically sustainable development when assessing applications to construct or make alterations and additions to dwelling-houses and dual occupancy developments;
- (e) To ensure that alterations and additions to existing dwellings and dual occupancies are sympathetic in form and character with other dwellings in their vicinity;
- (f) To maximise the water and energy efficiency of dwellings, reduce the generation of waste from dwellings, reduce the

- impact of excessive water run-off from land on which dwellings are situated and maximise permeable surfaces and to assist in the reduction of crime through design;
- (g) To encourage dwelling house and dual occupancy development to have high design standards;
 - (h) To maintain and enhance the distinct built form and unique residential characteristics that are exhibited in the Bronte Beach, Dover Heights and Queens Park Residential Character Study Areas; and
 - (i) To encourage Crime Prevention through Environmental Design (CPTED).

1.3 Strategic Context

The areas of Bronte, Dover Heights and Queens Park have been identified as areas that have unique physical qualities and an intrinsic residential character that should be preserved. It is recognised that the generic Strategies and Controls contained in this Part are not necessarily appropriate to achieve a desired future character for these areas. As a result, character studies were developed for these areas and incorporated into this Part. The Character Studies outline the desired future objectives and design guidelines to ensure that the unique character of each of the areas is maintained or enhanced.

1.4 How to use this Part

This Part also contains objectives, performance criteria, strategies, and controls for dwelling house and dual occupancy development set out under various headings in the following sections. Each strategy relates to a particular control or set of controls.

Compliance with a control does not guarantee that the strategy is satisfied. In some instances the design solutions may not be appropriate for the particular site or situation. Therefore, having regard to the physical characteristics of the site and the nature and proximity of adjoining and nearby development, Council may require alternative design solutions.

The development controls may not normally be varied. However, if an applicant is able to clearly demonstrate that a particular control is unreasonable or unnecessary in the circumstances of the case, Council may consider relaxing the control. Conversely, having regard to the physical characteristics of the site and the nature and proximity of adjoining and nearby development, Council may require a more restrictive control so as to minimise or eliminate any likely negative impacts.

1.5 Residential Character Studies

Sections 2.0, 3.0 and 4.0 contain Residential Character Studies for Dover Heights, Queens Park and Bronte areas and are identified by a map at the front of each section.

The areas of Dover Heights, Queens Park and Bronte have unique physical qualities and intrinsic residential character that Council considers should be preserved. The character studies held in Sections

2.0, 3.0 and 4.0 describe the distinctive residential character of each area and identify specific Desired Future Character Objectives and Performance Criteria.

The character studies ensure that the design of dwelling houses and dual occupancies within the study areas result in development that achieves Council's Desired Future Character Objectives for those areas. The Performance Criteria should be used to achieve Council's objectives for the desired future character of these areas.

When proposing a development, applicants need to address the Strategies and Controls contained from Section 5.0, onwards as well as address the Performance Criteria held in Sections 2.0 to 4.0 for the relevant character area. Where there is any discrepancy the character study performance criteria will prevail.

1.6 Generic Controls

Sections 5.1 to 5.11 prescribe the objectives, performance criteria, strategies and controls for: building height; building size and bulk; setbacks; streetscape and visual impact; fences; privacy and noise control; vehicular access and parking; landscaped open space; and laneway development and ancillary buildings. These controls apply to all single dwellings and dual occupancy development. Additionally, controls have been integrated to ensure community crime prevention and promote accessible design.

1.7 Consultation with Council

If you are proposing to build a new dwelling-house or dual occupancy, or undertake alterations and additions to an existing dwelling-house and require assistance in the preparation of your application, contact Council's Duty Officer (ph: (02) 9369 8008).

1.8 Protection of Aboriginal Sites

It is essential to note that there may be a number of undiscovered and/or unrecorded Aboriginal objects and places within Waverley local government area (LGA). As a result of this limitation, and the fact that all Aboriginal objects and places are protected under the *National Parks & Wildlife Act 1974*, when undertaking excavation persons should proceed with caution and must report any findings of possible Aboriginal objects and places to Council's Planning & Environmental Services Department before proceeding with further works.

2.0 DOVER HEIGHTS RESIDENTIAL CHARACTER STUDY

2.1 Land to which the Character Study applies

The Dover Heights Character Study Area is bounded by Lancaster Road to the north, Gilbert and Hardy Streets to the west, Macleay Street, Loombah Road and Military Road to the south, and the Pacific Ocean to the east. This area is indicated in Figure 1, overleaf.

2.2 Existing Character Elements

Dover Heights is almost exclusively residential and contains many

substantial detached houses. The area's elevated position allows spectacular panoramic views of the Pacific Ocean, coastal cliffs and the surrounding and distant districts, including the harbour and the City (see Figure 2). The distinctive character elements of the area are discussed in sub-sections 2.2.1 to 2.2.8.

2.2.1 Physical Setting - Topography

Dover Heights is situated on a plateau in the northern part of the Waverley LGA. Sandstone cliffs to the Pacific Ocean form the boundary to the east. The area generally slopes gently to the west and south, becoming steeper towards the edge of the study area. The natural sandstone bedrock is exposed on the eastern sea cliff wall and part of Hardy Street (on the western side of the study area) separating the eastern part from the lower Hardy Street level (refer to Figure 3).

2.2.2 Subdivision

Streets in the area are typically arranged in a rectangular grid pattern with the long axis in the north south direction. The area has a mostly uniform subdivision pattern consisting of large (typically 500m² - 700m²) rectangular lots. The lots predominately have an east-west orientation, allowing maximum access to significant views to the west.

Along the eastern edge of the area a number of blocks have the long axis running in an east-west direction, the streets forming cul-de-sacs where they meet the sea cliffs. Here the lots, still of similar size, tend to have a north-south orientation. In the very southern end of the area, the street layout and subdivision pattern is more irregular, reflecting the local topography. The large sites and uniform subdivision pattern forms a framework for the established detached villa style of dwelling (refer to Figure 4).



Figure 1. Dover Heights Residential Character Study Area.

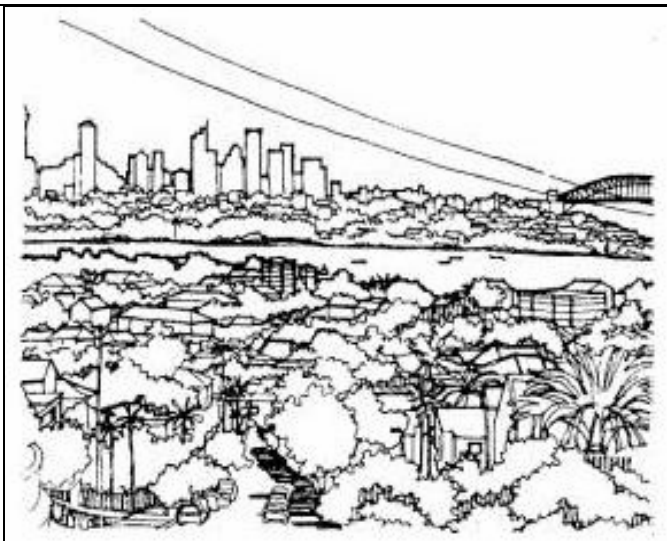


Figure 2. Western view corridors open to the Harbour Bridge and city skyline. Topography and public and private landscaping, together, contribute to the established landscape views.

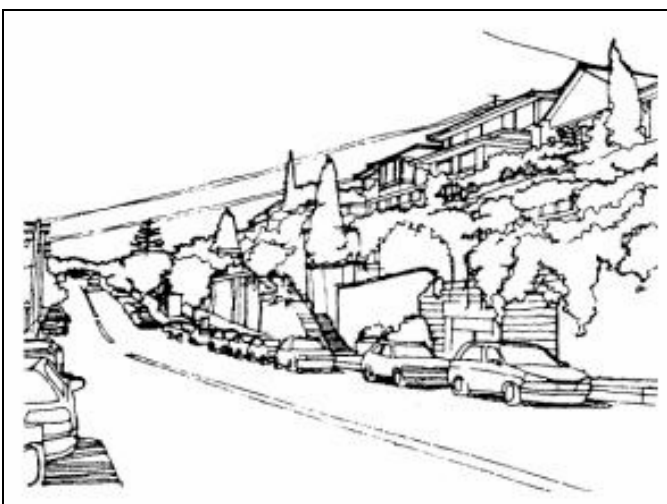


Figure 3. The western edge of the study area (Hardy Street) is defined by its natural topographic platform.



Figure 4. Detached villa style of dwelling is the typical character of Dover Heights.

2.2.3 Open Spaces

Hugh Bamford Reserve, Dudley Page Reserve, Rodney Reserve and Caffyn Park are significant areas of public open space, contributing to the open character of the area and providing panoramic views. Wide road reserves and verges also contribute to a sense of openness (see Figure 5).

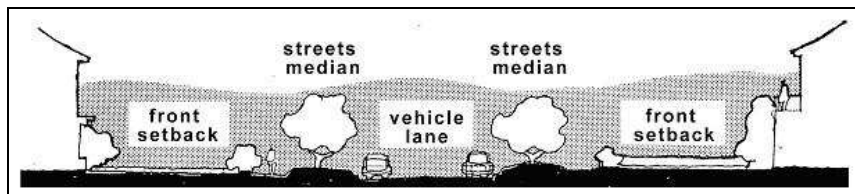


Figure 5. Typical street section.

2.2.4 Views and Vistas

The area enjoys panoramic views to the west, east and south from both public and private domains. The east-west street corridors are an important view axis providing an important mechanism that contributes to the appreciation of the overall Dover Heights character. The view corridors to the west extend to the Harbour Bridge and city skyline.

The eastern view corridors open to the sea. Dead end streets framing ocean views are a typical feature of the eastern edge of the Dover Heights platform. The southern end of Dover Heights enjoys views and vistas over the Bondi basin, Bondi Beach and the coast line beyond.

2.2.5 Landscaping

The area is generally void of any remnant native vegetation apart from some low coastal shrubs and grasses along the eastern sea cliffs. The area is characterised by wide streets and verges with diverse medium scale and scattered tree plantings (refer to Figure 6). Grass is a dominant ground cover on the street verges and prominent public open space, contributing significantly to the general open landscape character of the area.

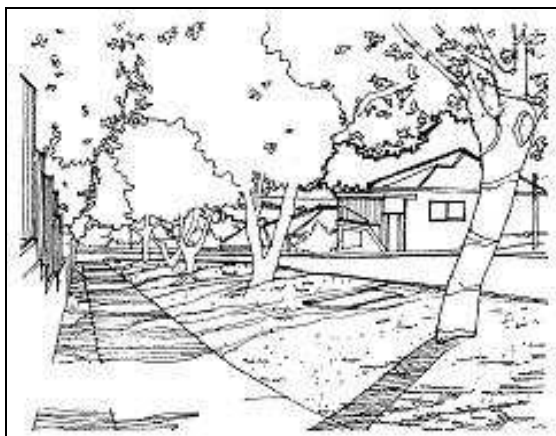


Figure 6. Wide grassed verges and medium scale trees are the typical of the landscape character of the street.

In the private domain, front, side and rear landscaping is generally low to the ground, important in maintaining views and contributing to the area's overall landscape character. On steep sites, landscaping is often used effectively to form a soft transition from the street to elevated houses.

2.2.6 Residential Character – Streetscape

Dwellings tend to have a uniform front setback, enhancing the prominent wider street corridor and open landscape character. On sloping sites, front and side setbacks tend to highlight the significant landform of the sites. In other locations, setbacks and landscaping are designed to enhance public view quality (refer to Figure 13).

Front fences are predominantly low and/or open in style. This allows excellent surveillance and a visual transition from the street to the dwellings. This provides a sense of integration of public and private spaces, contributing to the 'open' character of the area (refer to Figure 7).

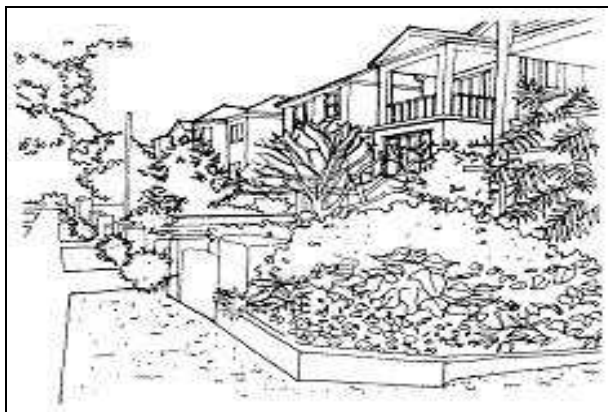


Figure 7. A low fence is a dominant character in Dover Heights providing surveillance and contributing to a wider street corridor.

Wide garage doors on the front property boundary limit the potential for soft landscaping and the integration of the dwelling with the streetscape. At street level the bulky nature of this type of development detracts from the street's open character.

2.2.7 Architectural Style

The area is comprised of a mix of architectural styles, including older style single and double storey detached dwellings with pitched roofs (refer to Figure 8) and contemporary 3 storey flat roofed cascading buildings.



Figure 8. Single storey detached dwellings are one of the oldest architectural characters of Dover Heights.

The older style dwellings have a simple geometric lay out, pitched roofs, substantial masonry walls, and fine modulation (refer to Figure 9).

Variations in the older style dwelling include the use of semi circular bay windows and round fillet wall corners with high parapet walls which are influences from the art deco period. These contribute to a consistent bulk and scale (refer to Figure 10).



Figure 9. Older style dwellings are characterised by simple geometry, pitched roofs and substantial masonry.



Figure 10. Art Deco is among the most formative built character in Dover Heights. Bay windows with semi circular or round fillet corners are the character influenced by the Art Deco period.

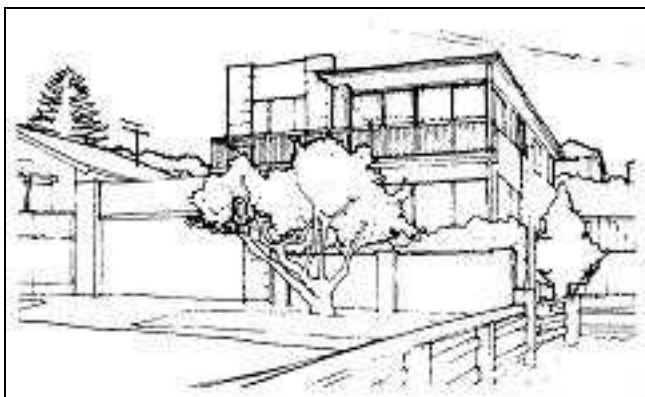


Figure 11. Contemporary architecture is the emerging character from recent development in Dover Heights.

Recent developments have introduced a 3 storey cascading dwelling style with wider modulation, wider garage doors, flat roofs, double storey columns, high beams, large front balconies, and large areas of transparent glass for doors, windows, and balcony balustrades. These contemporary developments are alien to the established character of older style dwellings (refer to Figure 12).



Figure 12. Contemporary architectural styles create a contrast to the older character.

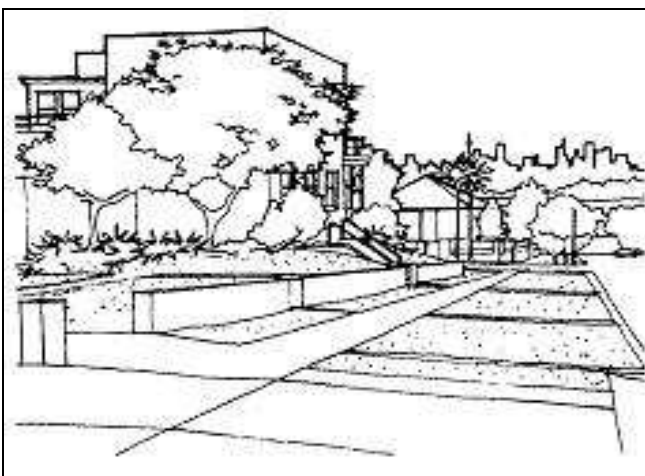


Figure 13. Setbacks and landscaping are designed to enhance public view quality.

Some newer dwellings introduce complex geometric elements and freely curved lines, departing significantly from the established streetscape character.

2.2.8 Colour Scheme

The characteristic colour scheme of the area consists of a single, bright, or pastel colour, or white. A contrasting trim colour is often used to lift the colour scheme. Some older style dwellings feature face brickwork in red and dark colours. Roofs are terracotta or dark, natural colours.

2.3 Objectives Specific to the Dover Heights Residential Character Study area

In addition to the objectives set out from Section 5, the table overleaf outlines the desired future objectives, objectives and performance criteria relevant to the Dover Heights Residential Character Study Area.

Desired Future Character Objectives	Performance Criteria
1. Views and Vistas	
<p>1.1 To minimise the impact of new development on views and vistas from the public and private domains.</p> <p>1.2 To reinforce public views and vistas in street corridors.</p>	<p>1.1 Where a site exposes a view, reinforce the established view through a sensitive building envelope that minimises view obstruction.</p> <p>1.2 To avoid view obstruction, a flat roof solution can be used where its appearance is in keeping with the architectural style of building and built form of the street.</p> <p>1.3 Appropriate landscape species and plantings are used to reinforce and frame existing vistas, particularly the typical view corridor in the eastern area of Dover Heights.</p> <p>1.4 Tree planting is designed to retain the established view quality in the area, including the use of medium height species and diverse spacing.</p>
2. Streetscape	
<p>2.1 To preserve the established scale, open character and view quality of streets.</p> <p>2.2 To retain consistent front, side and rear setbacks so as to define a coherent street corridor and reinforce the established detached dwelling character.</p> <p>2.3 To prevent or mitigate the negative impact at street level of wide garage doors on the property boundary.</p>	<p>2.1 Development exhibits a single detached dwelling house character.</p> <p>2.2 The high quality of established streetscape is supplemented by extensive landscaping using low plantings of shrubs and trees. Such landscaping does not obscure building form and augments the visual continuity of the street.</p> <p>2.3 Developments incorporate a setback (including garage setbacks), consistent with the predominant character of the street, to enhance street surveillance and to avoid unattractive facades at the street level.</p> <p>2.4 Substantial rear setbacks are provided where they contribute significantly to the streetscape, view character and amenity of the neighbourhood.</p>

Desired Future Character Objectives	Performance Criteria
	<p>2.5 On side-streets, setbacks and landscaping ensure that established scale and character is preserved.</p> <p>2.6 Where the natural topography allows car access on site, presentation of garage doors at street level should be avoided. Where the topography restricts car access onto the site refer to criteria 2.7-2.9.</p> <p>2.7 Where having the garage door face the street is inevitable, openings are to be minimised, and designed with similar proportions to openings in the main dwelling. Garages should not dominate the street façade.</p> <p>2.8 For sites with double street frontages, garage openings should address the less prominent public street. Where a garage faces a different street than the main house, the garage should be part of the main house, rather than on its own.</p> <p>2.9 Where the site is sunken below the street level and the garage faces the street, a semi open garage is encouraged to enable visual connection between the house and the street.</p> <p>2.10 The landscape character of the street is retained with a coherent planting theme and appropriate spacing of tree planting.</p> <p>2.11 Front fences are consistent with adjoining fences, to give continuity to the streetscape. These will typically be low or open style fencing to complement the street's wide verges and provide excellent surveillance (refer to Figure 14). Full masonry fences should not be higher than 600mm.</p>
3. Landscaping	
<p>3.1 To reinstate a coherent landscape theme and enhance the existing landscape character.</p> <p>3.2 To integrate the private and public domains through appropriate landscape design.</p>	<p>3.1 Substantial plantings, low plantings and soft landscaping are provided in appropriate proportions to the built and paved surfaces.</p> <p>3.2 Where tall plants are to be used for the purpose of visual screening, they are consistent with the established street character.</p>

Desired Future Character Objectives	Performance Criteria
<p>3.3 To encourage the planting of native species and in particular substantial species in appropriate locations.</p> <p>3.4 To actively discourage hard landscaping.</p>	<p>3.3 Suitable ground cover and relief is used to assist integration between the front of dwellings and the street verge. Grass is used as a dominant ground cover when consistent with the street's verge (refer to Figure 15).</p> <p>3.4 Front and side landscaping should be designed in compatible colours and themes to the street's landscape and pedestrian experience. Large garage openings and massive areas of pavement are not desirable and conflict with the established landscape character of this area.</p> <p>3.5 Soft landscaping provides a harmonious transition between hard surfaces (eg. natural rustic stone to clean rendered wall) and contributes to streetscape character.</p> <p>3.6 On steep sites, setbacks, fences, building and landscape design combine to enhance sandstone walls or outcrops on the street.</p>
4. Architectural Style	
<p>4.1 To encourage a coherent architectural style as compatible with the established character of the street.</p> <p>4.2 To reinforce the existing 'two storey detached villa with pitched roof' style of housing as the predominant building typology.</p>	<p>4.1 The architectural style of new development is compatible with the established character of the street. The older style two storey detached villa type of housing with a pitched roof is favoured over the more recent three cascading storeys, flat roof, and building.</p> <p>4.2 Alterations and additions are undertaken in a manner sensitive to the established character of the street and the area as a whole.</p> <p>4.3 A simple geometric layout consistent with the older architecture is encouraged. Anomalous use of shapes and vocabulary, which detract from the coherency of the street, is to be avoided (refer to Figure 16).</p> <p>4.4 Three storey dwellings with flat roofs are not a desirable architectural style unless a specific topographic setting or adjoining architectural style results in minimum impact.</p> <p>4.5 Building height, bulk and scale should respect adjacent sites. Setback, vertical and horizontal modulation and scale are articulated</p>

Desired Future Character Objectives	Performance Criteria
	<p>to relate to the buildings on adjacent sites. Other façade elements such as garages, entrances or balconies can also serve this purpose (refer to Figures 17, 18 and 19).</p> <p>4.6 Landscape and external building elements such as ramps, stair-way access, balconies, balustrades, pergolas, gateways, entrances or additional structures are designed so as not to detract from the established street character nor dominate the main architectural and landscape design (refer to Figure 20). Double height elements, e.g., columns or windows, are to be avoided where they detract from the immediate adjacent character (refer to Figure 21).</p> <p>4.7 Modulation is used to articulate a building in appropriate scale to the street. Unmodulated walls should not be longer than 8 metres to be consistent with the established detached dwelling scale and typo-logy. Garage doors should not exceed more than a third of the width of the main building.</p> <p>4.8 The established streetscape character is contingent on a balance of masonry and glass in the design of building facades.</p> <p>4.8 The established streetscape character is contingent on a balance of masonry and glass in the design of building facades.</p> <p>4.9 The use of massive glass finishing is to be avoided where it creates a contrast to the typical character of the existing streetscape.</p> <p>4.10 Roof materials and angles are consistent with the established streetscape character.</p> <p>4.11 Where the site is sunken below the street level and the roof is significantly exposed to the street, present a roof form, coherent in height, angle, material and colour. Avoid additional dormer windows, service structures (such as hot water systems, exhaust fans, etc) where their placement may degrade the visual quality or coherency of the street.</p>

Desired Future Character Objectives	Performance Criteria
	4.11 Where the site is sunken below the street level and the roof is significantly exposed to the street, present a roof form, coherent in height, angle, material and colour. Avoid additional dormer windows, service structures (such as hot water systems, exhaust fans, etc) where their placement may degrade the visual quality or coherency of the street.
5. Colour Scheme	
5.1 To promote a coherent colour scheme for dwellings compatible with the existing colours of dwellings in the vicinity.	5.1 Rendered brickwork in a bright or pastel base colour is used to integrate old and new work.
5.2 To reinforce a single bright, natural or pastel colour as the dominant base colour in the area.	5.2 The use of primary and strong base colours on exterior walls is discouraged where it contrasts with the established character of the street.
	5.3 Face brickwork is discouraged unless it exists as an important element of the character of buildings in the vicinity.

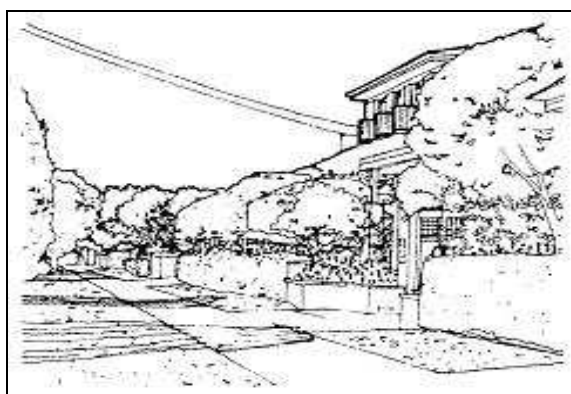


Figure 14. High fences are not a desirable landscape character, nor is overly dense planting. High fences and/or dense planting are not desirable as they prohibit surveillance to the street.



Figure 15. Landscaping is carefully designed so as to facilitate better visual integration to the street. Coherent ground cover provides excellent landscape integration with the street.

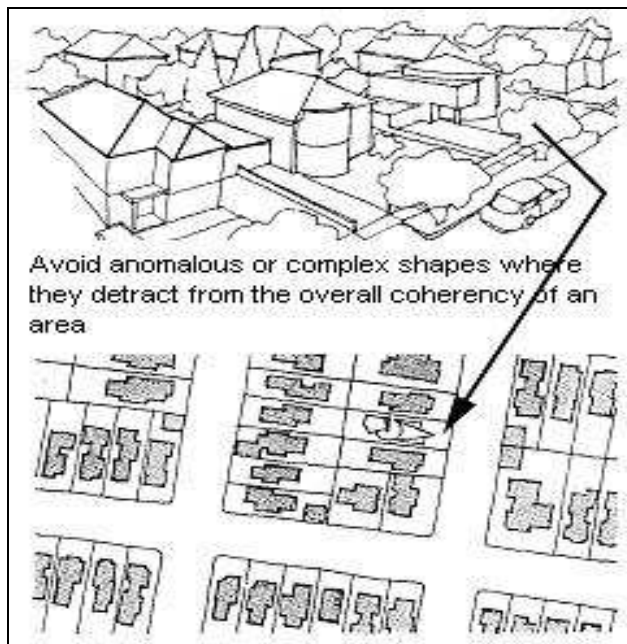


Figure 16. A simple geometric layout and built envelope is desirable if it is consistent with the dominant character of the street.



Figure 17. Facade elements are used to break the building bulk into appropriate modulation and scale.

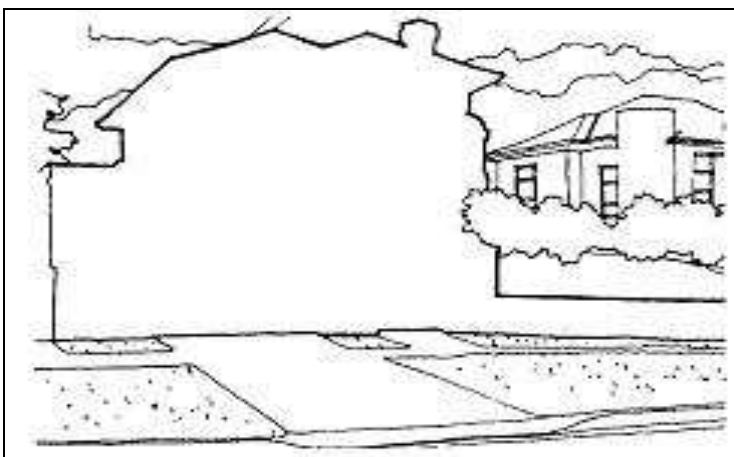


Figure 18. The absence of modulation and scale increases the bulk of a building.

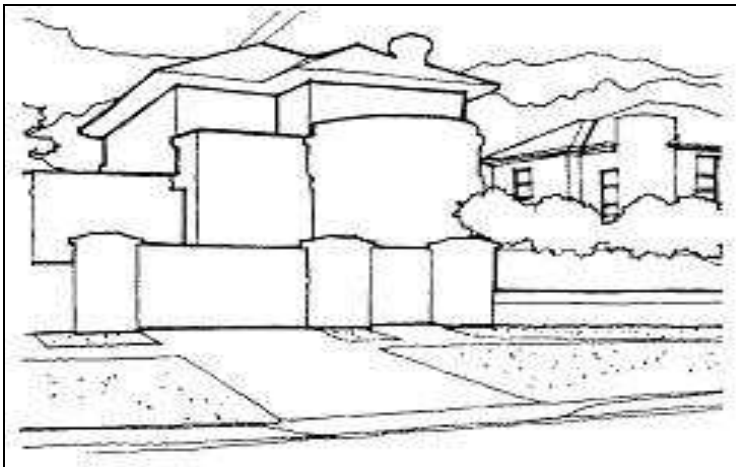


Figure 19. Fences, entrances, balconies and roof lines are used to break the bulk of the building.



Figure 20. Other individual landscape elements break the coherency of the street. Gateway structures are unnecessary where they detract from the rest of the street's character.



Figure 21. Contemporary buildings without sensitive modulation and scale can detract from the coherency of the street. Avoid double storey columns and windows, and high beams/parapets where they detract from the character.

3.0 QUEENS PARK RESIDENTIAL CHARACTER STUDY

3.1 Land to which the Queens Park Residential Character Study applies

The Queens Park Character Area is bounded by (but does not include) Bondi Junction Commercial Centre and the Mill Hill Conservation area to the north, Bronte Road and Charring Cross to the east and Queens Park and Centennial Park to the south and west. The character study area is shown in Figure 22.

3.2 Existing Character Elements

The Queens Park area contains a collection of predominantly nineteenth century and early twentieth century architectural styles and should be read in the context of the history of urban development in Bondi Junction, Mill Hill, Centennial Park and surrounding areas. The village character of this area is created through a collage of features and artefacts that are still reflective of the era in which the area was developed. The distinctive character elements exhibited in the area are outlined below:

3.2.1 Physical Setting – Topography

The study area slopes down from Bondi Junction in the north and east, to Queens Park in the south and Centennial Park in the west. The area, while generally gently sloping, tends to be steeper towards the eastern end. Here, distinctive natural sandstone outcrops form part of the eastern edge of the park and also appear in the split level platform of Cuthbert Street and Arnold Street.

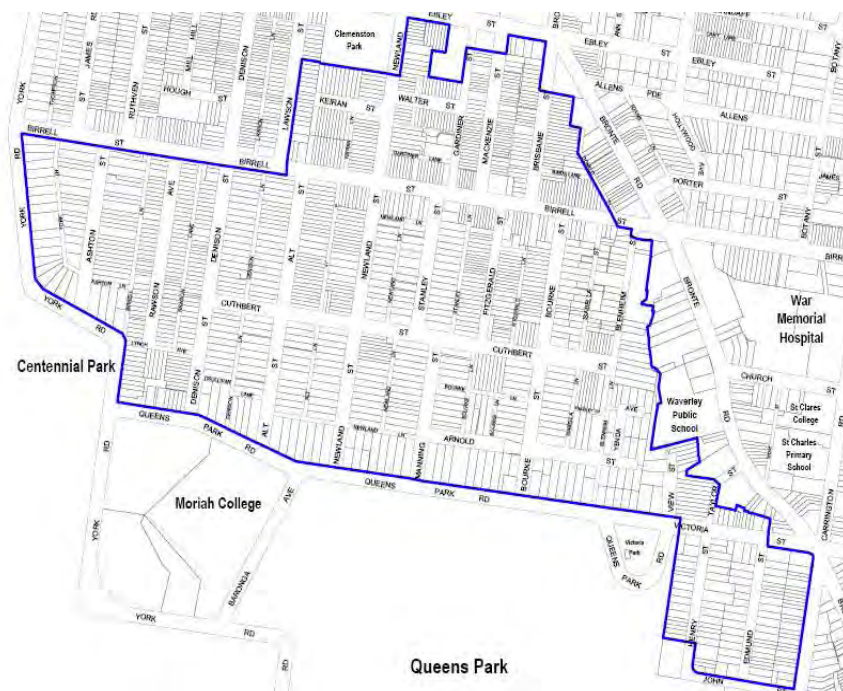


Figure 22. Queens Park Residential Character Study Area.

3.2.2 Subdivision

Streets in the area are arranged in a grid pattern with most blocks containing internal rear service lanes. The subdivision pattern features three categories of lot size, reflecting the type of dwellings in the area.

Small sized lots (typically 100m² to 250m²) dominate the north-eastern portion of the study area. These lots typically contain Victorian terraces and other attached dwelling styles (refer to Figure 23). In the central and southern part of the area, lots tend to be larger (typically 200m² to 400m²) reflecting the semi detached and detached villa dwelling typology (refer to Figure 24). The largest lots (500m² to 800m²) are present on the western and southern edges of the area, fronting onto Queens Park Road and York Road. These lots contain bungalow style dwellings with a deep set back, and a small number of residential flat buildings (refer to Figure 25).

3.2.3 Views and Vistas

North-south street axes provide important view corridors to Queens Park. Formal tree plantings in these streets frame views to the open parkland in the distance. Properties in the upper eastern portion of the area enjoy distant views of parklands and the city to the west.



Figure 23. Example of Victorian terraces in the area.



Figure 24. Example of semi-detached dwellings in the area.



Figure 25. Example of the detached bungalow dwelling style in the area.

3.2.4 Open Space

Queens Park and Centennial Park are expansive areas of open space bordering the study area to the south and west respectively. These parklands are significant landmarks and provide a contrast to the compact residential character of the study area.

3.2.5 Landscaping

Vegetation is an element of paramount importance to the character of this area. Formal plantings of mature fig trees are the most distinguishing characteristic of the inner residential streets and provide a unifying theme throughout the study area. The sense of enclosure created by the avenues of mature trees is in contrast to the openness of the parkland bordering the area to the south and west (refer to Figure 26).

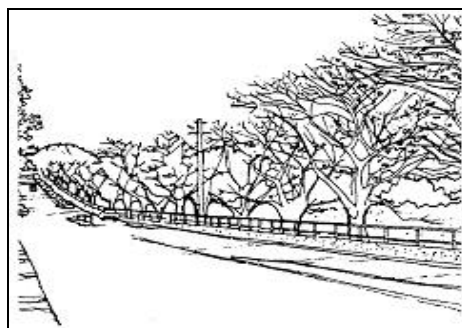


Figure 26. Open views, established street trees and rock outcrops are a unique character of Queens Park parkland.

3.2.6 Residential Character – Streetscapes

Three distinct types of streetscape character are found within the study area. Streets which carry larger volumes of local through traffic (e.g., Birrell Street, Queens Park Road, York Road), inner residential streets (e.g., Manning Street, Alt Street, Ashton Street) and rear access lanes. The streets with higher volumes of through traffic have a wider carriageway, relatively narrow verges and smaller scale and less dense street plantings. These features contribute to a wider, more open and brighter streetscape (refer to Figure 27).

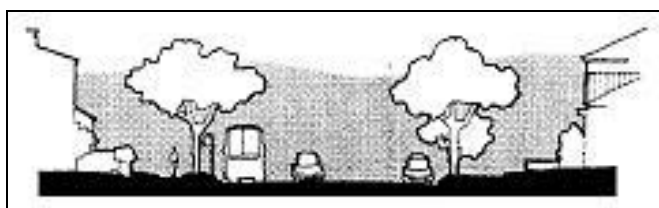


Figure 27. Typical section of a street with high volumes through traffic.

Inner residential streets are characterized by mature trees forming a canopy. These streets are foliage shaded, with a cooler microclimate, and wider verges (refer to Figures 28 and 29).

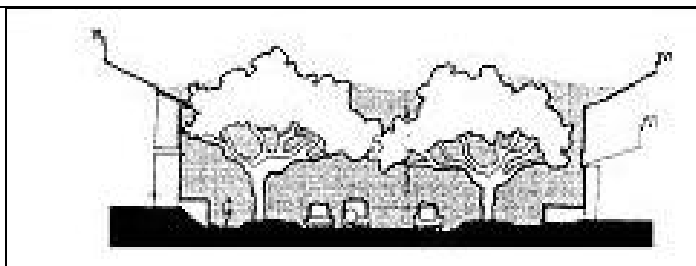


Figure 27. Typical section of an inner residential street with a terrace dwelling typology.

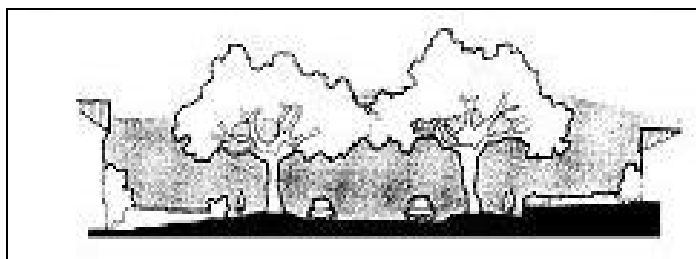


Figure 28. Typical section of an inner residential street with a detached dwelling typology.

The narrow, corridor like rear access lanes are dominated by garage doors, high fences and walls, landscape screening, and a variety of building setbacks (refer to Figure 30).

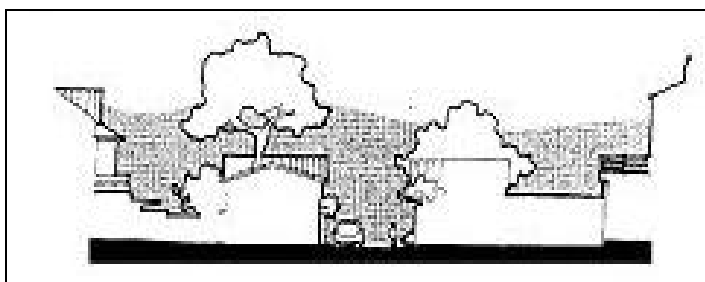


Figure 29. Typical section of a rear access lane.

A variety of front fence styles and setback conditions typify the range of dwelling styles represented in the area. Shallow setbacks with cast iron fences are part of the original character of Victorian terraces. While most remain intact, some have been replaced with higher, rendered brick fences. Detached and semi-detached dwellings typically have deeper front setbacks, with low brick or timber picket fences the most common styles (refer to Figure 31 overleaf).

Low, staggered brick fences are used on steeper sites and where no rear lane access is provided, garage doors and sloped landscaping face the street (refer to Figures 32).



Figure 31. Example of low and transparent fences which correspond to the established character principles. Fences, stairs, landscaping and roofs play an important role in the rhythm of the street.



Figure 32. Sloping fences on steeper sites.

3.2.7 Architectural Style

The Queens Park study area is one of the oldest precincts in the Municipality, containing many man made and natural heritage items, including remnants of walls, stables, buildings, caves and trees. Any development must be sensitive to these items.

A variety of architectural styles reflect the various eras of development in the study area. These include the Victorian Terrace, sandstone Post Regency cottage, Victorian Gothic, Edwardian and Federation semi-detached dwellings and larger Federation, Californian and Modern bungalows. Most dwellings are clustered in groups of similar style. Repetition of building elements such as shingled gables, chimneys, doors and windows, terraces, entrances, fences, etc. establishes a coherent streetscape character based on detail and rhythm.

Recent development has increased the vocabulary of the character of the area. New dwellings and alterations and additions range from minor dormer windows to contemporary architecture.

3.3 Objectives Specific to the Queens Park Residential Character Study area

In addition to the objectives set out from Section 5, the table below outlines the desired future character objectives and performance criteria relevant to the Queens Park Residential Character Study Area.

Desired Future Character Objectives	Performance Criteria
1. View and Vista	
1.1 To reinforce existing views in the north-south street corridors.	1.1 Appropriate landscape species and plantings are used to reinforce and frame existing vistas, particularly in the typical north-south street corridors.
2. Streetscape	
2.1 To reinforce existing street categories, through appropriate dwelling facade, building setback, fence and landscape gestures.	2.1 New development and alterations and additions to existing dwellings should be compatible and consistent with development both in the immediate vicinity and in the overall context of the street.
2.2 To encourage dwelling styles that integrates with the established front, rear and side streetscapes.	2.2 Where properties have side street or rear lane frontages, alterations and additions reinforce the desirable side or rear streetscape.
2.3 To maintain streetscape character through consistent building setback, particularly where a building is part of a row of identical buildings.	2.3 Building setbacks, terraces, balconies and rooflines are consistent within the defined street corridor and provide uniformity to a group of terraces, or mirror an attached semi.
2.4 To promote fencing design which is consistent with the original style of the dwelling and character of the street, while providing for surveillance and promoting a wider ambience for pedestrians.	2.4 Where side setbacks between two dwellings result in two narrow paths, shared access and removal of side fences is encouraged, to widen and improve the functionality of the space.
2.5 To progressively improve the existing cluttered character of rear access lanes.	2.5 Low fences are desirable, especially where setbacks are close to the street. This provides surveillance to the street, and a wider ambience for pedestrians, and gives a better scale to the building façade (refer to Figure 35).
	2.6 Front fences are to be of a low or transparent style. Masonry fences are to be no higher than 600mm, while transparent fences may not exceed 1200mm in height.

Desired Future Character Objectives	Performance Criteria
	<p>2.7 Where rear lane access is provided, garages and driveways are to be located at the rear.</p> <p>2.8 Where no rear lane access is provided, garages are to be set back from the street. The width shall be minimised and landscaping used to unify the garage and dwelling with the landform.</p> <p>2.9 In rear access lanes, a single car width garage door is encouraged where it contributes to the coherency of the street (refer to Figure 36).</p> <p>2.10 Where rear lanes are characterized by varied building forms and setbacks, vegetation and screen plantings are to be used to enhance the streetscape.</p> <p>2.11 Rear fences should be between 1.8m and 2m in height.</p>
3. Landscaping	
<p>3.1 To conserve the existing inner residential street landscape character and view corridors which have been established by the colonnades and canopy of existing fig trees.</p> <p>3.2 To establish soft landscaping at the front of dwellings which is compatible with dwelling style and setback.</p> <p>3.3 To promote landscaping at the rear of dwellings, to soften the visual impact of buildings on rear access lanes.</p>	<p>3.1 Overly dense landscaping or large trees are not desirable in the front of dwellings as they darken the street corridor and undermine the character of the existing street tree plantings.</p> <p>3.2 On steeply sloping or split level sites landscaping is used to provide a visual connection between the building facades and the street.</p> <p>3.3 Soft landscaping is used to reinforce important character elements in the front of dwellings, especially detached dwellings and larger sites.</p> <p>3.4 Unless fronting a rear lane, garage doors are not to be presented as the dominant landscape character of the street.</p> <p>3.5 Medium to tall tree plantings and landscape screen treatment is highly regarded where it neutralizes varied building setbacks and built form on rear access lanes.</p>

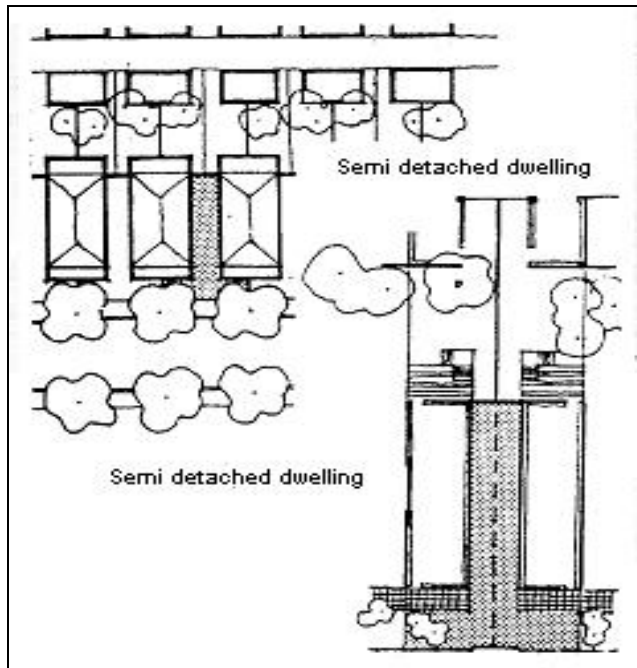


Figure 33. Shared access is one alternative, which aesthetically and functionally improves a narrow side setback corridor.

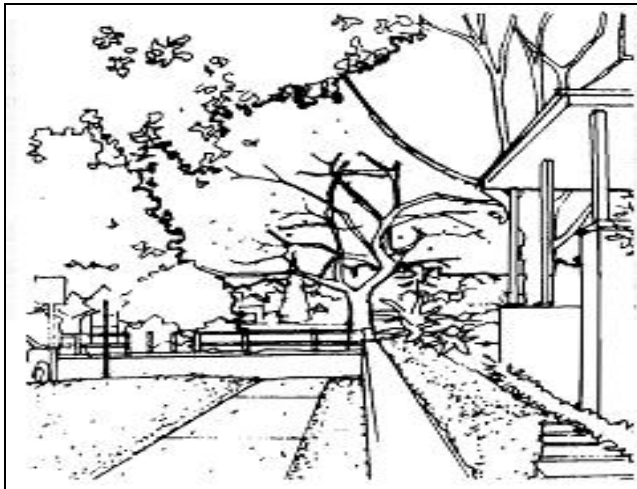


Figure 34. Side setbacks and fences are used to articulate view corridors. Low fences contribute to surveillance, as well as creating a wider ambience and better proportion and scale to the building.



Figure 35. Low fences are desirable, especially where setbacks are minimal.



Figure 36. Vegetation and planting is encouraged to screen the cluttered image of rear access lane and soften the streetscape. Vegetation is used to soften rear fences and other hard surfaces. A consistent rhythm of single garage doors and gable roofs is a desirable rear lane character.

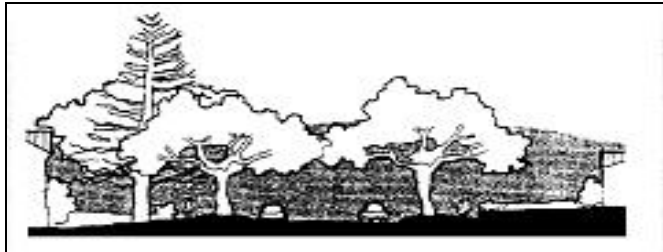


Figure 37. Where mature street trees exist, avoid high and over-dense landscaping in the front of dwellings. Over-dense landscaping is not a desirable character, especially where there is a limited front setback.

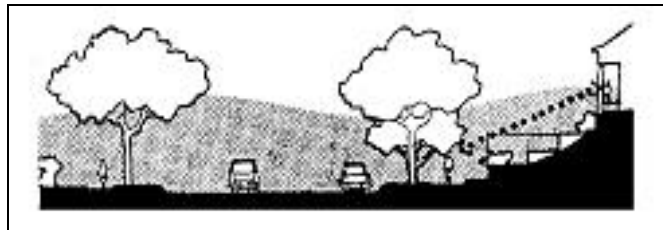


Figure 38. A visual connection to the street is important to cultivate surveillance and is in keeping with the established character. A visual connection with the street provides excellent surveillance.

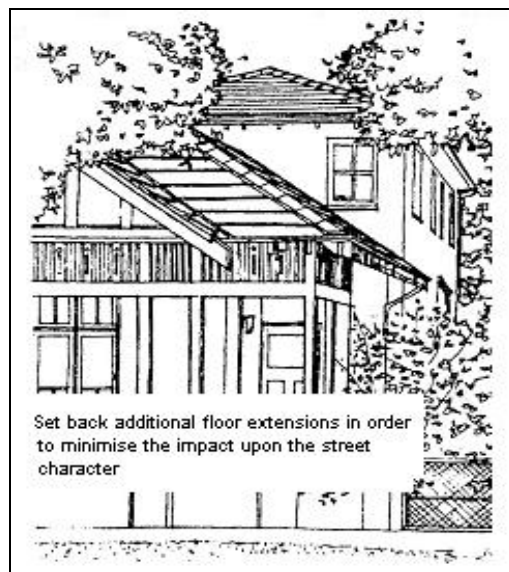


Figure 39. An example of alterations and additions which are sensitively undertaken with the existing envelop. Integrate the extension with the existing dwelling in a way that maintains the architectural integrity of the main dwelling.

Desired Future Character Objectives	Performance Criteria
4. Architectural Style	
<p>4.1 To reinforce the various established architectural styles of dwellings through sensitive alterations and additions and appropriate new developments.</p>	<p>4.1 Where the existing building or structure contributes to a historical or coherent theme of the street, re-use or refurbishment of the existing building is encouraged.</p>
<p>4.2 To emphasise balance and symmetry in alterations and additions to detached, semi detached and attached dwellings.</p>	<p>4.2 Alterations and additions to existing dwellings incorporate appropriate or compatible architectural vocabulary, consistent with the period of the building's original development (refer to Figure 39). The incorporation of garages, carports or other areas to accommodate motor vehicle parking within the building envelope of existing dwellings is considered to detract from the neighbourhood character and is not supported.</p>
<p>4.3 To reinforce the existing pitched roofscape as the desired character of the area and promote consistency in roofing materials.</p>	<p>4.3 Where a building sits in a row with identical architectural style and similar details, e.g., gable, roofscape, entrance, terrace roof, chimney, windows, door, fences, etc. the bulk and rhythm are maintained (refer to Figure 40).</p>
	<p>4.4 New dwelling development is sympathetic to the established architectural style in the vicinity and preserves the area's village character.</p>
	<p>4.5 Where terraces and semi detached dwellings sit in a group of identical style, consistent building setbacks, balconies, rooflines and other elements are used to provide uniformity to the group.</p>
	<p>4.6 Where terrace and semi detached dwellings have a small front setback, their façade detail and building elements, such as doors, windows, balustrades, moldings or tiles are sensitively integrated with the streetscape character.</p>
	<p>4.7 Flat roofs are to be avoided where they detract from the established roof character of the locality. Where they are visible from the street, roofing materials and details shall be compatible with the established streetscape character.</p>



Figure 40. Rhythm is achieved through repetition of identical architectural elements.

Desired Future Character Objectives	Performance Criteria
5. Colour Scheme	
<p>5.1 To promote building materials and colours which are sensitively integrated to and respect the existing character of the streets.</p>	<p>5.1 Light and natural base colours are desirable as they contribute to a brighter street atmosphere, particularly where dense tree canopies filter the sunlight in the street.</p> <p>5.2 Face brick work or sandstone is a desirable material where it presents an original or coherent theme to the existing building or streetscape.</p> <p>5.3 On existing terraces and semi detached dwellings, colour schemes and materials are sensitively designed to be sympathetic to the attached dwelling.</p> <p>5.4 Modern high-tech building materials and dark colours are to be avoided where they are incompatible with the existing streetscape.</p> <p>5.5 Contemporary colours and building materials are to be sensitively integrated and respect the existing character of the streets.</p>

4.0 BRONTE RESIDENTIAL CHARACTER STUDY

4.1 Land to which the Bronte Residential Character Study applies

The Bronte Character Study Area is bounded by:

- Belgrave Street and Birrell Street to the north;
- Dickson Street, Murray Street, Evans Street and Leichhardt Street to the west;
- Varna Street and Boundary Street to the south; and
- Waverley Street Cemetery and the Pacific Ocean to the east.

The Bronte Residential Character Study Area is divided into three precincts Bronte Valley Floor, Bronte Terraces and Bronte Plateau, as shown in Figure 41.

4.2 Distinctive Characters of Bronte

Separate controls have been prepared for the Bronte Terraces and Bronte Plateau areas. Specific objectives and design criteria are identified for each area. As no residential property is located on the valley floor, this document does not include a character study for that area. However, some specific controls address properties adjoining the park and the gully. They can be found under the 'Bronte Terraces' section. Bronte has three distinct characters, shaped by its natural landform. These include Bronte Valley Floor, Bronte Terraces and Bronte Plateau.

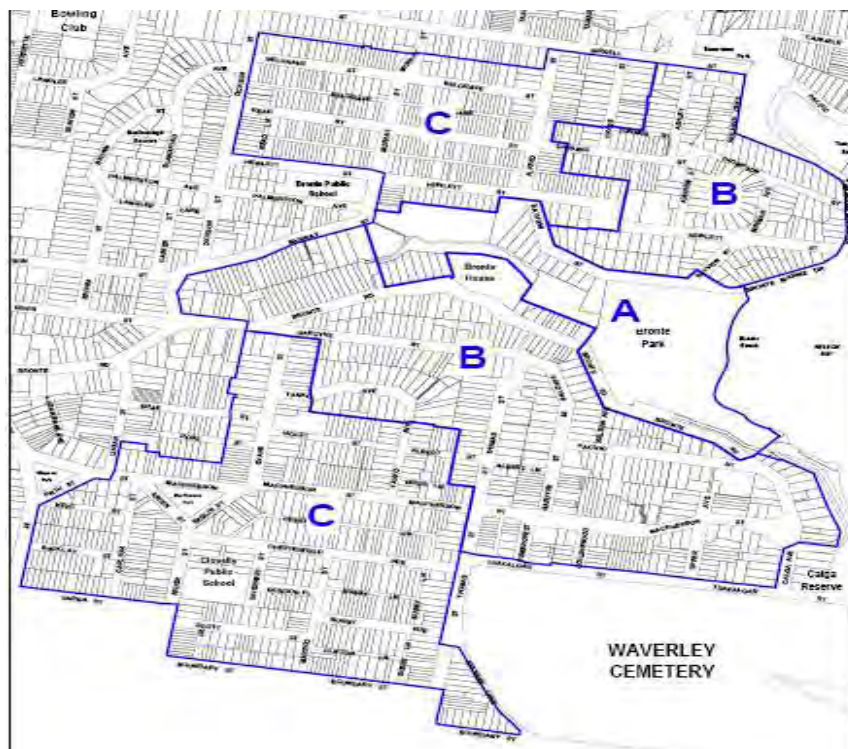


Figure 41. Bronte Residential Character Study Area is divided into three precincts:

- A) Bronte Valley Floor – Bronte Park and the adjoining gully.
- B) Bronte Terraces – the escarpments and areas with curvilinear streets hugging the hill side.
- C) Bronte Plateau – the gently sloping areas with a grid street pattern.

4.2.1 Bronte Valley Floor (Precinct A of Figure 41)

This Bronte landmark includes Bronte Park and the adjoining gully. While there are no residential properties on the valley floor, the visual and spatial relationship between the park and the neighbouring residences determines much of the Bronte residential character. Because the relationship between the park and those properties which adjoin it is a particular concern, the desired future character of the Valley-Terrace Transition is separately addressed. Council's Bronte Park Plan of Management facilitates and regulates the recreational use and maintains the landscape amenity of the park.

4.2.2 Bronte Terraces (Precinct B of Figure 41)

The terraces have steep slopes with wide, panoramic views of the Pacific Ocean and surrounding areas. The landform has given rise to curvilinear streets with stone wall terraces, one of the strongest landscape features in the study area (refer to Figure 42). This area includes Gardyne Street, Pacific Street, the eastern end of Hewlett Street, Macpherson Street, and other areas of similar character. The building typology is predominantly two (2) storey, detached dwellings. There are a small number of residential flat buildings and various other building forms.

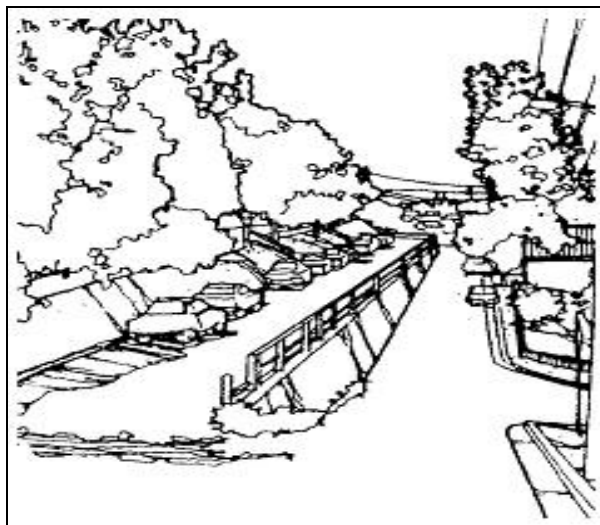


Figure 42. Split-level streets with grassy verges and sandstone retaining walls as found in Gardyne St are characteristic of the Bronte Terraces.

Seen from a distance the view of Bronte terraces juxtaposes the layers of built form, roofscape and vegetation (refer to Figure 43).

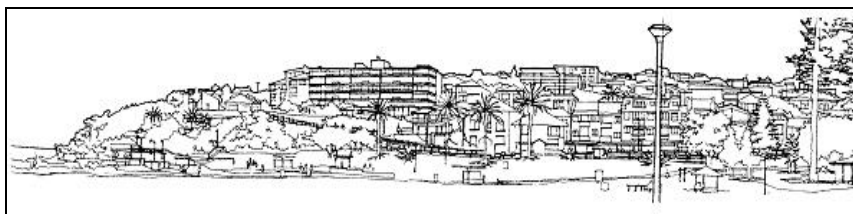


Figure 43. The unique south Bronte terraces seen from Bronte Park.

4.2.3 Bronte Plateau (Precinct C of Figure 41)

Undulating plateau areas, in the north and south of the study area are flatter than the Bronte Terraces. The topography, combined with the built form, brings a sense of enclosure to the street character (refer to Figure 44).

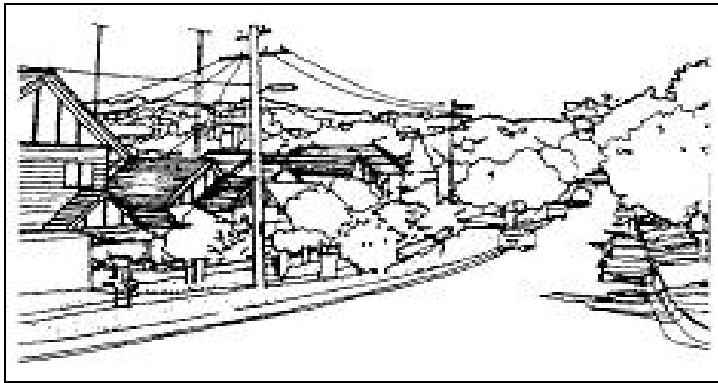


Figure 44. The character of the Bronte Plateau is formed by flatter topography.

A grid street pattern and a single or double storey built form define the general character of these streets. The building typology is predominantly detached and semi detached dwellings with a small number of terraces and residential flat buildings. Chesterfield Parade is a landmark of the southern plateau. This street is distinguished by its mature fig trees (refer to Figure 45). Waverley Cemetery is another landmark, marking the southern edge of the Waverley LGA.

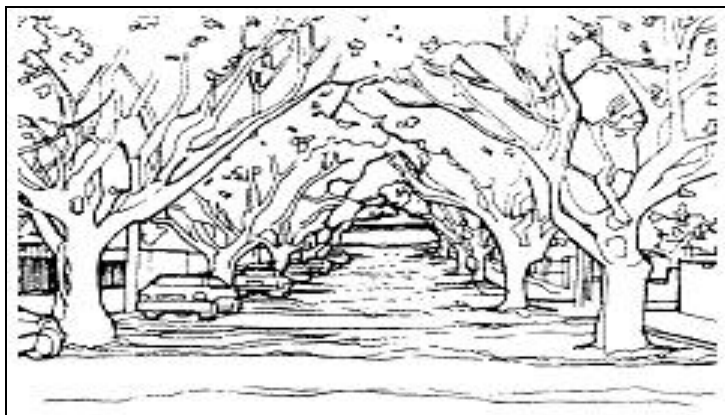


Figure 45. Chesterfield Parade: the street's unique character is established by its colonnade of mature fig trees.

4.3 Bronte Terraces existing Character Elements

The character of the Bronte Terraces is highlighted by its landform, with wide panoramic and ocean views towards the east. This natural 'amphitheatre' has a curvilinear street pattern with irregular shaped residential lots. Stone retaining walls, exposed bedrock, and landscaping on sloping ground are important elements of the streetscape. These features separate the upper and lower parts of the streets (refer to Figures 46 and 47). Upper and lower sites have produced their own specific design opportunities and constraints. These are described below:

(a) The upper Bronte Terrace sites

- (i) The upper sites mostly have panoramic local and ocean views with the street in the foreground. Typically, a built retaining wall and garage door face the street, landscape follows the sloping ground surface with stairs leading to the house. The natural bedrock is often exposed on these sites.

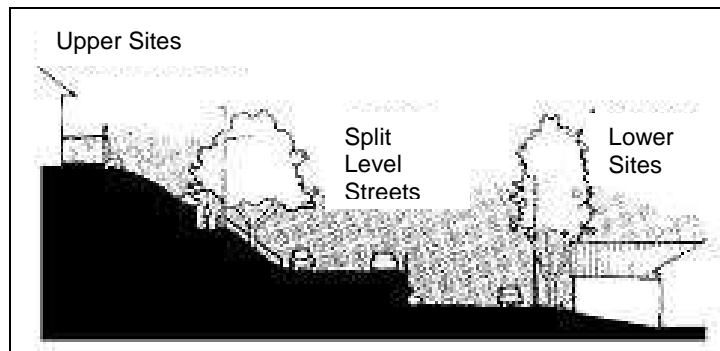


Figure 46. Split level street, a typical Bronte street section.

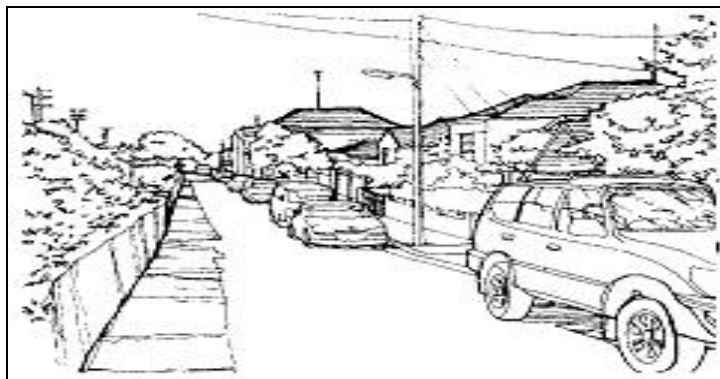


Figure 47. A split level street, a typical Bronte Terraces street character.

- (ii) In some sites, where dual major street frontages exist, the rears of upper sites have typical lower site characteristics. Examples of these are Bayview Street/ Bronte Marine Drive, the end of Bronte Road/Gardyne Street, and the end of Bronte Road/Pacific Street.
- (iii) The landform and absence of a rear lane makes car access problematic for most of the upper Bronte Terrace sites. Recent developments have introduced excavation and cuttings into the existing stone walls, to accommodate garages adjacent the street. Unsympathetic design solutions often degrade the original street character, creating a 'fortress wall' effect along the street. This trend is not encouraged.
- (iv) The residential types are rich and diverse. They include the predominant double storey detached dwelling and small numbers of residential flat buildings (e.g., in Andrew Street). With the exceptions of Harlow Place and Andrew Street, the existing building height controls and steeply sloping sites have resulted in a variety of building heights from one to three storey's. An emerging 3 storey style is creating a more

consistent vertical modulation over the upper sites of Bronte Terraces.

- (v) In general terms the typology is comprised of three elements: the base, the body and the top. The base is formed by the stone wall or built garage structures facing the street. The main house and first floor roof deck becomes the body. The top floor (in some cases setback) and the roof are the top. Light weight pergolas and balustrades articulate this modulation (refer to Figure 48). This framework serves to unify diverse styles, colours and architectural detail.



Figure 48. Upper sites residential character: vertical masonry forms topped with gabled tiled roofs relieved by the light framing of pergolas and balustrades.

(b) The lower Bronte Terrace sites

- (i) The fronts of lower sites commonly present a single storey or roof-scape façade to the street, with a low front fence and sloping landscaping. As with the upper sites, the absence of rear lane access results in a light structure/open pergola or garage facing the street (refer to Figure 49). Most are built on a raised platform and linked to or integrally designed with the main house. Very few garages are separate structures.

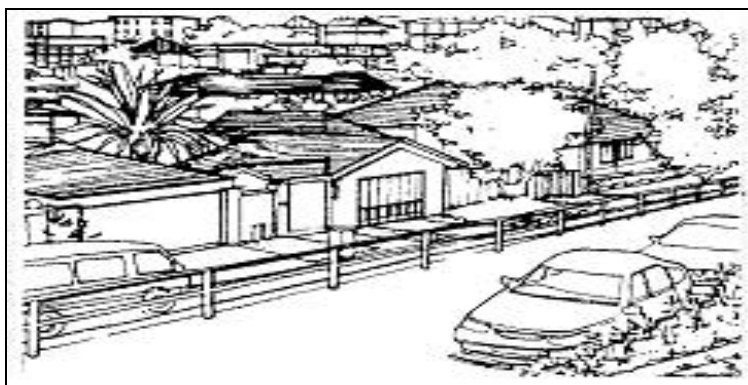


Figure 49. Most lower sites have garage doors and fences facing the street.

- (ii) The topography of the lower sites has resulted in a modulated multi storey building envelope towards the rear. Rear setbacks vary between one site and another, as does exposure to the street. Where the rear of lower sites abuts a second street

frontage, dense rear landscaping tends to minimise site differentiation compared to the typical upper site streetscape. Overlooking and privacy at the rear of adjacent sites is the most common concern associated with the landform.

- (iii) The streetscape character of the lower sites is created by elements including garage structures and doors, car access ways and low set, rear building facades. The street façades often become of secondary importance, marginalized in design, scale and proportion. A further concern is that garage doors often dominate the overall composition of the streetscape and individual site frontages.

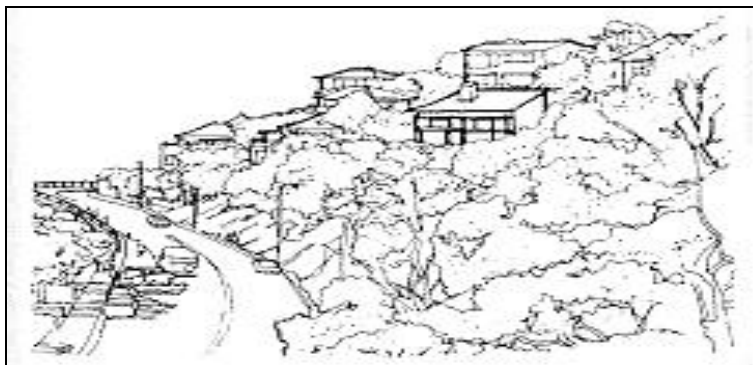


Figure 50. Where buildings sit on a site with double street frontages modulation of the building envelope towards the rear of the site is important to the streetscape character.

- (iv) The most common architectural styles on both the upper and lower sites are Federation, Californian Bungalow and Contemporary. In some cases, they stand individually, and in others, are clustered in a group. Roof-scapes also vary, according to the architectural style. On some lower sites where views from public space are important, flat roofs minimise view obstruction. This can be seen in Tipper Avenue.

4.4 Objectives specific to the Bronte Terraces Area

In addition to the objectives set out from Section 5, the table overleaf outlines the desired future character objectives and performance criteria relevant to the Bronte Residential Character Area.

Desired Future Character Objectives	Performance Criteria
1. Views and Vistas	
1.1 To minimise the impact of new development on existing public and private views and vistas, especially panoramic landscapes and ocean views.	<p>1.1 Where views exist from public space (including street enclosures such as Andrews Street, Gardyne Street and Tipper Avenue) through the gaps provided by side setbacks between buildings, a building's length and roof should be oriented towards the view (refer to Figure 51) in order to minimise view obstruction.</p> <p>1.2 Where a site drops below the street and a view is exposed in the background, reinforce the established view through a sensitive building envelope which minimises view obstruction. The built form should allow views to the beach, ocean and/or park by using open carports, low walls and open slatted gates.</p> <p>1.3 Buildings on steeply sloping sites should adjust the relative level and height of the envelope to follow the natural topography of the site (Refer to the relevant controls in Section 5.0).</p> <p>1.4 To avoid view obstruction, a flat roof can be used where its appearance is in accordance with its architectural style. Otherwise roof type selection shall refer to the character of the streetscape.</p>
2. Landscaping	
<p>2.1 To emphasise the natural topography, the most distinguishing landscape character of the area.</p> <p>2.2 To retain and emphasise existing landscape features such as sloping ground, sandstone or bedrock walls and mature plants, so as to reinforce the site and street's distinctive character.</p> <p>2.3 To protect existing sandstone cuttings, divided road walls, retaining walls, fences and old sandstone garages in the area.</p> <p>2.4 To retain and emphasise sandstone retaining walls so as to reinforce the site's and the street's distinctive character.</p>	<p>2.1 Minimise excavation or land fill needed for construction of the building.</p> <p>2.2 On higher level sites, minimise elimination of sloping landscaping and cutting into the street's stone wall by avoiding excavation.</p> <p>2.3 On lower sites, minimise elimination of sloping landscaping on sites by avoiding raised garage platforms and landfill.</p> <p>2.4 Where excavation or land infill is inevitable, the work should minimise the loss of sloping landscaping, exposed bedrock, sandstone retaining</p>

Desired Future Character Objectives	Performance Criteria
2.5 To enhance the established mix of hard and soft-surfaced street landscaping through the contribution of private landscape planning, particularly with regard to selection of ground cover and building materials and finishes that best fit the established street character.	<p>walls and important remnant mature landscape species.</p> <p>2.5 Where a sandstone wall significantly contributes to the streetscape, building alterations and additions that significantly modify the wall are generally not supported.</p> <p>2.6 Where private landscaping contributes to the green canopy in the Bronte Terrace's view from distant vantage points, retain this landscape feature.</p> <p>2.7 Where a site is sunken below street level, minimise landscaping which can obstruct surveillance to the street.</p> <p>2.8 Where a site is sunken or below the street and minimum setbacks and unattractive roofs are exposed to the street, landscaping and fence design should be used to improve the streetscape.</p>
3. Valley Terrace Transition	
3.1 Where residential properties directly adjoin the park and the gully, provide a transition that sensitively integrates the built and natural landscape character.	<p>3.1 Building setbacks, fences, retaining walls and vegetation should be used to create a continuous transition between the terraces and valley floor.</p> <p>3.2 Landscaping in the rear of properties adjoining the park or gully designed to facilitate visual integration of the dwelling with the character.</p> <p>3.3 Rear fences should be constructed in such a way and from materials that allow a visual connection between the park and private landscaping in the rear of the dwellings.</p> <p>3.4 Rear fencing which incorporates some vegetation or planting as part of its design is encouraged.</p>
4. Streetscape and Architectural Style	
4.1 To reinforce a street's coherency through (1) building siting and orientation; (2) building envelope, bulk and scale; and (3) building typology that fits the established built form of the street.	4.1 Where varied setbacks are presented as a result of a non standard site layout or building siting, a building's orientation should match the predominate façade orientation of the street (refer to Figure 53).

Desired Future Character Objectives	Performance Criteria
4. Streetscape and Architectural Style	
<p>4.2 To encourage individual expression where the site is irregular in shape and has unique characteristics, without undermining the established character of the street.</p>	<p>4.2 Buildings are to reinforce the typical bulk and scale of those representing the established street character.</p> <p>4.3 Building bulk and envelope is to be consistent with the street's established setback, height and typology.</p> <p>4.4 Retain the street's established scale shaped by building modulation. (Note: where a site is located on sloping ground, vertical modulation is measured from the natural ground level).</p> <p>4.5 Where a balcony substantially adds to the bulk of the building, its size and design should be compatible with the character of the street.</p> <p>4.6 Alterations and additions to existing buildings should maintain the integrity of the design and style of the existing building. Where there is a difference in architectural style between the established character of the street and the existing building, priority is given to the integrity of the existing building's design.</p> <p>4.7 Where a site is sunken below street level, and the roof is significantly exposed to the street, present a coherent roof form, height, angle, material and colour. Avoid additional dormer windows, service structures (such as solar hot water systems, exhaust fans, etc) where their placement may degrade the visual quality or coherency of the street.</p> <p>4.8 Where the natural landform allows car access onto the site, garage doors facing the street should be avoided. Where the landform restricts car access onto the site refer to criteria 4.9. to 4.12.</p> <p>4.10 For both upper and lower sites, single car width garage door openings are preferred. Where possible shared access is encouraged (particularly for semi detached and multi unit housing) (refer to Figure 52).</p>

Desired Future Character Objectives	Performance Criteria
	<p>4.10 Where the placing of a garage door facing the street is inevitable, the 'fortress wall' effect on the street can be minimised by consistent garage siting, modulation of material finishes (sandstone walls where relevant), sensitively designed garage doors, gates/stair openings and fences. Single width garages assist to reduce the scale and intrusion of the garage openings on the streetscape.</p> <p>4.11 For sites with double street frontages, garage openings should be located on the less prominent street, if there are existing garages off that street.</p> <p>4.12 Where the garage faces the street, a semi-open garage is encouraged to enable visible connection with the street. Council encourages single car crossings. Tandem garages/parking with single car width street access is preferable to double width crossings and double garages (the bulk of a tandem garage could be broken up, e.g., gable roof, garage or carport with a pergola carport in front). Where there is no opportunity to provide for tandem parking, only single car accommodation is allowed.</p>

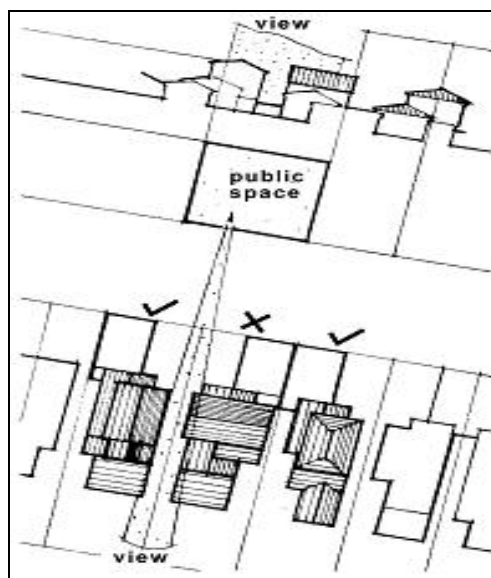


Figure 51. Building mass and roof orientation should sensitively enhance the public view corridor.

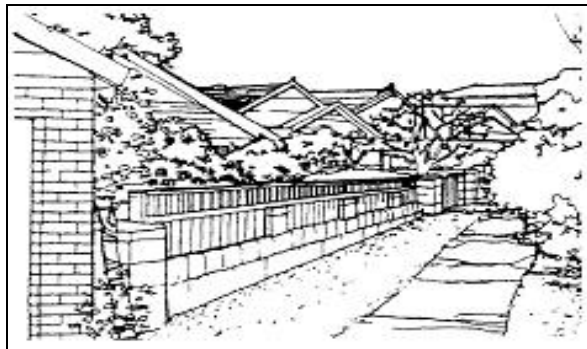


Figure 52. Good fence and landscape design improves the appearance of roof facades on the street level.



Figure 53. Façade orientation reinforces the coherence of the street's established character.

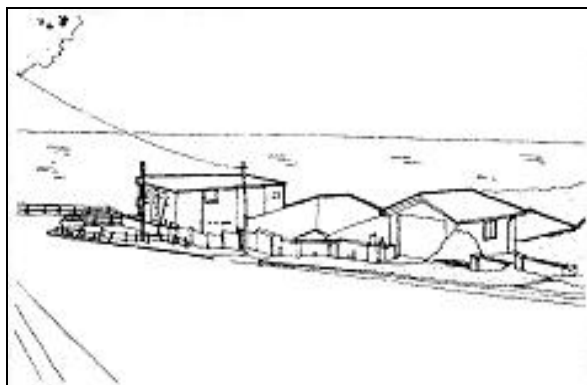


Figure 54. The design of garages, stairs and fences to use materials compatible with the street's wall.

4.5 Bronte Plateau existing Character Elements

Bronte Plateau is split into two areas. The northern plateau is approximately bounded by Belgrave Street to the north, Dickson Street and Murray Street to the west, Hewlett Street to the south and Alfred Street to the east. The southern plateau is approximately bounded by Violet Street to the north, Thomas Street to the east, Boundary Street to the south and Leichardt Street to the west (refer to Figure 55).



Figure 55. Bronte plateau is split into two areas, north (C1) south (C2) by Bronte Park and Bronte Terraces.

The two plateau areas are flatter than the upper terrace's platform. Ridges run along Macpherson Street, and Belgrave Street, gently sloping towards the south. The streets and subdivisions are in a grid pattern with rear car access provided for most of the area. With the exception of St Thomas Street mainly occupied by larger detached dwellings the area has a predominance of semi-detached dwellings on sites smaller than those in the Bronte Terraces area. The built forms vary between 1 and 3 storeys. There are three types of street: (1) Those which carry through traffic; (Murray Street, Macpherson Street, Arden Street); (2) inner residential streets; and (3) rear lanes.

The topography and built form bring a sense of enclosure to the streets, limiting the view exposure to surrounding landscape. The scale of the street corridor is a major character element that differentiates the Bronte plateau from the Bronte terraces. View openings and vistas exist in some of the street corridors, e.g., Marroo Street, Thomas Street, Busby Parade, Carlton Street and Dickson Street. The streets vary in width as do the depth of front building setbacks. The predominantly 1 and 2 storey dwellings with low front fences establish the scale (refer to Figure 56).

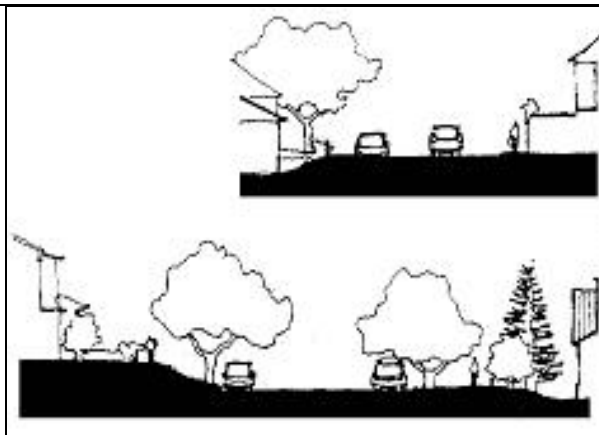


Figure 56. Two examples of typical sections of South Bronte streets with variation in width and building setback.

Chesterfield Parade is a landmark of the south Bronte Plateau. The street is distinguished by colonnades of mature fig trees which frame the vista towards Waverley Cemetery at its eastern end. The trees have been identified as items of landscape conservation significance (refer to Figure 57).



Figure 57. Chesterfield Parade: the street's unique character is established by its colonnade of mature fig trees.

Another distinctive landscape feature of south Bronte plateau is the group of exotic palm trees in Macpherson Park (refer to Figure 58).

Detached and semi detached dwellings give rise to the predominant residential character. There are a small number of terraces and residential flat buildings in some areas of the plateau. The architectural styles are rich and diverse. Consequently there is a general lack of consistency in architectural style in this area. However, in some smaller street sections, groups of buildings with identical or similar architectural styles can still be found (refer to Figure 59). The styles include Federation, Californian bungalow and contemporary. The Californian bungalow is the most obvious, marked by its low double gable roof, thick masonry verandah posts and timber decorated gable trim.



Figure 58. A line of exotic palms in Macpherson Park.



Figure 59. Despite the generally diverse character, groups of similar architectural style can still be found in some parts of the area.

Desired Future Character Objectives	Performance Criteria
1. Views and Vistas	
1.1 To maintain the street corridor experience and enhance public vistas.	<p>1.1 Setbacks, fences, building envelopes and landscaping are coordinated to enhance the street's established corridor. Low fences should be used on all street frontages to encourage view sharing between public and private areas as well as to allow view corridors through properties.</p> <p>1.2 Where a site drops below the street and a view is exposed in the background, reinforce the established view through a sensitive building envelope which minimises view obstruction.</p>

Desired Future Character Objectives	Performance Criteria
2. Landscaping	
<p>2.1 To enhance the residential environment through a street's pedestrian ambience.</p> <p>2.2 To enhance distinctive natural features on sites through appropriate private landscape design.</p> <p>2.3 To conserve the unique character of Chesterfield Parade established by the "colonnades" formed by distinctive street trees.</p> <p>2.4 To provide soft and hard surface private landscaping, in keeping with the character of the street.</p> <p>3.1 To enhance the established scale and sense of containment of the street corridor through consistent bulk, scale, set back and height of building envelopes.</p> <p>3.2 Where a site is located in a street that has a coherent architectural theme, alterations and additions are to preserve this theme (refer to Figure 60).</p> <p>3.3 For alterations and additions to existing dwellings to maintain the integrity of the original architectural style.</p> <p>3.4 To avoid garage doors facing onto the street where rear lane access is provided. In cases where rear lane access does not exist, avoid the 'fortress wall' impact on the street, resulting from insensitive garage design.</p> <p>3.5 To improve the cluttered character of the rear lanes through consistent fencing and garage coordination.</p>	<p>2.1 Use private landscape to complement the pedestrian ambience by providing low scale and semi transparent fences, ground cover planting or greenery views.</p> <p>2.2 Private landscaping designed to enhance the existing remnant landscape features, such as sandstone walls/outcrops, exotic street tree plantings, or specific topographical features.</p> <p>2.3 Avoid overly dense planting of large trees in front of dwellings where it may undermine the importance of character created by the street trees (e.g. Chesterfield Parade).</p> <p>2.4 Hard stand car parking spaces, carports and other hard surfaces will not be permitted where they detract from the street's character.</p> <p>3.1 Retain and reinstate consistent setbacks, envelope height and low scale fences, to preserve the street's established character.</p> <p>3.2 Retain and reinstate vertical and horizontal modulation of buildings that are in-keeping with the street's character.</p> <p>3.3 Avoid over-development through undertaking building alterations and additions if not in keeping with the character of the street.</p> <p>3.4 Where a building is a significant component of the street's character, enhance the theme by retaining the significant elements of the building that contribute to the character. This includes features such as fences, garages, decks, entrances, windows, roof-form and architectural detail and ornamentation (refer to Figure 56).</p> <p>3.5 Where a site drops below the street and the roof form is visible from the street level, present a coherent roof form, material and colour. Avoid the location of dormer windows and service structures (such as solar hot water systems or ventilation systems), where they visually degrade the coherency of the roof form.</p>

Desired Future Character Objectives	Performance Criteria
	<p>3.6 Alteration and additions to an existing building must integrate the existing architectural style and features. A mix of different and incompatible architectural styles in one building has to be avoided, particularly for semi-detached dwellings.</p> <p>3.7 Alterations and additions do not undermine or obscure the legibility and the hierarchy of the original architectural design.</p> <p>3.8 Where a single-storey dwelling alteration and addition is undertaken in the context of predominant single-storey street, a full 2-storey addition is avoided by providing a substantial front set back to the first storey addition.</p> <p>3.9 Where a different architectural style is presented, the imitation or copying of elements of architectural character in the street is not encouraged without considering its integration to the style of the building.</p> <p>3.10 Where a site is served by rear lane access, garages are to be located at the rear.</p> <p>3.11 Open or semi-open garage structures are preferred to minimise view obstruction.</p> <p>3.12 Where rear lane access is not provided and a garage faces the street, encourage: (1) semi-open garage structures where they fit into the character of the street (refer to Figure 61); or, (2) set the garage back from the property boundary (only if it does not detract from dwellings or garages immediately adjacent or from the rest of the street's character); and, (3) limit the width to a single car width garage door so as not to dominate the overall building façade or affect the character of the street.</p> <p>3.13 Fences and garage doors on rear lanes should be consistent in height and modulation, and constructed of compatible materials and colours, to improve visual coherence. (refer to Figure 62).</p>

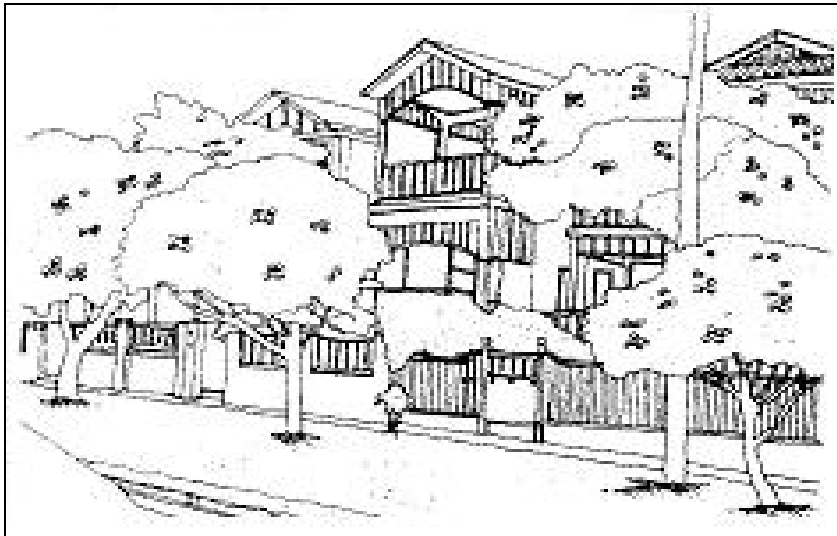


Figure 60. The use of vertical line on fences, balustrade and gable roof's detail has been used to unify the theme of the street.

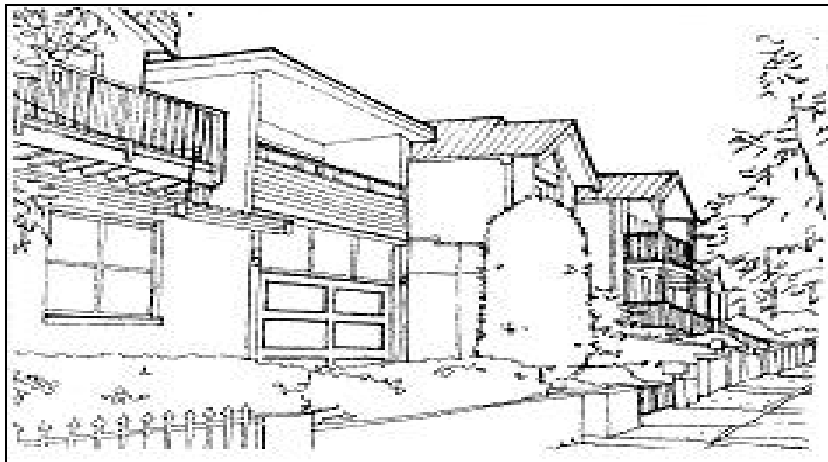


Figure 61. Balcony design should be compatible with the building's design instead of merely copying the adjacent style.

5.0 GENERIC CONTROLS

Sections 5.1 to 5.12 prescribes the objectives, performance criteria, strategies and controls for: building height; building size and bulk; setbacks; streetscape and visual impact; fences; privacy and noise control; vehicular access and parking; landscaped open space; and laneway development and ancillary buildings, swimming pools, spas and the like. These controls also seek to ensure community crime prevention and accessibility needs. These controls apply to all dwelling house, dual occupancy, semi-detached and terrace-style dwellings.

Note, in the preparation of an application on a battle-axe site, detached dual occupancy controls are to be applied.

5.1 Building Height

The building height controls for single-dwellings are held in Section 5.1.1 while the height controls for dual occupancy dwellings are held in Section 5.1.2. The objectives for building height are below.

Objectives

- (a) To ensure the height and scale of development relates to the topography with minimal cut and fill;
- (b) To minimise loss of views from other dwellings;
- (c) To minimise loss of privacy to other dwellings;
- (d) To maintain acceptable solar access to dwellings and adjoining open-space;
- (e) To minimise bulk-related impacts of dwelling-house and dual occupancy development;
- (f) To ensure buildings enhance the predominant neighbourhood and street character; and
- (g) To ensure that visual impacts of the scale of dwelling-house and dual occupancy development are acceptable.

Other matters

Nothing in this Part restricts Council's ability to require the overall height of a building or an external wall of a building to be less than the height as specified in this Section. Council will exercise discretion having regard to the following matters:

- the impact of the proposed building on adjoining buildings by way of overshadowing;
- loss of light, impact on views or excessive bulk;
- submissions made by the public; and
- the impact of the proposed building on the streetscape and its compatibility with the established character of the locality.

Council may consider varying the dwelling height control in the following circumstances:

- the proposed departure from the control will result in a better environmental planning outcome than that which could have been achieved on the site had the control been complied with; and
- the proposed development will be in the public interest by being consistent with the strategy and objectives expressed in the relevant Section.

A better environmental planning outcome shall be achieved by demonstrating that the relevant control is unnecessary because of unusual site characteristics (sloping sites, characteristics of the area and surrounding development), or comprises either:

- (a) high design quality; or
- (b) social benefit to the community.

5.1.1 Single Dwellings

The building height objectives are not achieved unless complying with the following strategy and controls:

Strategy	Control
5.1.1a Dwelling-houses development is not to be excessive in height and scale and should be compatible with the existing character of the location	<ul style="list-style-type: none"> • The maximum external wall height is 7.0m. • For a building with a flat roof the maximum overall building height is 7.5m (refer to Figure 62). • For a building with a pitched roof the maximum overall building height is 8.5m (refer to Figure 62). • Attics may be incorporated within the roof form where Council is satisfied it will not add to the bulk of the building. • Buildings on steep sites are stepped down to avoid high columns, elevated platforms and large undercroft areas, as shown in Figure 63. • To minimise cut and fill on sloping sites and to encourage good quality internal environments, any habitable room of a dwelling must have at least one external wall fully above existing ground level (see Figure 64). • Fill shall not be used to raise the ground level. • Excavation does not exceed 3.0 metres in depth and 50% of the building footprint including a garage. • Where excavation is proposed for development at or near cliff faces or on sloping sites that have a slope of 25% or more, a geotechnical report which address the stability of the site and surrounding properties must be submitted. The geotechnical report must confirm that the site

Strategy	Control
	<p>is suitable for the proposed development and must list any relevant conditions.</p> <ul style="list-style-type: none"> • Excavation should generally only occur within the footprint of the building, except where access to a basement car park is required. Excavation should not occur within a 1m setback from side boundaries. • Excavation is to be limited to encourage good quality internal environment to areas used for habitable and special use purposes; to minimise impact on the amenity of adjoining premises; and to minimise alterations to the existing or natural topography of the site and immediate area.

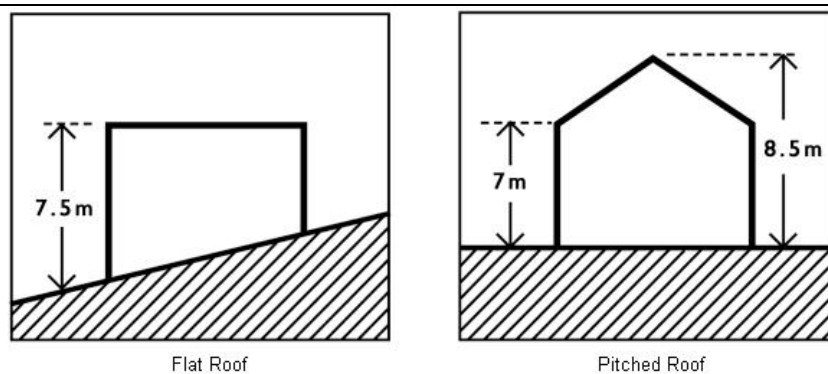


Figure 62. Building heights for flat and pitched roofs.

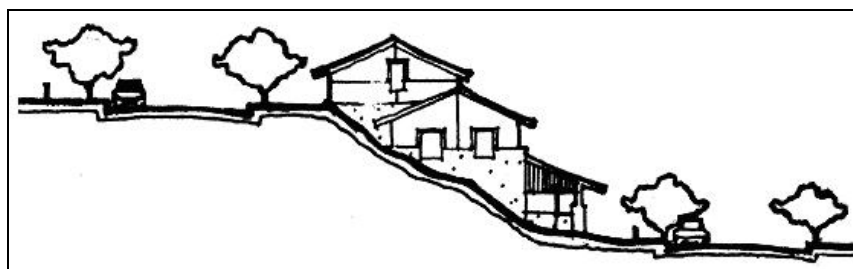


Figure 63. Dwelling-houses stepping down steep sites.

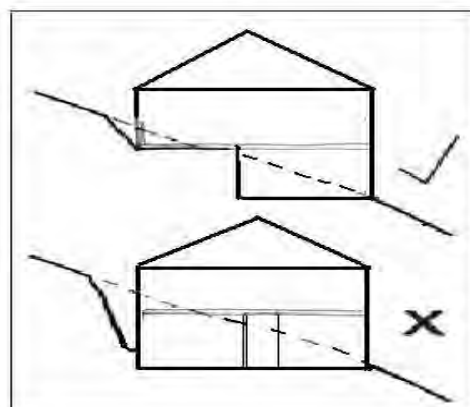


Figure 64. Habitable rooms are to have at least one external wall fully above existing ground level.

5.1.2 Dual Occupancy Dwellings

The building height objectives are not achieved unless complying with the following strategy and controls:

Strategy	Control
5.1.2a Dual occupancy development does not impact on the visual outlook, privacy or access to sunlight of adjoining properties and also is not excessive in height and scale, should be compatible with the existing character of the location.	<ul style="list-style-type: none"> For both attached and detached dwellings, the front height is to be assessed in accordance with controls within Section 5.1.1. In the case of a detached dual occupancy, the dwelling furthest from the street is restricted to a maximum external wall height of 3.0 metres measured from natural ground level. <p>Note: The other provisions contained within this Part also apply and are required to be met.</p>

5.2 Size and Bulk of Dwelling Houses and Dual Occupancy Development

The overall objectives for size and bulk are below, followed by the strategies and controls.

Objectives

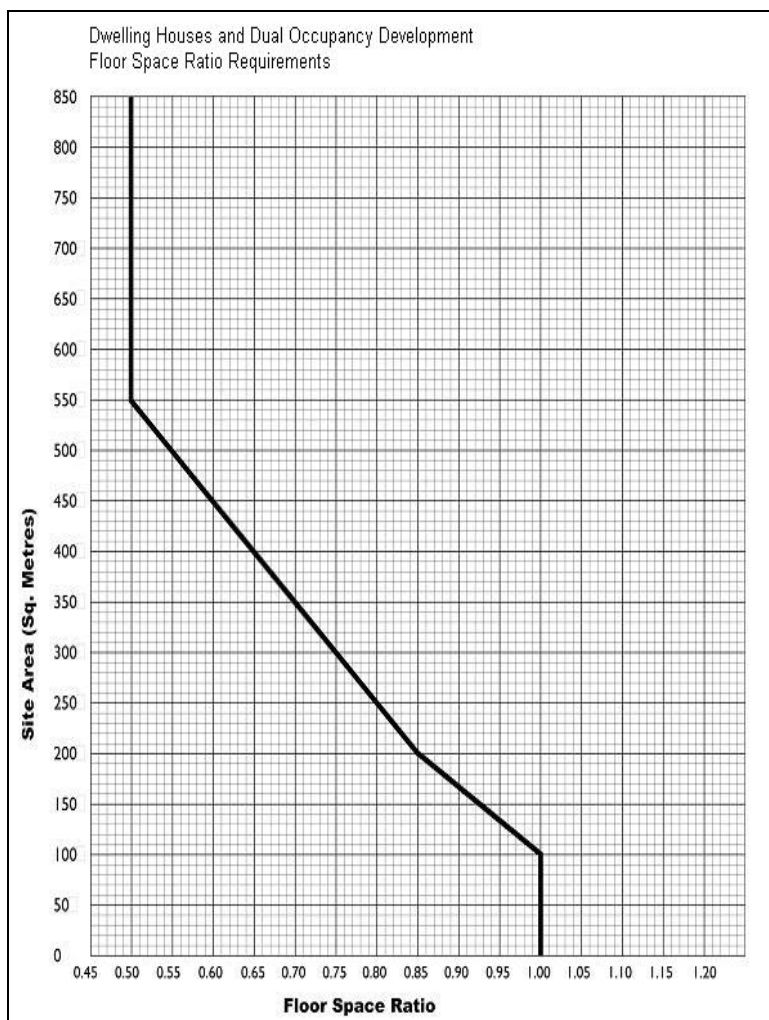
- (a) To ensure that new dwellings and alterations and additions to existing dwellings are of an acceptable size and bulk in relation to the size and shape of the allotment;
- (b) To ensure there is no overdevelopment of sites;
- (c) To ensure that any negative impacts on residents living in buildings on adjoining or nearby allotments are minimised and where ever possible, eliminated;
- (d) To ensure that dwelling-house and dual occupancy development adds to and does not detract from the existing streetscape and character of the area; and
- (e) To ensure that the bulk of dwellings is in character with surrounding development.

The objectives for building size and bulk are not achieved unless an application complies with the following strategies and controls:

Strategy	Control
5.1.3a Building bulk should be compatible with surrounding built forms and must minimise adverse effects of bulk on adjoining properties and streetscape.	The floor space ratio of a dwelling-house or dual occupancy development should not exceed the amount shown in the table at Figure 65 or the sliding scale in Graph 1.

Site Area (Sq metres)	Floor Space Ratio
100	1.00:1
150	0.92:1
200	0.85:1
250	0.80:1
300	0.75:1
350	0.70:1
400	0.65:1
450	0.60:1
500	0.55:1
550	0.50:1
>550	0.50:1

Figure 65. Floor Space Ratio Requirements for Dwelling Houses and a Dual Occupancy Development.



Graph 1. Graph showing the floor space ratio requirements for dwelling-houses and dual occupancy development.

5.2.1 Additional controls for Dual Occupancy Dwellings

The objectives for building size and bulk are not achieved unless complying with the following strategy and controls:

Strategy	Control
5.2.1a Dual occupancy development is carried out on appropriate sized allotments.	The allotment size is to have an area of: <ul style="list-style-type: none"> • 450m² or more where the two dwellings are attached, or • 600m² or more where the two dwellings are detached. • In the case of a detached dual occupancy, the dwelling furthest from the street is restricted to a single storey and to a maximum gross floor area of 110m² (excluding garages to a maximum of 30m²). Refer to Figure 69.
5.2.1b The size and bulk of dual occupancy development is compatible with the character of the surrounding area.	Note: Other provisions contained within this section also apply and are required to be met.

5.3 Setbacks

The setback objectives are below while the strategies and controls are held in Sections 5.3.1 (single-dwellings), 5.3.2 (semi-detached and terrace-style dwellings) and 5.3.3 (dual occupancy dwellings).

Objectives

- To ensure the distance between buildings on adjacent properties allows adequate solar access, ventilation and privacy;
- To ensure the amenity of front and rear yards is protected;
- To permit flexibility in the siting of dwelling-houses;
- To ensure the siting of dwelling-houses is in visual harmony with surrounding buildings and the streetscape; and
- To ensure significant views and view corridors from the public domain are retained.

5.3.1 Single Dwellings

The objectives are not achieved unless:

Strategy	Control
5.3.1a The distance between dwellings on adjoining properties allows adequate solar penetration and privacy and minimises visual and other bulk-related impacts.	<ul style="list-style-type: none"> • The rear building-line of dwelling-house development is built to the predominant rear building-line of buildings in its vicinity. • The side setback for a 1 or 2 storey dwelling is 900mm. <p>Note: If the height of a dwelling exceeds the standards in Section 5.1, the minimum side setback should be increased to 1200mm. Balconies shall not encroach upon the side setbacks.</p> <ul style="list-style-type: none"> • The side setback for a 3-storey dwelling (or dwelling having a rise of 3 storeys) is 1500mm.

Strategy	Control
	<ul style="list-style-type: none"> The side-setbacks may be reduced if the proposed dwelling or alteration adjoins another dwelling without a setback along the shared boundary. This applies only to that section of the boundary which the neighbouring dwelling is built to.
5.3.1b The distance between dwellings on adjoining properties allows the retention of significant views and view corridors.	<ul style="list-style-type: none"> The location of dwellings does not obstruct significant views and view corridors. Note: Council may require the setbacks to be increased to retain significant views and view corridors, and retain adequate solar access.
5.3.1c Dwelling-houses maintain setbacks from the street that ensure they are consistent with other buildings in the streetscape.	<ul style="list-style-type: none"> Significant views and vistas from the public domain including but not limited to ocean, city and parks views should be maintained where possible by the design of buildings. Where the property is adjacent to a Council park or reserve, no portion of the proposed development including the footings, gates, roof eaves and fences are to encroach over the Council land.
5.3.1d Council may require the setbacks to be increased to retain solar access to adjoining properties to the south in respect to development on allotments that run in an east-west direction.	<ul style="list-style-type: none"> The front building line of any dwelling house proposal shall be built to the predominant front building-line of buildings in its vicinity (refer to Figure 66). Where no predominant building line can be identified, the front building line shall achieve the objectives for setbacks outlined above.

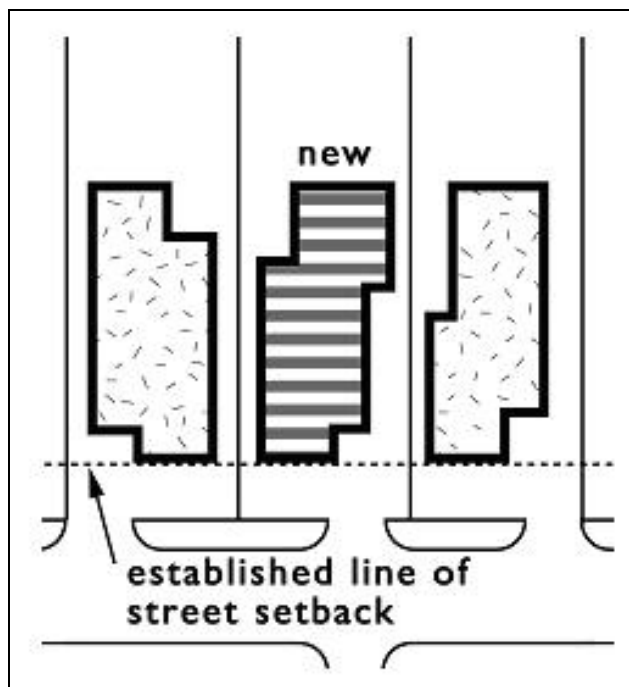


Figure 66. Established line of street setback.

5.3.2 Semi-Detached and Terrace-Style Dwellings

The objectives for setbacks are not achieved unless complying with the following strategy and controls:

Strategy	Control
5.3.2a The distance between dwellings on adjoining properties allows adequate solar penetration and privacy.	<ul style="list-style-type: none"> The part of the shared boundary between a pair of semi-detached or terrace-style dwellings that is not a shared wall has a light-well at least 900mm wide. <p>Note: This requirement is mandatory under the Building Code of Australia where there is a window along the affected boundary).</p> <ul style="list-style-type: none"> Extensions along the shared boundary between terraces or semi-detached dwellings are separated from that part of the building sharing a common boundary wall by a courtyard of at least 1.5m in width and of at least the same depth as that of the extension (refer to Figure 67). This is a mandatory requirement under the Building Code of Australia where there is a window along the affected boundary. The height of walls on the shared boundary between terraces or semi-detached dwellings (shown as 'b' in Figure 67) shall not exceed 2.1m.
5.3.2b Dwelling-houses maintain setbacks that ensure they are visually harmonious with the other buildings in the streetscape.	<ul style="list-style-type: none"> The front building-line is built to the predominant front building-line of buildings in the vicinity. Where no predominant building line can be identified, the front building-line must achieve the objectives outlined above.
5.2.3 The amenity of rear yards, their function as open space and their visual and landscape contribution to the surrounding area should be retained.	<ul style="list-style-type: none"> The rear building-line of any dwelling-house proposal shall be the same as the predominant rear building-line of buildings in its vicinity (refer to Figure 68). A landscaped area shall be provided between the dwelling and the rear property boundary or building fronting a rear lane. <p>Note: The other provisions contained within this section also apply and are required to be met.</p>

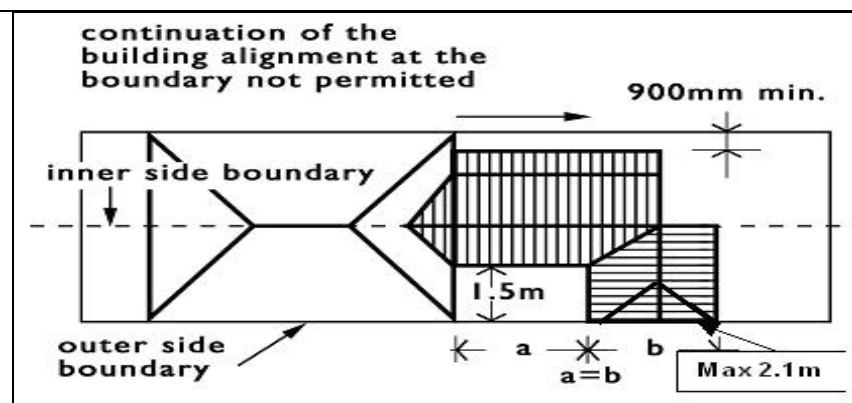


Figure 67. Courtyards along boundaries between semi-detached and terrace-style dwellings.

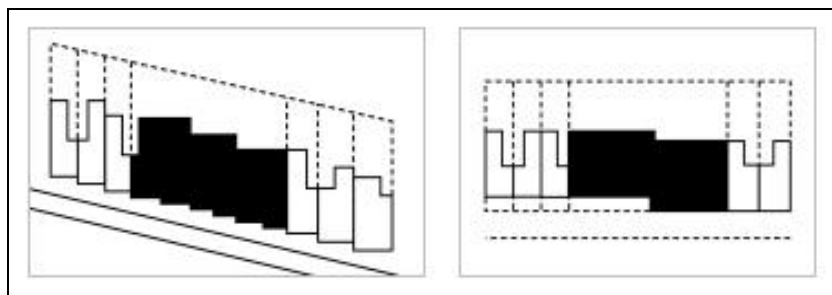


Figure 68. Established building line.

5.3.3 Dual Occupancy Dwellings

The objectives for setbacks are not achieved unless:

Strategy	Control
5.3.3a The location of dual occupancy development in the rear yard allows adequate solar penetration, visual outlook and privacy to the rear yards of adjoining properties.	<ul style="list-style-type: none"> A detached dual occupancy dwelling shall have a minimum 3.5m setback from the rear boundary (refer to Figure 69). Although the development of attached front and back dual occupancies are discouraged, the provisions of detached rear houses will apply (refer to Figure 70). <p>Note: The other provisions contained within this section also apply and are required to be met.</p>

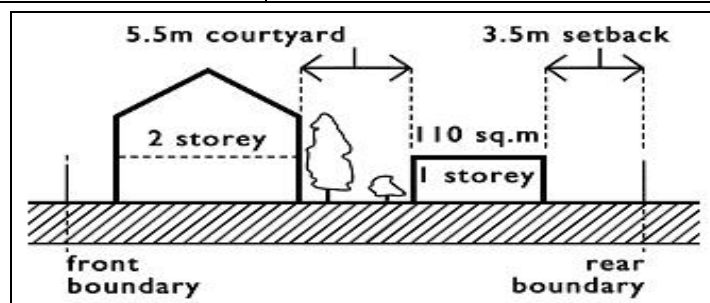


Figure 69. Minimum setbacks for a detached dual occupancy.

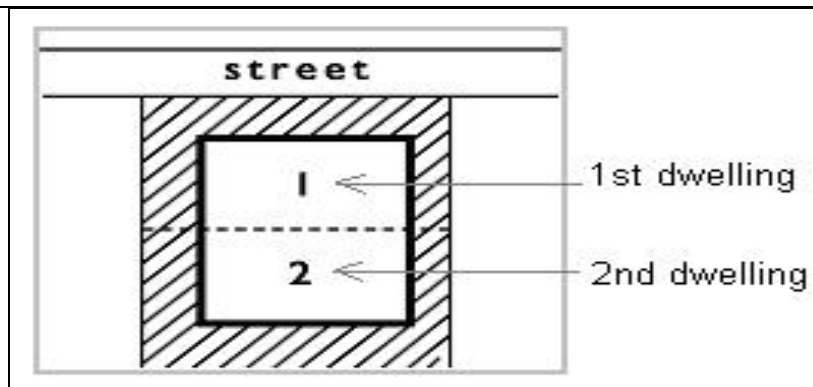


Figure 70. Front and back-attached dual occupancy.

5.4 Streetscape and Visual Impact

The streetscape and visual impact objectives are below while the strategies and controls are held in Sections 5.4.1 (single-dwellings), 5.4.2 (dual occupancy dwellings), 5.4.3 (semi-detached dwellings), 5.4.4 (attached dwellings) and 5.4.5 (terrace-style dwellings).

Objectives

- (a) To encourage dwelling-house and dual occupancy development of a high-standard, incorporating good building design and detail; and
- (b) To encourage dwelling-house and dual occupancy development
- (c) To be visually sympathetic to other buildings in its vicinity and to the streetscape it belongs to.

5.4.1 Single Dwellings

The objectives for streetscape and visual impact are not achieved unless:

Strategy	Control
5.4.1a Alterations and additions are sympathetic to the architectural style and character of existing dwellings in the vicinity.	<ul style="list-style-type: none"> • Typical architectural styles, other than the more modern styles, are outlined in Annexure 1. Applications relating to older style dwellings should identify the existing style, using Annexure D1-1. The Statement of Environmental Effects should outline how the proposal relates to the existing architectural style. • Existing verandas fronting the street are not to be enclosed unless the applicant can demonstrate to Council that this is appropriate to the style of the dwelling. • Building materials used for alterations and additions complement and/or match the materials of the existing dwelling-house. Proportions of proposed wall openings (windows and doors) complement and/or match those of the existing building.

Strategy	Control
5.4.1b New dwellings are visually harmonious with other dwellings in their vicinity.	<ul style="list-style-type: none"> • Façade design of new dwellings shall reflect an interpretation of the positive characteristics found in the design of surrounding dwellings. In particular the following elements should be considered: <ul style="list-style-type: none"> ○ modulation and articulation of building parts; ○ roof shape and pitch; ○ form and positioning of verandas and balconies; and ○ window shape. • Facades incorporate bays or units in their design structure through vertical lines such as blade walls and changes in the • Horizontal lines set by such things as window and door heads of surrounding dwellings shall be reflected in the design of facades for new buildings • The size and proportions of door and window openings shall be in scale with those evident in surrounding dwellings. Ceiling heights and roof heights evident in surrounding dwellings are to be reflected in the design of new buildings. • The bulk, scale and proportions of new dwellings shall be consistent with existing surrounding dwellings. • The use of contemporary design may be acceptable provided it addresses the character of the locality in respect to: <ul style="list-style-type: none"> ○ bulk and scale of adjoining development; ○ siting pattern; and ○ character of the established streetscape.

5.4.2 Dual Occupancy Dwellings

The objectives for streetscape and visual impact are not achieved unless:

Strategy	Control
5.4.2a Dual occupancy dwellings are visually consistent with the predominant form of surrounding residential development and do not detrimentally impact on the streetscape.	<ul style="list-style-type: none"> • Attached dual occupancy developments have the appearance from the street of a single dwelling (refer to Figure 71). <p>Note: The other provisions contained within this section also apply and are required to be met.</p>

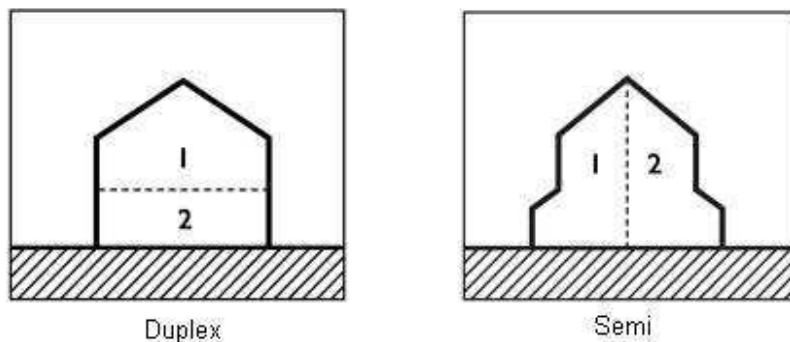


Figure 71. Dual occupancy dwellings.

5.4.3 Semi-detached Dwellings

The objectives for streetscape and visual impact are not achieved unless:

Strategy	Controls
<p>5.4.3a Semi-detached dwelling-house development maintains the design integrity of existing semi-detached dwellings and ensures that they visually present as pairs or groups of dwellings.</p> <p>Note: The other provisions contained within this section also apply and are required to be met.</p>	<ul style="list-style-type: none"> Extensions to the roof-form of an existing semi-detached dwelling are designed on the assumption that the other dwelling in the pair will incorporate extensions of a similar nature. Development Applications for such extensions may include a plan of how the building would appear if both dwellings were extended in this way.

5.4.4 Semi-Detached and Attached Dwellings

The objectives for streetscape and visual impact are not achieved unless:

Strategy	Control
<p>5.4.4a Extensions or additions to an existing semi-detached dwelling:</p> <ul style="list-style-type: none"> are visually and stylistically integrated with the existing roof-form; are appropriate in their streetscape context; and do not contribute excessively to the bulk of the building. <p>Note: The other provisions contained within this section also apply and are required to be met.</p>	<ul style="list-style-type: none"> The style and pitch of the roof matches, complements and extends the existing roof form. Characteristic features of the existing roof-form are incorporated, where possible, in extensions. Details such as terracotta ridge tiles and finials, shingles and timber collar ties are incorporated where this will continue the style of the existing roof-form (refer to Figure 72). First floor level additions or extensions do not result in the creation of a blank dividing wall along the boundary between semi-detached dwellings (refer to Figure 74).

Strategy	Control
	<ul style="list-style-type: none"> Extensions to the rear of an existing semi detached dwelling are to be no higher than the existing ridge. The roof-pitch of an extension to a semi-detached dwelling matches that of the existing dwelling. Single dormer windows to semi-detached dwellings do not exceed one-third of the facade width. The ratio of paired dormers is 1-2-2-2-1 as shown in Figure 74.

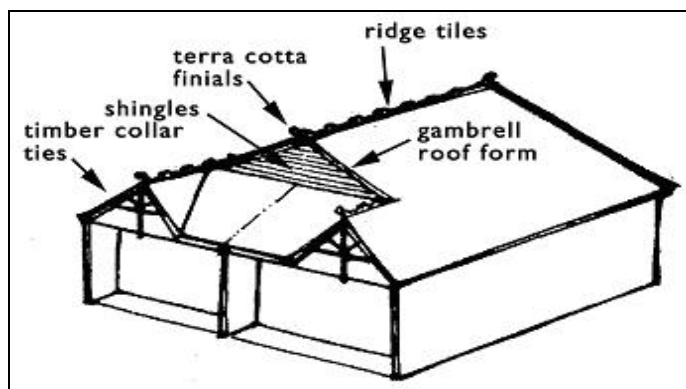


Figure 72. Architecture features of semi-detached dwellings.

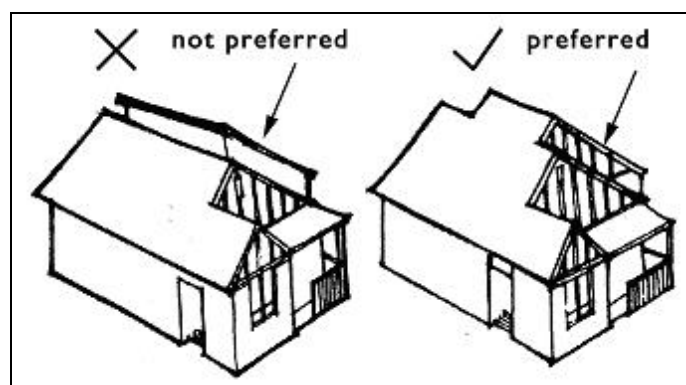


Figure 73. No blank dividing wall between semi-detached dwellings.

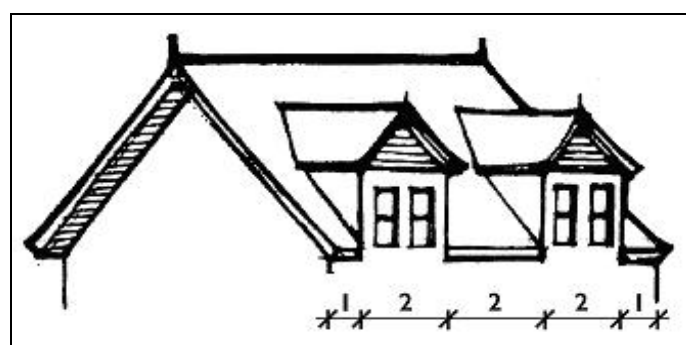


Figure 74. Spacing of paired dormer-windows.

5.4.6 Terrace-Style Dwellings

The objectives for streetscape and visual impact are not achieved unless:

Strategy	Control
5.4.5a Alterations and additions are appropriate to the architectural style of the existing terrace-house.	<ul style="list-style-type: none"> Any first floor level extension to a single-storey terrace-style dwelling is set behind the line of the ground-floor veranda (if applicable). Previous alterations and additions that are unsympathetic to the original architectural style should be removed and the original character reinstated where possible. For example, if there are existing balcony enclosures that were not part of the original building, and if significant alterations and additions are proposed, the balcony enclosures should be removed.
5.4.5b Alterations and additions to terrace-style dwellings maintain the cohesiveness of the terrace group.	<ul style="list-style-type: none"> Where there is a mix of 1 and 2 storey terrace-style dwellings within a terrace group, additions to one of the single-storey terrace-style dwellings may be acceptable if the new storey reflects the character and detail of the ground floor facade. Extensions to the rear of an existing single storey terrace are to be no higher than the existing ridge.
5.4.5c Attic conversions should maintain the existing roof-form and not contribute excessively to the bulk of the building	<ul style="list-style-type: none"> The main roof envelope of the existing dwelling shall remain intact. Attics shall not extend past the ridge of the roof. Attics are not to incorporate balconies, however in-roof balconies facing the street may be acceptable in certain circumstances. Front attic dormer windows must be proportioned at a ratio of 1.5:1 measured from sill to ceiling of the window frame, and be constructed of material to match the existing dwelling. In terrace houses, attic windows may be permitted to the front of the roof of the existing buildings if the window is a traditional dormer style with a single vertically proportioned window. A rear skillion dormer may be permitted at the rear of the roof, provided the existing ridge capping is retained, the addition is set below the ridge and a side setback of minimum 600mm is maintained. In addition, the rear skillion dormer is not to extend beyond the rear gutter line.

5.5 Fences

The objectives for fences are below, together with the strategies and controls. These apply to single dwellings, dual occupancies, semi-detached, attached and terrace-style dwellings.

Objectives

- (a) To avoid visual impacts from the creation of high blank walls to the street by encouraging fencing styles that contribute positively to the streetscape;
- (b) To promote a streetscape where dwelling-houses are visible from the street;
- (c) To ensure front fences do not dominate the streetscape; and
- (d) To ensure that side and rear fences are not of excessive heights.

The objectives are not achieved unless:

Strategy	Control
5.5.1 Fence heights are not excessive in their street-scape context and do not cause unacceptable impacts to the amenity of neighbouring dwellings. Front fences are designed in accordance with the principles of reducing crime through environmental design.	<ul style="list-style-type: none"> • Front fences generally do not exceed 1.2m in height and should be visually acceptable and in character with the rest of the street. • Arched gates, piers and the like can exceed 1.2m in height. Where a fence exceeds 1.2m in height, it should be of an open design, with a minimum open area of at least 50%, for visibility to and from the site (refer to Figure 75). • Council encourages new fences have an open design. • On sloping sites, the height limit is averaged so that the fence steps down the slope (refer to Figure 76). • Side and rear boundary fences do not exceed 1.8 metres above the existing ground level of adjoining properties. • Privacy and safety issues should be considered in determining the appropriate height of fences on top of retaining walls.
5.5.2 Fences are visually acceptable.	<ul style="list-style-type: none"> • Side fences should taper down from the front building line to match the height of the front fence at the front boundary (refer to Figure 77). • New brickwork increasing the height of brick fences matches the existing wall. • Decoration and/or architectural relief are provided to masonry fences, avoiding expansive blank walls facing the street.
5.5.3 Front fences clearly define property boundaries.	<ul style="list-style-type: none"> • No part of a fence, including its footings, encroaches on the street alignment or adjoining properties. Gates and/or doors do not open into the street alignment.

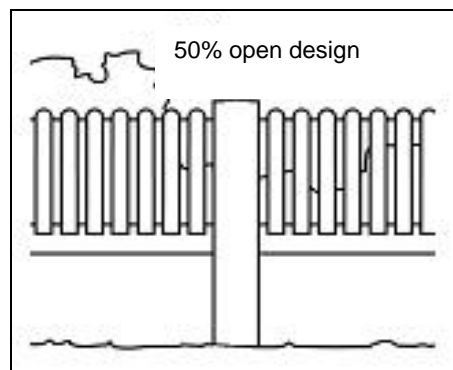


Figure 75. Open design with a minimum open area of at least 50%.

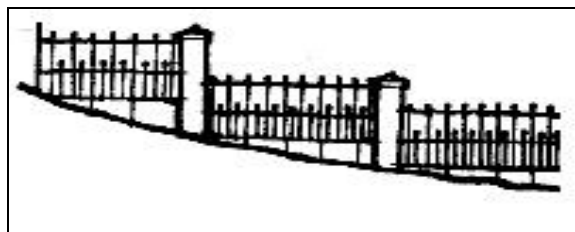


Figure 76. Fence height limit is averaged on sloping sites.

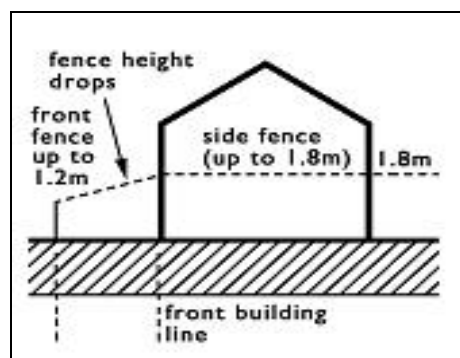


Figure 77. Side fences should taper down from the building line.

5.6 Privacy and Noise Controls

The objectives for privacy and noise control are held in this section, together with the strategies and controls. These apply to single dwellings, dual occupancies, semi-detached, attached and terrace-style dwellings. Note, privacy and noise controls relating to swimming pools are held in this section.

Objectives

- (a) To minimise the extent of overlooking from dwelling-house and dual occupancy development to internal areas and open spaces of other dwelling-house development;
- (b) To ensure that dwelling-house and dual occupancy development minimises overlooking impacts upon the existing dwelling from other buildings; and
- (c) To ensure that dwelling-house and dual occupancy development minimises noise-impacts to an acceptable level.

The objectives are not achieved unless:

Strategy	Controls
5.6.1 People in a dwelling can not easily look into other dwellings or the useable open space of other dwellings. Their own dwelling and its useable areas of open space can not be easily looked into.	<ul style="list-style-type: none"> • Windows in dwelling-house development do not directly face windows and/or balconies of other dwellings. • Where a window can not feasibly be located to avoid privacy impacts, narrow windows or translucent or obscured glass are to be considered. • Where windows from a habitable room directly overlook the windows and/or open space of another dwelling, windows with a sill-height of 1500mm are to be considered. • Where a courtyard or deck is visible from other dwellings, privacy screening, landscaping and vegetation is to be used in combination to minimise this impact. However, existing and/or proposed vegetation is not to be relied upon exclusively for screening. • Swimming pools are generally located in the rear yard to minimise adverse impacts on adjoining properties.
5.6.2 Noise generation and loss of privacy arising from the use of terraces should be minimised.	<ul style="list-style-type: none"> • Elevated external decks are generally less than 10m² in area and have a depth not greater than 1.5m so as to minimise privacy and noise impacts to surrounding dwellings. • Decks along side boundaries are generally not permitted; • Balconies and verandas along side boundaries are discouraged. • Rear decks, balconies and verandahs above ground level which result in over-looking to internal areas and open spaces of other dwelling-house development are discouraged. • Recreation facilities such as swimming pools and barbecue areas are located away from the bedroom areas of adjoining dwellings. • Swimming pools and barbecue areas should not be located at the side of dwellings. • Noisy walking surfaces such as external metal decks should be avoided. • Elevated side passages should be avoided. • High internal ceilings with clerestory windows, built along the side boundary are to be avoided due to the potential for noise. • Roof tops are not to be capable of being used as entertainment areas. • New buildings and alterations and additions to existing buildings shall, where practicable, incorporate all sewerage, water pipes, ducting, cables, fans, vents and other utilities within the building envelope.

Strategy	Controls
	<ul style="list-style-type: none"> Roof terraces are generally not permitted throughout the Waverley LGA. Small roof terraces (area of less than 15m²) may be permitted only in areas where the predominant character includes roof terraces and the proposed roof terrace will not result in unreasonable amenity impacts on the surrounding neighbourhood.
5.6.3 Light spillage and the loss of amenity arising from it should be minimised	<ul style="list-style-type: none"> External lighting should be designed to minimise glare and

5.7 Vehicular Access and Parking

The objectives for vehicular access and parking are below, together with the strategies and controls. These apply to single dwellings, dual occupancies, semi-detached, attached and terrace-style housing. For further details refer Part I1 – Land Use and Transport.

Objectives

- To ensure that the design and size of off-street carparking facilities does not unreasonably detract from the appearance and quality of the dwelling-house or streetscape;
- To maximise pedestrian and vehicular safety;
- To minimise loss of on-street carparking; and
- To minimise loss of views from the public domain.

If the proposed off-street parking facilities or associated works will unreasonably detract from the appearance of the dwelling, streetscape or landscape, or from the heritage quality, or adversely impact on the pedestrian environment, or reduce the availability of on street car parking, a zero parking requirement may be imposed.

Note: The characteristics of some sites may mean that car parking should not be provided on site.

The objectives are not achieved unless:

Strategy	Controls
5.7.1 The amount of off-street carparking provided is sufficient to meet the increased demand arising from the development.	<ul style="list-style-type: none"> For new dwelling-house and dual occupancy development off-street carparking is provided at the rate of one space for a dwelling of three bedrooms or less, and two spaces for a dwelling of four bedrooms or more. <p>Note: Car parking including any internal access to this parking and storage in excess of 30m² combined, shall be included in the calculation of Gross Floor Area.</p>
5.7.2 Garages and carports are designed not to detract from the	<ul style="list-style-type: none"> Garage/carport design is integrated with the design of the dwelling. Sites are not to be excavated to

Strategy	Control
architectural integrity of the dwelling.	<p>accommodate garages/carports that are not integrated into a dwelling.</p> <ul style="list-style-type: none"> No part of the street façade of a building is to be altered or demolished primarily to accommodate car accommodation.
5.7.2 Garages and car-ports are designed not to detract from the architectural integrity of the dwelling.	<ul style="list-style-type: none"> Garage/carport design is integrated with the design of the dwelling. Sites are not to be excavated to accommodate garages/carports that are not integrated into a dwelling. No part of a building is to be altered or demolished to primarily provide car parking except where topography or appropriate building design allows.
5.7.3 Garages do not dominate the streetscape.	<ul style="list-style-type: none"> Where the site allows, double garages/carports do not front the street. All car accommodation is to be located behind the front building line. Garages/carports are not located in elevated and highly prominent positions on site. The location of garages within the building facade: single garage widths (up to 3m) are preferred to double garage widths. Double garage widths may be acceptable where the existing streetscape reflects this kind of development. Existing sandstone walls and natural rock faces are generally not to be removed for the purpose of car accommodation and ancillary residential development.
5.7.4 Design of off-street car-parking spaces and driveways allows efficient and easy access and does not endanger the safety of pedestrians.	<ul style="list-style-type: none"> Garages, carports and hardstand areas have minimum internal dimensions of 5.5m x 2.5m per vehicle. Access ways and driveways enable vehicles (the 85 percentile vehicle as identified by the RTA Guidelines for Traffic Generating Development) to enter the parking space in a single movement, and to leave the space in a maximum of two turning movements. Driveways are at least 3m wide and have an internal radius of four metres at the point where there is a change of direction.
5.7.5 Consideration has been given to the provision of dual access driveways and vehicular crossings to minimise the number of crossings and to maximize on-street parking.	<ul style="list-style-type: none"> No vehicle crossing or off-street parking (other than from rear lanes) are permitted in heritage conservation areas where there will be an adverse impact on existing streetscape, the character of the built form or landscape setting. <p>Note: Where an allotment has no existing off-street parking, and off-street parking is not characteristic of the streetscape, vehicular access from the street is not allowed.</p> <ul style="list-style-type: none"> Vehicular crossings to off-street car parking are located so they may provide access to adjacent properties (refer to Figures 78 and 79).

Strategy	Control
	<ul style="list-style-type: none"> Vehicle crossings for dwelling houses are to be of single vehicle width. Vehicle access should be provided from rear lanes if possible. <p>Note: The site analysis should indicate how the proposal maximises the retention of on-street parking.</p>
5.7.6 The extent of impervious area is minimised.	<ul style="list-style-type: none"> Wheel strips are to be used in place of full width driveways or alternatively porous materials are to be used.

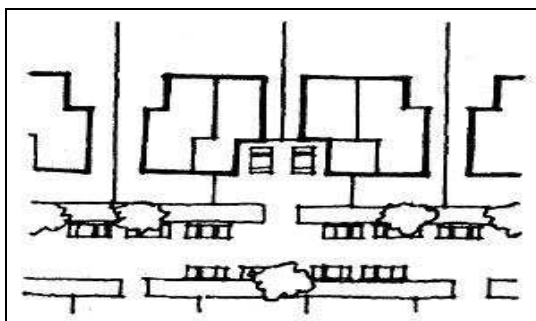


Figure 78. Dual access off-street parking at front.

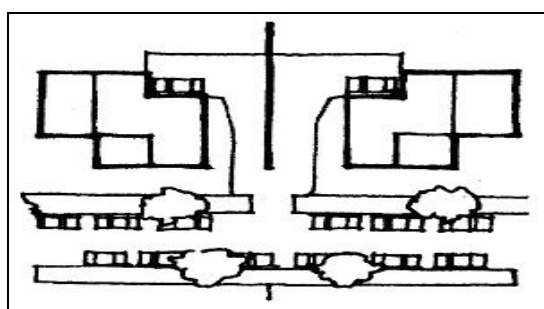


Figure 79. Dual access off-street parking at rear.

5.8 Landscaped Open Space

The objectives for landscape open space are prescribed below, together with the strategies and controls. These apply to single dwellings, dual occupancies, semi-detached, attached and terrace-style housing.

Objectives

- To enhance the amenity of the site, streetscape, and surrounding neighbourhood;
- To retain and increase remnant populations of endemic flora and fauna;
- To maximise on site stormwater infiltration and minimise off site stormwater runoff;
- To maximise outdoor space to allow for soft landscaping including tree planting and maintenance of existing vegetation; and
- To protect buildings from structural impacts caused by vegetation.

The objectives are not achieved unless:

Strategy	Controls
<p>5.8.1 Dwelling-houses and dual occupancy developments provide sufficient useable open space to meet household on-site recreation needs and service functions.</p>	<ul style="list-style-type: none"> • A minimum of 40% of the total site area is provided as landscaped area. • A minimum of 15% of the total site area is provided as soft landscaping (this area is included in the total landscape area requirement). • Each dwelling has a minimum of 25m² of private open space capable of being used for recreation. This is to include an area which is relatively level and has minimum dimensions of 3m x 4m.
<p>5.8.2 Landscaping contributes to streetscape character, with significant vegetation retained.</p>	<ul style="list-style-type: none"> • A minimum of 50% of the area between the front of the building and the street alignment should be landscaped. • A minimum of 50% of the landscaping provided at the front of the site is to be soft landscaping. • Existing significant vegetation is retained unless this is unfeasible. <p>Note: Council's Tree Preservation Order must be complied with.</p> <ul style="list-style-type: none"> • The landscaping provided on a site should relate in scale, thematic consistency and available area, to the landscaping provided by adjoining development. • Landscape areas, backyards and private open space should complement each other to create continuous belts of vegetation. • Council encourages the use of native endemic plant species in soft landscaping and the use of porous surfaces for driveways and courtyards. • Areas above underground floor space can only be calculated as soft open space if soil depth is at least 1m. <p>If an applicant can demonstrate that there will be no adverse impacts on adjoining residents, up to 25% of the landscaped area can be provided above ground level by means of verandas, roof gardens, balconies, and terraces.</p> <ul style="list-style-type: none"> • Soft landscaping is to be capable of supporting new endemic tree species that are typically expected to reach a mature height of 10m with a minimum of one endemic tree per site. • The minimum tree numbers may include existing endemic trees and proposed new endemic trees. • Development must maximise the retention and protection of vegetation including trees and understorey vegetation, other than species not requiring consent for removal under Council's Tree Preservation Order. • Only virgin excavated natural material (VENoM) is to be used in any filling operations.

Strategy	Controls
	<ul style="list-style-type: none"> Species should be retained, selected and placed in order to help achieve the following: <ul style="list-style-type: none"> Cool buildings in summer; Intercept glare from hard surfaces; Allow sun into living rooms in cooler months; Channel cooling air currents into the dwelling in summer; and Provide windbreaks where desirable. Existing natural features including sandstone and rock features should be retained and incorporated as landscape features on the site in order to maintain the natural character of the landscape. Sandstone walls and finishes fronting the public domain need to match the traditional pattern and colour of sandstone in the Waverley Local Government Area. Where the property is adjacent to a Council park or reserve, private landscaping should attempt to be sympathetic to and complement the public domain landscaping in order to soften the public-private interface.
5.8.3 Landscaping contributes to the on-site retention of stormwater.	<ul style="list-style-type: none"> Hard, impermeable surfaces on dwelling-house sites are to be minimised. Landscaped areas are sited to accept stormwater runoff from buildings on the site. Landscaping should be designed to minimise non-porous areas and maximise on-site infiltration of stormwater. Paved areas should be semi-porous or graded to maximise on site infiltration.
5.8.4 Vegetation growth does not cause significant structural damage to buildings.	<ul style="list-style-type: none"> Impacts from vegetation growth on building structures are minimised by selection of appropriate species, planting techniques, landscaping structures, and building design. Building design accommodates vegetation growth, such as through provision of large footings that allow growth of large trees.
5.8.5 Landscaping does not jeopardise the security of the site.	<ul style="list-style-type: none"> Landscaping does not significantly obscure sight lines between the dwelling and the street. At the front of dwellings, vegetation with concentrated top to bottom foliage is to be avoided in favour of low ground cover and/or high canopied vegetation. Dense, medium height planting is not to be planted in front of dwellings as this can provide a hiding place for intruders.
5.8.6 Dwelling-house development does not result in an increased rate of stormwater runoff.	Note: Stormwater-tanks installed to collect roof-water are encouraged. Water from such tanks should not be used for drinking but can be connected to a system for watering the garden. Refer to Part G4 – Water Management.

Strategy	Control
5.8.7 Dual occupancy dwellings have sufficient useable private open space.	<ul style="list-style-type: none"> Each dwelling in a detached dual occupancy development has a minimum landscaped area of 130m² including an area having minimum dimensions of 5m x 5m located adjacent to the living areas of the dwelling. <p>Note: The other provisions contained within this section also apply and are required to be met.</p>

5.9 Laneway Development and Ancillary Buildings

This Part does not relate to development that is exempt or complying in accordance with Part C2 – Exempt and Complying Development.

Objectives

- To avoid excessive development of landscaped areas and open space of dwellings;
- To minimise the adverse impacts that laneway development and ancillary buildings may have on adjoining properties; and
- To ensure laneway development is compatible with the streetscapes of the laneway and primary street.

The purpose of the laneway provisions is to limit the scale of laneway structures secondary to the main dwelling. In addition, these provisions seek to allow for the benefits of these types of developments to accompany the associated dwelling and the development of streetscape. Refer to Annexure D1-2 for Examples of Laneway Development.

Strategy	Control
5.9.1 Laneway development should not impact on the streetscape of the laneway or the primary street.	<ul style="list-style-type: none"> Laneway development is to be designed as a separate structure to the main building. Laneway development should be a minor and secondary building associated with the main dwelling. Laneway development should be designed with simple built forms, built at or very close to the lane alignment and should not provide a strong visual element when viewed from the primary street frontage. Laneway development design should incorporate a pitched roof. Laneway development should not occur if it will result in a significant alteration to the landscape character of the laneway. Visually significant trees should not be removed to make way for laneway development. Laneway development should not compromise the provision of open landscaped space in the rear yard. Laneway development should incorporate an area for a deep soil planting (in the form of a

Strategy	Controls
	75L native tree or bush), located at the rear lane. Refer to Figure 80.
5.9.2 Laneway development does not result in overshadowing or loss of privacy to adjoining dwellings.	<ul style="list-style-type: none"> The external wall heights of laneway development shall not exceed 3.6m and maximum height to the roof ridge shall not exceed 5.6m. External walls that include gabled roof ends are permitted to the maximum ridge height of 5.6m where the impact on neighbours is considered acceptable. Refer to Figure 81. The design of laneway development shall not incorporate decks or balconies. Any stairs shall be contained within the building. Laneway development is not to be used as a separate occupancy, nor is it to contain bathrooms or kitchen facilities.
5.9.3 Ancillary buildings do not result in overshadowing or loss of privacy to adjoining dwellings.	<ul style="list-style-type: none"> The wall height of ancillary buildings where the wall is on a property boundary shall not exceed 2.1m. The maximum height of ancillary buildings shall not exceed 2.4m.
5.9.4 Ancillary buildings do not adversely impact on the appearance of residential areas	<ul style="list-style-type: none"> The design of the roof of ancillary buildings should not conflict aesthetically with the design of the principal building on the site or with adjoining development. The design of ancillary buildings shall be integrated with the landscape design of the site. Ancillary buildings should be a minor and secondary building associated with the principle building on the site. The floor area of all ancillary buildings on an allotment should not exceed 10% of the allotment size.

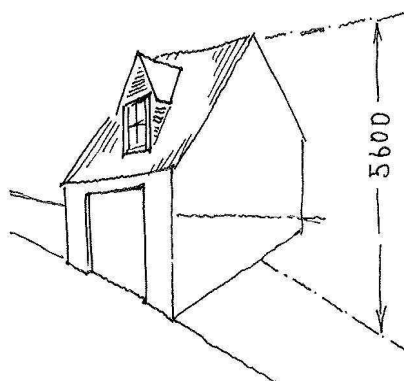
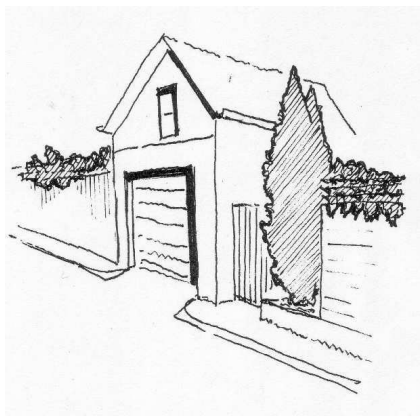


Figure 80 (image to the left) The provision of deep soil planting at rear lanes

Figure 81 (image to the right) Example of external walls that include gabled roof ends

5.10 Community Crime Prevention

Crime Prevention through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. This section seeks to enhance the safety of developments and minimise crime, specifically:

- (a) enhancing safety by reducing opportunities for crime to occur;
- (b) improving observation of public and private spaces;
- (c) optimising the use of public spaces and facilities by the community; and
- (d) promoting the design of safe, accessible and well maintained buildings and spaces.

The following key principles should be applied to the design and management of land uses to reduce opportunities for crime:

- (a) Surveillance – encourages opportunities for casual surveillance;
- (b) Accessibility and target hardening – restricts access and maximise use of appropriate security measures;
- (c) Reinforce territory/space management – encourages ownership of communal areas and sense of community and formally supervise/care for urban space; and
- (d) Defensible space – appearance that space is cared protected.

This section sets out the design criteria which should be considered in relation to single dwellings and dual occupancies. Applicants must consider all the relevant provisions and aim to meet all relevant Performance Criteria. The section holds Design Solutions as one way of meeting these criteria. Suggestions may be varied if it can be demonstrated that the criteria can be met. In certain circumstances a specific Design Suggestion will be a requirement as outlined as 'Note'.

5.10.1 Site and Building Layout

The aim of these controls is to maximise casual surveillance of the dwelling from the street, and of the street from the dwelling.

Performance criteria	Design Suggestions/ Requirements
Orientate buildings towards the street.	-
Ensure dwelling entry is clearly visible from the street by day and night.	<ul style="list-style-type: none"> Dwelling entries should generally not be setback more than 10m from the street frontage. Dwelling entry should be well lit at night (see also lighting section).
Ensure access between the dwelling entry and street frontage is direct.	<ul style="list-style-type: none"> Avoid recessed doorways which restrict opportunities for casual surveillance.
Where balconies form part of the layout aim for casual but unobtrusive surveillance of neighbouring properties.	<ul style="list-style-type: none"> Direct overlooking should be avoided but casual surveillance may be achieved from balconies by using materials such as lattice screening.
Casual surveillance of the street should be achieved through the internal layout of the dwelling.	<ul style="list-style-type: none"> Consider positioning a habitable room to enable casual observation of the street.

Performance criteria	Design Suggestions/Requirements
Casual surveillance of the street should be achieved through the internal layout of the dwelling.	<ul style="list-style-type: none"> Ensure on site parking does not prevent opportunities for casual surveillance.

5.10.2 Landscaping

The aim of these controls is to ensure landscaping does not jeopardise the security of the site.

Performance criteria	Design Suggestions/Requirements
Ensure sight lines between the dwelling and street frontage are unobscured.	<ul style="list-style-type: none"> Avoid vegetation with concentrated top to bottom foliage. Low ground cover or high canopied vegetation is preferable. Manage vegetation through to maintain sight lines.
Avoid planting large trees/shrubs in a way which could enable an intruder to gain access to the dwelling or to neighbouring dwellings.	<ul style="list-style-type: none"> Plant medium shrubs close to the dwelling if sight lines will not be obscured or low level shrubs where visibility is required: Large tree growing next to second storey windows or balconies could provide a means of access.
Avoid planting which could provide an entrapment spot.	<ul style="list-style-type: none"> Avoid dense, medium height planting in front of the dwelling, which could provide hiding places.

5.10.3 Security

The aim of these controls is to ensure an appropriate level of security is achieved.

Performance criteria	Design Suggestions/Requirements
Dwellings are designed and constructed to reduce the opportunity for illegal access.	<ul style="list-style-type: none"> Locks should be installed on all windows and doors. Chains should be installed on front doors. Consideration should be given to the installation of viewers on doors. If security grilles are used they should be sympathetic to the architectural style of the building and allow casual observation of the street. If burglar alarms are used, they should be visible from the street to be of maximum deterrence.
Access to the side and rear of the site should be restricted.	<ul style="list-style-type: none"> Gates should be provided on all side and rear access ways and should be kept locked when not in use. Rear access to the site should generally be avoided.

5.10.4 Front Fencing

The aim of these controls is to ensure front fencing delineates private space from public space in a way which clearly denotes site privacy and safety.

Performance criteria	Design Suggestions/Requirements
Front fencing should be designed to maximise opportunities for casual surveillance of the dwelling from the street frontage and of the street from the dwelling.	<ul style="list-style-type: none"> Front fence should not exceed 1.2m in height. Consider the installation of double glazing at the front of the dwelling rather than using solid fences greater than 1.2m if noise insulation is required.
Front fencing should minimise opportunities for concealment.	<ul style="list-style-type: none"> Front fences should be predominantly open in design to allow sight through the fence, e.g. picket fencing, wrought iron. Where a fence exceeds 1.2m in height, it should be of an open design, with a minimum open area of at least 50% for visibility to and from the site.

5.10.5 Lighting

The aim of these controls is to ensure lighting enhances the amenity and safety of a site after dark by increasing opportunities for casual surveillance and deterring illegal access.

Performance criteria	Design Suggestions/Requirements
Ensure lighting does not produce areas of glare and/or dark shadows.	<ul style="list-style-type: none"> External lighting should gradually increase in brightness from the edge of the site to the dwelling entrance.
Avoid light spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for casual surveillance, for example by forcing people to shut curtains prematurely.	<ul style="list-style-type: none"> Use movement sensitive lighting within the curtilage of the dwelling if possible. Use automatic lighting timers for dwelling entry to ensure consistency of lighting use, whether the dwelling is occupied or not.

5.10.6 Address

The aim of these controls is to ensure dwellings are clearly identifiable by number at all times to prevent unintended access and to assist persons trying to find the dwelling.

- Street numbers should be clearly visible from the street frontage.
- Street numbers should be at least 7cm high
- Street numbers should be positioned 0.6m – 1.5m above ground level on the site boundary which fronts the street.
- Street numbers should be made of durable (preferably reflective material).
- Street numbers should be unobstructed e.g. from foliage.

5.11 Accessibility and Adaptable Housing

The aims of this section to ensure that all new and refurbished buildings provide access for people with disabilities as required by the Federal Government's *Disability Discrimination Act 1992* (DDA 1992). This section seeks to promote recognition and acceptance within the community of the principle that persons with disability have the same rights of access as the rest of the community.

The EP & AA 1979 requires consideration be given to whether adequate provision for access by people with disabilities has been made pursuant a development application. The Federal Government's DDA 1992 takes precedence over the EP & AA 1979 and the BCA, where there is conflict in the area of access for people with disabilities.

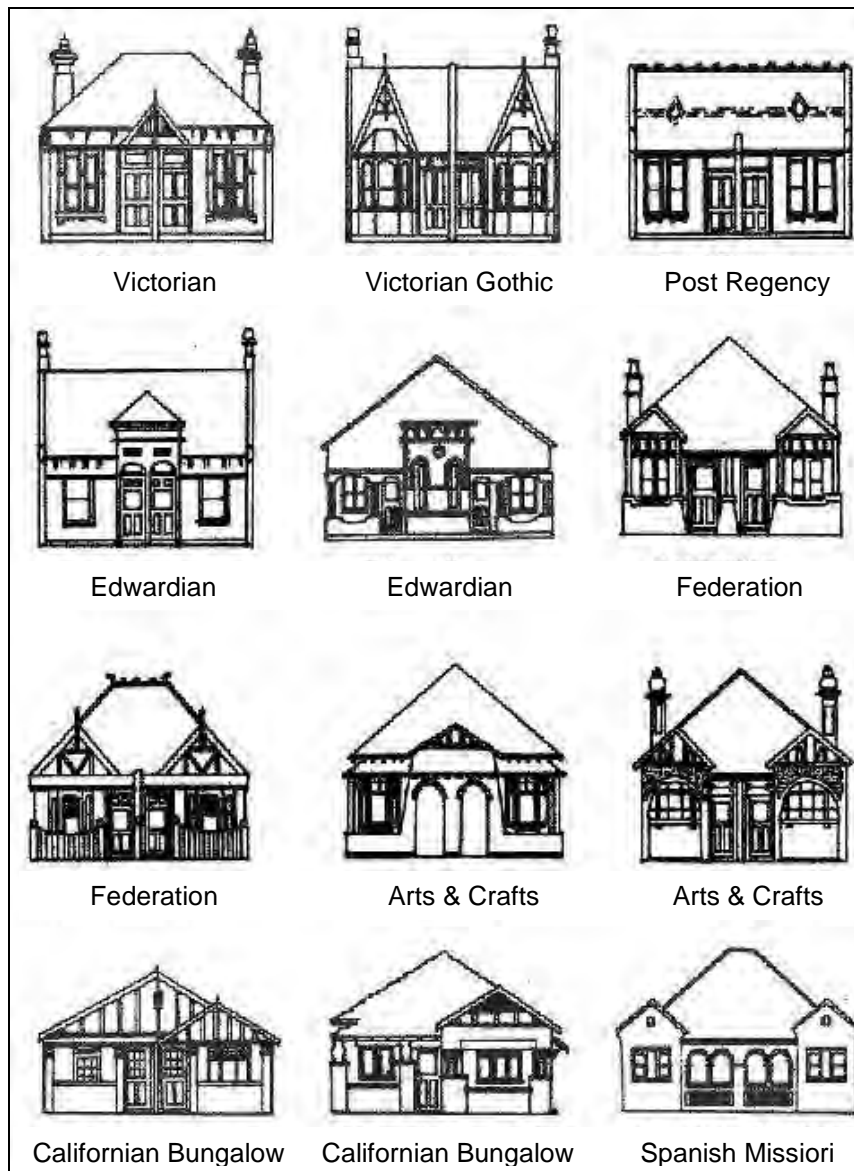
Controls

The following controls apply to all development applicable to this Part:

- a) An accessible path of travel from the street to and through the front door, where the level of land permits.

Annexure D1-1

**Architectural Styles of Semi-Detached Terrace Houses
in Waverley Municipality**



Annexure D1-2

Examples of Laneway Development



[This page is intentionally blank]

Part D Residential

D2 Multi-Unit Housing

Contents

1.0 Introduction	2
1.1 Land to which this Part applies	2
1.2 Relationship to Other Parts	2
1.3 Relationship to other Council policies	2
1.4 Aims of Part D2	2
1.5 How to Use this Part	3
1.6 Special Character Areas	4
1.7 Generic Controls	4
1.8 General - Waverley Affordable Housing Program	4
1.9 Consultation with Council	5
1.10 Protection of Aboriginal sites	5
2.0 Special Character Areas	5
2.1 Bondi Heights Special Character Area	7
2.2 North Bondi Special Character Area	9
2.3 Ben Buckler Special Character Area	12
2.4 Mill Hill Special Character Area	14
3.0 Building Envelope Controls	15
3.1 Building Envelope Definition	15
3.2 Minimum Site Frontage	16
3.3 Height	17
3.4 Floor Space Ratio	20
3.5 Street Setback	20
3.6 Rear Setback	22
3.7 Side Setback	23
3.8 Building Length at Street Frontage	24
3.9 Building Depth	25
3.10 Building Separation	25
4.0 Streetscape and Site Design Controls	27
4.1 Fences and Walls	28
4.2 Vehicular Access and Parking	29
4.3 Building Services	30
4.4 Roof Design and Attic Levels	31
4.5 Pedestrian Access and Entry	34
4.6 Landscaping and Deep Soil Planting	35
4.7 Communal Open Space	36
4.8 Planting on Structures	38
4.9 Solar Access and Overshadowing	39
4.10 Views and View-Sharing	40
4.11 Design for Mixed Use	41
4.12 Waverley Affordable Housing Program	42
5.0 Building Design Controls	47
5.1 Ceiling Heights	47
5.2 Habitable Attic Rooms	47
5.3 Private Open Space	49
5.4 Storage	50
5.5 Visual Privacy	50
5.6 Acoustic Privacy	51
5.7 Natural Ventilation	52
5.8 Apartment Mix	53
5.9 Minimum Dwelling Size	53
5.10 Alterations and Additions	54
6.0 Community Crime Prevention	55
6.1 Site and Building Layout	55
6.2 Lighting	57
6.3 Landscaping and Fencing	57
6.4 Security	58
6.5 Building Identification	58
6.6 Building Materials and Maintenance	59
7.0 Accessibility and Adaptable Housing	59

D2 Multi-Unit Housing

1.0 INTRODUCTION

1.1 Land to which this Part applies

This Part applies to all multi-unit development land zoned Residential 2(b), 2(c1) and 2(c2) under Waverley Local Environmental Plan 1996 (WLEP 1996). Section 4.12 of this Part also applies to land zoned 3(a2), 3(a3), 3(a5) (only in the case of mixed development) and the 3(a4) zone, in Waverley and Woollahra Joint LEP 1991 – Bondi Junction Commercial Centre (JLEP 1991) and land in the 3(a), 3(b) and 3(c) Business zones of WLEP 1996, only in the case of mixed development. The objectives and controls of the zone will be taken into consideration in determining a development application (DA).

Development applications proposing works to existing residential flat buildings within the Residential 2(a) zone are assessed in accordance with the merit of a given application, State Environmental Planning Policy No. 65 – Design Quality for Residential Flat Development (SEPP No. 65) and this Part, D2, as a guideline.

1.2 Relationship to other Parts

This Part needs to be read in conjunction with the following Parts:

- Part B – Submitting a Development Application;
- Part F1 – Bondi Junction Commercial Centre;
- Part F2 – Bondi Beach;
- Part F5 – Local Village Centres;
- Part G1 – Site Waste Minimisation and Management;
- Part G2 – Solar Access;
- Part G4 – Water Management;
- Part H1 – Heritage Conservation (where land is a heritage item or situated within a Heritage Conservation Area); and
- Part I1 – Land Use and Transport.

1.3 Relationship to other Council Policies

This Part needs to be read in conjunction with the following Council policies as relevant to a given application:

- Waverley Affordable Housing Program Policy 2007; and
- Voluntary Planning Agreement Policy 2007.

1.4 Aims of Part D2

- (a) To ensure that the scale of multi-unit housing development is appropriate for the streetscape and in relation to other buildings in the vicinity;

- (b) To ensure that proposed multi-unit housing developments do not significantly detract from the amenity, privacy and views of other dwellings and public view corridors;
- (c) To ensure that multi-unit housing developments do not significantly detract from the amenity, privacy and views of other dwellings;
- (d) To ensure that architects, designers and Council have regard to the principles of ecologically sustainable development when assessing applications to construct or make alterations and additions to multi-unit housing developments;
- (e) To ensure that multi-unit housing are sympathetic in form and character with other buildings in their vicinity;
- (f) To maximise the environmental sustainability and energy efficiency of dwellings, reduce the generation of waste from dwellings, reduce the impact of excessive water run-off from land on which dwellings are situated and to assist in the reduction of crime through design;
- (g) To encourage multi-unit housing development to have high design standards and be consistent with State policy and all relevant environmental planning instruments;
- (h) To maintain and enhance the distinct built form and unique residential characteristics that are exhibited in the Bondi Heights, North Bondi, Ben Buckler and Mill Hill Special Character areas;
- (i) To ensure the aims and strategies of the Waverley Housing Policy are incorporated in the assessment of applications for multi-unit housing; and
- (j) To ensure the development, retention and protection of low-cost accommodation within multi-unit and mixed used development comprising of a residential component.

1.5 How to use this Part

This Part contains guidelines and controls for multi-unit housing development. It must be used in accordance with WLEP 1996 and JLEP 1991.

This Part contains objectives, performance criteria, strategies, and controls. The objectives for each topic describe the intention of the controls. The strategy describes the process of achieving the objective. The controls outline criteria required to achieve compliance with this Part.

Compliance with a control does not guarantee that the objective is satisfied. In some instances the design solutions may not be appropriate for a particular site or situation. Therefore, having regard to the physical characteristics of the site and the nature and proximity of adjoining and nearby development, Council may require alternative design solutions.

Development controls are not normally varied. However, if an applicant is able to clearly demonstrate that a particular control is unreasonable or unnecessary in the circumstances of the case, Council may consider relaxing the control. Conversely, having regard to the physical characteristics of the site and the nature and proximity of adjoining and nearby development, Council may require a more restrictive control so as to minimise or eliminate any likely negative impacts.

1.6 Special Character Areas

Section 2.0 describes the Special Character Areas of Bondi Heights, North Bondi, Ben Buckler and Mill Hill. The areas to which the controls apply are identified in Figures 3, 4, 7 and 9. Each Special Character Area contains a written description of the existing character elements and a set of Desired Future Character Objectives. Specific Performance Criteria are provided to achieve the objectives.

The objectives and performance criteria identified in the character studies are localised criteria only and apply in addition to the generic performance criteria contained in the main body of this Part. This means that when proposing a development, applicants need to specifically refer to the controls in this Part and the local performance criteria for the relevant Special Character Area. Where there is any discrepancy between these performance criteria, the specific Special Character Area controls will prevail.

1.7 Generic Controls

Section 3.0 contains the Building Envelope Controls which address the following: minimum site frontage; height; floor space ratio; street setback; rear setback; side setback; building length; building depth and building separation.

Section 4.0 contains the Streetscape and Site Design Controls that address the following: fences and walls; vehicular access and parking; building services; roof design and attic levels; pedestrian access and entry; landscaping and deep soil planting; communal open space; planting on structures; solar access and overshadowing; views and view sharing; design for mixed use and affordable housing design.

Section 5.0 contains the Building Design Controls which address the following: ceiling heights; habitable attic rooms; private open space; storage; visual privacy; acoustic privacy; natural ventilation; apartment mix; minimum dwelling sizes; alterations and additions and adaptable housing.

1.8 General – Waverley Affordable Housing Program

Section 6.0 contains the objectives and controls which address matters with respect to the Waverley Affordable Housing Program (WAHP). The section relates to the increased provision of affordable housing prompted when a development proposal seeks floor space allowances in excess of the allowable floor space. Satisfaction of requirements held within this section is a pre-requisite for the granting of consent for consideration of floor space allowances. Floor space allowances are

determined on the environmental impact of the additional space and the contribution of affordable housing pursuant the Waverley Affordable Housing Program and associated policy framework.

In the preparation of an application containing an affordable housing component, it is necessary to consult Waverley Affordable Housing Program Policy 2007, Voluntary Planning Agreement Policy 2007 and Waverley Affordable Housing Program Calculator.

1.9 Consultation with Council

If you are proposing to build a new multi-unit housing development, or undertaking alterations and additions to an existing multi-unit housing building, you should contact Council to find out what type of approval is required. If you are unsure about what information you need to submit you should discuss the application with Council's Duty Officer (Phone (02) 9369 8008).

1.10 Protection of Aboriginal Sites

It is essential to note that there may be a number of undiscovered and/or unrecorded Aboriginal objects and places within Waverley LGA. As a result of this limitation, and the fact that all Aboriginal objects and places are protected under the National Parks & Wildlife Act 1974 (NSW), when undertaking excavation persons should proceed with caution and must report any findings of possible Aboriginal objects and places to Council's Planning & Environmental Services Department before proceeding with further works.

2.0 SPECIAL CHARACTER AREAS

Neighbourhoods in Waverley are characterised by rows of consistency. A row of consistency is a group of 3 or more buildings that have uniform qualities such as street and side setbacks, materials and colour, roof form and pitch, architectural style, building form and massing. The uniform quality of a row of consistency contributes to pleasant streetscapes.

Objectives

- Ensure that new infill buildings adjacent to rows of consistency contribute to streetscape character.
- Ensure that alterations and additions to buildings within a row of consistency are sympathetic.
- Maintain predominant building frontage to street.
- Ensure appropriate building orientation and configuration on the lot (e.g., high sided lots, low sided lots, angled lots, narrow lots, shallow lots, corner lots, lots with a laneway).
- Balance streetscape and amenity issues.

Strategy

- Design buildings to relate to their context in terms of arrangement and scale of massing elements.
- Allow elements which characterise a particular area to inform the

building form, such as the proportions or forward projections in the façade, recessed entry porches or landscaped areas.

- Orient buildings so that entries and primary openings address the street.
- Minimise the visual bulk of attic roof forms.

Controls

New infill buildings

- Arrange massing of buildings to relate to existing patterns in the street.
- Use landscape elements to break up building massing.
- Use building form and massing to increase the legibility of development, giving prominence to individual and communal entries.
- Reflect an understanding of the adjacent rows of consistency in street facades by ensuring that new infill buildings continue the line of horizontal elements such as sill and head heights, eave and ridge lines, street wall heights and horizontal line of balconies.
- Ensure that new buildings respect and use similar materials and colours to rows of consistency.

Alterations and additions

- Small projecting balconies, juliet balconies and re-entrant balconies are preferred for alterations and additions on street facades.
- Alterations and additions in the roof of an existing building should occur within the main roof form. Dormer windows and the like are to be less than 30% of the roof elevation.



Figure 1. A row of consistency, Beach Road.



Figure 2. A row of consistency, Blair Street.



Figure 3. New infill buildings adjacent to a row of consistency.

Private open space and landscape character

- (a) Communal landscaped gardens are required within the front setback to contribute to the public domain.
- (b) Ground floor apartments must have minimum 10m² private open space. The private open space is permitted to encroach 2.5m into the communal landscaped front setback provided that the front setback is a minimum of 6m from the street boundary.

2.1 Bondi Heights Special Character Area

Bondi Heights Special Character Area applies to the area bound by Old South Head Road and Francis Street to the north, Wellington Street to the east, Bondi Road to the south and Flood Lane to the west (refer to Figure 4). A portion of the Bondi Road local village centre is included within the area. Refer to Part F5 section 8.0.

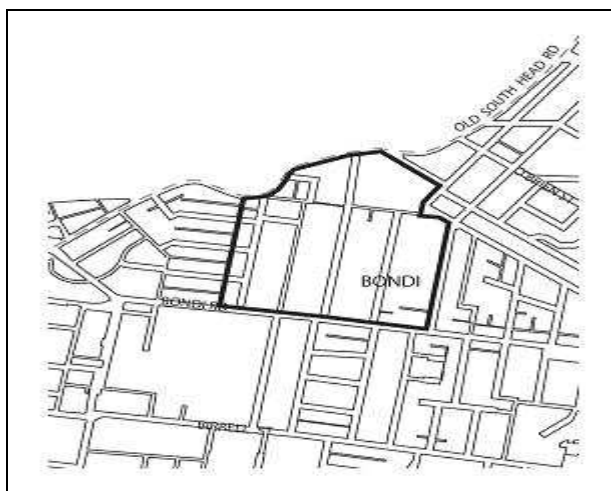


Figure 4. Bondi Heights Special Character Area.

2.1.1 Existing Character Elements

Bondi Heights Special Character Area is located on a local topographical high point. This vantage allows district views to and from the area. It is characterised by north-south oriented streets with well established street trees. Street blocks are generally long (700m – 750m) with a range of site lot sizes. A range of building types and styles exists that relate to the lot sizes and development history of the area. The overall character of the area is of buildings that sit in a landscape setting.

Building Types

- From the Federation period, the Inter-war period, 1970s and present.
- Pockets of heritage items.
- Rows of consistency, including 1920s – 40s residential flat buildings in Angelsea Street characterised by uniform materials and colour, building mass and form and architectural style.

Development Pattern

- Traditionally characterised by taller buildings in a landscape setting.
- Larger, newer apartment buildings that provide less landscaped area and vegetation, resulting in newer buildings being more visually dominant.

Streetscape

- Mature and consistent street tree planting.
- Front garden planting that contributes to the streetscape greenery.
- Low garden walls and fences.
- Limited driveways and vehicular crossings.

Landscape and Topography

- Located on a local high point, many apartments can take advantage of district views.
- High and low side of the street has the following impacts:
 - Results in different on-site car access responses.
 - Retaining walls are required on the high side of the street. More successful examples are those that have a low retaining wall and present an elevational grassed front setback. Less successful examples are those that present garages to the street, with a terrace or deck that has no deep soil areas for planting and does not contribute to the overall perceived greenery of the streetscape.

Materials and Colours

Rows of consistency have established patterns of materiality and colour, e.g., Dark or recessive masonry in Angelsea Street.

2.1.2 Desired Future Character Objectives

- To ensure that the landscape character is the dominant image of Bondi Heights.
- To maintain consistent street tree planting with grass verges in the public domain.
- To maintain the predominant street and rear setback for front gardens and mid-block planting of mature trees.
- To encourage well planted front and rear gardens that contribute to the streetscape and overall sense of green of Bondi Heights when viewed from within and surrounding areas.
- To ensure that front garden walls and fences respond to the high and low side of the street.
- To maintain the predominant character of buildings in a landscape setting.
- To ensure that buildings respond to their location on the low and

high sides of the street with respect to building height and site access.

2.1.3 Performance Criteria

Landscape controls

- Garden walls and fences on the low side of the street are to be a maximum of 1.0m, to allow front gardens to contribute to the streetscape.
- Garden retaining walls on the high side of the street are to be a maximum of 1.5m. Front gardens should be predominantly planted or grassed, to allow the elevated view of the front garden to contribute to the streetscape.
- Outdoor terraces and decks are not permitted over garages located on the street boundary on the high side of the street. This is to ensure that sufficient deep soil is provided to allow for the mature planting of trees and shrubs that contribute to the streetscape.
- Communal landscaped gardens are required within the front setback to contribute to the public domain.
- Ground floor apartments must have minimum 10m² private open space. The private open space is permitted to encroach 2.5m into the communal landscaped front setback provided that the front setback is a minimum of 6m from the street boundary.

2.2 North Bondi Special Character Area

North Bondi Special Character Area applies to the area bound by O'Donnell Street, Frederick Street, Murrivier Road to the north, Military Road to the east, Campbell Parade and Warners Avenue to the south, and Glenayr Avenue to the west. Refer to Figure 5. A portion of the North Bondi Neighbourhood local village centre is included in this area. Refer to Part F5 section 12.0.

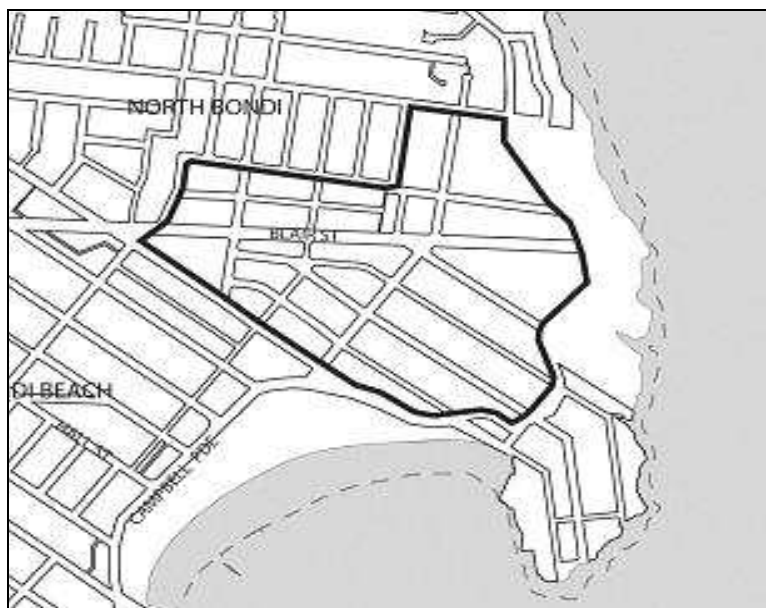


Figure 5. North Bondi Special Character Area.

North Bondi Special Character Area has an undulating topography. The roofscape is prominent when viewed from surrounding high points. There is often a high and low side of the street. Streets generally have wide grassed verges that are sometimes privately planted (through Council's Footpath Gardens Scheme) with vegetation that contributes to the natural headland character. Regular block and lot pattern responds to the changing topographical conditions.

The predominant building stock is characterised by minimum side setbacks, consistent front setbacks and consistent building frontages to the street whether the building type is apartments or semi detached dwellings. Roofs are predominantly pitched and red tiled, and are visually dominant on the low side of the street. Much of the area is already developed with very little opportunity for redevelopment on infill sites.

2.2.1 Existing Character Elements

Building Type

- Ageing building stock that requires retro-fitting.

Development Pattern

- Consistent built form.
- Building frontages are limited.
- Much of the area is already developed.
- Incremental change occurring for infill sites.

Streetscape

- Wide road reserves.
- Low garden walls and fences.

Landscape and Topography

- Natural headland landscape character.
- Low and high side of the street.
- Views from northern escarpment over the area, emphasising the pitched and tiled roof character.

Materials and Colours

- Consistent roof form and colour.

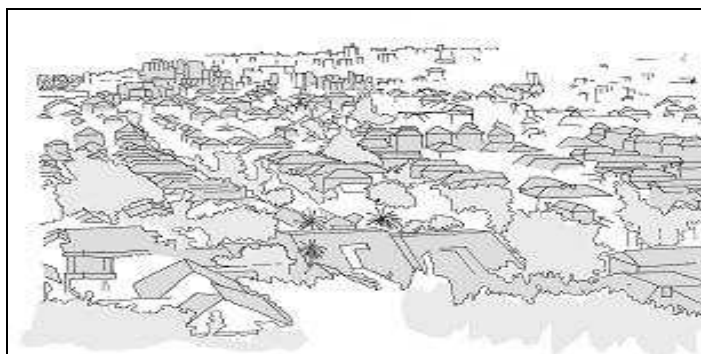


Figure 6. The North Bondi Special Character Area is characterised by a sea of red tiled roofs.

2.2.2 Desired Future Character Objectives

- To maintain the streetscape rhythm created by uniform building frontages to the street.
- To allow minor alterations and additions to existing street facades.
- To ensure that alterations and additions improve the amenity for residents but do not detract from the amenity of adjacent buildings.
- To allow minor alterations and additions in the roof.
- To encourage private planting of verges.

2.2.3 Performance Criteria

Public Domain

- Planting should utilise minimum maintenance species growing to no more than one metre in height at maturity. The overall appearance and species selection should be compatible with the adjoining gardens. Growth must not encroach on the footpath or obstruct pedestrian access.

Landscape character

- Communal landscaped gardens are required within the front setback to contribute to the public domain.
- Ground floor apartments must have minimum 10m² private open space. The private open space is permitted to encroach 2.5m into the communal landscaped front setback provided that the front setback is a minimum of 6m from the street boundary.

Alterations and Additions – Balconies

- Maintain proportion of openings along street facades when retrofitting with balconies. Rear facades have greater flexibility.

Roof Design and Attics

- Red tiles are the preferred roofing material.
- Maintain the pitched roof character of the area.
- Attics are to be secondary to the main pitched roof form.

Materials and Colour

- Maintain established patterns of materiality and colour where there are existing rows of consistency along a street.

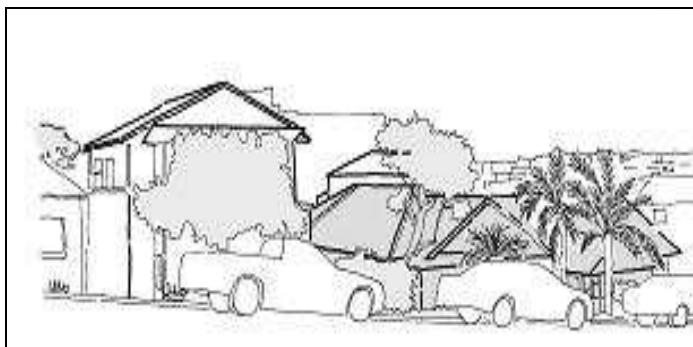


Figure 7. Topography allows views over rooftops on the low side of the street.

2.3 Ben Buckler Special Character Area

Ben Buckler Special Character area is located on the northern headland at Bondi Beach and applies to the area bound by Campbell Parade and the coastline to the west, Bondi Golf Course to the north, and the coastline to the east and south (refer to Figure 8). A portion of the North Bondi Neighbourhood local village centre is included in this area. Refer to Section 12.0 of Part F5.

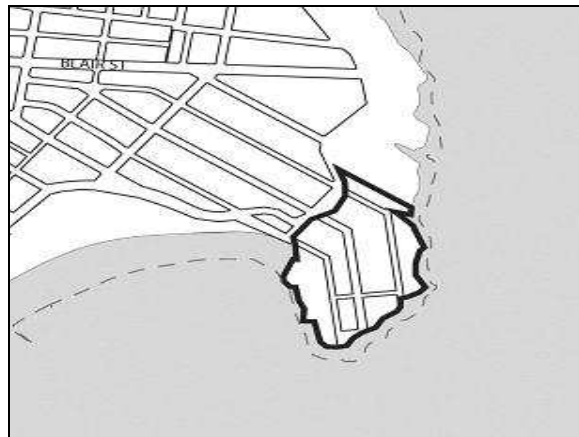


Figure 8. Ben Buckler Special Character Area.

Streets generally have wide verges that contribute to the headland character. Side setbacks between buildings allow for ocean and beach glimpses. Ben Buckler contributes to the public image of Bondi Beach as it is highly visible from the Beach. The area is also characterised by long street blocks and a generally uniform subdivision pattern that is oriented north-south. The main exception is the building lots located on Ramsgate East that front Bondi Beach. Some of these building lots are battle-axed to allow frontage to Bondi Beach and to Ramsgate Avenue East. Much of the headland has already been redeveloped for multi-unit residential with little scope for future change. The existing building stock is consistent in its building form, exhibiting boxy characteristics.

2.3.1 Existing Character Elements

Building Type

- Ageing building stock that requires retro-fitting or refurbishment.

Development Pattern

- Consistent lot orientation and boxy building form.

Streetscape

- Wide grassed and planted verges.

Landscape and Topography

- Coastal views.
- Strong boundaries of the ocean, golf course and Campbell Parade.

Materials and Colours

- Unique materials and colour palette of pastel colours.

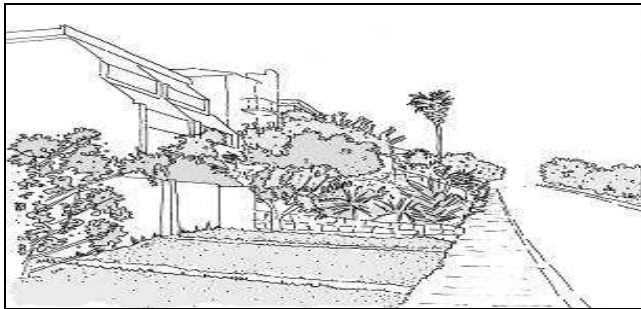


Figure 9. Streetscape Character – wide grassed and planted verges contribute to the public domain.

2.3.2 Desired Future Character Objectives

- To maintain the headland character of Ben Buckler through the landscaping of the front gardens and appropriate planting of verges.
- To maintain the rhythm of buildings frontages to the street.
- To ensure that side setbacks allow glimpses of the beach or ocean.
- To encourage infill buildings to respect the existing building character of boxy proportioned buildings, architectural elements and range of materials and finishes.
- To encourage view sharing.

2.3.3 Performance Criteria

Public Domain

- Planting should utilise minimum maintenance species growing to no more than 1 metre in height at maturity. The overall appearance and species selection should be compatible with the adjoining gardens. Growth must not encroach on the footpath or obstruct pedestrian access.

Side Setbacks

- Ensure that side setbacks are clear of obstructions to allow views between buildings to the beach.

Landscaped Area and Deep Soil Zones

- Sites adjacent to laneways and pedestrian connections may be able to achieve increased site coverage with a reduced deep soil requirement. Where deep soil requirements are not met, this area is to be replaced with landscaped open space above ground level.
- Communal landscaped gardens are required within the front setback to contribute to the public domain.
- Ground floor apartments must have minimum 10m² private open space. The private open space is permitted to encroach 2.5m into the communal landscaped front setback provided that the front setback is a minimum of 6m from the street boundary.

Materials and Colours

- Rendered and painted finish is appropriate in this area.

Alterations and Additions

- Allow balconies to be provided over existing car courts for existing buildings on battle-axed blocks along Ramsgate Avenue.

2.4 Mill Hill Special Character Area

Applies to the area loosely bounded by Oxford Street to the north, Denison Street and Clemenston Park to the east, Birrell Street to the south, and York Road and St James Road to the west. Refer to Figure 10.

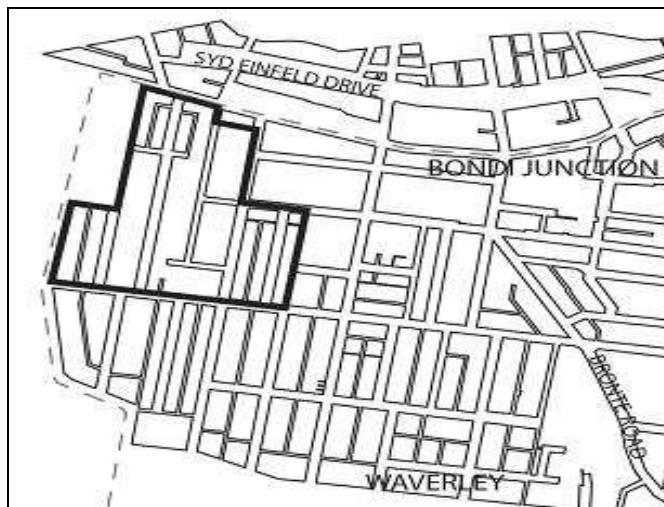


Figure 10. Mill Hill Special Character Area.

The Mill Hill Special Character Area is characterised by its consistency and high quality streetscape environment. The positive factors that contribute to the strong streetscape character are consistent building types (terraces and semi-detached houses) that relate to the fine grained subdivision pattern.

The buildings have uniform architectural style and elements like a consistent roof treatment (such as pitched and gabled roofs of a uniform roof pitch), parapets, party walls that create a vertical rhythm, uniform street setbacks and front gardens with low street walls or fences. Streets have consistent mature street tree planting and are mainly oriented north-south. Service lanes are common and generally there are no side setbacks.

2.4.1 Existing Character Elements

Building Type

- Consistent building types – terraces and semi-detached housing.
- Consistent architectural elements: party walls, roof type and pitch.

Development Pattern

- Fine-grained subdivision.
- Consistent street and side setbacks.

Streetscape

- Consistent mature street tree planting.
- Some landscaping along laneway edges.

Landscape and Topography

- Regular east-west street blocks.

2.4.2 Desired Future Character Objectives

- Desired future character also controlled by Conservation zone and Special Character Area guidelines in Part D1.
- Narrow lots are not generally suitable for townhouse or residential flat building developments.

2.4.3 Performance Criteria**Streetscape**

- Encourage planting of laneways with appropriate vegetation, e.g., drought resistant natives.

Landscaped Area and Deep Soil Zones

- Sites adjacent to laneways and pedestrian connections may be able to achieve increased site coverage with a reduced deep soil requirement. Where deep soil requirements are not met, this area is to be replaced with landscaped open space on terraces or rooftops.

3.0 BUILDING ENVELOPE CONTROLS

This Section contains the Building Envelope Controls which address minimum site frontage; height; floor space ratio; street setback; rear setback; side setback; building length; building depth and building separation. These controls do not apply to the residential component of mixed development within Council's local village centres. Refer to Part F5.

3.1 Building Envelope Definition**3.1.1 Objectives**

- Provide building envelopes which allow multi-unit housing to relate to the scale and form of the existing context.
- Provide building envelopes which are flexible to accommodate a range of building types and designs in response to variations in the context.
- Provide building envelopes which allow for detailed modulation and articulation within the maximum envelope.

3.1.2 Strategy

Building envelopes are defined by the controls in this section, including:

- site frontage; height; setbacks; building frontage; building depth; and building separation.

3.1.3 Controls

The building envelope includes elements such as:

- balconies;
- blade walls; and
- shading devices.

As such the total area defined by the building envelope is greater than the achievable gross floor area of the building. The building envelope excludes elements such as:

- bay windows;
- awnings and lightweight pergolas;
- chimneys, gutters and eaves;
- lift overrun and plant equipment; and
- carparking levels for sites with special topography issues.

The extent to which these elements may project outside the defined building envelope is outlined in Section 4.4.

3.1.4 Building Envelope Variations

Special Character Areas

Within Special Character Areas, building envelopes may be modified where necessary to achieve specific performance criteria (refer to Section 3.0).

Alterations and Additions

Alterations and additions to existing buildings are to respond to predominant streetscape characteristics, and are to be in keeping with identified Special Character Areas where applicable. Alterations and additions must be designed to minimise their impact on the bulk and scale of the building.

Attic alterations must be contained within the building envelope and comply with height controls. Attic additions are to maintain the existing roofscape character, and must comply with Section 4.4.

Where the existing building does not comply with setback controls, balcony additions may be permitted provided streetscape character, building separation and privacy are maintained. The extent to which balcony additions may project beyond the existing building is outlined in Section 5.10 Alterations and Additions.

3.2 Minimum Site Frontage

3.2.1 Objective

- Ensure that development sites have adequate street frontage to meet side setback and building separation requirements, whilst achieving a building form appropriate to the streetscape.
- Ensure that development sites are large enough to accommodate a basement car park, without it extending the full width of the site.

3.2.2 Strategy

- Encourage narrow sites to amalgamate by providing a minimum site frontage dimension for development.
- Encourage development to not isolate a site with less than the minimum developable site frontage.
- Allow small (terrace/townhouse) developments without basement parking to vary the minimum frontage controls where appropriate.

3.2.3 Controls

- Residential 2(b) zone – 15m minimum site frontage
- Residential 2(c1) zone – 15m minimum site frontage
- Residential 2(c2) zone – 20m minimum site frontage

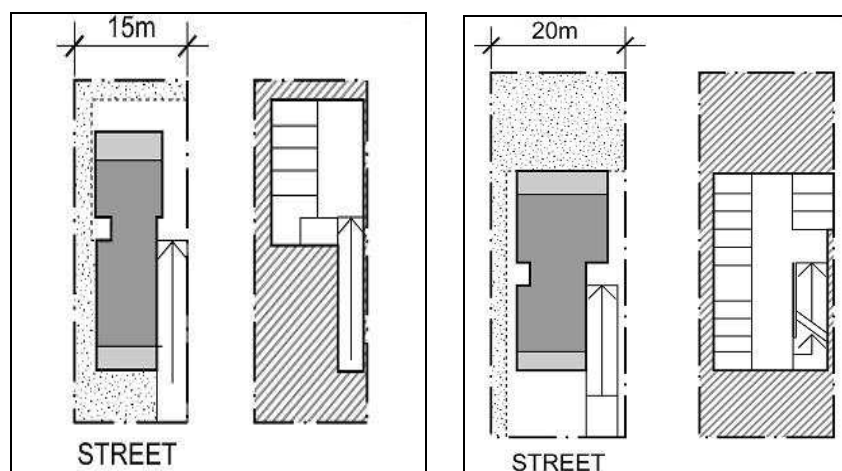


Figure 11. (to the left)
Residential 2(b) and 2(c1) zones minimum site frontage.

Building footprint plan: side setbacks are achieved with a developable building form.

Basement plan: 15m minimum site frontage – basement carparking can be achieved without extending the full site width.

Figure 12. (to the right)
Residential 2(c2) zone minimum site frontage.

Building footprint plan: side setbacks are achieved with a developable building form.

Basement plan: 20m minimum site frontage – basement carparking can be achieved without extending the full site width.

3.3 Height

3.3.1 Objective

- To ensure future development responds to the desired scale and character of the street and local area.
- To minimise the impact of attics and basement car parks on overall building height.
- To provide good residential amenity for apartments.

3.3.2 Strategy

- Provide external wall height controls, limiting the height of habitable storeys.
- Provide overall building height controls, limiting the height of the attic/roof/services zone above the external wall.
- Limit the maximum number of storeys achievable within the height controls.
- Provide height controls that allow for a range of roof forms, in response to contextual issues

3.3.3 Controls

General Controls

- Basement carparking is to be located fully below ground level.
- On sloping sites, height is to be measured from the street level to ensure a consistent height of buildings along the street.

2(b) Residential zone

- Maximum external wall height 6.5m.
- Maximum overall building height 9.5m, within a building envelope determined by projecting a plane at 60° from the ceiling level of the uppermost storey.
- Maximum number of storeys is 2.
- An attic level may be permitted, but must be fully contained within the roof form. Refer to Section 4.4.

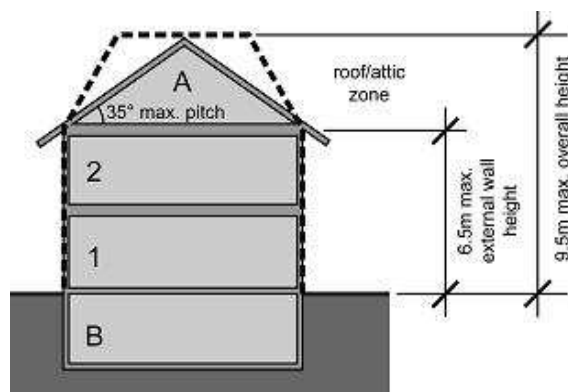


Figure 13. Residential 2(b) zone height controls.

2(c1) Residential zone

- Maximum external wall height 9.5m.
- Maximum overall building height 12.5m within a building envelope determined by projecting a plane at 60° from the ceiling level of the uppermost storey.
- Maximum number of storeys is 3.
- An attic level, or part additional floor, may be permitted. Refer to Section 4.4 Roof Design and Attic Levels for attic/part additional floor controls.

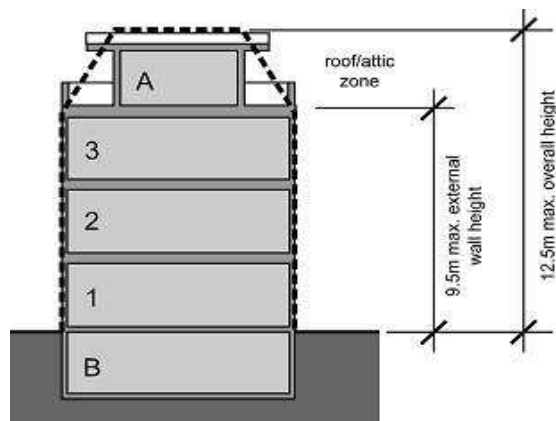


Figure 14. Residential 2(c1) zone height controls – pitched roof example.



Figure 15. Residential 2 (c1) zone typical contexts – flat roof.

2(c2) Residential – High Density zone

- (a) Maximum external wall height 25m.
 - (b) Maximum overall building height 28m.
 - (c) Maximum number of storeys is 8.
- (Refer to Section 4.3 Building Services).

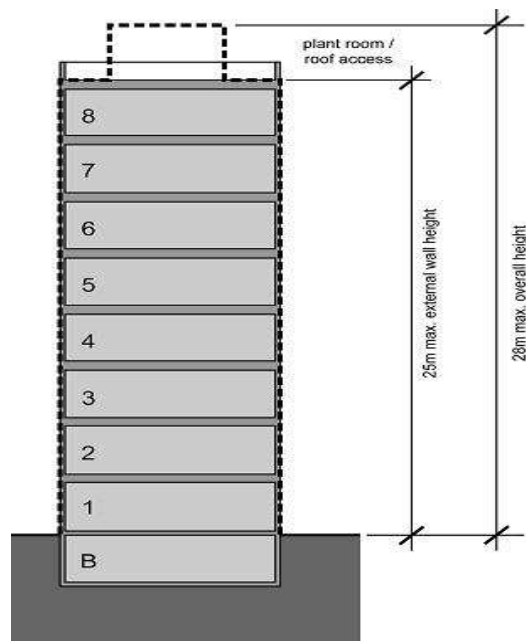


Figure 16. 2(c2) Residential zone height controls.

3.4 Floor Space Ratio (FSR)

3.4.1 Objective

- To control the size, bulk and scale of developments to reflect the existing and desired future character of the area.

3.4.2 Strategy

- Maximum FSR controls are provided for each zone.
- The maximum permissible floor space ratios are not “as of right” controls. The achievement of the maximum FSR will be dependant on compliance with other Building Envelope Controls in this Section.
- Section 6.0 contains the objectives and controls which address matters with respect to the Waverley Affordable Housing Program (WAHP). The section relates to the increased provision of affordable housing and applies when a development proposal seeks floor space allowances in excess of the allowable floor space. Satisfaction of requirements held within this section is a pre-requisite for the granting of consent for consideration of floor space allowances. Floor space allowances are determined on the environmental impact of the additional space and the contribution of affordable housing pursuant the Waverley Affordable Housing Program and associated policy framework.

3.4.3 Controls

- (a) Residential 2(b) zone – 0.6:1 floor space ratio
- (b) Residential 2(c1) zone – 0.9:1 floor space ratio
- (c) Residential 2(c2) zone – 1.5:1 floor space ratio

3.5 Street Setback

3.5.1 Objective

- To establish the desired spatial proportions of the street and define the street edge.
- To create a clear threshold by providing a transition between public and private space.
- To assist in achieving visual privacy to apartments from the street.
- To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.
- To ensure that developments contribute to the landscape character of the street.

3.5.2 Strategy

- Street setback must relate to the setback of surrounding buildings along the street.
- The alignment of building setbacks must be measured in a manner consistent with the surrounding pattern of development along the street.

3.5.3 Controls

- (a) Street setbacks must be consistent with the prevailing setback along the street. The alignment of building elements such as balconies is to be consistent with other similar building elements in the streetscape.
- (b) Where there is no predominant street setback:
 - buildings are to be set back a minimum of 6m from the street;
 - and
 - on corner sites, buildings are to be setback 4m from the secondary street.
- (c) Street setback areas are to be landscaped to reinforce existing positive streetscape characteristics.
- (d) The front setback is to have a soil depth to support mature trees and shrubs that contribute to the streetscape and the amenity of the public domain. The front setback is to be free of any above or below ground structures.
- (e) Where the property is adjacent to a Council park or reserve, no portion of the proposed development including the footings, gates, roof eaves and fences are to encroach over the Council land.

Note: This control also relates to other provisions in this section in regards to side and rear setbacks.

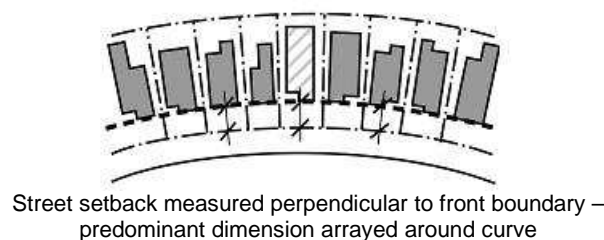
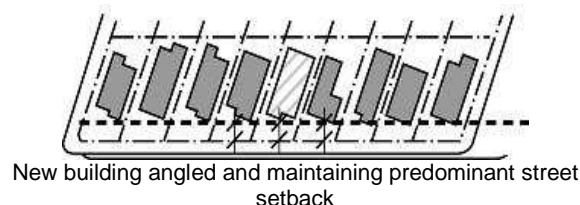
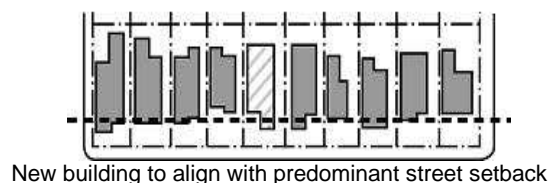
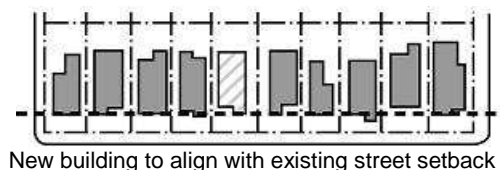


Figure 17. Street setback conditions.

Scenario 1: Consistent existing street setbacks.

Scenario 2: Varied existing street setbacks.

Scenario 3: Existing buildings set back on an angle to the street.

Scenario 4: Street setback measured perpendicular to front boundary – predominant dimension arrayed around curve.

3.5.4 Laneways

Setbacks from laneways are determined by the building use.

Retail/Commercial uses/ Garage entries:

- zero setback for the first 2 storeys, 4-metre setback for additional upper storeys

Residential uses:

- 4-metre setback

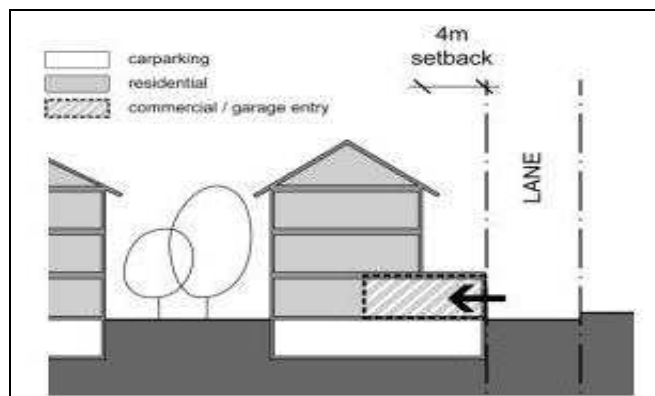


Figure 18. Laneway setbacks.

3.6 Rear Setback

3.6.1 Objective

- Maximise building separation with adjoining sites to the rear, providing visual and acoustic privacy.
- Maximise the opportunity to retain and reinforce mature vegetation at the rear of sites.
- Maintain deep soil zones to maximise natural site drainage and protect the water table.

3.6.2 Strategy

- Provide rear setbacks which allow for planting of substantial trees.
- Optimise the continuity of deep soil zones beyond the site's boundaries by locating them at the rear of the site, contiguous with the deep soil areas of surrounding lots.

3.6.3 Controls

- 2(b) Residential zone – minimum 6.0m rear setback
- 2(c1) Residential zone – minimum 6.0m rear setback
- 2(c2) Residential zone – minimum 10.0m rear setback

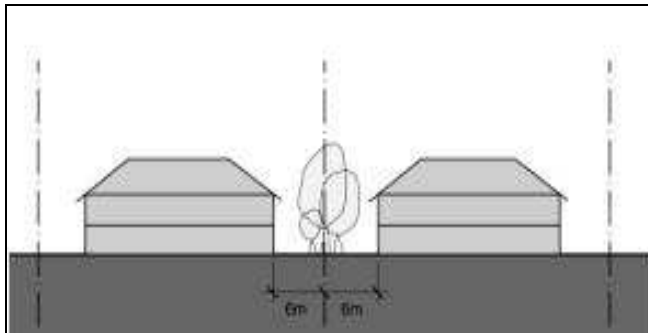


Figure 19. Rear setbacks – section.

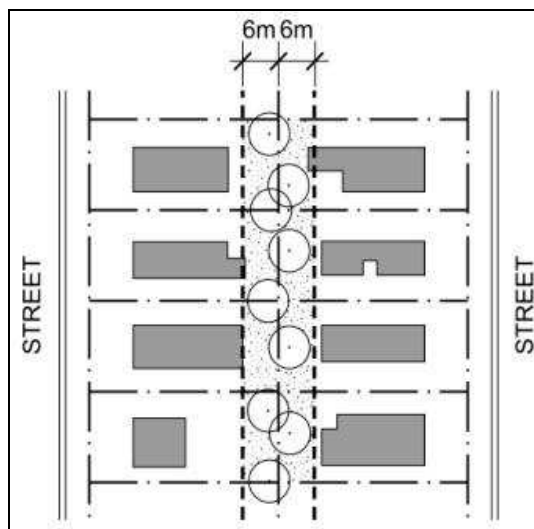


Figure 20. Rear setbacks – plan.

3.7 Side Setback

3.7.1 Objective

- To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.
- To retain development patterns that positively defines the streetscape.

3.7.2 Strategy

- Maximise the useability of side setback space and ensure that these areas contribute to the private open space of dwellings, or are utilised as active circulation areas.
- Provide side setbacks that positively contribute to the landscape of the site, and it's presence in the streetscape.

3.7.3 Controls

- Basement car parks must not extend the full width of the site.
- A deep soil area of 2 metres must be provided along one side boundary at a minimum.
- On wider sites a deep soil area of 2 metres along both side boundaries is to be provided where possible.

- Provide minimum side setbacks as follows:

2(b) Residential zone

- Minimum of 3 metres.
- Minimum of 4.5 metres where living areas primarily address side boundaries.

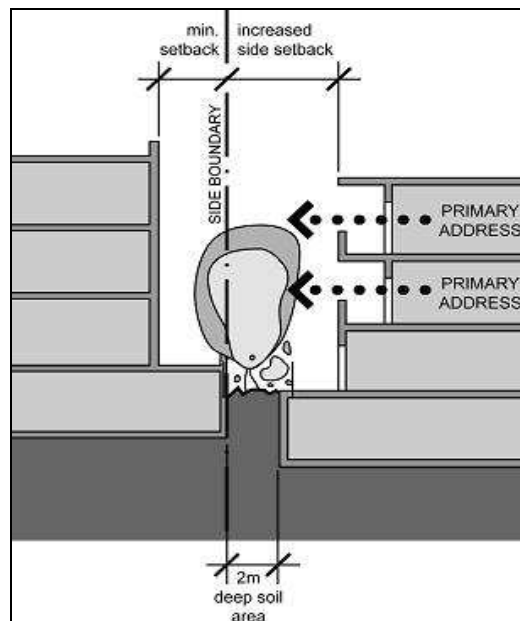


Figure 21. Side setback controls.

2(c1) Residential zone

- Minimum of 4.5 metres.
- Minimum of 6 metres where living areas primarily address side boundaries.

2(c2) Residential zone

- Minimum of 6 metres.
- Minimum of 9 metres where living areas primarily address side boundaries.

3.8 Building length at street frontage

3.8.1 Objectives

- Ensure that development responds to the existing subdivision pattern and the scale of surrounding buildings.
- Continue the pattern of sightlines through to the rear of blocks between buildings along the street.

3.8.2 Strategy

- Limit the length of buildings along the street on sites with a long street frontage.
- On sites with a long street frontage, provide breaks between buildings that comply with building separation requirements.

3.8.3 Controls

- (a) The maximum length of a building along the street is 24m.
- (b) Within the maximum length, buildings must be articulated to respond to the established pattern of existing building length along the street.

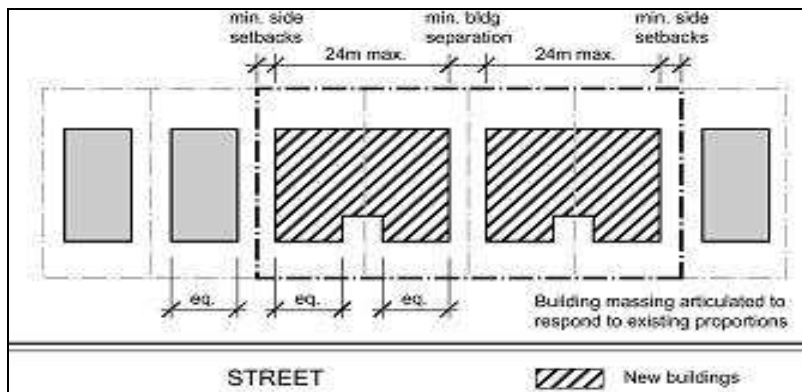


Figure 22. Building length controls.

3.9 Building Depth

3.9.3 Objectives

- To provide adequate amenity for building occupants in terms of solar access and natural ventilation.
- To provide for dual aspect apartments.

3.9.4 Strategy

- Limit the maximum cross-sectional depth of building envelopes, and internal building plans.

3.9.5 Controls

- (a) The maximum dimension of any apartment, including balconies, is 18m.
- (b) Single aspect apartments should be limited in depth to 8m from a window.

3.10 Building Separation

3.10.1 Objectives

- To provide visual and acoustic privacy for existing and new residents.
- To ensure that new development is scaled to maintain the desired character of the area with appropriate massing and spaces between buildings.
- To allow for the development of smaller infill sites where existing adjacent building setbacks result in unbalanced building separation requirements.

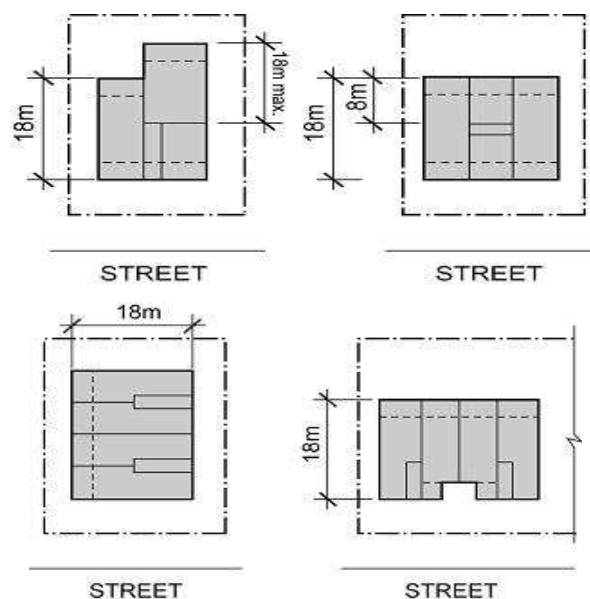


Figure 23. Measuring maximum apartment dimensions.

3.10.2 Strategy

- Building Separation Controls relate to the lot size and street frontage. This is to allow development of smaller sites which cannot achieve optimum building separations, and to ensure that large sites do not result in bulky building forms out of scale with their context.
- On small sites, minimum side setbacks are to be applied to achieve separation between adjacent sites.
- On large sites, minimum building separations are to be applied providing solar access and breaks between buildings in the streetscape.

3.10.3 Controls

2(b) Residential zone:

Small sites

- (a) Maximum street frontage of 20m and a maximum area of 700m².
- (b) On these sites, minimum side setback controls regulate building separation.

Large sites

- (a) Street frontage greater than 20m and site area greater than 700m².
- (b) On these sites, the following separations must be provided between buildings within a development, and between buildings on adjoining sites:
 - 6m between non-habitable rooms.
 - 9m between habitable rooms / balconies and non-habitable rooms.
 - 12m between habitable rooms/balconies.

2(c1) Residential zone:

Small sites

- (a) Maximum street frontage of 24m and a maximum site area of 1000m².
- (b) On these sites, minimum side setback controls regulate building separation.

Large sites

- (a) Street frontage greater than 24m and site area greater than 1000m².
- (b) On these sites, the following separations must be provided between buildings within a development, and between buildings on adjoining sites:
 - 6m between non-habitable rooms.
 - 9m between habitable rooms/balconies and non-habitable rooms.
 - 12m between habitable rooms/balconies.

2(c2) Residential zone:

Small sites

- (a) Maximum street frontage of 25 metres and a maximum site area of 1300m².
- (b) On these sites, minimum side setback controls regulate building separation.

Large sites

- (a) Street frontage greater than 25m, site area greater than 1300m².
- (b) On these sites, the following separations must be provided between buildings within a development, and between buildings on adjoining sites:
 - 9m between non-habitable rooms.
 - 13m between habitable rooms / balconies and non-habitable rooms.
 - 18m between habitable rooms / balconies.

4.0 STREETScape AND SITE DESIGN CONTROLS

This section contains the Streetscape and Site Design Controls which address: fences and walls; vehicular access and parking; building services; roof design and attic levels; pedestrian access and entry; landscaping and deep soil planting; communal open space; planting on structures; solar access and overshadowing; views and view sharing; design for mixed use and affordable housing design.

4.1 Fences and Walls

4.1.1 Objectives

- To define boundaries between communal and private areas within the site.
- To provide privacy and security for the development.
- To contribute positively to the public domain.

4.1.2 Strategy

- Maintain the predominant street edge character of low garden walls and fences in Waverley.
- Provide appropriate design solutions where front gardens are private open space.

4.1.3 Controls

- (a) Front fences must not exceed 1.2m in height.
- (b) Front fences must have a maximum proportion of two thirds solid to one third open design.
- (c) On sloping sites, the height is averaged so that fences step down the street.
- (d) Rear and side fences behind the building line must not exceed 1.8m in height. Side fences must taper down from the front building line to the front boundary fence.

Architectural Character

- Select materials which respond to the architectural character of the street, including the percentage of solid to transparent materials.
- Respond to the predominant height and vertical/horizontal rhythm of fences along the street.
- Respond to the predominant setback from the site boundary along the street (e.g. fence aligned with boundary, or setback to provide planting along the footpath).
- Select durable materials, which are easily cleaned and graffiti resistant.

Private and Public Domain

- Design fences to clearly delineate between public, communal and private areas.
- Design fences to provide privacy and security for developments while not eliminating views to the street and communal areas.
- Limit the length and height of retaining walls along street frontages, and provide high quality finishes relating to the streetscape where appropriate.

Streetscape

- Avoid using continuous lengths of blank walls at street level.
- Use planting to soften the edges of any raised terraces to the street, such as over basement car parking.

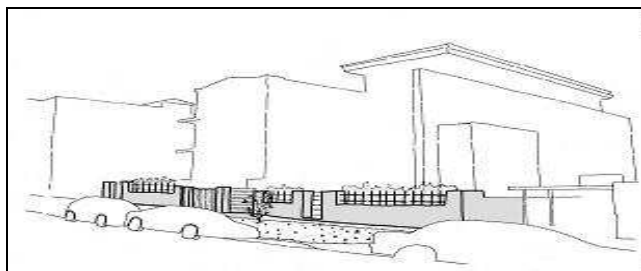


Figure 24. Street edge solid fences and walls enclosing private courts.

4.2 Vehicular Access and Parking

4.2.1 Objectives

- To integrate adequate carparking without compromising street character, landscape quality, or pedestrian amenity and safety.
- Encourage increased use of public transport and bicycles.

4.2.2 Strategy

- Ensure that the building façade is the dominant streetscape element.
- Provide a carpark entry that is secondary to pedestrian building entry.
- Limit the number of carpark entry points to a development.
- Reduce the width of driveways.
- Provide carparking at a rate that responds to the development's proximity to public transport and commercial centres.
- Respond to the predominant pattern and treatment of carpark entries in the streetscape.

4.2.3 Controls

- (a) Basement carparking is to be located fully below natural ground level where possible. Where this cannot be achieved due to topographic constraints, a maximum protrusion of 1.2m is permissible.
- (b) Provide no more than one 2-way vehicular access point per individual development.
- (c) Provide car park access from secondary streets or lanes where possible.
- (d) Minimise driveway and garage door widths.
- (e) Ensure that the safety of pedestrian entry and circulation is not compromised by the location of driveways and car park access.
- (f) The carparking rates are to be in accordance with Part I1.
- (g) The bicycle parking rates are required in all new developments in accordance with Part I1.
- (h) Existing sandstone walls and natural rock faces are generally not to be removed for the purpose of car accommodation and ancillary residential development.

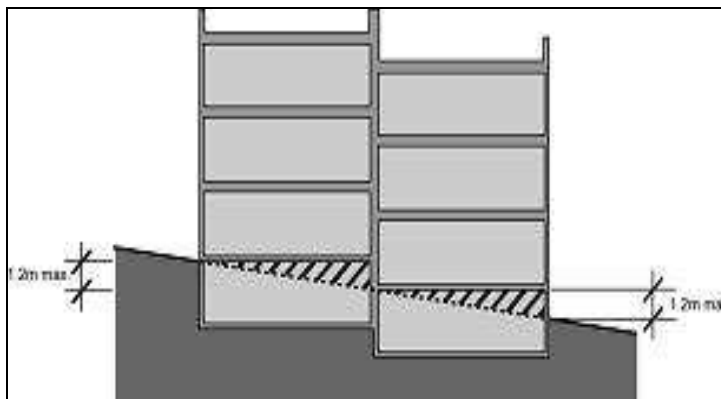


Figure 25. On sloping sites, the basement parking level may protrude by a maximum of 1.2 above natural ground level.

Accessible Parking Rates

- Accessible parking rates are provided in Part I1.

4.3 Building Services

4.3.1 Objectives

To provide and integrate site services and facilities in a sensitive manner such that they relate to the building and landscape design, enable easy access, and require minimal maintenance.

4.3.2 Strategy

Ensure that building services are integrated into the design of buildings. Building service elements include:

- garbage rooms
- mailboxes
- fire hydrant boosters
- electrical substations
- downpipes
- plant rooms
- satellite/communications structures

4.3.3 Controls

Ancillary and Service Structures

- Provide mailboxes adjacent to the major entrance and integrated into a wall of the building where possible, ensuring that they are secure and can accommodate large articles such as newspapers.
- Coordinate and integrate building services with overall façade and balcony design. Building service elements include drainage pipes, rainwater heads, rainwater tanks, meter boxes and substations and the like.
- Locate any ancillary structures such as plant rooms and satellite dishes away from the building entry and set back from the street frontage. Where located on podium or roof levels, ensure that they are adequately setback from the perimeter wall or roof edge.

4.4 Roof Design and Attic Levels

4.4.1 Objectives

- To minimise the impact of attic levels and plant/service areas when viewed from the street.
- To allow a variety of roof forms in response to the context.
- Maximise the environmental performance of attic rooms.

4.4.2 Strategy

- Provide specific controls to respond to the varied scale and character of each zone.

4.4.3 Controls

2(b) Residential zone:

- (a) Attics allowed within pitched roof form.

2(c1) Residential zone:

- (b) Attics allowed in response to context, either:
- within a pitched roof form, or
 - within a part additional floor (flat roof).

2(c2) Residential zone:

- (c) Attics not permitted.
- (d) Roof structures and service elements to comply with controls below.

Pitched Roof Attics – 2(b) and 2(c1) Residential zones:

Pitched roof attics are to retain the pitched roof form as the major visual element of the roof:

- (a) Maximum roof pitch of 35 degrees.
- (b) Roof pitch must respond to the context. Mansard roof forms are not permitted.
- (c) Habitable attic space must be designed to fit within the roof form (with the exception of dormer windows) and must not increase the bulk or height of the roof.
- (d) Attics must not contain independent dwellings and spaces must be connected to a unit on the level below.
- (e) Dormer windows may be used – these must be no higher than the height of the main roof form, no greater than 1.5m in width, and are not to incorporate or access a balcony.
- (f) Roof forms must be designed to fit within the building envelope.
- (g) Roof forms must not exceed the maximum overall building height controls.

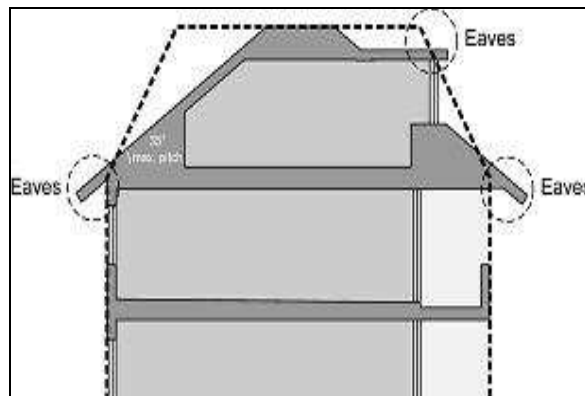


Figure 26. Pitched roof attic: Eaves may project beyond the building envelope by up to 1m.

Part Additional Floor/Flat roof attic – 2(c1) Residential zone

Accommodating attic space in a part additional floor allows for variations in the roof form in response to the diverse character of the area.

- (a) Flat roofs are not to exceed a maximum pitch of 14 degrees.
- (b) Where flat roofs are appropriate, a part additional floor may be used to provide an attic.
- (c) Part additional floors must be set back a minimum of 2m from the edges of the building below.
- (d) Part additional floors must not exceed 40% of the floor area of the floor below.
- (e) Part additional floors must not contain independent dwellings and must be connected to a unit on the level below.
- (f) Part additional floors may not be used where they compromise the privacy of residents within the development, or within neighbouring buildings.
- (g) Part additional floors may access a roof terrace. These areas are to be designed to minimise opportunities for overlooking.
- (h) Parapet height must not exceed 1.2m.
- (i) Flat roofs and part additional floors are to be designed to fit within the building envelope.
- (j) Flat roofs and part additional floors must not exceed the maximum overall building height controls.

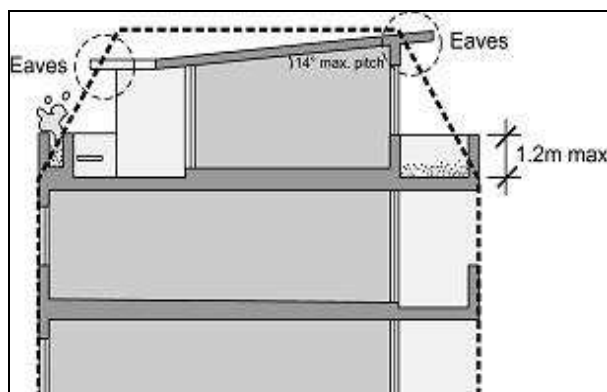


Figure 27. Part additional floor: Eaves may project beyond the building envelope by up to 1m.

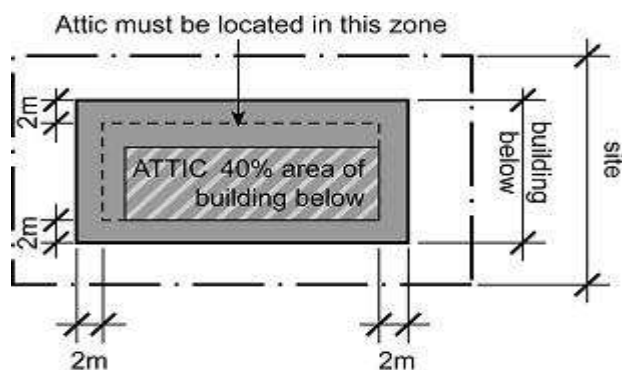


Figure 28. Plan showing attic zone 40% of level below, and set back from perimeter walls.



Figure 29. Three storey external wall height responds to context.



Figure 30. Three storey plus part additional floor.

Roof Structures and Building Service Elements

- Integrate building service elements (such as lift overruns, service plants, chimneys, vent stacks, etc), into the design of the roof.
- Building service elements occupying less than 20% of the roof area may project beyond the building envelope.
- Building service elements must be setback a minimum of 2m from the outer walls of the building below and not visible from the street or impact on public or private views.
- Provide landscaped communal roof terraces where possible. Roof terraces must be designed to minimise opportunities for overlooking (refer to Section 4.8).
- Where trafficable roof terraces are proposed, lightweight structures incorporating stairs may project beyond the building envelope.

- Roof terraces are generally not permitted throughout the Waverley LGA. Small roof terraces (area of less than 15m²) may be permitted only in areas where the predominant character includes roof terraces and the proposed roof terrace will not result in unreasonable amenity impacts on the surrounding neighbourhood.

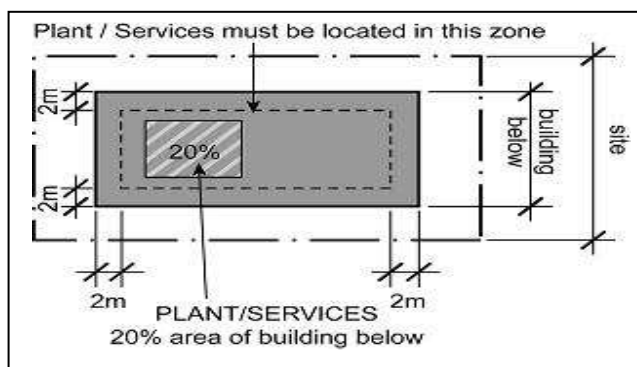


Figure 31. Building services zone – mainly relevant to 2 (c2) Residential zones.

4.5 Pedestrian Access and Entry

4.5.1 Objectives

- To create entrances which provide a desirable residential identity for the development.
- To orient the visitor.
- To contribute positively to the streetscape and building façade design.
- To promote development which is well connected to the street and contributes to the accessibility of the public domain.

4.5.2 Strategy

- Discourage below street level main building entries.
- Ensure amenity for entry areas (such as separation of garbage rooms from entry areas).
- Allow access to buildings by people with disabilities.

4.5.3 Controls

- Provide main building entries at street level. Respond to patterns in the streetscape in terms of design for high-sided and low-sided streets.
- Provide an accessible path of travel from the street to and through the front door of all units on the ground floor, where the level of the land permits. Lifts should be provided in all buildings of more than two habitable levels.
- Separate and clearly distinguish between pedestrian accessways and vehicle accessways/building service areas (e.g. garbage rooms).
- Locate entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian footpath.
- Provide main building entries that are legible, safe and well lit.

- (f) Provide as direct a physical connection as possible between the street and the building entry.
- (g) Where appropriate, provide individual ground floor apartment entries which address the street.

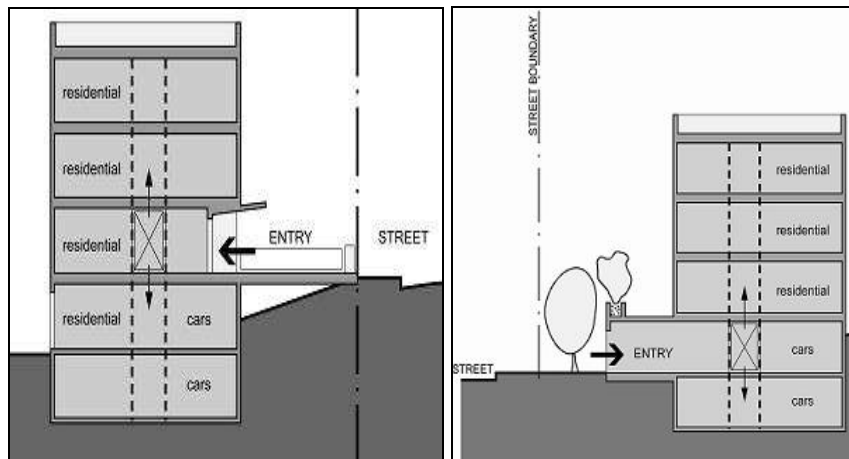


Figure 32. (to the left) Entry at street level – low side of street.

Figure 33. (to the right) Entry at street level – high side of street.

4.6 Landscaping and Deep Soil Planting

4.6.1 Objectives

- Encourage mature and substantial tree planting to improve the amenity of developments.
- Allow for soft landscaping to provide screening between buildings.
- Ensure that landscaped areas are useable and maintainable spaces that contribute to the open space structure of the area.
- Contribute to stormwater efficiency.

4.6.2 Strategy

- Maximise the area of deep soil on site to allow for mature tree growth.
- Provide landscaped areas of useable size and proportions.
- Integrate on-site stormwater management with the design of landscaped areas.

4.6.3 Controls

- (a) A minimum of 30% of the site area is to be provided as a deep soil zone. Of this:
 - A minimum of 50% is to be located at the rear of the site. On sites with dual-street or laneway frontage, this area may be relocated to allow buildings to address the secondary street/lane.
 - A minimum of 30% is to be located at the front of the site.
 - A minimum 2m wide strip soft landscaping is to be located along one side boundary. A minimum 2m wide strip is to be provided along both side boundaries where site width permits.

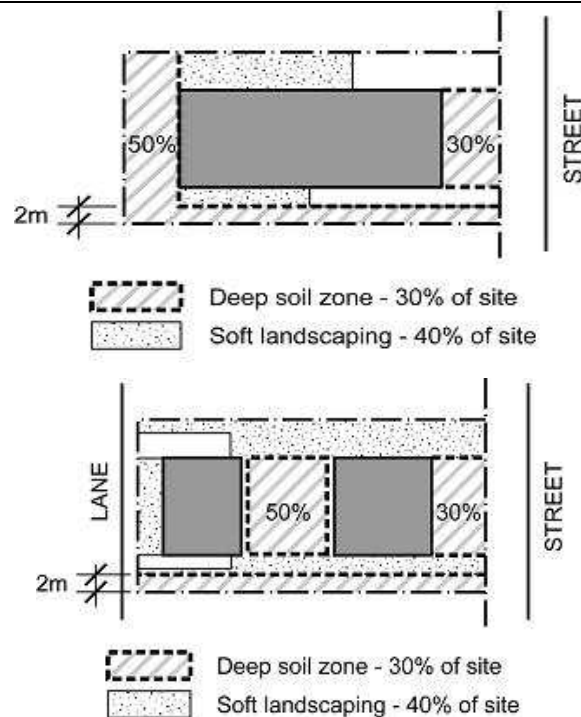


Figure 34. Deep soil planting and soft landscaping.

Figure 35. Deep soil planting and soft landscaping: dual street frontage.

- (b) An additional 10% of the site area is to be provided as soft landscaped open space. To measure landscaped open space:
- Impervious surfaces such as driveways, paved areas, roofed areas, carparking and stormwater structures, decks and the like are excluded.
 - The water surface of swimming pools is included.
 - Landscaping may be at ground or podium level.
 - The minimum depth of soil that can be included as landscaped open space is 1m (refer to Section 4.8).

4.7 Communal Open Space

4.7.1 Objectives

- Provide communal ground floor areas of high design quality.
- Encourage a positive street address and identity for the development.
- Provide residents with passive and active recreational opportunities.
- Provide a pleasant outlook for development.

4.7.2 Strategy

- Consolidate, configure and design communal open space to be useable and attractive.
- Provide communal areas appropriate to the development size and type.

4.7.3 Controls

2(b) Residential zone

- (a) 15% of the total site area is to be provided as consolidated Communal Open Space. This is additional to the private open space requirements.

2(c1) Residential zone

- (b) 15% of the total site area is to be provided as consolidated Communal open space.

2(c2) Residential zone

- (c) 25% of the total site area is to be provided as consolidated Communal open space.

General Controls

- (d) Communal open space is to:
- Be consolidated into a useable area with a minimum dimension of 6m x 6m.
 - Be located so that solar access is maximised.
 - Provide a landscape buffer between buildings.
 - Demonstrate that its size and dimensions allow for a variety of uses, complimentary to balconies and private courtyards. These may include active recreation (BBQ or play areas) or passive amenity (shade trees/structures, water features, setting).
- (e) Communal open space is to be accessible to all dwellings within a development.
- (f) Front setback may incorporate communal open space where this reinforces a pattern in the streetscape.
- (g) A continuous accessible pathway of travel is to be provided from all entrances to all of the common facilities on site. All facilities in communal areas are to be constructed so as to enable their use by people with disabilities.
- (h) Communal open space may be provided on a podium or roof terrace provided the controls at (d) to (e) can be met.
- (i) Existing natural features including sandstone and rock features should be retained and incorporated as landscape features on the site in order to maintain the natural character of the landscape. Sandstone walls and finishes fronting the public domain need to match the traditional pattern and colour of sandstone in the Waverley LGA.

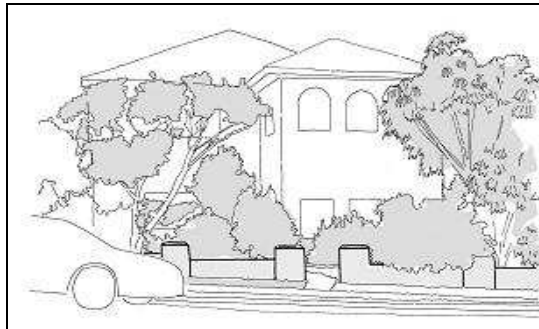


Figure 36. Front setback providing communal open space.



Figure 37. Central courtyard providing communal open space.

4.8 Planting on Structures

4.8.1 Objectives

- To contribute to the quality and amenity of open space on rooftops, podiums and internal courtyards.
- To encourage the establishment and healthy growth of trees in multi-unit developments.
- To provide screening between private, communal and public spaces

4.8.2 Strategy

- Provide soil depth, volume and area appropriate to the size of plants selected, according to the table below.
- Provide appropriate soil irrigation and drainage systems.

4.8.3 Controls

Table 1 indicates the minimum soil depths to be provided.

Plant Size	Minimum Soil Requirements	
Large Trees (16m canopy diameter at maturity)	Volume	150 cubic metres
	Depth	1.3 metres
	Area	10m x 10m area (or equivalent)
Medium Trees (8m canopy diameter at maturity)	Volume	35 cubic metres
	Depth	1 metre
Shrubs	Depth	500mm-600mm
Ground cover	Depth	300mm-450mm
Turf	Depth	100mm-300mm

Table. 1 Showing minimum soil depths.

Note: Any subsurface drainage systems are in addition to the minimum depths above. A soil depth of 1m must be provided for inclusion in the Landscaped Area calculation.

4.9 Solar Access and Overshadowing

4.9.1 Objectives

- Ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat building developments.
- Provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.
- Allow the development of small infill sites where access to direct sunlight is compromised by existing adjacent buildings.

4.9.2 Strategy

- Plan the site so that new residential flat development is oriented to optimise northern aspect.
- Lay out the building to optimise northern aspect for living areas and balconies.
- Require large sites to achieve optimal solar access by applying building separation controls.
- Allow smaller sites to achieve solar access based on the minimum side setbacks.

4.9.3 Controls

Large Sites

Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9:00am and 3:00pm in mid winter. This can be achieved by applying the Building Separation Controls.

Small Sites

2(b) and 2(c1) Residential zones

The living rooms and private open spaces of at least 50% of apartments in a development, should receive a minimum of three hours direct sunlight between 9:00am and 3:00pm in mid winter.

2(c2) Residential zone

The living rooms and private open spaces of at least 40% of apartments in a development, should receive a minimum of three hours direct sunlight between 9:00am and 3:00pm in mid winter. This can be achieved by applying the Side Setback Controls.

4.10 Views and View-Sharing

4.10.1 Objectives

- Ensure that views are shared, providing equitable access to views from dwellings (refer to Figures 38 and 39).
- Protect and enhance views from streets and other public spaces.
- Ensure that the desire for view does not conflict with privacy.

4.10.2 Strategy

- Design building forms to enable a sharing of views from the primary living areas of surrounding dwellings.
- Reinforce vistas along streets through sensitive building location and form.

4.10.3 Controls

- (a) Maintain significant views along streets.
- (b) Provide street setbacks as required in Section 4.5, to ensure that views along public streets and open spaces are maintained, particularly views from public areas to the coastline. (More controls continue Figure 39).
- (c) Provide articulation, and minimise the bulk and scale of roof forms on the low side of streets allowing views to the landscape beyond.
- (d) Design the landscape to allow for views between buildings, particularly on the low side of streets.
- (e) Where the property is adjacent to a Council park or reserve, private landscaping should attempt to be sympathetic to and complement the public domain landscaping in order to soften the public-private interface.

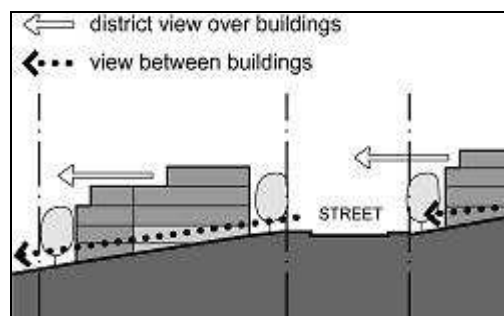


Figure 38. District views over lower buildings.

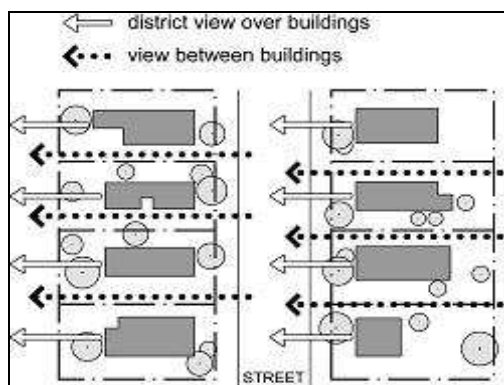


Figure 39. Views between buildings.

4.11 Design for Mixed Use

4.11.1 Objectives

- To allow for the redevelopment of sites with existing use commercial rights within multi-unit housing zones.
- To allow for the integration of supporting small retail uses with housing.
- To ensure that the design of mixed use developments is compatible with surrounding residential uses.

4.11.2 Strategy

- Design mixed-use buildings to relate to built form and use patterns established by surrounding developments of a similar type.
- Design mixed-use buildings to maintain the amenity of surrounding residential development.

4.11.3 Controls

- Mixed-use developments are to align with buildings of a similar type and use in the streetscape. Zero street setbacks are permissible for this type of development.
- Mixed-use buildings may have non-residential uses at ground level only.
- Residential entries must be clearly identifiable at ground level.

4.12 Waverley Affordable Housing Program

This section contains the requirements relating to the provision of affordable housing contribution prompted when a development proposal seeks floor space allowances in excess of the allowable floor space. Satisfaction of the requirements held within this section is a pre-requisite for the granting of consent for floor space allowances. Floor space allowances are determined based on the environmental impact of the additional floor space and the contribution of affordable housing pursuant the Waverley Affordable Housing Program (WAHP) and associated policy framework.

The development application must comply with relevant provisions held within the Waverley Affordable Housing Program Policy 2007 (WAHPP 2007), Voluntary Planning Agreement Policy 2007 (VPAP 2007), and the Waverley Affordable Housing program Calculator (WAHP Calculator). These policies outline the means and procedures to achieve and implement the affordable housing objectives.

4.12.1 Waverley Affordable Housing Program (WAHP)

Council is determined to play a significant role in addressing housing affordability in the LGA, seeking to mitigate impacts of future development on housing affordability through increasing affordable housing supply pursuant the WAHP. WAHP is a social initiative to encourage the provision of new affordable rental accommodation to retain low to moderate income-households with a connection to the Waverley LGA to maintain social diversity and a sustainable community. This section of WDCP 2006 has been designed to provide mechanisms directed at enabling affordable rental housing within the Waverley LGA.

4.12.2 Accessing affordable housing floor space allowances

All offers to access affordable housing floor space must be made at the time of a development application. All offers and contributions are prepared in accordance with section 93F of the EP & AA 1979 and EP & A Regulations 2000. Satisfaction of affordable housing provisions is secured and procured within the condition of development consent which enacts the agreed Voluntary Planning Agreement (VPA) as drafted by the applicant.

The consent authority shall only grant consent to affordable housing floor space allowances pursuant all relevant Parts within WDCP 2006 and WAHPP 2007. A contribution may comprise of affordable housing dwelling units in perpetuity or for a defined rental period, or where an alternative method for the provision of affordable housing is proposed (inclusive of, but not limited to a monetary contribution) pursuant the WAHP Calculator.

4.12.3 Objectives

- to enable the opportunity for the provision of affordable housing within multi-unit development and mixed-use developments comprising of a residential component;
- to ensure probity, transparency and legality in the increased provision of affordable housing pursuant voluntary contributions by way of planning agreements between the consent authority and external parties;
- to ensure that affordable housing provisions are met when granting consent for development proposing an affordable housing contribution;
- to encourage a variety of types and tenures of new affordable housing, and
- to ensure granting affordable housing floor space does not result in adverse impacts on the environmental amenity of neighbouring properties or the surrounding area.

4.12.4 Controls

- (a) In the preparation of a development application, variation from the floor space provisions must result in an affordable housing contribution pursuant the WAHP and provided in the relevant form at the time of lodgment of a development application.
- (b) Developments must demonstrate that all environmental criteria within this Part are satisfied for floor space allowance provisions to be considered.
- (c) Bonus FSR is to be incorporated within the building envelope, except where outlined in this section as mixed use sites, sloping sites, dual frontage).
- (d) Council will only grant consent based upon compliance with the respective provisions of WAHPP 2007, VPAP 2007 and WAHP Calculator.
- (e) Council stresses that the decision to enter into the WAHP is entirely voluntary. If an applicant does not wish to enter the program there is no compulsion to do so. Council will only grant additional floor space in the matter detailed in the WAHPP 2007 and VPAP 2007 where the impacts of this additional floor space are offset by sharing the planning gain and the environmental impacts are deemed acceptable.
- (f) Affordable housing contributions are determined in accordance with the WAHP Calculator. Contributions may include:
 - i. the dedication of a unit(s) within the development in perpetuity to the Council; or
 - ii. the provision of a unit(s) within the development for a defined period with a rental level that is capped at a certain rate ("a rental unit"); or

- iii. the provision of a unit(s) within the development for a defined period with a rental level that is capped at a certain rate ("a rental unit"); or
 - iv. a monetary contribution to the value of a unit in perpetuity or a rental unit; or
 - v. another method that is of equal value to the benefit estimated to be achieved pursuant the WHP Calculator.
- (g) In the preparation of a development application, the offer of a contribution consistent with clause (d) of this sub-section will not guarantee nor ensure a 'development right'. An application must comply with all other relevant provisions and merit considerations held within WDCP 2006 for the provision of an affordable housing allowance to be considered.
- (h) In meeting the affordable housing provisions, units that are provided shall be in the following minimum configuration and standard:
- i. Bedroom type to conform with Councils WHP requirements.
 - ii. Designed to be adaptable with 10% to be accessible where more than 10 units are proposed to be provided. Council encourages the provision of adaptable affordable housing.
 - iii. Be of an equivalent standard of finishes to the other units in the development in terms of floor and wall finishes, and to conform with Councils Affordable Housing Program requirements.
 - iv. Be supplied with parking to an equivalent standard and rate of other units in the development.
 - v. Have storage to an equivalent standard to other units in the development where this is provided.
- (i) Site specific opportunities to incorporate bonus FSR within the building envelope include:
- Attic levels;
 - Deep sites;
 - Sloping sites;
 - Mixed use sites; or
 - Dual street frontage sites.

Attic Levels

- Some sites can achieve the base FSR without an attic, or with less than the allowable attic space.
- FSR allowances pursuant this section can be incorporated in an attic level, within the building envelope.

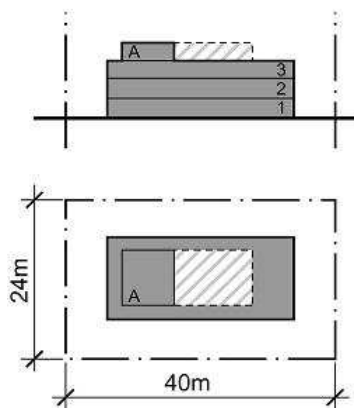


Figure 40. Opportunities for bonus FSR incorporated in attic levels.

Deep Sites

- Some deep sites can achieve the base FSR without building to the minimum rear setback.
- FSR allowances can be incorporated at the rear of buildings, within the building envelope.

Sloping Sites

- On some steep sites, the maximum height in metres can be exceeded in order to achieve the allowable number of storeys.
- The height of buildings is to be measured from street level, maintaining the scale of the streetscape.
- FSR allowances pursuant this section can be provided outside the building envelope on such sites, where affordable housing is provided.
- The maximum depth of building exceeding the envelope is 18m (refer to Figure 41).

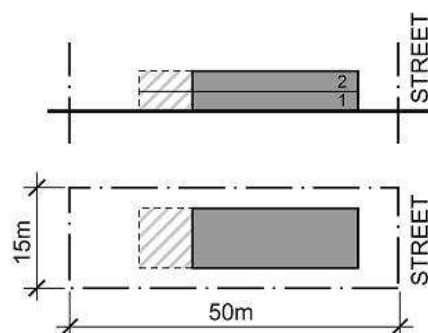


Figure 41. Opportunities for bonus FSR incorporated at the rear of buildings on deep sites.

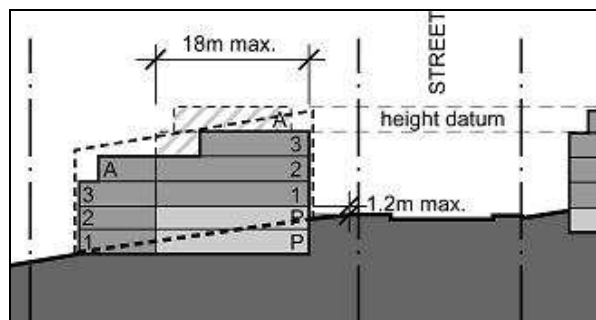


Figure 42. Height in storeys is maintained, but the height in metres may be exceeded for a maximum depth of 18m.

Mixed-use Sites

- Mixed use developments may have zero street setbacks.
- The building envelope may be extended to the boundary on these sites, to achieve FSR allowances pursuant this section.

Dual Street Frontage

- Sites with a dual street frontage (including laneway frontages) are permitted a reduced setback to the secondary street or lane, to reflect surrounding corner sites and to respond to reduced setbacks along lanes.
- This reduced setback extends the building envelope and can incorporate FSR allowances pursuant this section.

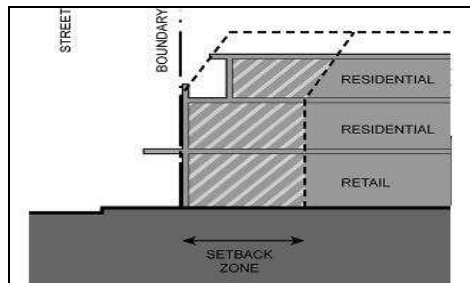


Figure 43. Reduced front setbacks for mixed use buildings create an affordable housing opportunity.

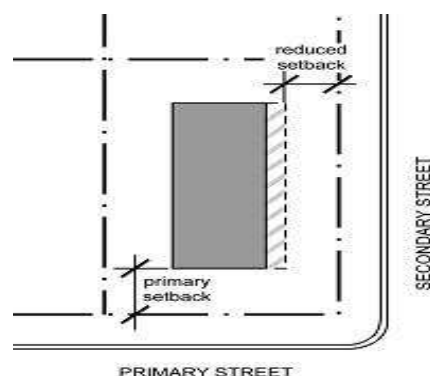


Figure 44. Reduced setbacks to secondary streets create an affordable housing opportunity.

5.0 BUILDING DESIGN CONTROLS

This section contains the Building Design Controls which addresses: ceiling heights; habitable attic rooms; private open space; storage; visual privacy; acoustic privacy; natural ventilation; apartment mix; minimum dwelling sizes; alterations and additions and adaptable housing.

5.1 Ceiling Heights

5.1.1 Objectives

- Increase the sense of space in apartments and provide well proportioned rooms.
- Promote the penetration of daylight into the depths of the apartment.
- To achieve quality interior spaces while considering the external building form requirements.

5.1.2 Strategy

- Maximise heights in habitable rooms by stacking wet areas from floor to floor.
- Encourage the use of taller windows, highlight windows and fan lights.
- Coordinate internal ceiling heights and slab levels with external height datum lines, eg, datum and parapet lines set by surrounding existing buildings, particularly in the case of heritage buildings.

5.1.3 Controls

- (a) Residential floors: 2.7m minimum floor to ceiling height.
- (b) Attic levels: 2.4m minimum floor to ceiling height.
- (c) Ground level retail: 3.0m minimum floor to ceiling height.

5.2 Habitable Attic Rooms

5.2.1 Objectives

- Ensure that attic rooms achieve good residential amenity and environmental performance.

5.2.2 Strategy

- Design attic rooms to perform at an environmental level comparable to other habitable rooms within the development.
- Restrict the size and impact of attic room on the overall scale of the development. Refer to Section 3.3 Height for additional controls for habitable attic rooms.

5.2.3 Controls

- (a) Attic rooms must have a minimum width of 3m.
- (b) Attics must achieve a minimum floor to ceiling height of 2.4m, for at least two thirds of the floor area.
- (c) Attics must be cross ventilated.
- (d) Attic spaces must not contain living and dining rooms, and must be attached to a unit on the floor below.
- (e) Attic rooms must not allow overlooking of adjacent dwellings, or their private open spaces.

Refer to Figures 45 to 48.



Figure 45. (to the left) Skylights and dormer windows providing good natural light to habitable attics.

Figure 46. (to the right) Cross ventilated attic rooms provide good environmental performance.

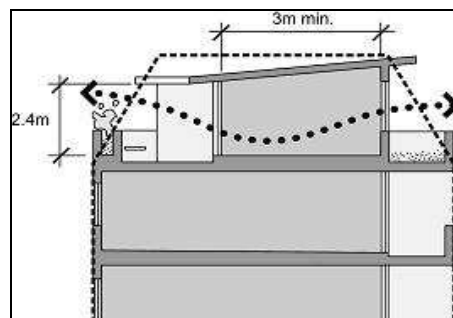


Figure 47. Habitable attic controls – flat roof.

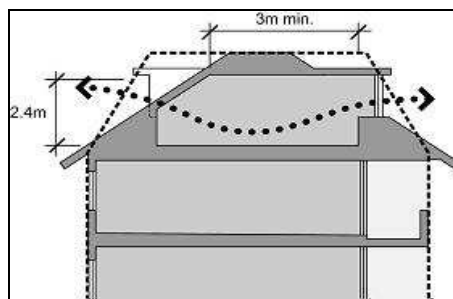


Figure 48. Habitable attic controls – pitched roof.

5.3 Private Open Space

5.3.1 Objectives

- Provide all apartments with secure private open space.
- Provide private open space of useable proportions.
- Ensure solar access and privacy for private open space.
- Protect the privacy of residents within and around the development site.

5.3.2 Strategy

- Provide private open space in the form of either a private court or a balcony.
- Private open space is to be dimensioned to promote indoor/outdoor living.
- Design private open space to respond to site conditions, including sun, wind, noise and privacy

5.3.3 Controls

Balconies

- All upper level apartments must have access to one primary balcony, directly accessible from the main living area.
- Provide balconies of the following minimum dimensions:
 - Minimum 10m² area
 - Minimum depth dimension of 2.5m
- Locate primary balconies to achieve maximum solar access. Balconies should be north facing where possible.
- Orient balconies towards the street and common courtyards rather than towards adjacent buildings.
- Sun screens, pergolas, shutters and operable walls are to be used to increase amenity where appropriate, and to ensure privacy for neighbours.
- Design balustrades to allow views and casual surveillance of the street, whilst maintaining visual privacy.
- Additional controls apply to balcony additions to existing buildings (refer to Section 6.11).

Private Courtyards

- All ground / podium level apartments must have access to a private court, directly accessible from the main living area. Private courts must have the following minimum dimensions:
 - Minimum 25m² area
 - Minimum width and depth of 3m
- Provide opportunity for planting in private courts, including access to deep soil areas wherever possible.
- Provide a clear distinction between private courts and public/common open space, eg, a change in level can distinguish private courts from common areas.

- Private courts are to have a maximum gradient of 1 in 10.
- Sun screens, pergolas, shutters and operable walls are to be used to increase amenity where appropriate, and to ensure privacy for neighbours.

5.4 Storage

5.4.1 Objectives

- Provide adequate storage for everyday household items within easy access of the apartment.
- Provide storage for sporting, leisure, fitness and hobby equipment.

5.4.2 Strategy

- Locate storage conveniently for apartments.
- Storage may be provided within the apartment, or as a dedicated internal or basement area.
- Ensure that storage outside the apartment is secure for individual use.

5.4.3 Controls

In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:

- Studio apartments - 6m³
- One bedroom apartments - 6m³
- Two bedroom apartments - 8m³
- Three plus bedroom apartments - 10m³

Note: If the storage facilities are provided at the basement level (total excavation), they will not be included in the gross floor area.

5.5 Visual Privacy

5.5.1 Objectives

- To provide reasonable levels of privacy externally and internally, during the day and at night.
- To maximise outlook and views from principal rooms and private open space without compromising visual privacy.

5.5.2 Strategy

- Locate and orient new development to maximise visual privacy between buildings within the site, and between adjacent buildings.
- Design building layouts to minimise direct overlooking of other rooms and private open spaces adjacent to apartments.
- Design site and building elements to increase privacy without compromising access to light and air.

5.5.3 Controls

- (a) Provide building separation according to Section 4.10.
- (b) Provide side setbacks according to Section 4.7.
- (c) Provide rear setbacks according to Section 4.6.
- (d) Private open space issues:
 - screen balconies from other balconies and ground level private open space,
 - separate communal open space,
 - common areas and access routes through the site from the windows of habitable rooms,
 - change the level between ground floor private courtyards and adjacent communal/public areas.
- (e) Building adjacency issues:
 - offset windows of apartments in new development and adjacent development,
 - recess balconies and/or provide vertical fins between adjacent balconies,
 - provide solid or semi-solid balustrades to balconies where necessary,
 - provide louvres or screens to windows/balconies where necessary,
 - use vegetation as a privacy screen between buildings,
 - incorporate planter boxes into walls or balustrades to increase the visual separation between areas,
 - utilise pergolas or shading devices to limit overlooking of lower apartments or private open space.

5.6 Acoustic Privacy

5.6.1 Objective

Ensure a high level of amenity for residents, by protecting the acoustic privacy of apartments and their private open spaces.

5.6.2 Strategy

- Plan the site to maximise the potential for acoustic privacy by providing adequate building separation within the development and between neighbouring buildings.
- Arrange apartments within a development to minimise noise transmission between apartments.
- Design the internal apartment layout to separate noisy spaces from quiet spaces within apartments.

5.6.3 Controls

- (j) To reduce the transmission of noise internally, sound insulation requirements between separating floors, ceilings and walls of adjoining dwellings should exceed the minimum standards set out in the Building Code of Australia.

- (k) Minimise noise transmission between apartments by:
 - locating noisy and quieter areas next to other noisy or quiet areas, eg, Living rooms adjacent to living rooms, and bedrooms adjacent to bedrooms.
 - using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas.
 - minimising the amount of party (shared) walls with other apartments.
- (l) Minimise noise transmission within apartments by grouping like uses together, e.g., bedrooms with bedrooms, services areas such as kitchen, bathroom and laundry together.

5.7 Natural Ventilation

5.7.1 Objective

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

5.7.2 Strategy

Plan the site and design buildings to maximise potential for natural cross ventilation.

5.7.3 Controls

- (a) At least 60% of apartments in a development are to be naturally cross-ventilated. These may be either dual aspect (e.g., cross through apartments and corner apartments), or maisonette/2 storey apartments which draw cool air in at lower levels and allow warm air to escape at higher levels.
- (b) Plan the site to utilise natural breezes by:
 - determining prevailing breezes and orienting buildings to maximise access to breezes, where possible.
 - locating vegetation to direct breezes and cool air as it flows across the site.
 - selecting and planting trees that do not inhibit airflow.
- (c) Design the internal apartment layout to promote natural ventilation by minimising interruptions (such as corners and walls) to air flow through an apartment.
- (d) Doors and operable windows are to maximise natural ventilation by:
 - locating small windows on the windward side and larger windows on the leeward side of the building, allowing air pressure to draw air through the apartment.

- using higher level casement or sash windows, clerestory windows or operable fanlight windows to facilitate convective currents.
 - selecting windows which can be reconfigured to funnel breezes into the apartment.
- (e) Innovative technologies to naturally ventilate internal rooms such as laundries, bathrooms and basement car parks are to be explored, eg using stack-effect ventilation or solar chimneys.

5.8 Apartment Mix

5.8.1 Objective

- To provide a diversity of apartment types, which cater for different household requirements now and in the future.
- To maintain equitable access to new housing by cultural and socio-economic groups.

5.8.2 Strategy

Provide a variety of apartment sizes and types in larger multi-unit developments.

5.8.3 Controls

Developments with six or more apartments must provide the following mix of apartment sizes:

- | | | |
|-----|------------------|-----|
| (a) | Studio/1 bedroom | 35% |
| (b) | 2 bedroom | 50% |
| (c) | 3 bedroom | 15% |

5.9 Minimum Dwelling Sizes

5.9.1 Objective

- To ensure that apartment sizes provide high standards of residential amenity.
- To provide a range of apartment sizes that do not exclude affordable housing.

5.9.2 Strategy

Provide apartments of the following minimum sizes:

5.9.3 Controls

- | | | |
|-----|------------|-------------------|
| (a) | Studio | 35m ² |
| (b) | 1 bedroom | 50m ² |
| (c) | 2 bedroom | 80m ² |
| (d) | 3+ bedroom | 100m ² |

5.10 Alterations and Additions

5.10.1 Objectives

- Allow alterations and additions to improve the residential amenity of existing multi-unit housing.
- Ensure that alterations and additions respond to the existing scale and character of the building, and of the surrounding buildings in the streetscape.

5.10.2 Strategy

- Where the existing building sits outside the building envelope required in this Part, the extent to which the addition projects outside the building envelope should be minimised.
- Maintain the architectural integrity and character of existing multi unit and mixed use developments.
- Minimise the adverse visual impact of ad hoc alterations that are not applied to the entire building.

5.10.3 Controls

- (a) Alterations and additions must comply with the building envelope controls in this Part where possible.
- (b) Where an existing building is outside the building envelope controls in this Part, alterations and additions must not increase the height, bulk or scale of the existing building.
- (c) The design of alterations and additions must respond to Special Character Area guidelines where appropriate.
- (d) Alterations to individual units within a multi unit or mixed use development should maintain the overall architectural integrity and character of the building. Ad hoc additions, including the enclosure of balconies and window alterations must not undermine the design of the building and be consistently applied to the entire building.

Balcony Additions

- Balcony additions are to be designed to relate to the character of the existing building.
- Where the balcony addition forms the principal private open space for a dwelling, the balcony must comply with Section 5.3
- Balcony additions may be permitted where there is no negative impact on the streetscape or surrounding buildings.
- Balconies should be located to minimise their impact on the streetscape and privacy of neighbouring buildings.
- Balcony additions may project beyond the building envelope by a maximum of 1.2m.
- Balconies should not visually dominate the façade. This may require balconies to be limited in width, and to be designed as re-entrant or Juliet balconies.
- Continuous wrap around balconies that add to the bulk of the

building are not encouraged. The enclosure of balconies for the purpose of additional floor space is discouraged.

- Piecemeal enclosure of balconies for weather protection where a precedent on existing buildings does not exist is discouraged.

Habitable Attic Additions

- Habitable attic additions are to comply with Section 4.4 Roof Design and Attic Levels, and Section 5.2 Habitable Attic Rooms.

6.0 Community Crime Prevention

Crime Prevention through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. This section seeks to enhance the safety of developments and minimise crime, specifically:

- (a) enhancing safety by reducing opportunities for crime to occur;
- (b) improving observation of public and private spaces;
- (c) optimising the use of public spaces and facilities by the community; and
- (d) promoting the design of safe, accessible and well maintained buildings and spaces.

The following key principles should be applied to the design and management of land uses to reduce opportunities for crime:

- (a) Surveillance – encourages opportunities for casual surveillance;
- (b) Accessibility and target hardening – restricts access and maximise use of appropriate security measures;
- (c) Reinforce territory/space management – encourages ownership of communal areas and sense of community and formally supervise/care for urban space; and
- (d) Defensible space – appearance that space is cared protected.

This section sets out the design criteria which should be considered in relation to multi unit housing developments. Applicants must consider all the relevant provisions and aim to meet all relevant Performance Criteria. The section holds Design Solutions as one way of meeting these criteria. Suggestions may be varied if it can be demonstrated that the criteria can be met. In certain circumstances a specific Design Suggestion will be a requirement as outlined as 'Note'.

6.1 Site and Building Layout

The aim of these controls is to ensure that the way in which the site and the buildings within the site are laid out, enhance security and feelings of safety and clearly delineate between private and public space.

Performance criteria	Design Suggestions/Requirements
Maximise casual surveillance by orientating buildings towards the street.	
Individual dwellings should be designed to overlook communal areas such as play areas, swimming pools, gardens etc.	<ul style="list-style-type: none"> Dwellings adjacent to communal areas should have at least one window from a habitable room overlooking the area.
Dwellings and communal areas should be designed to give a sense of territory and ownership.	<ul style="list-style-type: none"> Individual levels or section of levels should be distinguishable from the others through design features to enhance the sense of ownership. Separate public and private areas by using features such as street furniture, pavers, fencing and landscaping. Ensure all units and facilities are clearly signposted. Install location maps on larger sites.
<ul style="list-style-type: none"> The site should be planned and designed to ensure maximum opportunities for casual surveillance and recognition of residents. 	<ul style="list-style-type: none"> Communal areas and facilities should be readily accessible to all residents to ensure maximum usage. The number of individual dwellings sharing an entry point should be kept to a minimum. Locate facilities such as laundries in visible areas to reduce feelings of vulnerability by users. Entry points should not be concealed by landscaping. Incorporate active uses such as shops, cafes at street level to encourage pedestrian activity and thereby enhance opportunities for casual surveillance.
Pathways providing access to, around and within the site should be designed to ensure good visibility for and of the user.	<ul style="list-style-type: none"> Pathways should be direct and designed to ensure there are no blind corners or opportunities for concealment along them. All barriers along routes should be visually permeable (see through) including landscaping.
Ensure dwelling entry is clearly visible from the street frontage by day and night.	<ul style="list-style-type: none"> Dwelling entries should generally not be setback more than 10m from the street frontage. People should be able to see into entry lobbies before entering. Dwelling entries should be well lit at night. Ensure entry points are unobstructed.
Blind corners should be avoided in stairwells, hallways etc.	<ul style="list-style-type: none"> Consider the installation of mirrors to allow users to see ahead of them around corners. Install glass panels at the end of stairwell to enhance opportunities for casual surveillance.

6.2 Lighting

The aim of these controls is to ensure lighting enhances the amenity and safety of a site after dark by increasing opportunities for casual surveillance, deterring unauthorised access and reducing feelings of fear and vulnerability of legitimate site users.

Performance criteria	Design Suggestions/Requirements
All entrance and exits must be clearly identifiable after dark by appropriate lighting.	<ul style="list-style-type: none"> All lighting must be vandal resistant.
Service areas such as garbage areas, loading bays must be well lit.	<ul style="list-style-type: none"> All lighting must be vandal resistant.
All pathways providing access to, around and within the site must be well lit.	<ul style="list-style-type: none"> Pedestrian routes should be sufficiently well lit to enable users to identify a face 15m away. All lighting must be vandal resistant.
All lighting on the site should be designed so it doesn't produce areas of glare and shadow.	<ul style="list-style-type: none"> Lighting should have a wide beam of illumination, which reaches to the beam of the next light or to the perimeter of the site, thereby avoiding dark shadows.

Note: Details of all lighting for public areas must be submitted with a development application for multi-unit housing i.e. details of location, type and intensity.

6.3 Landscaping and Fencing

The aim of these controls are to ensure landscaping does not jeopardise security of the site and that fencing which is used to delineate private space is used in a way which enhances safety.

Performance criteria	Design Suggestions/Requirements
Ensure sight lines between the entry and street frontage are unobscured.	<ul style="list-style-type: none"> Avoid medium level vegetation. Low ground cover or high canopied foliage is preferable.
Avoid planting large trees/shrubs in a manner which could facilitate abnormal/unwanted access to a dwelling.	<ul style="list-style-type: none"> Avoid planting trees close to balconies which could provide a means of access to an upper level.
Ensure landscaping does not provide opportunities for concealment.	<ul style="list-style-type: none"> Low ground cover or high canopied trees, clean trunked to a height of 2m should be planted around high use facilities such as children's play areas, pedestrian routes and car parks. Ensure vegetation is maintained regularly.
Front fencing should be designed to maximise opportunities for casual surveillance between the dwellings and the street frontage.	<ul style="list-style-type: none"> Fence should be predominantly open in design to allow sight through the fences e.g. picket fences, wrought iron.
Fencing should minimise opportunities for concealment.	<ul style="list-style-type: none"> Front fences should not exceed 1.2m in height. If noise insulation is required, consider the installation of double

Performance criteria	Design Suggestions/Requirements
	glazing rather than solid fencing. <ul style="list-style-type: none"> Fences and walls are a maximum of 1.8m in height. Solid fences or walls are no greater than 1.2m in height. Fence and wall height between 1.2m and 1.8m are at least 50% transparent.

Note: a landscape plan shall be submitted with all applications for multi-unit housing and should include details of proposed species and planting locations.

6.4 Security

The aim of the controls is to ensure an appropriate level of security is achieved.

Performance criteria	Design Suggestions/Requirements
Ensure individual dwellings are equipped with security devices.	<ul style="list-style-type: none"> Locks should be fitted on all doors and windows. Viewers and/or door chains should be fitted on all entry doors to dwellings.
Ensure an appropriate level of security is achieved in communal areas.	<ul style="list-style-type: none"> Access to buildings should be restricted at all times. Entry phones should be installed to enable access to be controlled by individual residents. Entry doors should be self-closing and signs displayed requesting residents not to leave doors wedged open. Consideration should be given to employing a resident caretaker. Consideration should be given to the installation of user/sensor controlled electronic security gates at car park entrance. Security devices such as grilles on door and window openings should be "permeable" to allow casual surveillance. Solid shutters are not permitted on the window and door openings, which have frontage to the street or are adjacent to open space.

Note: Details of all security measures should be submitted with an application for multi-unit housing.

6.5 Building Identification

The aim of these controls is to ensure buildings and areas within the site are clearly identifiable at all times to prevent unintended access and assist persons trying to locate premises, especially in times of emergency.

Performance criteria	Design Suggestions/Requirements
Street numbers should be clearly visible from the street frontage.	<ul style="list-style-type: none"> Street numbers should be at least 7cm high. Street numbers should be positioned 0.6m – 1.5m above ground level on the site boundary which fronts the street. Street numbers should be made of durable (preferably reflective) material. Street numbers should be unobstructed.
Individual dwelling units and facilities should be clearly identifiable.	<ul style="list-style-type: none"> Each dwelling unit should be clearly marked by number. All communal areas should be clearly marked. Each level should provide clearly visible unit numbers from entry/exit points on that level e.g. lifts/stairwell.

6.6 Building Materials and Maintenance

The aim of these controls is to ensure that materials used minimise opportunities for criminal damage, and can be easily maintained.

Performance criteria	Design Suggestions/Requirements
Materials should minimise opportunities for vandalism.	<ul style="list-style-type: none"> Flat or porous finishes should be avoided in areas where graffiti is likely to be a problem. Use non porous material such as glazed ceramics or treated masonry products. Street furniture should be made of hardwearing vandal resistant materials and secured by sturdy anchor points.
Ensure regular maintenance of material and swift removal of graffiti to enhance 'cared for' image.	<ul style="list-style-type: none"> Where large blank walls are unavoidable, consider the use of a "green screen" i.e. planting vegetation in front of the wall or using vegetation to cover the wall itself. Alternatively use vandal resistant paint or artwork to reduce opportunities for graffiti or articulate or modulate the wall.

7.0 Accessibility and Adaptable Housing

The aims of this section to ensure that all new and refurbished buildings provide access for people with disabilities as required by the Federal Government's *Disability Discrimination Act* 1992 (DDA 1992). This section seeks to promote recognition and acceptance within the community of the principle that persons with disability have the same rights of access as the rest of the community.

The EP & AA 1979 requires consideration be given to whether adequate provision for access by people with disabilities has been made pursuant a development application. The Federal Government's DDA 1992 takes precedence over the EP & AA 1979 and the BCA, where there is conflict in the area of access for people with disabilities.

Controls

The following controls apply to all development applicable to this Part:

- a) An accessible path of travel from the street to and through the front door, where the level of land permits.

The following controls apply to all new development applicable to this Part:

- a) An accessible path of travel from the street to and through the front door of all units on the ground floor, where the level of the land permits.
- b) If the development has three or more residential storey's, with 10 or more units, an accessible path of travel from the street to all units, on each floor is required.
- c) In developments with three or more habitable storeys and 10 or more units, a percentage of units shall comply with the provisions of a Class A adaptable unit as specified in AS4299, in accordance with the following ratio:
 - Up to 9 units, the provision does not apply
 - 10 – 15 units, 1 adaptable unit
 - 16 – 20 units, 2 adaptable units
 - 21 – 30 units, 3 adaptable units
 - (10% of units thereafter)

D3 Boarding Houses, Backpacker Accommodation, and Bed and Breakfast Establishments

Contents

1.0 Introduction	2
1.1 Relationship to other Environmental Planning Instruments and WDCP 2006 (Amendment No. 4).	2
1.2 Objectives of Part D3	3
2.0 Development Applications	3
2.1 Preparation of development applications	4
2.2 Community Crime Prevention	4
2.3 Accessibility	5
3.0 Controls for Boarding Houses	5
3.1 Density provisions	5
3.2 Height	6
3.3 Setbacks	7
3.4 Building appearance	8
3.5 Landscaping / Private open space	8
3.6 Car parking	9
3.7 Energy efficiency	9
3.8 Safety, health and amenity	9
3.9 Other issues	11
4.0 Controls for Backpacker Accommodation/Hostels	12
4.1 Site layout and building envelope	12
4.2 Parking	13
4.3 Energy efficiency	13
4.4 Safety, health and amenity	14
4.5 Other issues	16
5.0 Controls for Bed and Breakfast Establishments	18
5.1 General planning considerations	18
5.2 Health and amenity	18
5.3 Signage	19
5.4 Fire requirements	19
5.5 Registration	19

D3 Boarding Houses, Backpacker Accommodation, and Bed and Breakfast Establishments

1.0 INTRODUCTION

This Part contains guidelines for boarding houses, backpacker accommodation, hostels, and bed and breakfast establishments.

Council may approve an application that varies or departs from the provisions of this Part if it is considered that the application satisfies the aims and objectives of the Part.

1.1 Relationship to environmental planning instruments and WDCP 2006 (Amendment No. 4)

In the preparation of an application, the following environmental planning instruments (EPI) and relevant provisions are to be considered:

- (a) **Waverley Local Environmental Plan 1996 (WLEP 1996)**
The objectives and provisions of WLEP 1996 should be referred to when developments relate to boarding houses or backpacker accommodation in the Waverley local government area (LGA), outside of the Bondi Junction Commercial Centre defined in JLEP 1991.
- (b) **Waverley and Woollahra Joint LEP 1991 – Bondi Junction Commercial Centre (JLEP 1991)**
The objectives and provisions of JLEP 1991 should be referred to when developments relate to bed and breakfast establishments and boarding house development in the Bondi Junction Commercial Centre.
- (c) **State Environmental Planning Policy No. 10 Retention of Low-Cost Rental Accommodation (SEPP No. 10)**
Clause 18 of the WLEP 1996 and State Environmental Planning Policy No. 10 Retention of Low-Cost Rental Accommodation (SEPP No. 10) should be referred to in the preparation of a development application, where the proposal results in the loss, alteration or addition, change of use from boarding house accommodation.
- (d) Compliance with the Statutory regulations of the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and the Building Code of Australia (BCA).

This Part needs to be read in conjunction with the following Part of WDCP 2006 (Amendment No. 4):

- Part C3 – Advertising and Notifications;
- Part F1 – Bondi Junction Commercial Centre;
- Part F2 – Bondi Beach;
- Part G1 – Site Waste Minimisation and Management;
- Part G2 – Solar Access;
- Part G4 – Water Management;
- Part I1 – Land Use and Transport; and
- Part D1 – Dwelling House and Dual Occupancy Development (this Part should be referred to when proposing a new boarding house development in a Residential 2(a) or 2(b) zone. In this instance, a building should be of similar appearance to the other dwelling houses in the area and surrounding property.

1.2 Objectives of Part D3

The objectives of this Part are to:

- (a) recognise boarding house accommodation as an essential component of residential housing for low to moderate income earners in the Waverley Council LGA;
- (b) ensure the encouragement, retention and protection of boarding house accommodation throughout the Waverley LGA;
- (c) ensure that parking requirements appropriate to backpacker accommodation, boarding houses and bed and breakfast are adhered to;
- (d) ensure boarding houses, backpacker accommodation and bed and breakfast establishments adopt appropriate designs in terms of bulk and scale to ensure the physical impact of the development and their operations do not interfere with surrounding land uses;
- (e) ensure backpacker accommodation, bed and breakfast establishments maintain satisfactory standards of amenity relative to surrounding development;
- (f) provide a consistent and coherent policy for applicants, Council officers and the community for the assessment of applications for boarding houses, backpacker accommodation and bed and breakfast establishments.

2.0 DEVELOPMENT APPLICATIONS

Council approval is required for development proposals listed in Table 1.

Type of Accommodation	Development Proposal
Boarding Houses	<ul style="list-style-type: none"> • new establishment • alterations and additions • demolition • change of use • strata subdivision • demolition • change of use
Backpacker Accommodation	<ul style="list-style-type: none"> • new establishment • alterations and additions
Bed and Breakfast Establishments	<ul style="list-style-type: none"> • new establishment • alterations and additions

Table 1. Types of accommodation requiring approval.

2.1 Preparation of Development Applications

Development applications are required as part of the development approval process. Development applications need to be prepared in accordance with Part B, specifically Sections 2.1 and 3.1 as appropriate.

2.2 Community Crime Prevention

Crime Prevention through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. This section seeks to enhance the safety of developments and minimise crime, specifically:

- (a) enhancing safety by reducing opportunities for crime to occur;
- (b) improving observation of public and private spaces;
- (c) optimising the use of public spaces and facilities by the community; and
- (d) promoting the design of safe, accessible and well maintained buildings and spaces.

The following key principles should be applied to the design and management of land uses to reduce opportunities for crime:

- (a) Surveillance – encourages opportunities for casual surveillance;
- (b) Accessibility and target hardening – restricts access and maximise use of appropriate security measures;
- (c) Reinforce territory/space management – encourages ownership of communal areas and sense of community and formally supervise/care for urban space; and
- (d) Defensible space – appearance that space is cared protected.

For the purposes of development within this Part, it is necessary to apply controls within Section 6 of Part D2 to ensure that development and landscaping within a given site enhance security and feelings of safety.

2.3 Accessibility

Council seeks to ensure that all new and refurbished buildings provide access for people with disabilities as required by the Federal Government's *Disability Discrimination Act (DDA 1992)* 1992. Council also seeks to promote recognition and acceptance within the community of the principle that persons with disability have the same rights of access as the rest of the community.

All applications lodged within the Bondi Junction Commercial Centre should be considered with regard to accessibility pursuant to provisions held within Section 2.10 of Part E1 and Section 7 of Part D2 as relevant, in addition to the Building Code of Australia (BCA) and relevant Australian Standards.

3.0 CONTROLS FOR BOARDING HOUSES

Boarding houses provide affordable and long term accommodation for a diverse range of people within the community. Council encourages the retention and provision of boarding house stock to assist meeting the housing needs of these groups. The following information provides guidelines for new boarding houses and alterations and additions to existing boarding houses.

The layout of a new building or alterations and additions to an existing boarding house should be sympathetic to the amenity and design of adjoining development. To ensure this is achieved, the planning considerations (Sections 3.1 to 3.9) must be addressed.

3.1 Density Provisions

Objective

To ensure density provisions assist in achieving or maintaining the desired character of an area and that a development is in scale with the size and shape of the allotment.

Controls and Guidelines

- (i) Room Size: Recommended minimum room sizes are located in Table 2.

Room Type	Size m ²
Room only	18m ²
Room plus bathroom	21m ²
Room containing kitchenette	23m ²
Room - self contained	25m ²

Table 2. Minimum room sizes for boarding houses.

Note: The number of self contained rooms within a boarding house is restricted to 40% of the floor space of the building.

- Self contained rooms greater than 35m² will be considered very small dwellings and will fall under the provisions of a residential flat building. The planning controls for these dwellings are outlined in Part D2 - Multi-Unit Housing.

- In addition to these figures, floor space requirements shall be increased to incorporate common facilities such as bathroom and kitchen/common room. The suggested floor space area for these facilities are:
 - Common room and kitchen - minimum area 15m² with an additional 1m² per room in a development that contains 12 or more bedrooms.
 - Common bathroom - minimum size of 5m².

Refer to Section 3.8.4 to ascertain the number of bathroom facilities required.

- (i) Site Area Requirements: The floor space ratio applying to the site shall not exceed the levels identified in Table 3.

WLEP 1996 Zone	Floor Space Ratio
2(a) Residential – Low Density	0.5:1
2(b) Residential – Medium Density	0.6:1
2(c1) Residential – Medium and High Density	1.0:1
2(c2) Residential – High Density	1.6:1

Table 3. Floor Space Ratios for each residential zone, (WLEP 1996) for boarding houses

- (ii) Site Coverage:

- The site coverage of the building should be in accordance with the following provisions:
- Class 1b: the building is to occupy a maximum of two thirds of the allotment and the unoccupied area must not be less than 45m² for each building contained on the allotment.
- Class 3:

Building Height	Site Coverage %
1 storey	50%
2 storey	40%
3 storey	35%

Table 4. Site coverage for Class 3 buildings.

3.2 Height

Objective

To protect the existing character of the locality by ensuring that the impact of a new development or alterations and additions to an existing building is minimal. This is achieved by specifying height controls that are in character with adjoining properties and do not result in the building obstructing views, sunlight or lead to the loss of privacy of adjoining properties.

Controls and Guidelines

Table 5 outlines the maximum heights for boarding houses.

WLEP 1996 Zone	Height (to ceiling of upmost storey)
2(a) Residential – Low Density	7m
2(b) Residential – Medium Density	7m
2(c1) Residential – Medium and High Density	10m
2(c2) Residential – High Density	25m

Table 5. Maximum heights for boarding houses in residential zones.

- The building height and form should be in accordance with the public streetscape and should not obstruct the views of adjoining properties.
- Building heights will be similar to those of the public streetscape.

3.3 Setbacks

Objective

To ensure setbacks reflect the existing residential character of the surrounding area in order to prevent adverse impacts on adjoining dwellings and properties.

Controls and Guidelines

(i) Side Setbacks:

- To minimise the impact of the boarding house on adjoining properties and ensure satisfactory access natural ventilation, air circulation, sunlight, sunshine and privacy, the BCA stipulates the following minimum requirements:
 - Class 1b - 900mm from the side boundaries.
 - Class 3 - the first and second storeys are to be set back 2290mm from the side boundaries, and increased by 450mm for each additional storey.

(ii) Front Setback:

- In the 2(a) Residential – Low Density and 2(b) Residential – Medium Density zones, the setback from the front boundary should be in accordance with the established building line.
- In the 2(c1) Residential – Medium and High Density and 2(c2) Residential – High Density zones, the minimum front setback is 6m for buildings up to 10m in height. Council shall exercise its discretion in the application of this clause, in circumstances where the established street setback is less than 6m.

(iii) Rear Setback:

- The rear setback in the 2(a) Residential – Low Density and 2(b) Residential – Medium Density zones will be determined by taking into account the position and rear setback of adjoining properties.
- In the 2(c1) Residential – Medium and High Density and 2(c2) Residential – High Density zones, the rear boundary setback shall generally be 6m. This will depend upon the position of adjoining properties and impact of the proposal upon the existing amenity.

3.4 Building Appearance

Objective

To ensure that the appearance of the boarding house conforms with the existing streetscape and surrounding neighbourhood.

Controls and Guidelines

A new building or infill development should have an external finish that reflects the major features and character of the surrounding streetscape. Elements to consider include:

- massing and proportions;
- building height;
- roof form and pitch;
- facade articulation and detailing;
- windows and door proportions;
- features such as verandahs and eaves;
- materials and colours; and
- fencing.

Note: The controls and guidelines listed above are directed at the construction of a new boarding house. However, many of the guidelines and controls should be applied, when reasonable and practical, to development proposals relating to alterations and additions to existing boarding houses or the conversion of existing buildings to boarding houses.

3.5 Landscaping/Private Open Space

Objective

To ensure that the private open space provided for the building is useable and meets user requirements for privacy, access to outdoor activities and landscaping. Landscaping provides privacy and shade to the property and will enhance the character of the area.

Controls and Guidelines

- Private open space will be clearly defined for private use.
- Part of the private open space will be capable of serving as an extension of the function of the building for relaxation, dining, entertaining and recreation purposes.
- Landscaping of the site should enhance the natural features of the site and adjoining areas.
- Landscaping should be in sympathy to existing buildings and any proposed developments.
- Sections of the site not built upon should be landscaped with trees, shrubs and ground cover.
- Details of the landscaping should be outlined in a plan and submitted to Council with the development application.

3.6 Car parking

Objective

To provide sufficient onsite parking so as to reduce parking congestion and traffic hazards within the residential zone.

Controls and Guidelines

- Off street parking is to be provided at the rate of 1 parking space per 10 bedrooms or part thereof, plus 1 parking space for the resident manager/owner.

Refer to Part I1 for more information on layout, design and vehicular access.

3.7 Energy Efficiency

Objective

To improve the sustainability of dwellings.

Controls and Guidelines

- Design and siting of the building should maximise solar access to north-facing windows of living areas and principal areas of open space, with regard to slope, views, vegetation and overshadowing.
- Buildings should have a roof area that is suitable for the installation of solar collectors and photovoltaic cells.
- Building materials should minimise energy needs (use five star appliances where possible).
- Any new development should not reduce the solar access of solar collectors of an adjoining property to less than two hours per day in mid-winter except where solar hot water/photovoltaic panels must maintain full solar access.

3.8 Safety, Health and Amenity

3.8.1 Sleeping Rooms

Objective

To ensure bedrooms are designed to provide an appropriate and suitable environment which is comfortable for the residents.

Controls and Guidelines

- The occupancy rate in a new boarding house shall be 1 person per room.
- Dormitory style accommodation is not permitted.
- A room with a kitchenette should contain a stove, sink, oven, refrigerator and a minimum of 0.5m² bench area.

- Each room should contain adequate storage facilities to provide storage space for clothes, linen and other items.
- Where possible, balconies and private gardens should be provided with each individual room.

3.8.2 Kitchen and Living Area

Objective

To ensure adequate facilities for food preparation and a comfortable living area are provided to cater for the needs of residents.

Controls and Guidelines

- A combined kitchen and dining area should have a minimum area of 15m² with an additional 1m² per room in a development that contains 12 or more bedrooms.

3.8.3 Toilets and Showers

Objective

To ensure an adequate number of toilet and shower facilities are provided and maintained at a reasonable standard to meet the needs of the residents and considerate to conserve water and energy.

Controls and Guidelines

- The number of facilities to be provided is to be based on the following figures shown in Table 6 below.

Facilities	No. Per Person
Bathroom	1 per 6
Washbasins	1 per 6
Toilet	1 per 6
Toilet - more than 6 residents	1 per 12 males 1 per 8 females

Table 6. Number of facilities for boarding houses.

Note: Toilet facilities are to be provided in a separate compartment from the bathroom/shower room.

- Toilet and shower facilities for employees and disabled persons are to be provided in accordance with the provisions of the BCA.
- Bathrooms should be a minimum of 5m².
- Taps, showerheads and toilets are to have an AAA water efficiency rating.

3.8.4 Laundries and Drying Facilities

Objective

To ensure there is adequate washing and drying facilities.

Controls and Guidelines

- One washing machine and washing tub for every 10 rooms.
- One dryer or 20m of external clothes line for every 10 rooms.
- Washing machines are to have a WELS water efficiency rating and an energy star rating of no less than 1 star below the maximum available on the market at the time of installation.
- Clothes dryers should have an energy star rating of no less than 1 star below the maximum available on the market at the time of installation.

3.8.5 Disabled Access**Objective**

To ensure the building is designed to allow reasonable access by people with disabilities.

Controls and Guidelines

Access and facilities should be designed in accordance with Part J1 and the following:

- BCA - Access and Egress (Part D, E and F); and
- Australian Standard 4299-1995 Adaptable Housing.

3.9 Other Issues**3.9.1 Registration****Objective**

To ensure that boarding houses are maintained and operated in a manner that is acceptable to Council.

Controls and Guidelines

- The boarding house is to be registered annually with Council.
- The boarding house will be inspected at least once a year by Council.

3.9.2 Management**Objective**

To ensure good management practices are in place to create a safe, secure and comfortable living environment for the residents.

Control and Guidelines

- Develop and maintain management procedures that will create a comfortable living environment. The guidelines may relate to noise and use of communal space and facilities.
- Maintain a high standard of property maintenance and cleanliness to ensure a safe and healthy environment for residents.
- Management details are to be submitted within the SEE at the lodgement of a Development Application.

4.0 CONTROLS FOR BACKPACKER ACCOMMODATION/ HOSTELS

The physical attributes of the area have meant that Waverley is attractive to the travellers/tourists whom could be defined as a 'backpacker'. The characteristics of a backpacker and backpacking can be noted as:

- preference for budget accommodation;
- dominated by international visitors;
- predominantly in the 20-35 year age group;
- participate in adventure and eco-tourist activities;
- relatively well educated; and
- use coaches and buses more than any other form of transport.

Council acknowledges the great demand for backpacker style tourist accommodation in the area, but it has concerns that this form of accommodation will disturb the amenity or character of an area. To ensure backpacker accommodation is sensitive to the surrounding area the following guidelines have been prepared to assist prospective developers to address the various planning issues that relate to this type of development. The guidelines are based on the research that was undertaken as part of the National Backpackers Strategy (1995).

4.1 Site Layout and Building Envelope

Objective

A building used for the purpose of backpacker accommodation should be designed and constructed in accordance with the amenity of the surrounding locality.

Controls and Guidelines

- (i) Floor Space Ratio (FSR):
- The FSR of a backpacker development shall not exceed the FSR specified in Column 2 of Table 7.
 - If a component of residential accommodation is or will be proposed within the development in the form of mixed development, the floor space ratio (outlined in Column 2) applying to the site can be increased by the amount outlined in Column 3. This additional floor space may be used only for the purpose of residential accommodation

Floor Space Ratio (FSR)		
Column 1 Zone	Column 2 Maximum FSR	Column 3 Additional FSR
3(a) Business General	1:1	1:1
3(b) Business Mixed	1:1	0.5:1
3(c) Business Neighbourhood	0.5:1	0.5:1

Table 7. Floor space ratios for backpacker accommodation.

(ii) **Height:**

- Developments shall not exceed the height limits indicated in Table 8.

Zone	Height
3(a) Business General	12m
3(b) Business Mixed	12m
3(c) Business Neighbourhood	9m

Table 8. Height limits for backpacker accommodation.

- The building height should be in accordance with the existing streetscape.
- The building height/form should not obstruct the views of neighbouring properties.

(iii) **Building Bulk:**

- The building setbacks should be increased as the wall height increases to reduce bulk, overshadowing and increase light and ventilation.
- The building bulk should be distributed by limiting the length of the wall massing along boundaries. This will reduce the impact on the neighbours and the street.

Note Use of Existing Buildings: A number of the controls and guidelines listed above may not apply if the proposed backpacker development is established through the renovation and refurbishment of an existing building. However, please be aware that refurbishment and extensions can have implications on adjoining properties, the amenity of an area and the public streetscape.

4.2 Parking

Objective

To ensure that there is adequate provision of off street parking for occupants and staff, to assist in reducing parking congestion in the locality.

Controls and Guidelines

- Off street parking is to be provide at the rate of 1 parking space per 15 beds, plus 1 parking space for the resident manager or vehicle operated by the establishment.

Note: Refer to Part I1.

4.3 Energy Efficiency

Objective

To ensure new buildings and any building works are designed and constructed to encourage an energy efficient development.

Controls and Guidelines

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 requires a BASIX Certificate to be submitted for all backpacker accommodation development.
- Refer to Part G2, G3 and G4 for further environmental development requirements.

4.4 Safety, Health and Amenity

4.4.1 Sleeping Rooms

Objective

To provide a functional and safe area that will cater for sleeping and storage needs of travellers.

Controls and Guidelines

- (i) Density:
 - The number of people a room can accommodate will be determined by allocating a minimum of 5.5m² of floor area for each person,
- (ii) Amenity:
 - Allow adequate natural light and ventilation into the room.
 - Refer to the BCA for the specific requirements.
 - Provide adequate space and secure storage facilities to allow occupants to store clothes and travel gear.
 - Use appropriate floor coverings in the bedrooms to minimise the impact of noise.
 - Provide bedding and flooring which can be easily cleaned and maintained.

4.4.2 Toilet and Showers

Objective

To provide an adequate number of toilet and shower facilities to cater for the requirements of the occupants and to conserve water and energy.

Controls and Guidelines

- Toilet and shower facilities within the premise are to comply with the provisions of the BCA. The number of facilities to be provided should be based on the following figures:

Facilities	No. Per Person
Bathroom	1 per 10
Washbasins	1 per 10
Toilet - up to 10 residents	1 per 10
Toilet - more than 10 residents	1 per 20 males 1 per 15 females

Table 9. Number of facilities for backpacker accommodation.

Note: Toilet facilities are required to be provided in a separate compartment from the shower/bathroom.

- Toilet and shower facilities for employees and disabled persons are to be provided in accordance with the provisions of the BCA.
- Bathroom facilities must be of workable size and designed to allow easy cleaning and maintenance.
- Taps, showerheads and toilets are to be fitted with appliances with an AAA rated water conservation rating.

4.4.3 Kitchen, Dining and Living Areas

Objective

To ensure that the kitchen, dining and living areas are designed, constructed and established to cater for the needs of the occupants and maximise energy and water efficiency.

Controls and Guidelines

- The floor area of the combined kitchen/dining area should be determined on the basis of 1m² per occupant.
- The living area should be able to accommodate between 25% - 50% of the total number of occupants at any one time.
- The kitchen, dining and living areas should be designed and constructed so the facilities are convenient and comfortable for the occupants and are easy to clean and maintain.
- Washing machines are to have a WELS water efficiency rating and an energy star rating of no less than 1 star below the maximum available on the market at the time of installation.
- Clothes dryers should have an energy star rating of no less than 1 star below the maximum available on the market at the time of installation.

4.4.4 Laundry and Drying Facilities

Objective

To ensure there is adequate provision of washing and drying facilities.

Controls and Guidelines

- Provision should be made for the placement of an outdoor clothes line, preferably close to the laundry.
- All clothes dryers should have an energy star rating of 4 stars or greater.
- Clothes dryers must be rated no less than 1 star below the maximum available on the Energy Star rating schemes at the time of installation.

4.4.5 Disabled Access

Objective

To ensure the building is designed to allow reasonable access by people with disabilities.

Controls and Guidelines

Access and facilities should be designed in accordance with Part J1 and the following:

- BCA - Access and Egress (Parts D, E and F); and
- Australian Standard AS 4299 Adaptable Housing.

4.4.6 Noise Control - Outdoor living areas

Objective

To ensure that the use of the building does not disturb the amenity of adjoining residents.

Controls and Guidelines

- Courtyards and gardens should be located away from the bedrooms of adjoining dwellings where possible.
- Landscaping should be used to soften courtyards and driveways in order to minimise reflected noise.
- Rooftop terraces are not permitted.

4.4.7 Fire Regulations

Objective

To ensure that a building used as backpacker accommodation is designed, constructed and maintained so that in the event of a fire there is adequate protection for the occupants, the building and adjoining properties.

Controls and Guidelines

- The building must provide a reasonable level of fire safety. For information on fire regulation, equipment and services, contact Council's Fire Safety Officer.
- Good fire management practices should be in place to ensure emergency exit routes are identified and all fire services, equipment and warning systems are maintained in accordance with the provisions of *the Local Government Act 1993*.

4.5 Other Issues

4.5.1 Management

Objective

Good management practices within backpacker accommodation are vital to ensure the occupants have a safe and enjoyable stay and the hostel is operated in a manner that does not disturb adjoining residents and landowners.

Controls and Guidelines

- Develop and maintain management procedures that will minimise problems such as noise, party activities and parking congestion.
- Management is to be provided on a 24 hour basis.
- Provide security on the premises to reduce the problems of theft and assist in controlling noise levels generated from the building.
- Ongoing communications with adjoining residents and landowners is encouraged to identify and address amenity concerns.
- Maintain a high standard of property maintenance and cleanliness to ensure a safe and healthy environment for occupants.
- Management details are to be provided within the SEE at the time of the DA lodgment.

4.5.2 Registration**Objective**

To ensure the building complies with fire safety requirements and is operated and maintained in a manner that is acceptable to Council.

Controls and Guidelines

- Premises used as backpacker accommodation are to be registered annually with Council.
- The premises will be inspected at least twice a year by Council.

4.5.3 Loss of Affordable Housing**Objectives**

To retain affordable rental accommodation in Waverley.

Controls and Guidelines

In developing a proposal for backpacker accommodation, consideration needs to be given as to whether the proposed development will result in the loss of affordable housing.

If the proposed backpacker development results in the loss of either a boarding house or low-cost rental residential flat building, the following issues will need to be addressed in the development application.

- The extent to which the proposed development will affect the stock of low cost rental residential accommodation in the Waverley LGA.
- Whether the development, if carried out, is likely to cause adverse social and economic effects on the general community.
- Whether or not residents likely to be displaced by the proposed

- development will have difficulty in finding alternative comparable accommodation.
- Whether adequate arrangements have been made to assist the displaced residents to find satisfactory alternative accommodation in the LGA.

5.0 CONTROLS FOR BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments provide an alternative form of tourist accommodation. The controls ensure that development applications for such establishments result in premises that are in keeping with the amenity of the surrounding areas and are of a standard that is attractive to visitors. It is suggested that the dwelling house should have some element of design, location or other features which will be of a particular appeal to tourists and visitors.

5.1 General Planning Considerations

Objective

To ensure that the residential amenity of the property and the locality is maintained.

Controls and Guidelines

- The operator of the B&B must be the owner of the dwelling house.
- There are not more than 6 visitors staying within the B&B at any one time. The occupants staying in the house should not exceed 12, that includes visitors, residents, friends or family.
- The maximum number of bedrooms to be used for the purpose of the B&B shall not exceed 3.
- Visitors can stay at the B&B for a maximum of 1 month.
- The B&B shall operate in a manner which has regard to the existing amenity of the surrounding residential neighbourhood.
- Traffic and on-street parking demands generated by the operations of the establishment are not to have an impact on the amenity of the neighbourhood.

Note: A traffic and parking impact statement is required as part of the development application.

5.2 Health and Amenity

Objective

To ensure a satisfactory standard of service is provide by the B&B establishment.

Controls and Guidelines

- Toilet and bathroom facilities for the guests are separate to those used by the residents of the house.

- The size of the guests' bedrooms shall be calculated at a minimum of 5.5m² per person.
- The kitchen used for the preparation or storage of guests' food will comply with Council's regulations.

5.3 Signage

Objective

Advertising material should be limited to ensure the amenity of the area is maintained.

Controls and Guidelines

- One sign is permitted on the property to indicate that the house is a B&B establishment.
- The sign shall not exceed 0.6m² in area.

5.4 Fire Requirements

Objective

To ensure the building meets the necessary fire safety requirements.

Controls and Guidelines

- The dwelling house must provide a reasonable level of fire safety. For information on fire regulations, contact Council's Fire Safety Officer.
- Approved smoke detector alarms are to be installed in all habitable corridors, passageways and hallways.
- Fire blanket and fire extinguisher are to be suitably mounted within the kitchen area with clear instructions for use.

5.5 Registration

Objective

To ensure that the B&B is operating at a standard that is acceptable to Council.

Controls and Guidelines

- The B&B establishment is to be registered with Council annually.
- The premises will be inspected at least once a year by Council.

Part E Commercial

E1 Retail and Commercial Premises

Contents

1.0 Introduction	2
1.1 Objectives	2
2.0 Controls	3
2.1 Retail frontage	3
2.2 Signage	4
2.3 Lighting	4
2.4 Hours of operation	4
2.5 Delivery vehicles	8
2.6 Amenity	9
2.7 Waste	9
2.8 Energy efficiency and water conservation	10
2.9 Community Crime Prevention	11
2.10 Accessibility	14

E1 Retail and Commercial Premises

1.0 INTRODUCTION

This Part applies to all commercially zoned land in Waverley Local Environmental Plan 1996 (WLEP 1996) and Joint Waverley and Woollahra LEP 1991 – Bondi Junction Commercial Centre (JLEP 1991), and land that currently operates a commercial use (i.e. that operates under existing use rights). It specifically provides controls for establishing and operating retail and commercial premises. Commercial/neighbourhood centre controls also appear in:

- Part F1 – Bondi Junction Commercial Centre;
- Part F2 – Bondi Beach;
- Part F5 – Local Village Centres; and
- Part G4 – Water management.

1.1 Objectives

The objectives of this Part are to:

- (a) apply consistent controls to retail/commercial premises within the local government area (LGA);
- (b) minimise any potential adverse impacts from retail/commercial premises on the surrounding environment;
- (c) enhance the scenic quality and amenity of retail/commercial streetscapes and public places within the Waverley LGA;
- (d) provide a basis to regulate the trading hours of retail/commercial premises;
- (e) allow for the monitoring of operations of retail/commercial premises, primarily through the use of trial periods for extended trading hours;
- (f) promote more sustainable retail/commercial operations;
- (g) ensure the operation of retail/commercial premises are compatible with adjoining residential uses and are in accordance with the amenity expectations of this Part and the subject site and locality's zoning(s);
- (h) enhance the commercial amenity and economic viability of the commercial centre; and
- (i) promote active street level frontages in commercial precincts.

The controls are held in Section 2.0.

2.0 CONTROLS

2.1 Retail Frontages

The following controls apply to retail frontages.

- 2.1.1 Premises' front windows and openings shall be designed to be sympathetic with the overall proportion of the building (refer to Figure 1). Doors and ATMs should not encroach beyond the boundary of the property.

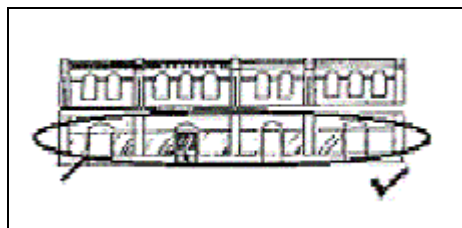


Figure 1. Shop front and openings are to be sympathetic with the overall proportions of the building and the division of the building into vertical bays.

- 2.1.2 Premises' front windows shall be designed to promote an active street level frontage and have a display function. The use of obscured glazing is generally not supported. However, where privacy is required this type of glazing could be provided at the rear of the premises. Window and door frames should reflect the character of the building and/or area.
- 2.1.3 Premises are required to display a street number. The height of the street numbers will be no less than 300mm and numbers should be presented in a clear readable font and be located above the entry door, where possible.
- 2.1.4 Premises should have an awning except where these structures are not compatible with the heritage or architectural style of the building. Continuous weather protection for pedestrians should be provided by premises located within shopping strips. Awnings should be designed in accordance with the building age and character.
- 2.1.5 The installation of roller shutters is not permitted. Such devices detract from the visual presentation of individual premises.
- 2.1.6 For heritage items premises or premises located within a heritage conservation area, exterior alterations are to be sympathetic to the heritage value and character. The use of colour palette should reflect any relevant controls in order to unify facades where possible. Facades should not be dominated by corporate logos or images. Any shopfront fit outs to heritage buildings or to a property within a heritage conservation area will be referred to Council's Heritage Advisor. Removal of any original pre-1940s shopfront is not permitted prior to any pre-DA consultation and/or possible subsequent approval.

2.2 Signage

Refer to Part E2 for signage requirements. For signage controls for development within the Bondi Junction commercial centre, refer to Part F1. For development within local village centres, refer to Part F5.

2.3 Lighting

2.3.1 Under awning lighting should be provided in accordance with Australian Standard AS 1158.3.1 Lighting for Roads and Public Spaces - Pedestrian Area Lighting.

2.3.2 Illumination from premises must have regard to the following:

- (a) Illumination is not to exceed a maximum horizontal illuminance level of 200 lux (includes reflectivity of exterior finishes) when measured from the public domain.
- (b) The intensity, colour, period of intermittency and hours of illumination of premises and associated signage shall be varied if, at any time in the opinion of Council, adverse impact is being caused to the amenity of the area. The use of fluorescent lighting is discouraged.
- (c) Where residential development is located above retail or commercial premises or to the rear, details are to be provided which demonstrate that light is not directed toward the residents of the building. Illumination at rear of commercial properties or where installed for security purposes must be sensor controlled so that any external area lights should not remain illuminated, except where public street frontage and/or footpaths require it.

2.3.3 Proposed lighting, including ceiling lighting must be included in a development application for establishing and/or operating retail or commercial premises. Details must include relevant floor plans and elevations.

In addition to the abovementioned controls, refer to Section 2.9 of this Part with regard to the energy efficiency considerations.

2.4 Hours of Operation

The maximum prescribed hours of operation as held within this Part with respect to all commercial and retail uses throughout the Waverley local government area encompass all activities in association to the given use i.e. pre-works, operation and clean-up etc. These provisions exclude hours of operation with regard to footpath seating for restaurants activities. Provisions with respect to footpath seating for restaurants are held within Section 3.8 of Part E3.

2.4.1 Type A Premises

1. Business Zones (General)

Subject to all other aspects of the development being satisfactory, Type A premises within 3(a2) (Business General Zone) under JLEP 1991 and within 3(a) Business General zone under WLEP 1996, shall be permitted to trade as follows:

- (a) General maximum hours: 7.00am – 12.00 midnight, 7 days a week; or
- (b) 1 year trial hours:

- (i) 7.00am to 2.00am 7 days a week. Extended late night trading may be considered on a trial basis; or
- (ii) Where residential uses are in close proximity: 7.00am to 1.00am Thursday, Friday and Saturday only.

2. Business Zones (Mixed, Neighbourhood, Secondary and Low Intensity).

Subject to all other aspects of the development being satisfactory, Type A premises in 3(a3) (Business Secondary Zone), 3(a4) (Business Special (Low Intensity) Zone), and 3(a5) (Business Special (Services) Zone) under JLEP 1991 and 3(b) Business Mixed and 3(c) Business Neighbourhood zones under and WLEP 1996, shall be permitted to trade as follows:

- (a) General maximum hours: 7.00am – 11.00pm 7 days a week; or
- (b) 1 year trial hours:
 - (i) 7.00am to 12.00 midnight 7 days a week. Extended late night trading may be considered on a trial basis; or
 - (ii) Where residential uses are in close proximity; 7.00 am to 12.00 midnight Thursday, Friday and Saturday only.

3. Residential Zones

Subject to all other aspects of the development being satisfactory, Type A premises in 2(a) Residential – Low Density zone, the 2(b) Residential – Medium Density zone, 2(c1) Residential – Medium and High Density zone and 2(c2) Residential – High Density zone under WLEP 1996, shall be permitted to trade as follows:

- (a) General maximum hours: 10.00am to 10.00pm Monday to Saturday and 10.00am to 9.00pm Sunday; or
- (b) 1 year trial hours: 10.00am to 12.00 midnight Thursday, Friday and Saturday only.

2.4.2 Type B Premises

1. Business Zones (General)

Subject to all other aspects of the development being satisfactory, Type B premises in 3(a2) (Business General Zone) under JLEP 1991 and in 3(a) Business General zone under WLEP 1996 shall be permitted to trade as follows:

- (a) General maximum hours: 7.00am – 12.00 midnight 7 days a week; or
- (b) 1 year trial hours:
 - (i) 7.00am to 1.00am 7 days a week unless residential uses are in close proximity.

2. Business Zones (Mixed, Neighbourhood, Secondary and Low Intensity)

Subject to all other aspects of the development being satisfactory, Type B premises in 3(a3) (Business Secondary zone), 3(a4) (Business Special (Low Intensity) zone), 3(a5) (Business Special (Services) zone)

zones under JLEP 1991 and Business 3(b) Business Mixed and 3(c) Business Neighbourhood zones under and WLEP 1996 shall be permitted to trade as follows:

- (a) General maximum hours: 7.00am – 10.00pm 7 days a week; or
- (b) 1 year trial hours:
 - (i) 7.00am to 12.00 midnight 7 days a week. Extended late night trading may be considered on a trial basis; or
 - (ii) Where residential uses are in close proximity; 7.00am to 11.00pm Thursday, Friday and Saturday only.

3. Residential Zones

Subject to all other aspects of the development being satisfactory, Type B premises in 2(a) Residential – Low Density, 2(b) Residential – Medium Density, 2(c1) Residential – Medium and High Density and 2(c2) Residential – High Density zones under WLEP 1996, shall be permitted to trade as follows:

- (a) General maximum hours: 7.00am to 9.00pm 7 days a week; or
- (b) 1 year trial hours for extended trading hours; or
- (c) Where residential uses are in close proximity, the consent authority may restrict trial hours accordingly; or
- (d) Provision may be made for restaurant and café uses to trade 1 hour beyond the general maximum hours on a permanent basis during (summer) day light saving hours only, to allow for a viable dinner service.

2.4.3 Brothels, Restricted Premises and other uses

Subject to all other aspects of the development being satisfactory, brothels, restricted premises and other uses which potentially have a detrimental effect on the neighbourhood (e.g., cooking exhaust fans/vents) shall be permitted to trade as follows:

- (a) Standard hours: 8.00am – 12.00 midnight 7 days a week; or
- (b) 1 year trial hours: 8.00am – 2.00am 7 days a week; or
- (c) Where residential uses are in close proximity, the consent authority may restrict trial hours to general business hours such as 9.00am to 6.00pm Monday to Friday or similar.

2.4.4 Bondi Beach Trading Hours

The following trading hours are recommended for Type A and Type B premises in the Bondi Beach locality (see map in Annexure E1-1):

- (a) Area A – 6.00am to 2.00am Monday to Saturday and 9.00 am to 1.00 am Sunday.
- (b) Area B – 7.00am to 12:00 midnight 7 days a week.
- (c) Area C – 7.00am to 11.00pm 7 days a week.

Note: Where residential uses are in close proximity, more restrictive trading hours may be applied. Furthermore, an extension of the core hours will be considered on a trial basis only.

2.4.5 Bronte Beach Trading Hours

The maximum percentage of businesses in the centre allowed to trade to 10pm is 50%. All other businesses may be allowed to trade up to 8pm.

2.4.6 Applications for extended trading hours and review of trial periods

Applications for extended trading hours and review of trial periods are subject to public notification, referral to the Liquor Licensing Board and Council's Community Safety Committee for Type A premises. All applications will be referred to the local Police to determine whether or not there have been any complaints or incidents connected with the premises. If the premises have a POPE licence an Acoustic Report (as per the requirements for licensed premises) must be submitted with the application.

Council's assessment of the application will also involve consideration of the following:

- (a) security and general management of the premises;
- (b) number and nature of substantiated complaints regarding the operation of the premises;
- (c) compliance with conditions of consent;
- (d) evidence that the applicant has taken a pro-active position in terms of industry best practice (e.g. membership of relevant professional associations such as local Liquor Accords, participation in public safety initiatives, effective risk management strategies, etc);
- (e) record of successful waste management on site and clean up and management of waste in adjacent public domain;
- (f) availability of transport for patrons including taxis, buses, and carparking areas; and
- (g) any other matters considered relevant to the environmental evaluation of the premises.

If a premises fails the initial trial period (e.g., when there are consistent and supported complaints against the premises), no further trial period shall be granted and the premises must revert to its pre-trial hours. If the premises trial period is successfully completed, a further trial period up to 5 years may be granted.

Note: Trading hours outside of standard hours will not be granted on a permanent basis.

2.4.7 Acoustic Report

Where a premises has a place of public entertainment licence and an extension of trading hours or review of trial period is sought, an acoustic report must be provided with the application. The acoustic report must include, but not limited to:

- (a) The identification of sensitive noise receivers potentially impacted by the proposal;
- (b) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and Department of Environment and Climate Change (DECC) requirements);
- (c) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;
- (d) The identification of operational noise producing facets of the proposal and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the prediction procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
- (e) A statement indicating that the development/use will comply with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

Council may request an acoustic report on any DA as deemed reasonable, necessary and appropriate.

2.4.8 General

- (a) Where a development application is received for a refurbishment of an existing licensed premises where its hours are not regulated by a condition of consent, a new condition of consent will be imposed that ensures the hours of the premises are regulated in accordance with this Part.
- (b) Where a premises has electronic gaming machines, it will not be permitted to trade on a 24 hours basis, unless the gaming services are closed down for a minimum of 6 hours in any 24-hour period.
- (c) Council recognises that a number of retail uses, e.g., bakers, supermarkets, newsagents, butchers, fishmongers, etc, may require longer trading hours, particularly earlier opening times. In these instances, an application to extend or modify trading hours will undergo an additional assessment based on merit.

2.5 Delivery Vehicles

Delivery and operation of loading docks shall be limited to the approved trading hours.

2.6 Amenity

2.6.1 General

- (a) All new retail, commercial and mixed developments shall incorporate within the building plant rooms and any associated facilities required for the future use of the premises (e.g.

ducting, vents, air conditioners, refrigerator units, mechanical plant, etc). The plant rooms are to be acoustically treated.

- (b) Existing developments (for Type A and B premises) shall, where possible, incorporate plant rooms and any associated facilities required for the future use of the premises (e.g. ducting, vents, air conditioners, refrigerator units, mechanical plant, etc) into the building envelope. Where this can not be achieved in an existing development, the plant room/utilities are to be designed to cause negligible impact to both neighbouring properties and the streetscape.
- (c) Food shop premises are to be designed and constructed in accordance with the provisions of the *Food Act 2003* and Food Safety Standards Code and in accordance with Australian Standards
- (d) No goods shall be placed on the footpath at any time without consent from Council.
- (e) Premises shall be designed so that customers cannot be served directly from Council's footpath (i.e. a bar or servery) should not be incorporated into the shopfront at the street alignment.
- (f) All new development shall be designed to include an internal ventilation shaft. This will ensure that future alterations to the building do not place the shaft in an unsuitable location.

2.6.2 Noise

- (a) Air conditioning units and cool-room equipment must be located in a plant room or an acoustic enclosure to remove the potential for any associated noise escaping from the subject property.
- (b) Spruikers (using a public announcement system) or amplified music or advertising (calling out the goods) are prohibited.
- (c) The noise emanating from a mechanical ventilation system shall be in accordance with the requirements of Appendix B of the Australian Standards AS 1055.2 Description and Measurement of Environmental Noise.
- (d) The use of the premises shall not give rise to:
 - unacceptable vibration levels to adjoining/nearby properties; and
 - sound levels which exceed the recommended levels as outlined in the Department of Environment and Conservation's "Noise Guide for Local Government".
- (e) All sound producing plant, equipment, machinery or fittings associated with or forming part of the mechanical ventilation system are required to operate in accordance with requirements of the *Protection of the Environment and Operations Act 1997* and the provisions of Australian Standard AS 1055 (or if superseded by the most current Australian Standard relating to noise). In this regard, details of the proposed mechanical exhaust ventilation system within a food preparation area are to be submitted to and approved by Council or an Accredited Certifier prior to the issue of a Construction Certificate.

2.7 Waste

- (a) The requirements within Part G1 Waste Avoidance and Resource Recovery must be met.
- (b) ATMs should be designed to be accessible and safe and where possible should be incorporated within a shop or bank premises. ATMs should include adequate number and size of containers for paper rubbish. A schedule for cleaning should be included in the application for new ATMs.

2.7.1 Wastewater

- (a) Dry basket arrestors are to be provided to floor wastes in food preparation areas. This is to be shown on plans.
- (b) Premises shall have a floor waste point (drainage) to prevent polluted water from reaching the footpath.

2.8 Energy Efficiency and Water Conservation

The following energy efficiency and water conservation requirements apply to retail and commercial development:

- 1) Roofs and/or ceilings are to be insulated with a minimum R3.0 rating, roofs must contain sarking or foil backed blanket. New walls must be insulated to a minimum R1.5 rating.
- 2) Water fixtures (taps, showerheads, toilets etc) must have a minimum 3A water efficiency rating.
- 3) New and replacement installed electrical appliance must be rated no less than one star below the maximum available for that appliance type on the WELS water efficiency and/or Energy Star rating schemes at the time of installation.
- 4) New or replacement air conditioning units are to have a minimum 4-star rating for cooling only. Reverse cycle air conditioning units are to have a minimum of 4-star rating on one cycle and 3-star rating on the alternate cycle.
- 5) Hot water systems must have a minimum 3.5-star Greenhouse rating.
- 6) Dehumidification from air conditioning systems must be harvested and reused on site provided it is treated to an adequate level suitable for the reuse application, otherwise:
 - (a) A piped connection to Council's stormwater drainage system is required.
 - (b) There is to be no discharge to the footpath.
- 7) All new development shall be designed to include an internal ventilation shaft. This will ensure that future alterations to the building do not place the shaft in an unsuitable location.
- 8) Electric storage water heaters covered by the Minimum Energy Performance Standards (MEPS) rating system should exceed the minimum standard by at least 10% (refer to www.energyrating.gov.au/meps1).

- 9) Lighting technologies such as sensors, timing switches, dimmers, two way lighting, diffused light, use of high efficiency lamps are encouraged. Traditional incandescent lamps are discouraged.
- 10) New gas heaters must be rated no less than one energy star below the maximum available at the time of installation.
- 11) New development must not reduce the solar access of solar collectors of an adjoining property to less than two hours per day in mid-winter except where solar hot water / photovoltaic panels must maintain full solar access.

2.9 Community Crime Prevention

Crime Prevention through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. This section seeks to enhance the safety of developments and minimise crime, specifically:

- (a) enhancing safety by reducing opportunities for crime to occur;
- (b) improving observation of public and private spaces;
- (c) optimising the use of public spaces and facilities by the community; and
- (d) promoting the design of safe, accessible and well maintained buildings and spaces.

The following key principles should be applied to the design and management of land uses to reduce opportunities for crime:

- (a) Surveillance – encourages opportunities for casual surveillance;
- (b) Accessibility and target hardening – restricts access and maximise use of appropriate security measures;
- (c) Reinforce territory/space management – encourages ownership of communal areas and sense of community and formally supervise/care for urban space; and
- (d) Defensible space – appearance that space is cared protected.

This section sets out the design criteria which should be considered in relation to commercial development. Applicants must consider all the relevant provisions and aim to meet all relevant Performance Criteria. The section holds Design Solutions as one way of meeting these criteria. Suggestions may be varied if it can be demonstrated that the criteria can be met. In certain circumstances a specific Design Suggestion will be a requirement as outlined as 'Note'.

2.9.1 Site and Building Layout

The aim of these controls is to ensure that the way in which the site and buildings and landscaping within the site are laid out enhance security and feelings of safety.

Performance criteria	Design Suggestions/ Requirements
Ensure the site has been designed to maximise opportunities for casual surveillance.	Ground floor uses should incorporate "activity generators" where possible e.g. cafes, takeaways, retailing etc. Blank walls should not front the street. First floor uses should overlook the street frontage.
Ensure entrances and exits are clearly visible from the street and easily identifiable by prospective users.	Main entrances/exits should be located at the front of the site and in view of the street. All entrances should be designed to provide users with the opportunity to see in before entering. Entrances should have clear sight lines and not be obscured by landscaping or other obstacles. Recessed doorways should be avoided as they can provide opportunities for concealment. Entrance/exits should be clearly identifiable as such, e.g. through design features, to reduce confusion and use by illegitimate users.
	Entrance should be well lit with lighting which does not produce shadows. If staff entrances must be separated from the main entrance, they should be well lit and opportunities for casual surveillance should be maximised. If exits are to be closed after hours, ensure this is indicated at the entrance to the building.
Buildings and space should be designed to clearly delineate between public and private space to provide a clear sense of ownership and reduce illegitimate use.	Use landscaping, building features, street furniture etc to delineate ownership boundaries.

2.9.2 Facilities

The aim of these controls is to avoid the planning of isolated facilities, such as toilets and parents' rooms, which are at risk from vandalism and increase the vulnerability of users.

Performance criteria	Design Suggestions/ Requirements
Ensure facilities are planned to maximise opportunities for casual surveillance.	Facilities should be located in the most accessible and convenient location possible. Where possible, locate facilities in close proximity to a regularly staffed area such as a reception desk or help desk.

Ensure access to facilities is direct.	Long corridors and blind corridors should be avoided Corridors should be well lit and if blind corridors are unavoidable, mirrors should be installed to allow users to see ahead.
Facilities should be designed to encourage use.	Facilities should be clean and well maintained with vandal resistant fittings and lights. Access routes to facilities should be clearly and adequately signed with large legible letters and simple graphics.
	Information should be provided in facilities advising where to go for help and how to report maintenance or vandalism problems.

2.9.3 Services

The aim of these controls is to reduce the likelihood of criminal activity at services such as Automatic Teller Machines (ATMs) and telephones.

Performance criteria	Design Suggestions/ Requirements
ATMs should be located in areas of frequent activity and where opportunities for casual surveillance are maximised.	ATMs should be located in a highly visible location and well lit if accessible after dark.
	ATMs should not be located in recesses. ATMs should be located in areas away from possible entrapment spots. ATMs should be designed to incorporate mirrors of reflective material so that users can observe people approaching from behind.
Telephones should be located in areas of frequent activity and where opportunities for casual surveillance are maximised.	Telephones should be located in a highly visible area. Telephones should be well lit after dark if accessible after hours. Telephones should be located in areas away from possible entrapment areas. Telephones should be well maintained and vandal resistant.
Seating within developments should be located in areas which discourage loitering but enhance casual surveillance.	The location of seating should be planned to offer maximum opportunities for casual surveillance. Seating areas should be well lit if accessible after dark.

2.9.4 Security and building identification

The aim of these controls is to ensure an appropriate level of security is achieved and that commercial buildings are readily identifiable at all times by number.

Performance criteria	Design Suggestions/ Requirements
Security devices should not reduce the building to a fortress like appearance and should contribute to the streetscape.	<p>Solid roller shutters will not be permitted as a security device on shop fronts.</p> <p>Open grille security devices may be used on shop fronts if such devices are necessary, but should be as unobtrusive as possible and sympathetic to the character of the building.</p> <p>Use toughened glass at ground floor level if necessary to restrict opportunities for smash and grab break and enter.</p>
Security devices should not reduce the building to a fortress like appearance and should contribute to the streetscape.	<p>Solid roller shutters will not be permitted as a security device on shop fronts.</p> <p>Open grille security devices may be used on shop fronts if such devices are necessary, but should be as unobtrusive as possible and sympathetic to the character of the building.</p> <p>Use toughened glass at ground floor level if necessary to restrict opportunities for smash and grab break and enter.</p>
Access to the side and rear of sites should be restricted.	Locks should be fitted on all doors and windows capable of opening. Consider the installation of alarm systems where necessary.
Ensure the street number is clearly visible from the street.	<p>Street numbers should be at least 7.5cm high.</p> <p>Street numbers should be positioned on the street alignment and maintained free from obstructions.</p> <p>Where street numbers are fixed on an awning, they should be at least 15cm high such as those in the picture to the left.</p> <p>Street numbers should be made of durable, preferable reflective material.</p>

2.10 Accessibility

The aims of this section to ensure that all new and refurbished buildings provide access for people with disabilities as required by the Federal Government's *Disability Discrimination Act 1992* (DDA 1992). This section seeks to promote recognition and acceptance within the community of the principle that persons with disability have the same rights of access as the rest of the community. The EP & AA 1979 requires consideration be given to whether adequate provision for access by people with disabilities has been made pursuant a development application. The Federal Government's DDA 1992 takes precedence over the EP & AA 1979 and the BCA, where there is conflict

in the area of access for people with disabilities.

2.10.1 Controls

General

The following controls apply to all development applicable to this Part:

- a) An accessible path of travel from the street to and through the front door, where the level of land permits.

New mixed use developments

- a) An accessible path of travel from the street to and through the front door of premises on the ground floor, where the level of the land permits. If the development has three or more residential storeys, with 10 or more units, an accessible path of travel from the street to all units, on each floor is required.
- b) Three or more habitable storeys and 10 or more units, a percentage of units shall comply with the provisions of a Class A adaptable unit as specified in AS4299, in accordance with the following ratio:
 - Up to 9 units, the provision does not apply
 - 10 – 15 units, 1 adaptable unit
 - 16 – 20 units, 2 adaptable units
 - 21 – 30 units, 3 adaptable units (10% of units thereafter)

New buildings

A lift must be provided at ground floor to upper floors of a building in developments with two or more storeys and where the aggregate floor area of all storeys above the ground storey is 400m² or greater.

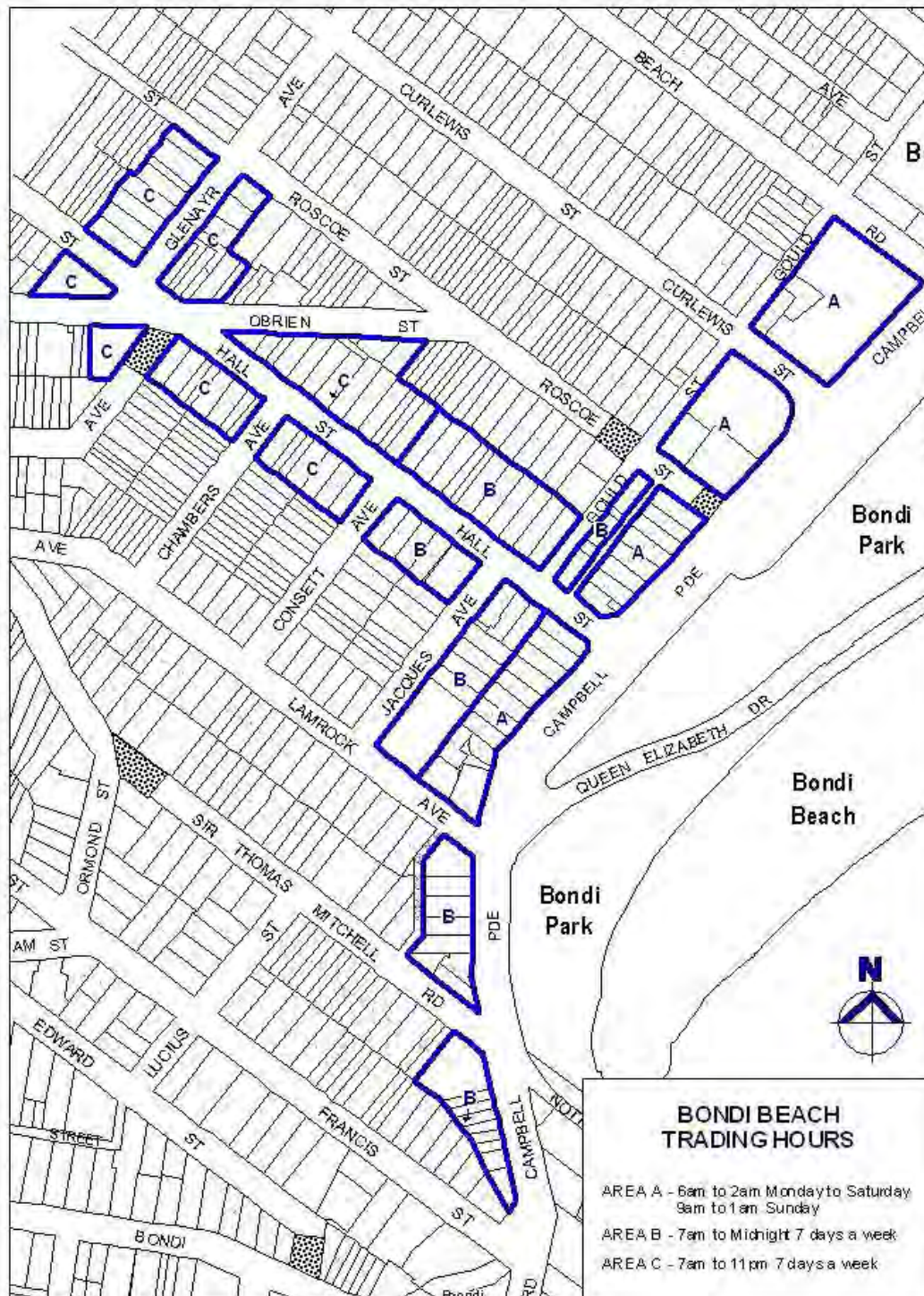
Existing building/change of use or alterations

Where structural alterations, major refurbishment or significant change of use affecting a substantial proportion of the gross floor area of the premises are proposed, all applicable provisions of this Part must be complied with. Where a minor refurbishment to an existing building is proposed, the alterations must not reduce the accessibility of the building.

2.10.2 Relevant Australian Standards

There is a large number of Australia Standards (AS) relevant when addressing access issues for people with disabilities and adaptable housing. Council recommends applicants consult and address the relevant AS provisions in preparing a development application. The AS provisions are not necessarily regarded by Council as binding or appropriate. Applicants should be aware that AS are continually updated and reference should always be made to the most current version.

**Annexure E1-1
Bondi Beach Trading Hours Map**



Part E Commercial

E2 Advertising and Signage

Contents

1.0 Introduction	2
2.0 Objectives	2
3.0 Application of the Part	2
4.0 Requirements for signage	3
5.0 Matters to consider for an advertising sign or structure	3
6.0 Siting and locational criteria	4
6.1 Design	4
6.2 Siting	4
6.3 Proportion	4
6.4 Colour	5
6.5 General requirements	5
7.0 Residential Zones	6
8.0 Business Zones	6
8.1 Standard sign provision	6
8.2 Exceptions to the standard sign provisions	7
8.3 Retail frontage	7
8.4 Other forms of commercial development	11
8.5 Number of signs	12
9.0 Advertising on buildings of Heritage Significance	13

E2 Advertising and Signage

1.0 INTRODUCTION

This Part specifies Council's objectives and requirements for the erection and display of advertising signs. The Part outlines preferred options, acceptable limits and intended prohibitions available to Council through the law and discretionary powers.

Applications for approval to display any advertising or to erect any advertising structure and the issue of a licence, or the renewal of a licence will be dealt with having regard to this Part, and to the requirements of the *Local Government Act 1993* and any applicable ordinances thereunder.

2.0 OBJECTIVES

- (a) To ensure advertising is compatible with the intensity of use in each land use zone and that such advertising does not detrimentally affect the appearance of adjoining land.
- (b) To ensure outdoor advertising does not cause loss of amenity or have a detrimental effect on the natural or built environment or the safety, appearance or efficiency of any public area.
- (c) To ensure advertising signs or structures do not intrude upon the use and enjoyment of any retail/commercial precinct by shoppers and adjoining residents are not adversely affected by the display of outdoor advertising beyond a designated commercial zone.
- (d) To maintain the architectural integrity and unity of building facades, roofscapes, streetscapes and street furniture by ensuring that advertising signs and structures are in scale and proportion, and complement the design criteria of individual buildings, streetscapes and the like.
- (e) To ensure that any sign harmonises with other features, and has regard to the size and juxtaposition of other signs in the immediate vicinity.

3.0 APPLICATION OF THIS PART

This Part applies to all land in the Waverley Local Government Area (LGA), except for the Bondi Junction Commercial Centre which is the subject of separately defined advertising controls (refer to Part F1 - Bondi Junction Commercial Centre). Additional controls may also apply refer to Part F5 – Local Village Centres.

4.0 REQUIREMENTS FOR SIGNAGE

Approval must be sought from Council in respect of any advertising sign or structure with the exception of:

- (i) signs painted directly onto the existing awning fascia, or onto the existing glass shop front.
- (ii) exempt development as prescribed in Part C1 – Exempt and Complying Development – Bondi Junction, and Part C2 – Exempt and Complying Development.

Applications for signage require a development application to be lodged with accompanying plans and a statement of environmental effects (SEE). The plans and SEE must address the following:

- (i) size, location and type of advertising sign or structure;
- (ii) design, size, location, means of construction and maintenance of the structure;
- (iii) area of the proposed advertising sign, in relation to the surface area of the building to which it is to be erected;
- (iv) height of any sign or structure above the footpath; and
- (v) other existing advertising must be shown on the accompanying drawing, drawn to scale.

5.0 MATTERS TO CONSIDER FOR ADVERTISING SIGN OR STRUCTURE

- (a) Look at the existing building on which it is proposed to erect the sign. *In what way would the proposed sign enhance the buildings appearance? Will it obscure windows/door openings, or other features of the facade?*
- (b) Look at the suitability of the proposed sign in the context of the surrounding streetscape. *Are there similar types of signs in the street? Is the proposed sign consistent in size and proportion? Would the proposed sign create a precedent, adverse or otherwise?*
- (c) *How does the sign contribute to the appearance of a retail/commercial precinct? What is the intended image or character for the area?*
- (d) *Does the proposed sign harmonise with other features of the building, or the retail/commercial precinct in which it is proposed? Does it have regard for the size and juxtaposition of other signs in the immediate vicinity? How does it affect adjacent development?*

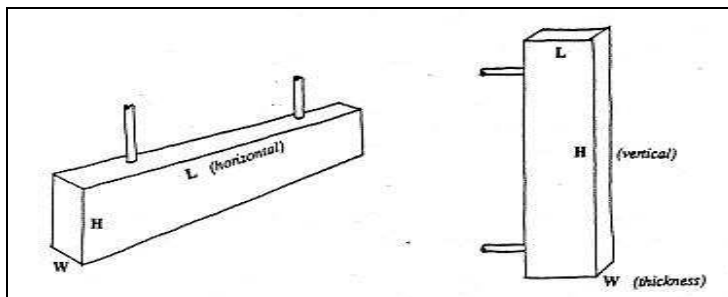


Figure 1. Illustration of sign proportions.



Figure 2. Types of signage.

6.0 SITING AND LOCATIONAL CRITERIA

6.1 Design

Where appropriate, architectural features of the building should be considered in the design of the advertising sign or structure. Where original sign panels have been incorporated into the parapet of the building facade, these should be used to identify the name or nature of the business.

6.2 Sitting

A flush wall sign on the front facade of a building should be located within a recessed area of a façade where existing, and should not span across window openings or a facade bay. Projecting signs should be attached to an engaged pier where appropriate, to one side of the building facade. Symmetrical facades should not have their symmetry disrupted by locating a sign at the centre of the facade.

6.3 Proportion

Projecting wall signs should be vertical in proportion where the facade itself presents a vertical scale. The horizontal proportion of the projecting wall sign should decrease as height above ground level increases. Horizontal proportions are appropriate for under awning signs, top hamper signs and top parapet signs. Signs should not be of a size or proportion which significantly affects the presentation of the existing facade.

6.4 Colour

The colour used in the design of an advertising sign or structure should reflect the colour scheme of the building to which it will be attached. Corporate colours should be limited to the advertising sign or structure, and not applied to the painted surface of the building.

6.5 General requirements

- (a) Signs exposed to adjacent residential development or to a residential street shall not exceed 3m x 1.5m. Council may use its discretion to vary the provisions of this standard, having regard to the extent of the variation and environmental impact.
- (b) Sky or roof signs, or signs having an area in excess of 20m², will

not be permitted. Flashing, moving or 3-D signs will only be considered after practical demonstration and a detailed assessment of any adverse impact.

- (c) The display of bunting, banners, canvas or fabric signs, or inflatable signs and the like, will not be permitted.
- (d) Advertising on garbage bins, telegraph posts, and other surfaces of a public nature is prohibited, except by prior contractual arrangement with Council.
- (e) Council will only give consideration to advertising on bus shelters outside commercial areas if these are limited to Bondi Road, Old South Head Road and Campbell Parade.
- (f) Signs shall not extend over street boundaries, unless approved in conjunction with a shop which is built to the street alignment.
- (g) Any sign which in Council's opinion would have an adverse impact upon traffic lights, or obstruct/distract motorists' vision at an intersection shall not be permitted.
- (h) Third party advertising is not permitted.
- (i) The total permissible advertising area shall not exceed a factor of 1.1m^2 for each metre or part thereof of a frontage of that tenancy to the public road.
- (j) Where the site has a frontage to two streets the same factor shall apply to the second frontage, but for each frontage to a residential side street or to a lane, the permissible advertising area shall not exceed a factor of 0.5m^2 for each metre of frontage if any advertising is permitted at all.
- (k) The use of A-Board (sandwich boards) is generally not permitted on public footpaths or roadways. Shopkeepers located within shopping arcades are encouraged to jointly erect a business directory instead of the incremental placement of A-Boards within an arcade. Council may however approve the use of A-Board signs on public footpaths and roadways where the placement of such a sign would not impede pedestrian or vehicular traffic.

7.0 RESIDENTIAL ZONES

Pursuant to Clause 33(1) of the *Environmental Planning and Assessment Model Provision* 1980, any advertisement within a residential zone shall relate only to premises situated on the subject land or on adjacent land, and shall specify any of the following:

- the purpose for which the land is used;
- the identification and description of a person carrying on an occupation or business on the premises; and
- particulars of the goods or services dealt with or provided on the premises.

Signs should be carefully designed to blend in with the established residential character and not unduly attract attention. Illumination of signs shall be considered on merit, having regard to the potential impact on adjoining residential property.

Advertising structures are not permitted within residential zones, other than in the following circumstances:

- (a) **Home Occupations and other residential uses:** (providing for uses such as doctors, dentists and boarding houses, etc) shall not display a sign other than a sign not exceeding 1m x 0.7m in size. The sign shall be affixed to the front façade of the dwelling or to the front boundary wall or fence.
- (b) **Pole Signs:** in circumstance where there is no front fence, or where an existing fence does not have sufficient height to display a sign, and where the dwelling has a significant setback from the street front, Council will give consideration to the erection of a pole sign, having a height not greater than 2.8m. The proportions of the sign shall not exceed 1m x 0.7m, and it shall not extend over the property boundary.
- (c) **Where shops or commercial premises exist in a residential zone:** advertising signage shall be in accordance with the provisions of Section 8.3.7.

8.0 BUSINESS ZONES

8.1 Standard sign provisions

Subject to development approval, advertising on retail frontages shall be limited to the following signs and structures:

- (a) painted lettering on awning fascia and shopfront window.
- (b) top hamper sign (not illuminated).
- (c) under awning signs.
- (d) flush wall signs having a total area of 1.1m² for each metre of frontage of a building and part thereof to any public road.
- (e) unless specified in Section 6.2, no projecting above awning signs, flashing, or animated signs will be permitted.
- (f) all retail zones shall be subject to the above requirements (known as the standard sign provision), however the following exceptions or additional requirements shall apply in certain areas.

8.2 Exceptions to the standard sign provisions

8.2.1 Campbell Parade

This Part does not permit advertising in the form of projecting wall signs or flush wall signs above the awning of shops fronting Campbell Parade. An exception to flush wall signs will be permitted in the form of building identification signs. These shall be in painted form, identifying only the name of the building, and shall be traditionally located within the building parapet as a feature of the building.

Where the awning structure departs from the standard cantilevered box awning (for example a bull nose or convex awning), signs shall conform to the proportion indicated in Section 8.3.3(b). Generally, neon signage is encouraged on window shop fronts and for under awning signs as an alternative to fluorescent illumination.

8.2.2 Wairoa Avenue in the vicinity of Wallis Parade

Neon signage may be permitted inside the window display area, provided it is not animated or flashing, due to the proximity of these shops to adjacent residential development. No illumination above the awning will be permitted.

8.2.3 Campbell Parade (north end) in the vicinity of Bus Terminus

Consideration shall be given to the co-ordinated use of canvas sun blinds to the west facing elevation of shops, for the purpose of identifying the premises.

8.3 Retail frontage

8.3.1 Under awning signs

- (a) Under awning signs shall have a minimum clearance of 2600mm above the footpath, and shall be centrally positioned under the awning.
- (b) Under awning signs shall not exceed 2400mm x 450mm.
- (c) One under awning sign shall be permitted for each 6m of shop frontage, provided that a distance of not less than 3m is maintained between the centres of signs on adjoining properties.
- (d) Excluding the under awning sign, the total permissible area of all signs shall not exceed 1m² of advertising per 1.5m of street frontage. For corner blocks, both frontages will be taken into consideration in an assessment of the extent of advertising signage.
- (e) Under awning signs shall not project beyond the width of the awning.
- (f) Where an awning is less than standard width or where it is absent on any shopfront, consideration should be given to a lantern sign in place of the horizontal projecting sign. In the absence of an awning, flush wall signs shall have a height equivalent to the fascia depth of the adjacent awning (generally no greater than 450mm).
- (g) Notwithstanding Council's requirements for projecting and flush wall signs above the awning, signs attached to the top of an awning or positioned directly above it shall not be permitted.

8.3.2 Projecting Wall Signs

- (a) Where vertical projecting wall signs are permitted above the awning, the parapet wall should have sufficient height to ensure that the wall sign is in proportion. Signs shall not extend above parapet height.
- (b) Where permitted in Section 8.2:
 - i) Projecting wall signs shall extend a maximum of 750mm from the face of the wall (See Figure 3).

- ii) The vertical dimension of the sign shall be equal to or greater than the horizontal dimension (See Figure 3).
- (c) Council will be prepared to consider variations to the maximum projection requirement of 750mm only where, in Council's opinion, the requirement for a sign of vertical proportion does not suit the style and character of the building, or details and proportions of the facade, square or circular signs may be considered, having a maximum projection of 1.5m from the facade. In such circumstances, buildings having a height of 3 storeys or greater are considered more appropriate to the scale and proportion of such signs.

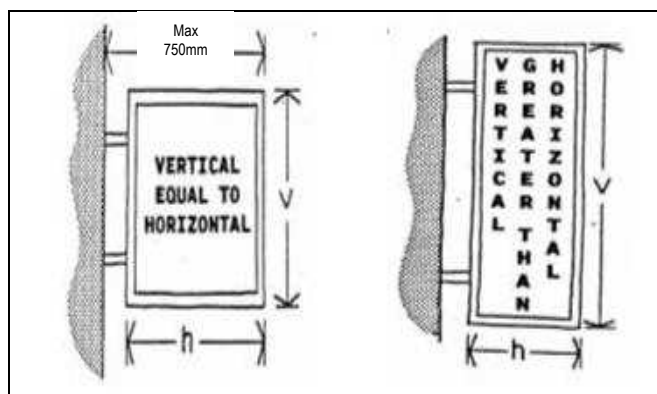


Figure 3. Permissible dimensions of vertical projecting wall signs.

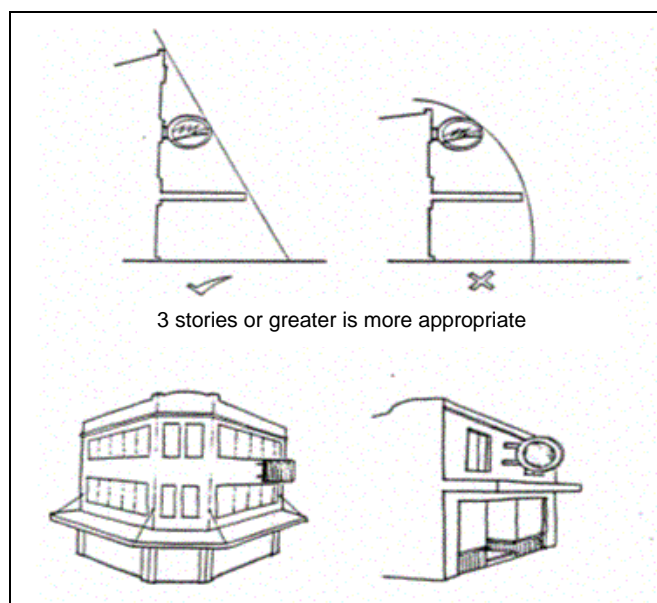


Figure 4. 3 storeys or greater is more appropriate.

- (d) Facade panels should align with the width dimensions of windows or doors and be centred on parapets (See Figure 5).
Both panel or projecting signs should be attached to undecorated wall areas and where possible align with signs on adjacent buildings. Where projecting wall signs of vertical proportion are proposed, vertical engaged piers present on the facade of older buildings should be used.

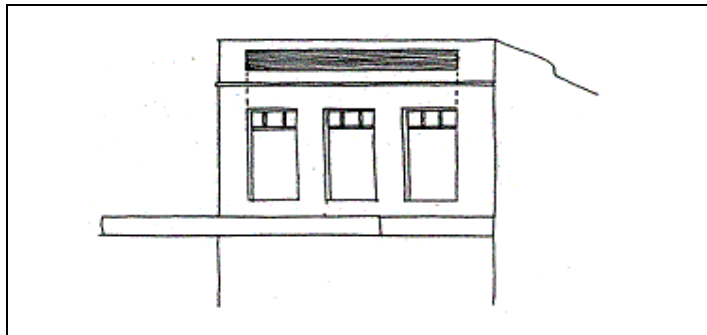


Figure 5. Preferred alignment of façade panels.

8.3.3 Awning fascia signs

- (a) Fascia signs shall be part of the awning and not illuminated. They shall not project above or below the awning fascia. Sign writing shall be limited to the street number, name and general nature of the business. Product identification on awning fascias shall not be permitted.
- (b) Where the awning does not have a significant fascia depth (pitched or bull-nosed verandah for example), painted or illuminated signs not exceeding a height of 200mm, and a width of 600mm will be permitted parallel to the awning edge above the awning, and shall be set back 50mm from the awning edge.

8.3.4 Top hamper signs

- (a) Top Hamper signs shall not project more than 150mm beyond the face of the building and should not extend below the level of the head of doorway or window to which they are attached.

8.3.5 Window shopfront signs

- (a) Painted signs on shopfront windows, particularly those using fluorescent and iridescent paints, shall be temporary in nature, and not cover more than 60% of the window surface area (see Figure 6).
- (b) Painted window signage which is skeletal in form, identifying only the business name of the premises, may be permanently applied to the window surface.

8.3.6 Parapet signs

- (a) Where there is suitable provision for the display of painted wall signs within a recessed area of the parapet or front facade of the premises, the content of the sign shall be limited to the name or classification of the business (see Figure 7).

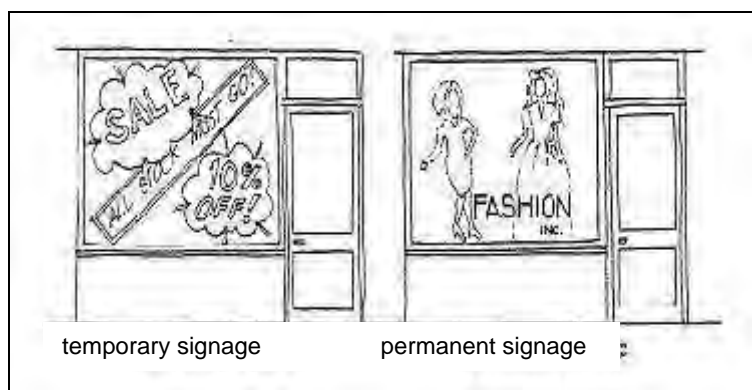


Figure 6. Painted shopfront window signs.

8.3.7 Neighbourhood shops

- (a) In 3(c) Business Neighbourhood zone or where shops or commercial premises exist in residential zones, such premises shall be restricted to the display of the following signs:
- (i) One under awning sign;
 - (ii) Awning fascia sign;
 - (iii) Window signage, in accordance with the provision of Section 8.3.5(a and b);
 - (iv) One flush wall sign to each frontage or one top hamper sign; and
 - (v) On corner sites having side returns to a public street, one flush wall sign having maximum dimensions 3m x 1.5m.
- (b) Flush wall signs shall not be permitted on side walls facing adjoining residences (see Figure 7).

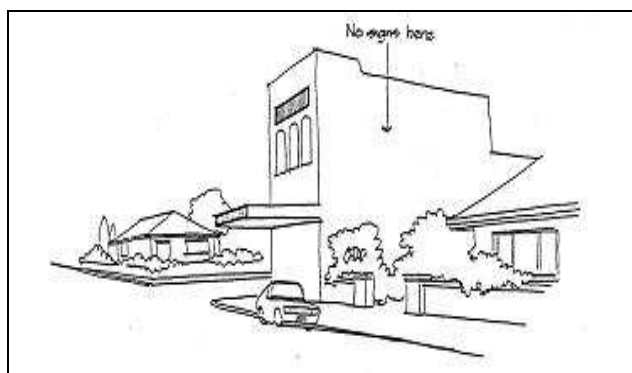


Figure 7. Showing both a parapet sign and where flush-wall signs are not appropriate.

- (c) Shop in 3(c) Business Neighbourhood zone shall consider the use of canvas shade blinds under the awning, in place of above awning advertising signs, as a means of retaining an appropriate neighbourhood scale. Such signage shall relate to the display of product logos, and shall not involve the promotion of sales or specials. Signage shall occupy a maximum of 60% of the surface area of the blind, and shall not involve the use of fluorescent or iridescent paints.

8.3.8 Mixed development buildings

- (a) Advertising signs and structures shall not be permitted above the awning on mixed development buildings unless they relate to the activities conducted above ground floor level. Where the use is predominantly residential, advertising signs or structures above the awning are not permitted.

8.4 Other forms of commercial development

8.4.1 Development in excess of 15 metres in height.

Above awning advertising signs and structures will form part of the assessment of development at this scale. Such signs and structures shall have regard for the following:

- (a) Principal tenants Naming rights to the building, often in favour of the principal tenant, shall be limited to the form of one advertising sign above the awning. Such sign shall be designed and positioned in a manner sympathetic to the design criteria of the building. Where no principal tenant exists, a co-ordinated approach shall be used in meeting the advertising needs of the tenants of a building. This should generally be limited to a directory panel in the common area of the building.
- (b) Roof signs shall not be permitted where they result in an increase in the height of the building, or where they are flashing or moving. The assessment of any proposed roof sign shall include an evaluation of its impact on adjacent residential development, in terms of intensity and duration of illumination.

8.4.2 Automotive related activities

The following types of signage are appropriate on sites where buildings are located remote from the street alignment. For example service stations, motor mechanics, and car wash establishments.

- (a) Pole or pylon signs in Commercial Zones Freestanding pole signs shall have a maximum height of 6 metres above ground level, and the sign itself shall not exceed 3.4m² in area. Pole signs shall not project more than 750mm beyond the street alignment (see Figure 8).
- (b) Fin signs are a horizontally proportioned sign positioned on the roof, canopy, or awing of a structure such as a service station (refer to Figure 8).

A fin sign positioned as such shall have a maximum height of 1.5m above the roof structure. No portion of the sign shall project over Council's footpath. Fin signs shall have a maximum area of 9m² and shall refer only to the name of the establishment. Only one sign shall be permitted on the premises.

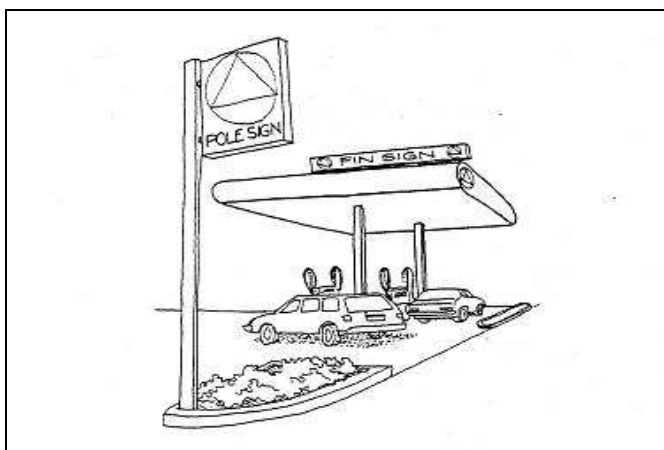


Figure 8. Example of pole and fin signs.

8.5 Number of signs

The number of signs per building or site will be based on an assessment of the following factors:

- The number of existing signs;
- The proportion of solid (wall surface area) to void (window and door openings) available for signage;
- The length of frontage of the premises; and
- The extent of facade detail and dimensional relief on the building which should remain unobscured by signage.

9.0 ADVERTISING ON BUILDINGS OF HERITAGE SIGNIFICANCE

A building identified in Council's policies or planning instruments as having heritage significance or as part of a conservation area shall observe the following requirements:

- (a) Council will give foremost consideration to the architectural qualities of the building when addressing the suitability of any proposed signs. Signs must not conceal or obscure architectural features.
- (b) Generally, signage will be restricted to under awning shop fronts, awning fascias and as suspended under awning signs.
- (c) Signage above the awnings must be limited to appropriate areas allocated for such a purpose in the original facade design (parapets, for example), and must not extend above the awning.
- (d) Flashing, or animated signs will not be permitted.
- (e) Council encourages the restoration of original painted signs, and the construction of new signs using traditional designs and lettering styles.
- (f) In the absence of any shop front awnings, signage shall be kept below the height of awnings on adjacent buildings. In such circumstances, projecting wall signs should take the form of lantern signs, where appropriate.

Part E Commercial

E3 Footpath Seating for Restaurants

Contents

1.0 Introduction	2
1.1 Designated Areas for Footpath Restaurants	2
1.2 The relationship with other Legislation	2
1.3 Aims and Objectives	2
2.0 Application Requirements	3
3.0 General Controls	3
3.1 Types of premises	3
3.2 Footpath seating space	4
3.3 Location of seating	4
3.4 Furniture	5
3.5 Accessories	6
3.6 Health and Safety	7
3.7 Advertising	7
3.8 Hours of Operation / Noise Impacts	7
3.9 Car Parking	7
3.10 Insurance	7
3.11 Footway Plan	7
3.12 Cleaning and Maintenance	7
4.0 Designated footway restaurant areas	8
5.0 Approvals	8
5.1 Maximum permissible period	8
5.2 Breaches of consent	8

E3 Footpath Seating for Restaurants

1.0 INTRODUCTION

This Part guides applicants seeking approval to utilise footpath areas outside their restaurant for outdoor seating. This Part specifically addresses footpath seating only. The display of goods on the footpath and/or temporary advertising signs on the footpath requires separate approval from Council. This Part applies to all land within the Waverley local government area (LGA). These premises:

- (a) provide sit down meals or snacks;
- (b) utilise non disposable eating utensils;
- (c) have washing-up facilities for all cooking/eating utensils;
- (d) provide table waiter service to all patrons; and
- (e) utilise utensils and furniture without any advertising or corporate logos/colour schemes.

1.1 Designated Areas for Footway Restaurants

Although this Part applies to the Waverley LGA, a number of specific restaurant areas which have been designated for footpath seating. These designated areas are:

- (a) Oxford Street Mall and Waverley Street Mall in Bondi Junction;
- (b) Campbell Parade and Roscoe Street at Bondi Beach; and
- (c) Bronte Road at Bronte Beach.

Refer to Section 4.0 and Figures 1 through to, and inclusive of Figure 6 in Annexure E3-1. The controls for footpath seating within these areas are the same controls that apply throughout the Waverley LGA. A number of additional controls may apply to a specific area differing from other areas.

1.2 The relationship with other Legislation

This Part provides for development consent and approval under Section 125 of the *Roads Act 1993* (refer to Section 5.0).

1.3 Aims and Objectives

Footpath seating areas are integral components of the public domain and should reinforce the urban design objectives. Footpath seating should not be regarded as private property which extends from a restaurant. The aims of the controls are to promote sound environmental practices as well as to promote a high quality visual environment with minimal advertising.

The aims and objectives of this Part are to:

- (a) promote a high quality visual environment;
- (b) ensure that footway restaurants contribute to the improvement

- of the streetscape;
- (c) ensure pedestrians and other traffic are not unduly obstructed by the footway restaurant use;
- (d) ensure that the operation of footway restaurants does not have an adverse impact upon the amenity of adjoining and nearby properties and residents;
- (e) ensure that footway restaurants are compatible with other community uses of public space;
- (f) reduce input into the waste and litter stream; and
- (g) ensure that footpath furniture only occupies space within licensed areas.

2.0 APPLICATION REQUIREMENTS

Information to be submitted for footpath seating applications includes:

- (a) Footpath Seating Application Form.
- (b) Using one of the plans at Annexure E3-1 show:
 - (i) the location of the restaurant; and
 - (ii) the proposed seating layout.
- (c) If the area is not designated, plans similar to those included at Annexure E3-1 must be submitted.
- (d) The total area in square metres and dimensions to be used for footpath seating.
- (e) The proposed number of seats and tables to be used.
- (f) Details of the selected furniture to be utilised.
- (g) The existing approved hours of operation of the restaurant.
- (h) Details of toilet facilities within the restaurant / café.

3.0 GENERAL CONTROLS

3.1 Type of premises

Only restaurants or cafes, which meet the following criteria will be considered for footpath seating pursuant to Council approval:

- (a) provides sit down meals or snacks;
- (b) provides waiter table service;
- (c) provides non-disposable eating utensils; and
- (d) provides adequate washing-up facilities on the premises.

3.2 Footpath seating space

The allocation of footpath seating space is determined, and relates to the space directly in front of a restaurant / café. If adjoining space is not used by the adjacent shop, shops immediately adjacent may take up that space providing they meet the criteria for approval in this Part. Adjoining space should only be used as long as the adjacent business does not require the seating for their own purposes.

3.3 Location of seating

The location of seating within any area is subject to compliance with objectives of this Part. Approval is dependent upon minimising potential pedestrian conflicts. If a significant impact on pedestrian amenity is envisaged, the proposed area for seating reduced, notwithstanding the minimum width of 2.5m, or Council may decide not to approve the application altogether.

The preferred location for footpath seating is away from the building edge. This allows continuous and easy movement of pedestrians along the footpath. All areas granted approval for outdoor seating must clearly and discretely mark the location of the space on the pavement and exhibit the approval issued by Council (refer to Section 3.11). Council reserves the right to require replacement of inappropriate and / or hazardous tables and chairs (i.e. furniture inconsistent with this Part) as a licence requirement.

Controls

The location of seating at any location must:

- (a) ensure the need to provide continuous unobstructed paths of travel along any one shopping strip or block and access to adjoining properties and their window displays/frontages where they rely on passing trade and access to adjoining properties and their window displays/frontages where they rely on passing trade;
- (b) ensure the provision of adequate circulation space past a property and access space across the footpath to the kerb-line for access to parked vehicles, public transport or road crossing points and, loading zones;
- (c) ensure the provision of adequate space adjacent to the kerblines for the opening of doors and unloading of vehicles;
- (d) to maintain clear vision and sight distances near driveways and intersections;
- (e) ensure the provision of adequate pedestrian access under any existing shop awnings;
- (f) ensure reasonable service is provided to an entire seating area;
- (g) ensure the operating hours of the licensee and of the outdoor seating is compliant with Council controls (outdoor seating may be restricted to less hours than the main café); and
- (h) the proximity to residential accommodation.
- (i) A continuous straight line of unobstructed footpath area with a minimum width of 2.5m, shall be maintained.
- (j) No furniture shall be allowed within 1.5m of a kerblines (except where a permanent barrier exists which prevents access to parked vehicles or road crossing points as subject to Council assessment).
- (k) No furniture shall be located within 3m of bus stops or taxi stands to allow for adequate pedestrian circulation and queuing
- (l) Public access with a minimum width of 3m is to be provided across the footpath between the kerblines and the continuous

- (m) unobstructed path of travel at a minimum of 10m intervals. No seat shall be more than 10m away from the front door of the restaurant that is serving it.
- (n) Consider all controls within this section are complying with all relevant sections of this Part and consistent with Section 3.11.

The above must be considered the Footway Plan (see Section 3.11)

3.4 Furniture

The management of each establishment is responsible for ensuring patrons maintain furniture within the boundaries of the licence area. The licence holder is to ensure management are aware of the conditions and responsibilities of the licence. Furniture is to be supplied by the proprietors of the restaurant. The layout, style and orientation of the furniture should be chosen according to the extent and shape of available space.

3.4.1 Furniture Controls

Furniture for all areas must be approved by Council following assessment on compliance with the following controls:

- (a) Each establishment should adopt a single style of seats, tables and umbrellas to maintain a cohesive pattern and ordered groupings.
- (b) All umbrellas are to be securely anchored to prevent "blow-aways". It is the responsibility of the restaurant licensee to ensure umbrella fixings are suitable. Umbrellas are not to display corporate logos, designs or text (Excluding Bondi Junction). Umbrellas in Bondi Beach are to be Samark and 300 Acrylic canvas 'Natural' Timber mast (61 dia.) and frame 3m square. All umbrellas to be inserted into metal posts installed by Council. Umbrellas must not overhang the area beyond the approved footpath allocated area.
- (c) All furnishings are the responsibility of the proprietors and non-permanent furnishings are to be removed from the footpath and stored elsewhere outside of trading hours. Furnishings are to be kept in ordered groupings within the designated area for each establishment.
- (d) All furniture must be of a high structural and aesthetic quality.
- (e) Furniture must be durable to the natural elements and designed for commercial use thus, water proof, weather proof and stable for moderate winds and suitable for use in a corrosive seaside environment.
- (f) Seats and tables may be of timber, aluminum, stainless steel or powder coated. The use of bulky single piece molded plastic / resin furniture is unacceptable.
- (g) All stainless steel table tops finish edges must be rolled and folded 80cm diameter or 80x80 square top. Table frame with polished aluminium base, anodised polished tubular aluminium column must have a minimum weight of 4.55kg. The maximum recommended table size is 800mm x 800mm.
- (h) All furniture must be safe. Particular care should be taken with

- moving parts, such as hinges, to ensure they are not a potential hazard to users.
- (i) All furniture must be easily cleaned. All furniture must be of colours which do not show dirt or grime easily, as such, white is not a suitable colour.
 - (j) Furniture in the Oxford Street Mall and Waverley Street, Bondi Junction must comply with Appendix E3 – 2.

3.5 Accessories

Generally accessories such as enclosures, screens, bollards, planters, music or amusement machines and lighting will not be permitted. Menu boards are to be transportable, kept within occupied areas at all times during use and not obstruct pedestrian through-fairs. Where smoking is allowed, windproof cigarette ashtrays are to be provided on each table and maintained by restaurant/café staff.

3.6 Health and Safety

The proprietor is to ensure that the requirements of the Australia and New Zealand Food Standards Code are fully met and that the area used is kept clean and free from litter and rubbish. The proprietor of the restaurant is responsible for maintaining and storing all furniture items and ensures the furniture is kept neat, clean and tidy. All furniture must be removed from the footpath area outside approved hours of operation.

3.7 Advertising

Advertising on umbrellas is only permitted consistent with the template design in Annexure E3-2 and only in Bondi Junction. Advertising on umbrellas is prohibited in all other locations.

3.8 Hours of Operation/Noise Impacts

The hours of operation of the licence area can not be greater than the general operation but may be equal to or less than those operations. Council will determine the hours of operation for specific licensed areas consistent with the controls held in this Part and Part E1 with to environmental and amenity considerations. An application for footpath restaurant seating will not be approved under this Part if the proposal is of such a scale that the noise generated will have a significant adverse effect upon nearby residential properties.

3.9 Car Parking

The provision of additional parking spaces for footpath seating is not required under this Part.

3.10 Insurance

The proprietors of the restaurant are to maintain a minimum \$10 million public liability insurance to cover the utilisation of the footpath area and are required to provide evidence of that cover with their application and whenever requested by Council.

3.11 Footway Plan

Applicants must display a copy of the Footway Plan in the front window of the restaurant prior to using the approved area for restaurant purposes and continue to display the Footway Plan while it is in force. The extent of the footpath licence will be designated on the pavement by a form of marker appropriate for the location at Bondi, Bronte and other areas as determined by Council.

3.12 Cleaning and Maintenance

The proprietor is responsible for ensuring that regular litter patrols be carried out three times a day (at 10:00am, at 3:00pm, and at 10:00pm or closing time) within a 50 metre radius of the premises to collect and dispose of litter and including footpath to gutter litter cleaning. Litter patrol documentation in the form of a clean-up roster must be kept on site at all times and provided to Council when requested. Litter patrols shall be detailed in the Site Waste Management Plan.

4.0 DESIGNATED FOOTWAY RESTAURANT AREAS

Controls for footpath seating at the following locations apply to areas designated on the relevant plans:

- (a) Oxford Street Mall – Bondi Junction
Refer to Figure 1 (Annexure E3-1) for area locations.
- (b) Waverley Street Mall – Bondi Junction
Refer to Figure 2 (Annexure E3-1) for area locations.
- (c) Bronte Road – Bronte Beach
Refer to Figure 3 (Annexure E3-1) for area locations.
- (d) Campbell Parade and Roscoe Street – Bondi Beach
Refer to Figures 4 to 7 (Annexure E3-1) for lease area locations.

5.0 APPROVALS

A combined development consent and an approval under Section 125 of the *Roads Act* 1993 will be issued for appropriate applications.

5.1 Maximum Permissible Period

The maximum permissible period for an approval is seven years under Section 125 of the *Roads Act* 1993. Council may elect to approve a lesser period of time where it is of the opinion that the use of the footpath may cause detrimental impacts on the amenity of the area. The approval period will be determined by a condition of consent. The recommended approval period under this Part is a maximum of 24 months (2 years) inclusive of a 6 months trial period and report to Council if any complaints are received during the trial period. A set start and finish date will apply to all approvals.

5.2 Breaches of Consent

Council may terminate or vary an approval granted under the *Roads Act* 1993 in respect to any footpath seating in order to maintain and

Annexure E3 – 1

Footway Restaurant/Café

Designated Lease Area Locations

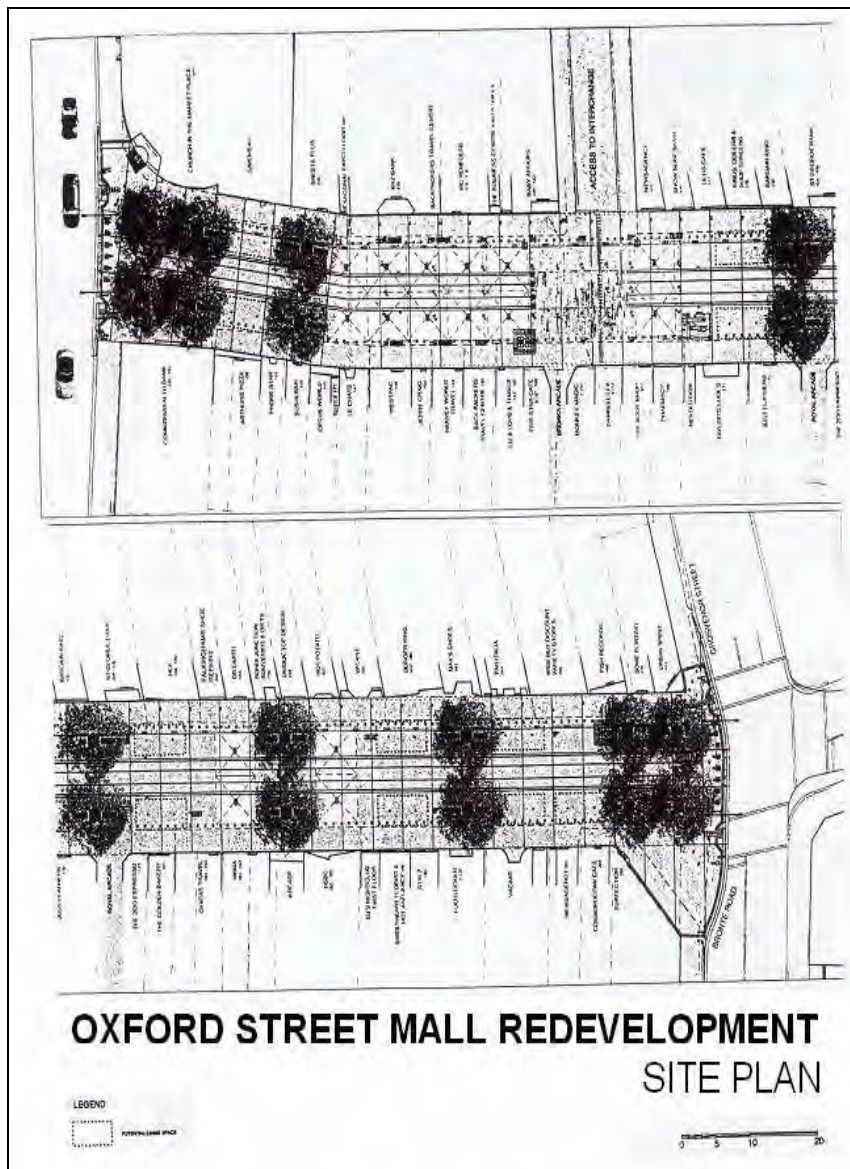


Figure 1. Oxford Street Mall, Bondi Junction (Site Plan with trees and market canopies).

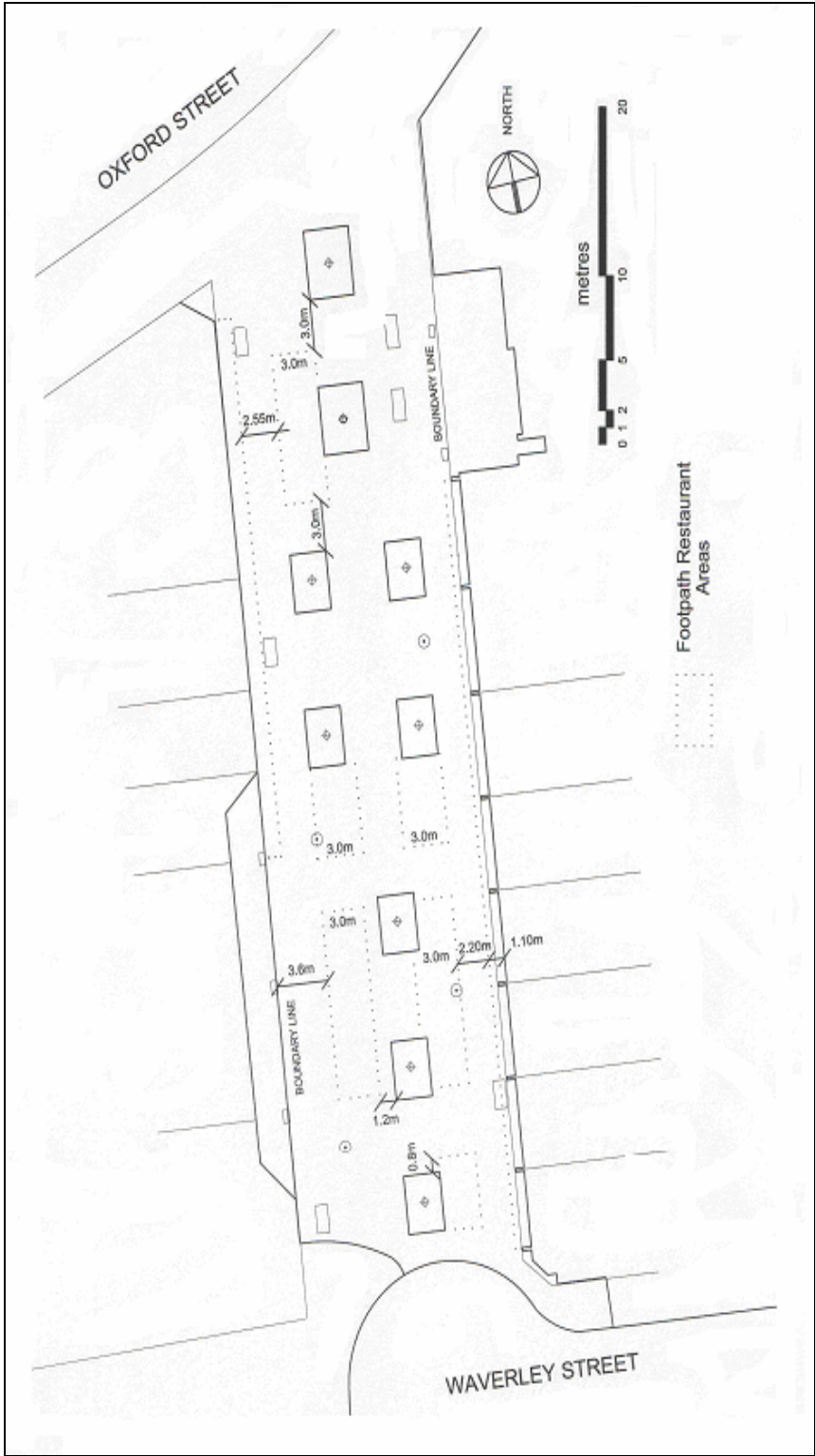


Figure 2. Waverley Street Mall, Bondi Junction.

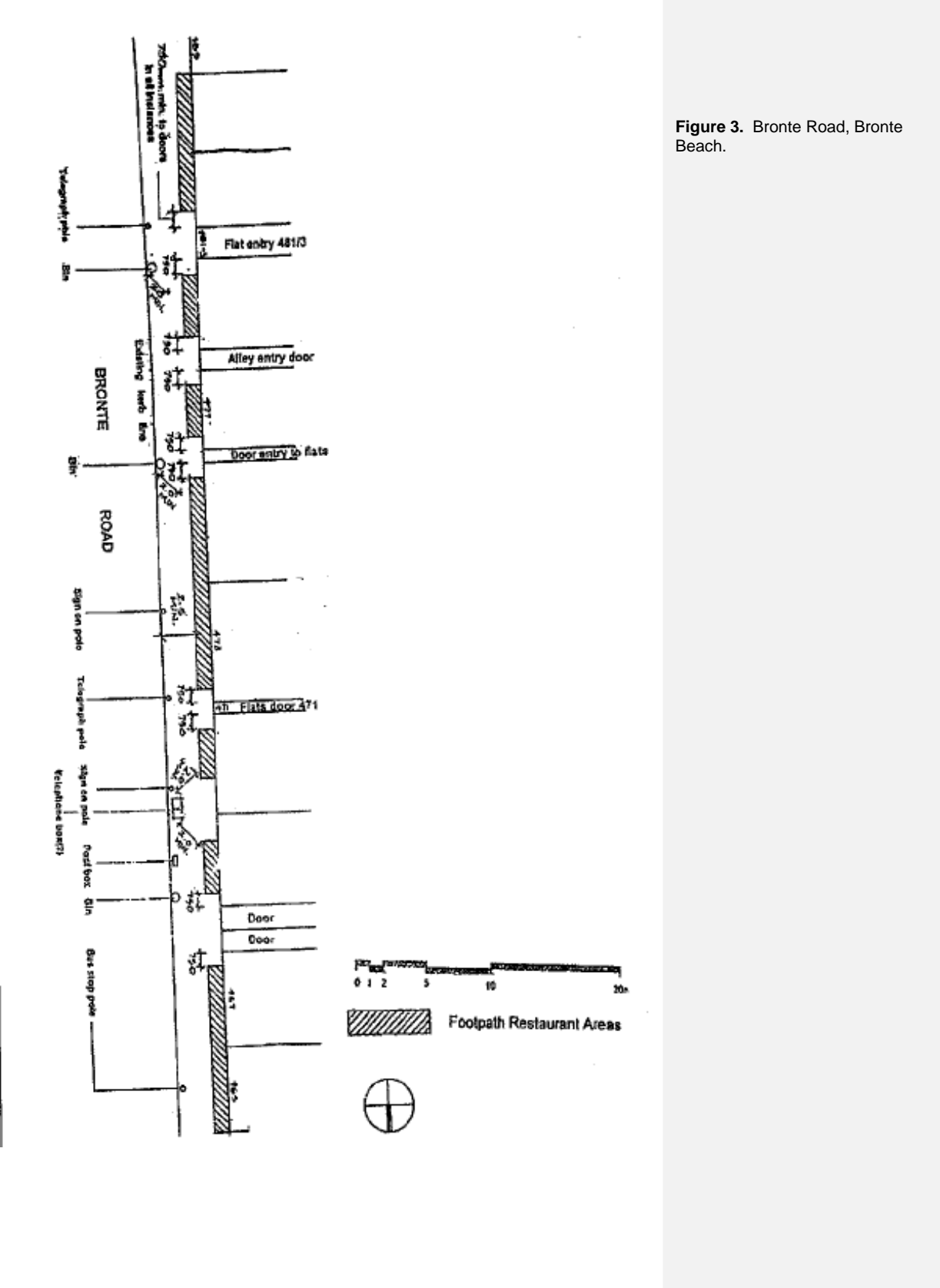


Figure 3. Bronte Road, Bronte Beach.



E3

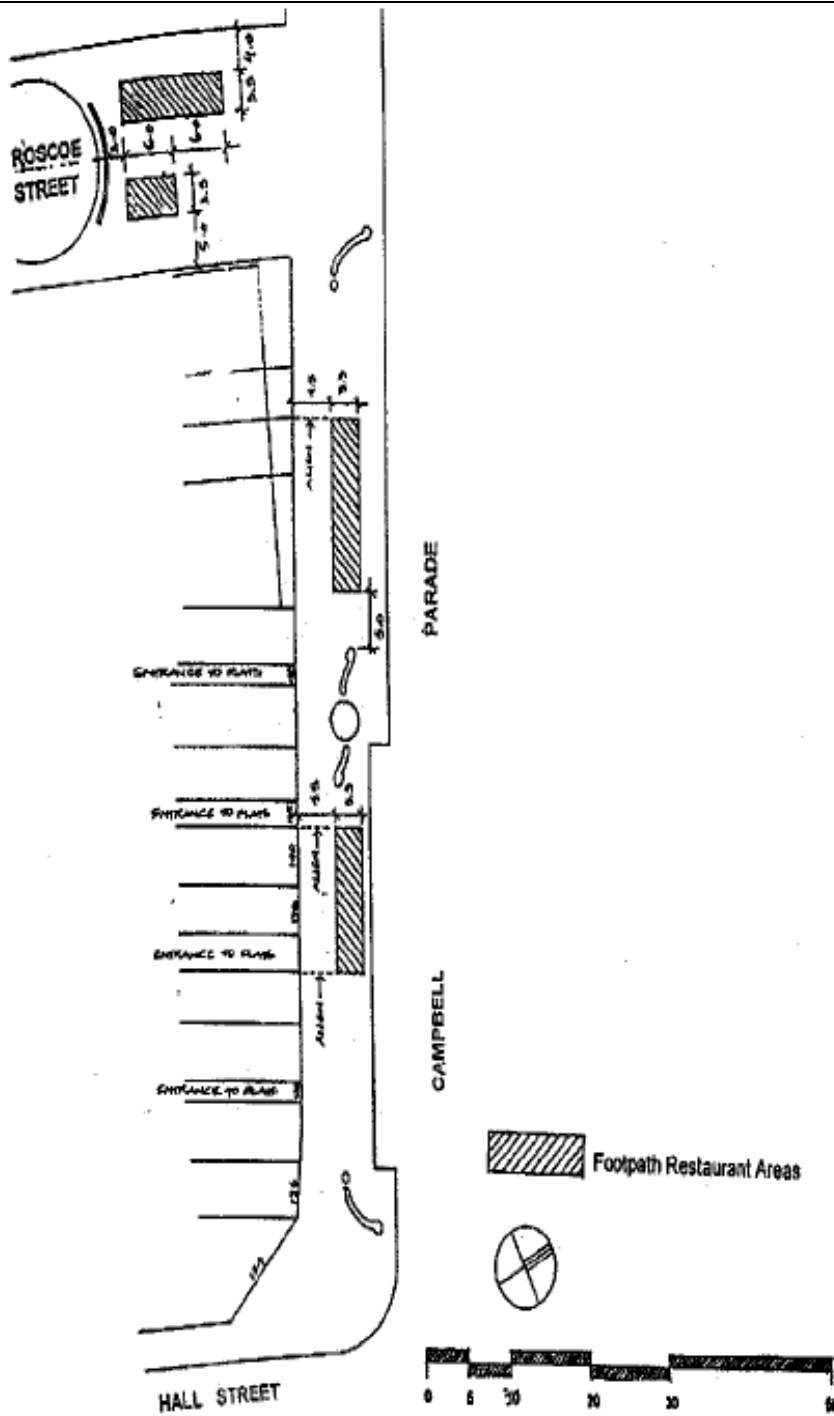


Figure 5. Campbell Parade, Bondi Beach (Hall Street to Roscoe Street, including Roscoe Street).

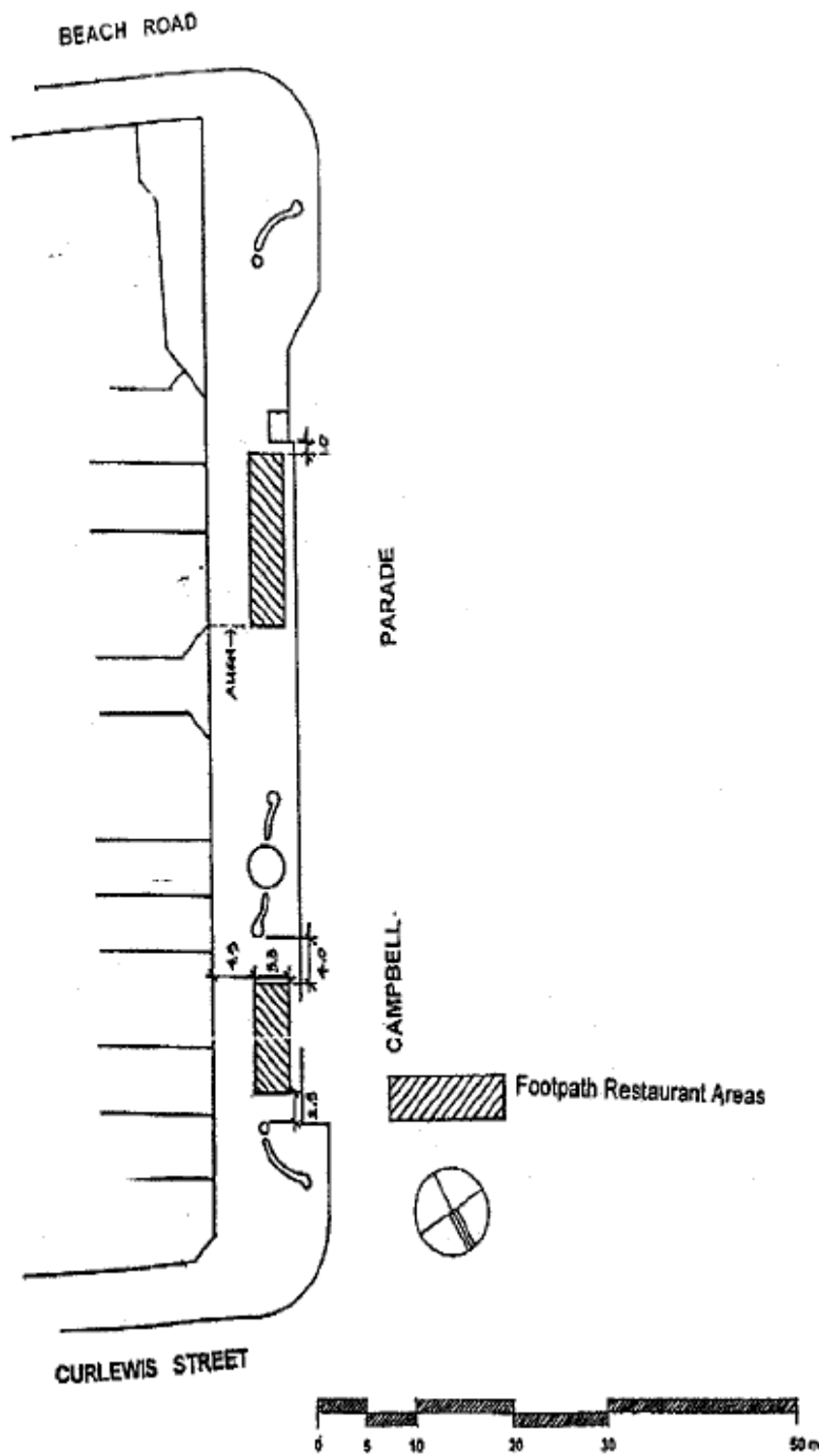


Figure 6. Campbell Parade, Bondi Beach (Roscoe Street to Curlew Street).



Figure 7. Example Umbrellas:
Campbell Parade Bondi –
Footpath Restaurant Furniture.

Style: Samarkand 300 Acrylic canvas 'Natural' Timber mast (61 dia.) and frame 3m square
Note: Umbrellas to be inserted into metal posts installed by Council.



Figure 8. Café Tables.

Stainless steel table top finish edges rolled and folded 80cm dia or 80x80 square top (TBA); Table frame with polished aluminium base, anodised polished tubular aluminium column. Weight 4.55kg

Appendix E3 – 2

**Furniture Controls for
Oxford Street Mall and Waverley Street, Bondi Junction**



Figure 9. Café Chairs (for licence areas): Heavy-duty construction sited to use in the public domain. Lightweight and easy to use.



Figure 10. Café Umbrella.

Logo Placement on Casablanca Café Umbrellas

Figure 11 shows where to place a logo on the Casablanca Café Umbrellas for Bondi Junction. Any layouts using the Bondi Junction brand or any alterations to the application of the brand must be authorised by the Bondi Junction Manager in writing: Bondi Junction Manager, 28 Denison Street, Bondi Junction, NSW 2022

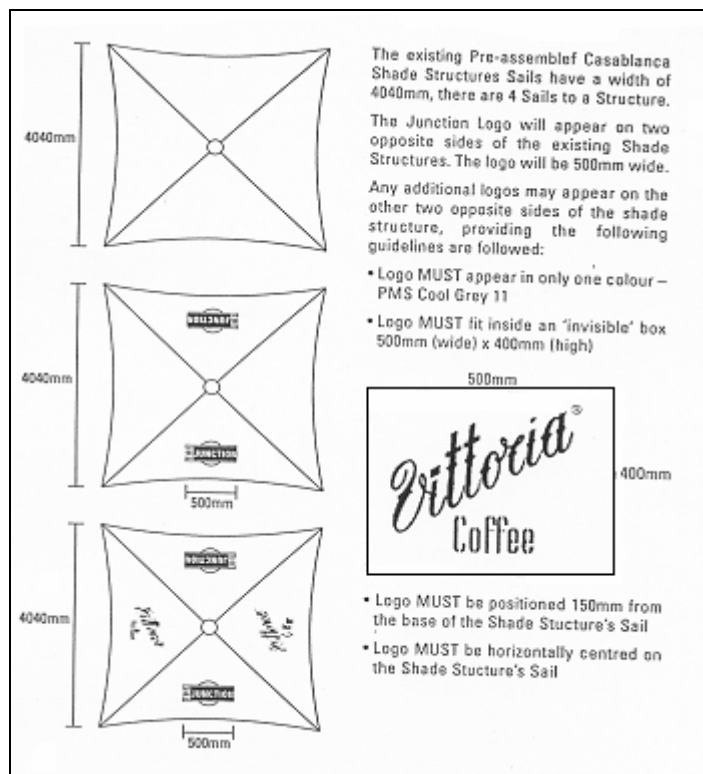


Figure 11. Logo Placement on Casablanca Café Umbrellas.

Part E Commercial

E4 Child Care Centres

Contents

1.0 Introduction	2
1.1 Licensing.	2
1.2 Aims of this Part	2
2.0 Applications to Council	2
2.1 Development Applications	2
3.0 Centre-based Care	3
3.1 General locational preferences	3
3.2 Parking requirements	4
3.3 Number of children in care	4
3.4 Staff requirements	4
3.5 Site area requirements	4
3.6 Designing outdoor areas	4
3.7 Landscaping	5
3.8 Indoor spaces	5
4.0 Home-based Care	6
4.1 Family Day Care Scheme	6
4.2 Physical suitability of the dwelling	6
5.0 All Services: facilities and equipment	7
5.1 Laundry	7
5.2 Food preparation facilities	7
5.3 Toilets and washing facilities	7
5.4 Nappy changing facilities	7
5.5 Sleeping facilities	7
5.6 Storage facilities	8
5.7 Fencing	8
5.8 Glass	8
5.9 Telephone	9
5.10 Pools	9
5.11 Cleanliness, maintenance and repairs	9
5.12 Development and play equipment	10
5.13 Ventilation, light and heating	10
5.14 Fire safety	10
5.15 Hot water	11
5.16 First aid	11
5.17 Plants	11
6.0 References	11
7.0 Contact details of relevant agencies	12

E4 Child Care Centres

1.0 INTRODUCTION

This Part relates to the erection, establishment and operation of child care centres and home based child care services. Applicants seeking to operate a child care service need to satisfy the regulations and requirements of the Department of Community Services (DoCS) and Waverley Council.

1.1 Licensing

The DoCS is responsible for the regulation, licensing and monitoring of children's services in accordance with the state regulations under the *Children and Young Persons (Care & Protection) Act 1998* and *Children's Services Regulation 2004*. An applicant must obtain a licence from DoCS to provide home-based, centre-based or family day care.

The child care regulations contain service requirements and minimum standards of care for operating and managing a child care service, including licence applications, staffing, maximum number of children, facilities and equipment, and administration.

1.2 Aims of this Part

The aims of this Part are to:

- (a) Encourage the provision of child care centres and services in the Waverley local government area to meet the needs of the community.
- (b) Ensure that sites containing child care centres and services are appropriate for that purpose and provide a functional and pleasant environment for their users.
- (c) Ensure that the physical environment of children's services is clean, safe, healthy, and well equipped in accordance with applicable statutory requirements and building standards.
- (d) Ensure that sites containing child care centres and services are compatible with the environment in which they are situated, particularly in terms of physical appearance and landscaping.
- (e) Ensure that potential impacts from child care centres on surrounding residential areas, such as those created by noise, traffic generation and on-street parking, are minimised.

2.0 APPLICATIONS TO COUNCIL

2.1 Development Applications

Local Councils have the responsibility for assessing child care centre applications and the DoCS is responsible for licensing services and regulating their operation. The DoCS will grant a license only after a development application has been approved by Council. Before submitting a development application, the applicant should contact the

children's services adviser at the DoCS local office to ensure that licensing issues can be addressed at an early stage.

An applicant must address the requirements contained in this Part and be aware of the NSW child care regulations in force at the time of the licence application. These regulations provide comprehensive coverage of an applicant's responsibilities and practice requirements as a child care operator, whether centre based or home based. Note, these regulations may change from time to time.

To operate a Child Care Centre or Home-Based Child Care Service, a development application is required to be submitted and the application granted approval. Should an applicant wish to operate a Family Day Care Centre, refer to Section 4.1.

In preparing the application, the following information is to be submitted to Council at time of lodgement:

- (a) All information as required by Council's Development Application Kit, which can be obtained in Council's Planning and Environmental Services Department;
- (b) Information regarding the proposed hours of operation, number of children and their age break up (0-2; 2-3; 3-6 years), number of staff, proposed daily program and the owner's signature; and
- (c) For centre based care services, a copy of the letter issued by DoCS relating to the maximum number of children the service is proposing to cater for, and the number of staff required to meet licensing requirements.
- (d) noise impact assessment statement prepared by a suitably qualified person as deemed necessary.

3.0 CENTRE BASED CHILD CARE

3.1 General locational preferences

- (a) Preference will be given to those sites that best satisfy the aims of this Part, being:
 - corner sites;
 - sites adjacent to existing open space;
 - sites which form part of an established church or community facility;
 - detached dwellings rather than semi-detached dwellings, dual occupancies or units within residential flat buildings;
 - sites where on-site setting down facilities for children are available; and
 - sites close to public transport or within easy and safe walking distance of public transport.
- (b) Sites on arterial roads should be avoided. However, consideration will be given where adequate on-site parking and drop-off/pick-up points for children are provided.
- (c) If residents cite noise as a concern, Council may request a noise impact assessment statement prepared by a qualified acoustic engineer.

3.2 Parking requirements

- (a) Part I1 requires 1 site parking space per 4 employees and 1 per 8 children plus a drop-off/pick-up area.
- (b) Where possible, on-site parking should be designed so that vehicles may be driven in a forward direction both when entering and leaving the premises.

3.3 Number of children in care

- (a) The number and age of children, which may attend the centre is subject to licensing requirements of the DoCS. The applicant must confirm with the children's services adviser at the DoCS to ensure the proposed number of children is feasible and in accordance with relevant legislation.
- (b) A letter from the DoCS must be submitted with the development application, indicating the maximum number of children permitted for licensing of the service.

3.4 Staff requirements

- (a) DoCS will assess staff requirements as part of the licensing process. The applicant must submit a letter from the DoCS with the development application, indicating the staffing levels required for licensing of the service.

3.5 Site area requirements

The following criteria for indoor and outdoor space are based on NSW regulations and are meant as a general guide only. An applicant should confirm these figures with the DoCS prior to lodging a development application.

Indoor Space	0 – 6 years old	3.25m ² per licensed child space of unencumbered space
Outdoor Space	0 – 6 years old	7m ² per licensed child space of useable outdoor space

3.6 Designing outdoor spaces

- (a) The outdoor play space should relate directly to the main indoor play areas. The shape of the play space must allow for constant supervision of the children.
For new centres, the outdoor areas, including fences, paved areas and steps, location of play equipment, lawns and trees, should be designed by a qualified landscape architect. Clear, easy access, preferably on grade, should be provided between indoor and outdoor play areas.
- (b) The most desirable orientation for outdoor spaces is to the north of the building; the least desirable is to the south. Outdoor space to the north of the building is desirable during winter months. Outdoor space to the south can be valuable for shades in summer.
- (c) The design of the outdoor play space should allow at least half

the area to be unencumbered and available for free vigorous play and include a variety of surfaces such as grass, sand, hard paving and mounding.

- (d) Ideally, fixed play items are located to the edge of the open area. They need to be designed for flexibility and safety, and include recognised impact absorbing under-surfacing in potential fall areas in accordance with the current Australian Standard AS4685 Playground Equipment. If a sandpit is provided, it needs to be constructed to an approved plan and include a cover.
- (e) Non-slip hard paving is used for access to the building, play with wheel toys, and under verandahs or covered areas. The surface should be safe, durable, attractive and enjoyable to use.

3.7 Landscaping

- (a) Planting may be used for shading, screening and decorating outdoor areas. Trees located on the northern and western boundary should shade the play space during the hottest part of the day. Deciduous trees in these locations will allow winter sun access. In new centres the garden area should be pleasant and well designed with a mix of shady and sunny places for children to play.
- (b) In new centres, plantings should include native trees and shrubs which will contribute to biodiversity and attract native birds.
- (c) Any outdoor tap needs to be installed at a suitable height.
- (d) If an external storeroom is attached to the building, an additional door will be required for means of egress.
- (e) In new centres, rainwater tanks should be installed to collect roof runoff for garden watering, if feasible. Tanks are to be inaccessible by children.

3.8 Indoor spaces

- (a) The recommended aspect when designing a child care centre in order to receive the morning sun is north to north-east.
- (b) Playrooms located adjacent to the outdoor play areas provide easy supervision.
- (c) Toilets should be easily accessible from playrooms and, if possible, located adjacent to the outdoor play space.
- (d) Children should not have to cross another group's playroom to access the toilets or outdoor areas.
- (e) Efforts to reduce possible noise impact from the child care centre may include double glazing of side windows. However, care should be taken to maintain good natural ventilation throughout the play spaces.
- (f) The floor will receive an excessive amount of wear so it should be of a non-slip surface and easy to clean. If linoleum or vinyl tiles are laid over a concrete floor, the floor must be damp proofed. Ideally, these areas should also have carpeted sections to provide a soft surface.

- (g) There should be adequate and suitable space provided for the care of a child who becomes unwell. The space should include room for a sofa, stretcher or mattress in a quiet, easily supervised area.
- (h) Fluorescent lighting can be unpleasant in a child care environment. If incandescent lights are used a shade should be provided.

4.0 HOME BASED CARE

4.1 Family Day Care Scheme

- (a) If an applicant wishes to care for seven or less children in their own home they may want to join Council's Family Day Care Scheme. Under the Family Day Care Scheme experienced staff provide carers with on-going support, training, access to playgroup sessions and respite care, and social and professional networking.
- (b) For more information please contact Council's Family Day Care Co-ordinator in the Department of Recreation, Customer and Community Services.

4.2 Physical suitability of the dwelling

- (a) Home-based carers provide care for seven children (including any of their own) under the age of 12 years, five of whom have not started school.
- (b) General requirements for home-based child care are different to those described in Section 3 of this Part.
- (c) The physical suitability of a dwelling for home-based child care will be assessed by considering:
 - the proximity to busy roads or neighbouring swimming pools;
 - how the service may impact on neighbouring properties;
 - the provision of adequate on-site parking and/or drop-off/pick-up points for children; and
 - the proximity of the dwelling to public transport and safe walking distance from public transport.
- (d) Licensing standards outlined in the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Service Regulations 2004* (or as amended) need to be adhered to when considering the physical suitability of a dwelling.
- (e) Consideration of all matters under Section 79C of the *Environmental Planning and Assessment Act 1979* will be made when assessing any development application.
- (f) If noise is cited as a concern by residents, Council may request a noise impact assessment statement prepared by a qualified acoustic engineer.

5.0 ALL SERVICES: FACILITIES AND EQUIPMENT

This is an excerpt of requirements based on state regulations and intended as a guide only. Please refer to the current state regulations in

particular the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004* for a complete and detailed list of equipment standards and service requirements.

5.1 Laundry

- (a) Any children's service must have laundry arrangements whether on the premises or home of the children's service.
- (b) The premises or home of any children's service must have safe, sanitary facilities for the storage of soiled clothes, linen and nappies before laundering or disposal.

5.2 Food preparation facilities

- (a) The premises or home of any children's service must have a designated area that is safe and hygienic for food preparation and storage.
- (b) Facilities in the designated area must include a stove or microwave, sink, refrigerator, suitable disposal facilities and hot water supply.

5.3 Toilets and Washing Facilities

The premises or home of any children's service must have toilet, hand washing and bathing facilities that are safe and appropriate for the children at the service. Products and equipment for cleaning those facilities must be available whenever necessary.

5.4 Nappy Changing Facilities

- (a) Facilities must be provided at the premises or home of any children's service if any child attending the service wears nappies.
- (b) Any nappies provided must be either biodegradable disposable nappies or washable towelling nappies.

5.5 Sleeping Facilities

- (a) The premises or home of any children's service must provide an adequate number of beds or sleeping mats with waterproof covers or culturally appropriate forms of bedding for all children who may wish or need to sleep at the premises.
- (b) The ages of children at the service, the program of activities of the service and hours of operation of the service are to be taken into account in determining the adequate number of beds or sleeping mats.
- (c) Bedding must be arranged to allow easy exit of any child, and easy access to any child.

5.6 Storage Facilities

- (a) The premises or home of any children's service must have storage facilities (whether fixed or movable) that are secure and inaccessible to children for poisonous or other dangerous substances consistent with the *Children and Young Persons*

(Care and Protection) Act 1998 and Children's Services Regulations 2004.

- (b) The *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004* also refer to children's independent access to books and equipment, storage of children's personal belongings and storage facilities for indoor/outdoor equipment.

5.7 Fencing

- (a) The part of the premises or home of any children's service that is designated for outdoor play space must be fenced on all sides at a height required by the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.
- (b) The design of any fence or gate on the premises or home must prevent children from scaling or crawling under it and inhibit or impede intruders from entering the premises or home.
- (c) If the premises or home are adjacent to, or provide access to, any hazards, including water hazards or major roads, the premises or home must be isolated from the hazards by an effective barrier or fence in accordance with specifications contained in the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.
- (d) Any side of a stairway, ramp, corridor, hallway or external balcony on the premises or home of a children's service that is not abutting a wall must be enclosed to prevent a child being trapped or falling through.
- (e) Gates in fences on the premises or home must be equipped with a childproof latch (and self-locking mechanism in centre based care) as defined in *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.
- (f) Age appropriate child-proof (and self-locking in centre based services) barriers must be provided at the top and bottom of stairs at the premises or home of a children's service as per *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.

5.8 Glass

The licensee of a children's service must ensure that any glazed area of the premises or home of the children's service that is accessible to children is selected and installed in accordance with the relevant provisions in the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.

5.9 Telephone

The premises or home of a children's service must be equipped with an operating telephone or two-way radio capable of communication with, at least, the nearest police station, ambulance station, fire service, and medical emergency facility and that is readily accessible to staff of the service.

5.10 Pools

- (a) There must not be a swimming pool (within the meaning of the *Swimming Pools Act 1992*) on the premises of any children's service (centre based, home based or family day care) unless the pool existed on premises that were licensed before the commencement of this Part.
- (b) Any swimming pool that existed on the premises of a child care service on or before the commencement of this Part must be fenced. The fencing must be in accordance with the *Swimming Pools Act 1992* (whether or not that Act applies to the swimming pool concerned).
- (c) Where the above sub-clause applies, pool filters must be inaccessible to children.
- (d) Provision must be made at the service to ensure that all paddling pools are emptied immediately after use and stored to prevent the collection water.
- (e) Provision must be made at the service to ensure that water containers, which could constitute a drowning hazard, are safely covered or are inaccessible to children.

What do the provisions for pools mean?

Applicants applying for a new child care licence

Prospective home based carers who, after the commencement of this Part, apply to Council for a development application to establish a service in their homes will not be given approval if there is a swimming pool on their premises.

Existing licence holders wanting to construct a pool

Home based or family day carers with an existing license who after the commencement of this Part apply for a development application to construct a swimming pool on their premises, will not be given approval while operating a child care service on those premises.

Existing license holders moving house

Home based carers with an existing license, who after the commencement of this Part move their child care business to new premises with a pool, will not be given Council approval to operate a child care service. NSW child care licences are not transferable and expire when the service is moved to a new address.

5.11 Cleanliness, Maintenance and Repairs

- (a) The premises or home of any children's service, and all equipment and furnishing used in providing the children's service, must be maintained in a safe, clean and hygienic condition and in good repair at all times.
- (b) The licensee and the authorised supervisor must to the best of their ability ensure that buildings and grounds on the premises or home are kept free of vermin and pests.
- (c) Exterior windows and doorways in the building must be fitted with fly screens as per the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.
- (d) The premises or home of any children's service must be fitted

- with appropriate devices that:
- (i) are designed to prevent children from gaining access to power points or other electrical outlets; and
 - (ii) are designed to minimise the risk of electrical shocks arising from electrical wiring.
- (e) The licensee and the authorised supervisor of any children's service must ensure that the premises or home of the service are kept clean of garbage, rubbish and rubble.

5.12 Development and Play Equipment

- (a) Play equipment (whether fixed or not) used on the premises or home of any children's service must not constitute a hazard to children at the service because of:
- (i) the height from which a child can fall, or
 - (ii) the likelihood that a child can be trapped, pinched or crushed in the equipment or struck by it, or
 - (iii) sharp or rough edges and projections or rust, or
 - (iv) lack of stability, or
 - (v) The surfacing used underneath or around the equipment does not comply with the requirements of Australian Standards AS 4422 Playground Surfacing-Specifications, Requirements and Test Method.
- (b) Play equipment used on the premises or home must:
- (i) comply with Australian Standards AS 4685 Playground Equipment; and
 - (ii) be safe and in good repair.

5.13 Ventilation, Light and Heating

- (a) The premises or home of any children's service must be properly ventilated, with natural airflow to provide cooling, provide adequate lighting and heating.
- (b) All heating and home of any children's service must be adequately secured and guarded to prevent injury to children through contact with hot surfaces or moving parts or the emission of any sparks or flames.
- (c) The controls of all equipment on the premises must be guarded to prevent access by children.
- (d) Fans on the premises must be placed in a position that is inaccessible to children.

5.14 Fire Safety

- (a) The premises of any children's service must be equipped with:
- appropriately placed smoke detector;
 - a fire blanket kept adjacent to the cooking facilities; and
 - a fire extinguisher.
- (b) The licensee and the authorised supervisor must ensure that all fire protection equipment is used, tested and inspected according to regulations.

5.15 Hot Water

- (a) Hot water from any outlet accessible to children at the premises must be regulated to keep it below the temperature at which a child can be scalded or at a temperature as prescribed in the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Services Regulations 2004*.
- (b) In new centres, hot water should be provided using solar panels or other energy efficient technology wherever possible.

5.16 First Aid

- (a) The premises or home of any children's service must be equipped with a suitable and fully stocked first-aid kit approved by WorkCover Authority.
- (b) The first aid kit must be kept in a locked cupboard, and the key to the cupboard must be kept in a position immediately adjacent to the cupboard that is readily accessible to staff or a family day carer or home based licensee.
- (c) An adult and child cardio pulmonary resuscitation flow chart must be displayed in a prominent position on the premises or home of the service.

5.17 Plants

- (a) Any poisonous vegetation or noxious weeds at a carer's home must be identified and provision made to ensure that the vegetation is not accessible to children.
- (b) Any vegetation at the carer's home that can lead to injury or severe discomfort (for example, because of sharp prickles or prominent thorns) must be identified and provision made to ensure that the vegetation is not accessible to children.

6.0 REFERENCES

Further information is available primarily from the NSW Department of Community Services and the Commonwealth Department of Family and Community Services. A range of documents are available either from the departments directly, through their website or from the NSW Government Information Services Bookshop.

7.0 CONTACT DETAILS OF RELEVANT AGENCIES

Customer Services Centre

55 Spring Street, BONDI JUNCTION

Tel: (02) 9369 8000

Duty Planner

Tel: (02) 9369 8008

Recreation, Customer and Community Services

Waverley Council

Level 1, The Mill Hill Centre

31-33 Spring Street BONDI JUNCTION

Tel: (02) 9386 7999

Department of Community Services (DoCS)

Children's Services Adviser

Metro Central Sydney Office

55 Renwick Street REDFERN

Tel: (02) 8303 7600

Lady Gowrie Child Centre

Advisory Service

Tel: (02) 8594 4290

Tel: (02) 8345 7607

www.gowrie-sydney.com.au

Working With Children Check

Tel: (02) 9286 7219

www.kids.nsw.gov.au

Department of Education, Employment and Workplace Relations

Early Childhood

Tel: (02) 9246 0600

www.dest.gov.au

National Childcare Accreditation Council Inc.

Tel: (02) 8260 1900

www.ncac.gov.au

NSW Fire Brigade

Level 10, 227 Elizabeth Street

SYDNEY

Tel: (02) 9265 2999

www.nswfb.nsw.gov.au

NSW Government Information Service

Goodsell Building

8-12 Chifley Square

SYDNEY

Tel: (02) 9238 0950

Kid Safe: Playground Advisory Unit

Kidsafe NSW Inc

Tel: (02) 9845 0890

www.kidsafensw.org

NSW Commission for Children and Young People

Level 2, 407 Elizabeth Street

SURRY HILLS

Tel: (02) 9286 7276

www.kids.nsw.gov.au

Community Child Care Co-op

Building 21, 142 Addison Rd.,

Marrickville

Tel: (02) 8922 6444

www.ccccnsw.org.au

Australian Building Codes Board

www.abcb.gov.au

Tel: 1300 134 631

Part F Site Specific

F1 Bondi Junction Commercial Centre

Contents

1.0 Introduction	2
1.1 Land to which this Part applies	2
1.2 Submission of Applications	2
2.0 Objectives	3
2.1 General Objectives	3
2.2 Specific Objectives	3
3.0 Building Siting and Design	5
3.1 General Considerations	5
3.2 Skyline	5
3.3 Massing	6
3.4 Height	7
3.5 Roofline (Lift motor rooms and plant rooms)	9
3.6 Façade Treatment	11
3.7 Colonnades	15
3.8 Corner Sites	15
3.9 Access to Buildings	16
3.10 Community Crime Prevention	16
3.11 Roller Shutters	17
3.12 Carparking in Relation to Building Facades	17
3.13 Vehicular Entrances	17
3.14 Bicycles	18
3.15 Accessibility	18
4.0 Landmark and Heritage Considerations	18
4.1 Entry Points	18
4.2 Heritage Conservation	20
5.0 Environmental Considerations	23
5.1 General Considerations	23
5.2 Solar Access	23
5.3 Wind Effects	24
5.4 Reflectivity	29
5.5 Climate Control – Awnings and Trees	29
5.6 Energy Efficiency in Buildings	33
6.0 Streetscape and Pedestrian Amenity	35
6.1 Preliminary	35
6.2 Footpath Paving	35
6.3 Street Furniture	36
6.4 Outdoor Seating and Eating Controls	36
6.5 Outdoor Advertising Signs and Structures	37
6.6 Pedestrian Arcades Through-Site Links	40
6.7 Retention of Views from Public Places	42
7.0 Key Nodes – Objectives and Design Principles	42
7.1 General	42
7.2 Denison Community Nodes	44
7.3 Eastgate Node	45
7.4 Bus / Rail Interchange	46

F1 Bondi Junction Commercial Centre

1.0 INTRODUCTION

In 1991, Waverley and Woollahra Council adopted a Local Environment Plan for Bondi Junction Commercial Centre. The Plan enables common planning policies and controls to be administered jointly by both Councils. It established, among other things, land use and floor space ratio controls to support the role of Bondi Junction as a sub-regional centre of the Sydney metropolitan area.

The statutory provisions of the Local Environment Plan provide the framework for more detailed controls which are set out within this Part.

Bondi Junction Commercial Centre brings together a diversity of users, including local residents, regional shoppers, office workers, tourists, restaurant and club patrons, and people using public transport who pass through Bondi Junction on the way to the City or to the beach. To ensure that the future development of Bondi Junction meets the needs of all these users, its positive attributes and characteristics have been identified as the basis for improvement.

These are:

- (a) A concentrated retail and commercial core having good access to public transport;
- (b) Outward views of Sydney Harbour and surrounding district which enhances the environment for residents, shoppers and office workers;
- (c) A high topography and proximity to the coast bringing clean sea breezes which enables good air quality;
- (d) A cohesive presentation of retail shopfronts at a pedestrian scale;
- (e) An active link between the coastal tourist and recreational areas and the commercial and cultural influences of the city; and
- (f) An architectural heritage which is predominantly two storey commercial shopfronts flanking Oxford Street and Bronte Road.

This Part establishes the parameters for new development to enhance the character of Bondi Junction, and achieve the image of an attractive, vital and diverse, yet friendly and relaxed commercial centre.

1.1 Land to which this Part Applies

This Part applies to land commonly known as the Bondi Junction Commercial Centre, as shown edged heavy black in Figure 1.

1.2 Submission of Applications

Detailed requirements for the submission of development applications are contained in the Annexures of this Part. These are in addition to the requirements held in Part B. You should consult Council before submitting your application.

2.0 OBJECTIVES

2.1 General Objectives

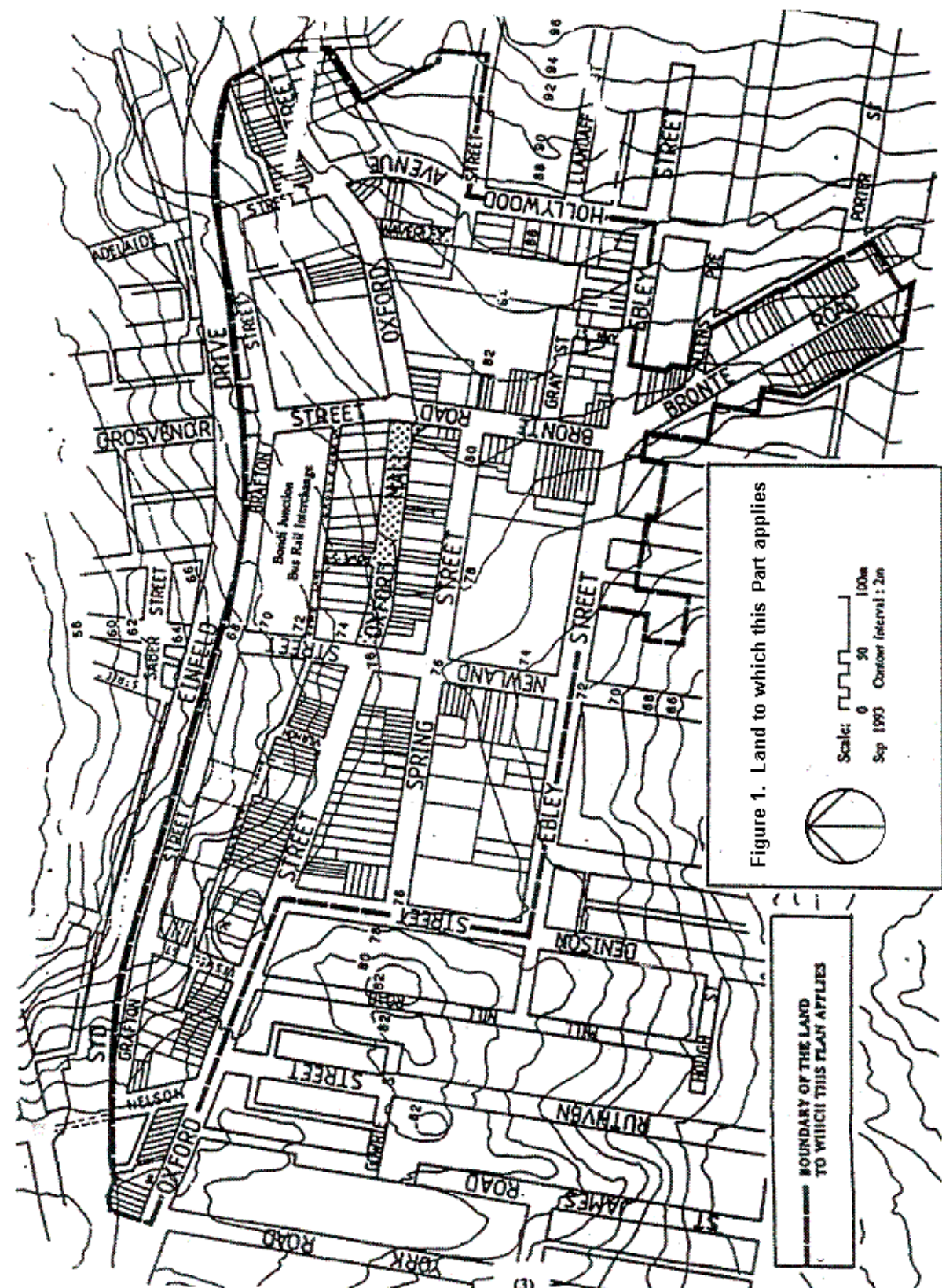
The general objectives of this Part are:

- (a) To make Bondi Junction Commercial Centre a more pleasant, attractive, and secure place for its users; and
- (b) To ensure that development considers the established built form and level of amenity enjoyed by the surrounding residential areas of Woollahra, Mill Hill and East Bondi Junction.

2.2 Specific Objectives

The specific objectives of this Part are:

- (a) To encourage high quality architecture;
- (b) To require new development to enhance the street environment and the general visual appearance of Bondi Junction by considering:
 - (i) Buildings and places of conservation value;
 - (ii) Close and distant views;
 - (iii) Established vistas;
 - (iv) Topography; and
 - (v) Points of entry to the Centre.
- (c) To encourage energy efficiency in the design and construction of buildings and to assist in the reduction of greenhouse emissions;
- (d) To protect access to sunlight and breezes;
- (e) To minimise the adverse effects of rain, strong winds, summer sunlight, reflectivity, noise and fumes on the users of the commercial centre;
- (f) To develop a comprehensive, compact, easy to follow, safe and accessible pedestrian network;
- (g) To maintain and improve the amenity of Oxford Mall and other pedestrian routes and spaces;
- (h) To ensure that buildings and places are physically accessible to as many people as possible;
- (i) To protect buildings and places of heritage significance;
- (j) To identify council's commitment towards a consistent approach to streetscape improvements in Bondi Junction;
- (k) To encourage people to circulate at street level and to discourage pedestrian overpasses and underpasses; and
- (l) To assess all applications for the construction of pedestrian over bridges on the basis of their likely impact on the:
 - (i) Streetscape and civic importance of that street;
 - (ii) Pedestrian amenity at street level, particularly having regard to loss of sunlight and shading of public places in retail streets;
 - (iii) Viability of shops at street level in the vicinity of an overbridge;
 - (iv) Conservation of any heritage items;
 - (v) Personal safety and security, particularly at night time; and
 - (vi) Efforts to provide pedestrian improvement at street level.



3.0 BUILDING SITING AND DESIGN

3.1 General Considerations

Traditionally, buildings in Bondi Junction have been small scale commercial terraces of 2 or 3 storeys, with facades that follow the street alignment and present a distinct rhythm of vertical and horizontal emphasis, using predominantly masonry material. Subsequent development has seen departures from this building form based upon economic considerations and architectural fashion.

Bondi Junction is identified as a Major Centre in the Department of Planning's Metropolitan Strategy. It is expected that development in this context will be substantial, having a major impact on the scale of Bondi Junction.

It is important that new development integrates with recognised positive aspects of the existing scale and character of Bondi Junction. This needs to be addressed at two levels. The form of new development has a responsibility towards ensuring that the skyline of Bondi Junction maintains appropriate building infill, while at the same time integrating with the established building form at street level. The transition between these two scales of development is important in the context of skyline and streetscape.

3.2 Skyline

Distant views of the Bondi Junction skyline have focused on a number of towers, each over 65m high. The location of the towers on an east-west alignment along the Bondi Junction ridgeline presents a skyline which has its greatest visual impact when seen from the north or south. Refer to Figure 2.

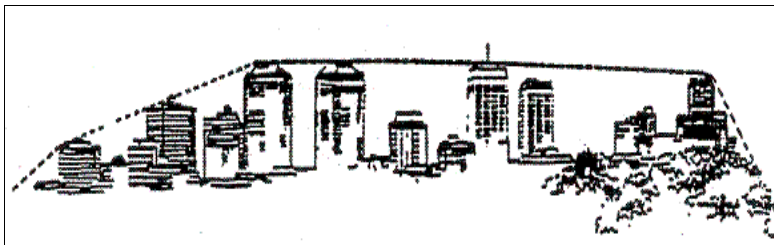


Figure 2. Skyline from south.

Generally, only development over 8 storeys high is likely to have an impact on the Bondi Junction skyline. The significance of this skyline is supported by controls to ensure that new development tapers down to meet the scale and proportion of surrounding residential development. These requirements will be further qualified by solar access requirements.

3.2.1 Controls

- (a) Development should reinforce the built form of Bondi Junction, with the highest buildings defining the east-west ridgeline, and with less intense developments stepping with the contours to the north and south, and tapering down in scale to the east and west.

- (b) The impact of a proposed development on the Bondi Junction skyline should be assessed at close range, from vantage points such as Queens Park, Centennial Park, Bellevue Hill and Syd Einfield Drive, and at distance range from vantage points such as Sydney Harbour. Consideration must also be given to the effect of the building design on the skyline when viewed from street level.

3.3 Massing

Massing refers to the way a building's height, bulk and scale are arranged in relation to the building site.

3.3.1 Controls

- (a) **Development in excess of 3 storeys** (or 9.5 metres) shall adopt a building form based upon podium and tower elements. This ensures that the building maintains the pedestrian scale of the street, while also contributing to the overall skyline of the junction.
- (b) The podium should align with the street boundary. It should provide a continuous façade to the street, and should identify with a pedestrian scale. The podium shall satisfy the requirements of clause 3.6 (Façade Treatment).
- (c) The tower shall:
- (i) be set back at least 3m from the street boundary;
 - (ii) be positioned to avoid creating a walling effect to the street;
 - (iii) maintain reasonable access to, sunlight, air movement and views and retain the privacy of occupants of mixed commercial/residential developments in its vicinity;
 - (iv) incorporate variations to its vertical form by, for instance, stepping back at upper levels and introducing elements of articulation in combination and roofline treatment; and
 - (v) satisfy the requirements set out in Clause 3.5 (Roofline).
- (d) **Where the development exceeds 8 storeys**, the tower element should comprise 3 components:
- (i) Transition, to articulate the podium to the tower's upper levels. The transition component may also serve an important function in dissipating wind down-draughts;
 - (ii) Main section, which requires a careful consideration of the size, number and proportion of window openings and balconies, colours and materials, as it will have a significant visual impact both when viewed from a distance, or locally in the context of the streetscape; and
 - (iii) Top, which should be designed to cap off the building and add interest to the skyline. This top element is likely to have significant impact on the skyline when viewed from a distance.

Refer to Figure 3.

3.4 Height

Existing building heights are mixed throughout the Bondi Junction Commercial Centre. Approximately 60% of buildings are one to two storeys; 30% are three to five storeys, and 10% are six storeys or more (as at 1994).

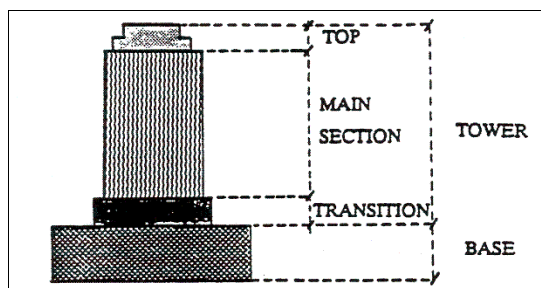


Figure 3. Components of larger building forms.

The distribution of 1 and 2 storey buildings is consistent throughout the commercial area, generally occupying small lots. The buildings reinforce the streetscape at the front building alignment. This is most apparent along Oxford Street and Bronte Road.

Large sites can be developed to 3 to 4 storeys at the street frontage, and this forms a podium to the tower building above. Examples include the Eastgate development and the Bondi Junction Bus/Rail Interchange/Meriton development.

Buildings of 8 storeys or greater are located evenly throughout the Centre, and they combine to create the skyline when viewed from a distance.

Building height controls play an important role by improving building to building relationships, enhancing areas of open space and preserving the amenity and character of areas of heritage significance. Height controls should provide for a smooth transition between areas of different uses and character.

3.4.1 Objectives

The objectives of height controls are to:

- (a) retain access to mid-winter sunshine on footpaths to commercial streets and to all neighbouring residential areas;
- (b) retain significant vistas or outward views of the Harbour from existing buildings, and where possible, from street level;
- (c) maintain street facades of a human scale;
- (d) integrate new development that does not dominate the scale of heritage buildings and areas of conservation significance;
- (e) reinforce streetscapes;
- (f) establish a transition in scale from neighbouring low rise residential areas, or from adjacent land uses of significant proportion, e.g., Syd Einfeld Drive;
- (g) encourage a cohesive skyline; and
- (h) ensure the access of breeze and reduced incidence of high winds at street level.

3.4.2 Height zones

Figure 4 is based on the above objectives and identifies general height controls on the basis of three zones:

(a) Perimeter and Central zone

This zone applies to the western end of Oxford Street and Grafton Street, to the southern side of Ebley Street, to the southern retail section of Bronte Road, and to the block bounded by Spring Street, Bronte Road, Grosvenor Lane and Newland Street. These areas are subject to a 15m height limit to ensure compatibility with the traditional character of the area and to provide for a transition to nearby residential areas. Further modifications to these maximum height limits may result from streetscape controls. Within this zone, the site at the western end of Oxford Street constitutes the entry point to the Centre when approached from the City and also terminates the vista along York Road. Due to its visual significance and separation from residential land, development on this site may be permitted to reach a maximum height of 18m if, in the opinion of the Council, the development will make a significant architectural contribution, create visual identity to the western entry point and enhance the streetscape and pedestrian amenity of the Centre.

The central block as listed above is considered as the “heart” of Bondi Junction with the civic space at the Oxford Mall. The height of buildings is restricted to the existing facades and 15m height limit. This is to ensure solar access and a sense of place for the heart of Bondi Junction.

(b) Intermediate zone

Buildings in this zone shall aid in the transition of building form from the core zone, to the scale of residential development at the southern perimeter of the commercial centre. Development in this zone is therefore limited to a maximum height of 28m (approximately 8 commercial or 10 residential storeys). However, if the Council is of the opinion that an application within this zone is inconsistent with the height control objectives (a) to (b), more restrictive height limitations will be imposed to ensure the amenity of the adjoining residential area is protected.

(c) Intermediate zone (street edge)

This zone as included in the intermediate zone would be subject to special consideration as the street façade and scale is to be retained. Consolidation of blocks will be discouraged and any development over and above the existing buildings needs to be fully justified in terms of historical building quality and street edge design.

(d) Core zone

Development in this zone is subject to a height limit of 56m (approximately 16 commercial or 20 residential storeys). This is the maximum height to which a building may be constructed. Subject to consideration of all the circumstances for each development proposal, and without unreasonably diminishing the redevelopment potential of a site and the Centre as a whole, a lower building height may be required in order to lessen the impact of a development in terms of overshadowing public and residential areas and to lessen the impact on views enjoyed from existing residential buildings.

(e) Core zone (street edge)

This zone as included in the Core Zone would be subject to special consideration in respect to street edge and façade. This is to achieve a “human scale” at street level and to provide for solar access.

3.4.3 Controls

- (a) Development shall not exceed the maximum height limits shown on Figure 4, unless it can be demonstrated, to the satisfaction of Council that any proposed increase in height is consistent with the height objectives. Supporting information including photomontages shall accompany any submission to vary specified height limits. Notwithstanding these height controls, other controls of this plan may also have an impact on the maximum height of individual buildings (see Clause 4.2, 5.2 and 5.3).
- (b) The height limits may be exceeded by parapet ornamentation, lift and stairwell towers, corner elements, plant rooms, antennae, and similar elements, provided that their design, in the opinion of Council, will not detract from the appearance of the building, or have an impact on solar access to surrounding areas.

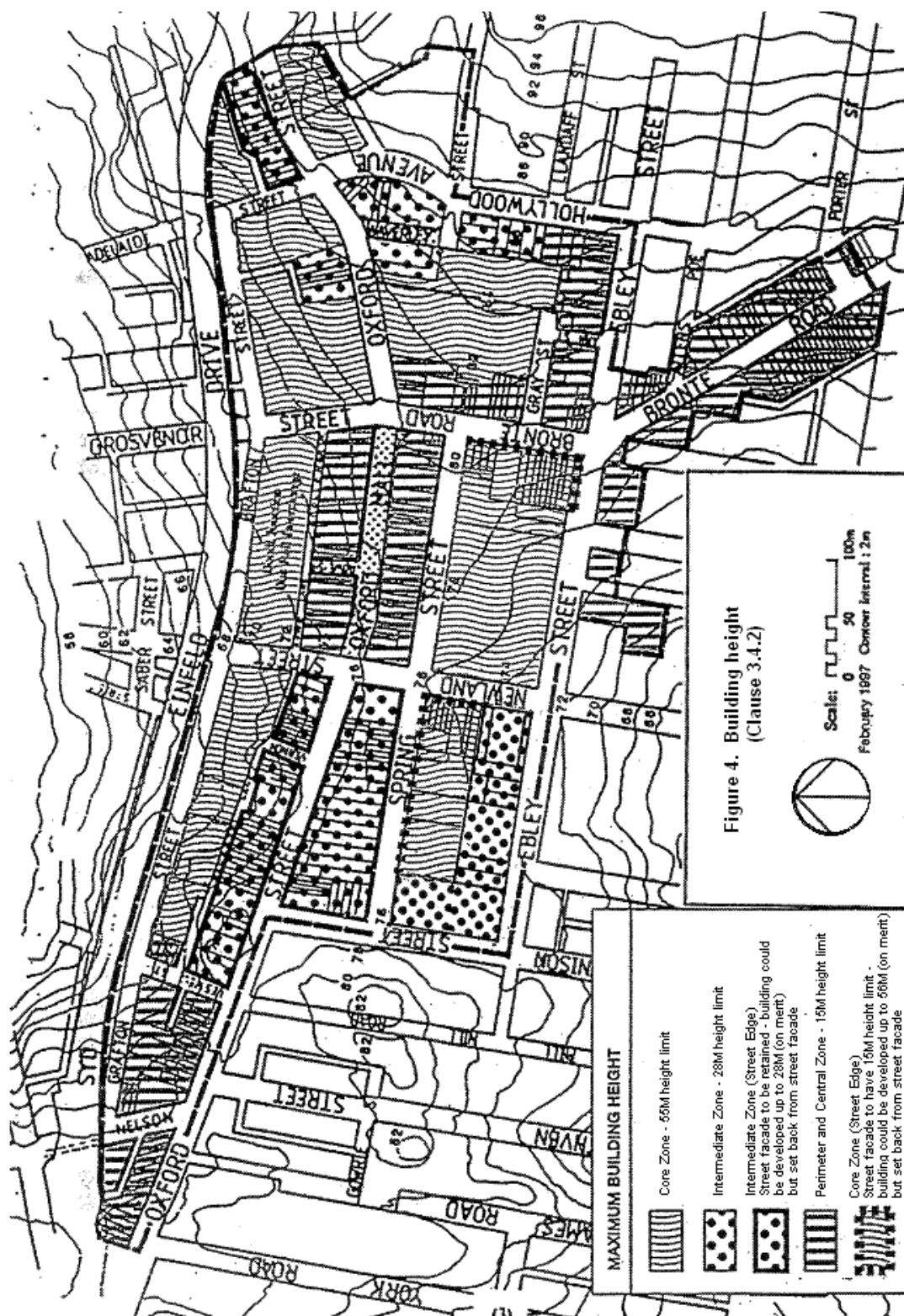
3.5 Roofline (Lift motor rooms and plant rooms)

3.5.1 Objective

The objective of roofline controls is to ensure that new development provides for an interesting and attractive skyline when viewed from close and distant vantage points.

3.5.2 Controls

- (a) The roofline of buildings, predominantly comprising lift motor rooms, plant rooms, and roof parapets, shall be designed as an integral part of a building’s architectural form. Curvilinear and stepped forms can help to finish off the building form, and provide interest to the skyline.
- (b) Lift motor rooms and plant rooms should be screened in a finish which integrates with materials used for the remainder of the building.



3.6 Façade Treatment

Proportion, articulation, fenestration, materials, detail and colour comprise the main elements of building facades. Commercial development in Bondi Junction reflects these elements in the form of facades built to the street alignment, and in the use of traditional vertical elements and building materials.

The following controls look at the treatment of facades at street frontage, up to a height of 3 storeys. This includes the podiums of large scale development, which are also required to conform to the traditional elements of shop front scale and proportion.

3.6.1 General Controls

Façade design at street frontage should:

- (a) address the street;
- (b) have regard for the character, proportion, scale, materials and colour of adjoining development; and
- (c) provide for interest and activities at street level, incorporating shop front window displays, pedestrian entrances, and similar elements.

3.6.2 Composition

At the early design stage, the key elements that will determine the façade character should be established in terms of the following:

- (a) Horizontal elements in building facades shall be designed to align with similar elements of adjoining buildings, particularly heritage buildings. Horizontal elements can be set by features such as base courses at ground level, string course, cornices, parapets, eaves, awning height, door and window heads and sills.
- (b) Vertical elements are set by features such as engaged vertical piers, vertical windows and changes in façade plane. The width of bays should be proportionate to traditional shop front forms, generally 4m to 6m, to reflect the pace of pedestrian movement. The objective is to establish a well proportioned rhythm between buildings and streetscape, and to reduce the impact of building bulk created by large unbroken expanses of wall.
- (c) Ornamentation including string courses, masonry surrounds to window and door openings, brackets, corbels, pediment ornamentation and the like, shall be reinstated where damaged or missing on existing buildings. New development may reflect such elements without necessarily trying to replicate them.

3.6.3 Building Alignment

Physical definition of the street and public spaces is achieved by building to the street alignment. Any setback from the street alignment should be for significant public spaces only. Where private open spaces create a break in the building alignment, these gaps can be visually closed by using formal planting at the boundary, or by architectural means, such as framed structures.

3.6.4 Materials

Materials should be selected to enhance the architectural style, era and form of adjacent buildings of good architectural character. The objective is to ensure a sense of streetscape integration.

- (a) Above-awning facades should present more solid surface area than glazed area, and should have a minimum masonry component of 30%. Where the building is identified as having conservation value, a different standard may apply (refer clause 4.2.1(d)).
- (b) Buildings of traditional design shall not have their facades obscured by panelling or cladding.
- (c) Large, unbroken expanses of masonry wall surface area shall be avoided. The façade should be modulated using surface area relief or contrasting façade materials.
- (d) New development which creates a blank side wall on a common boundary exposed to public view should provide facade articulation and other elements of interest, regardless of whether the exposure of the common boundary shall be for the long or short term.

3.6.5 Colour and Finishes

- (a) The following guidelines shall be considered in the selection of a colour scheme for new development and in the restoration of existing facades:
 - (i) Base Colours – Those used on the primary façade of the building shall be light in tone. Colour intensity (or hue) should be minimal. Primary colours and white should be avoided, as these detract from the prominence of other façade details.
 - (ii) Highlighting Colours – Those used to highlight string courses, parapet details, window and door mouldings and the like, should be in sufficient contrast to the base colour but having single tonal intensity. Primary colours should be avoided. Details should be finished in a matt to semi gloss range.
 - (iii) Trim Colour – Window frames and awning fascias should be darker contrast to base and highlight colours. Window frames should be finished in either a semi gloss or full gloss.
- (b) When repainting existing buildings, colours should generally be evocative of the era of the building.
- (c) The use of corporate colours to identify a business name shall be limited to signage, and shall not be used as the main building façade colour.

3.6.6 Façade Design in Relation to Vistas

A view seen through a long narrow passage, avenue, or street is called a vista. In the context of Bondi Junction, vistas can be grouped into two categories, as a result of its street layout:

- (a) Primary or Frontal Vistas – When the object (say a building façade) at the centre of the vista is seen frontally. This generally occurs at “T” or “Y” intersections, where the vista is terminated by a building at the end of the street. Spring Street is one example where this occurs in both directions. See Figure 5.

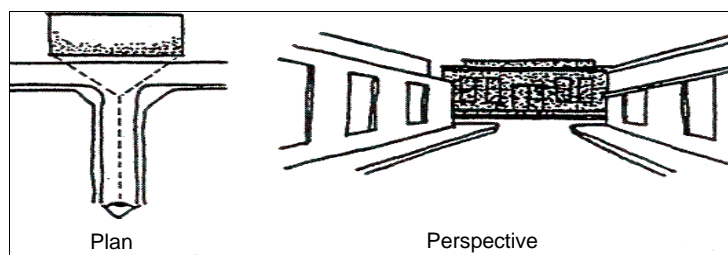


Figure 5. Primary Vista (T-intersection).

- (b) Secondary or Skewed Vistas – Where the buildings at the centre of the vista are seen at an angle. This happens when the street alignment has a change of direction. See Figure 6.

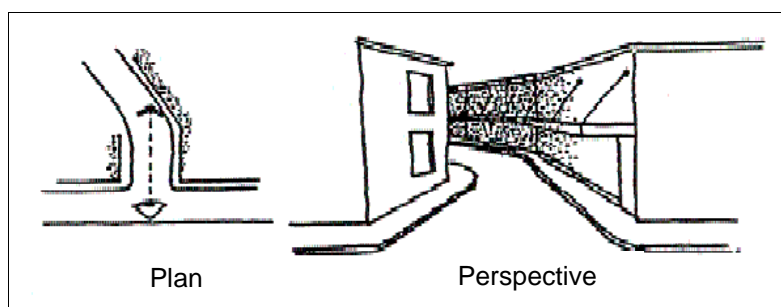
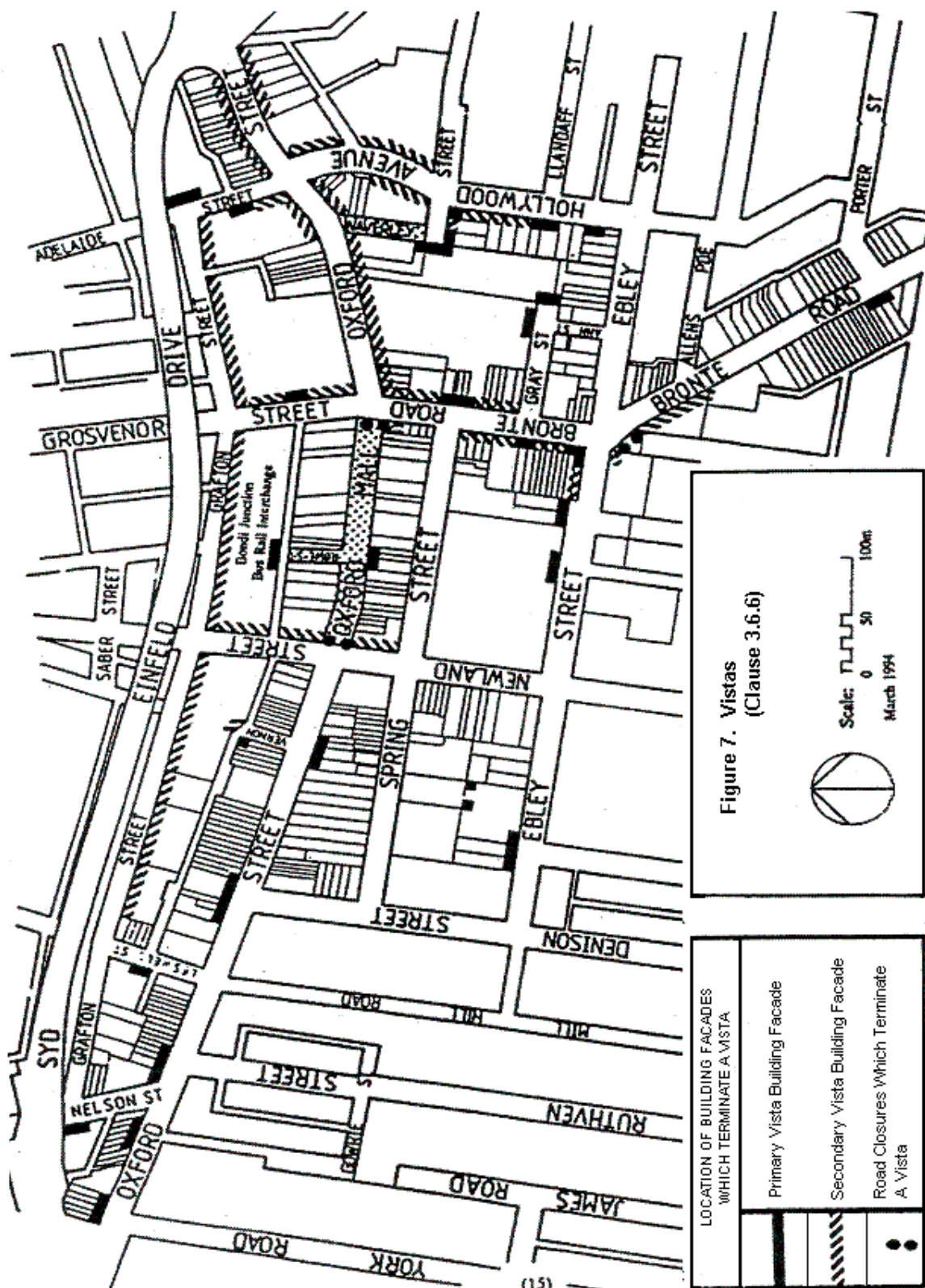


Figure 6. Secondary vista.

The map at Figure 7 overleaf shows the location of facades which terminate a vista. These are classified as either primary or secondary vista building facades. Other taller facades located behind those shown on the map, and in the direction of the vista, will form a backdrop, and will reinforce the vista. Buildings that terminate or form a backdrop to a vista, should be carefully designed, giving specific attention to façade composition and fenestration details.



3.7 Colonnades

Colonnades are generally discouraged because they tend to obscure shopfront window displays when viewed from an oblique angle, and this can represent a trading disadvantage. Colonnades can disrupt established streetscapes where the traditional cantilevered awning is used. They also create opportunities for concealment, making users vulnerable to threat of attack.

Traditional cantilevered shopfront awnings are favoured instead as they provide continuous protection to pedestrians from the effects of wind down draughts, rain and sunlight.

The use of a colonnaded façade will be considered in some circumstances; for example, where a development adjoins a public space or a building of conservation significance.

An effective compromise to the limitations of colonnades outlined above is to combine a 1.5m wide recessed colonnade with a 1.5m wide cantilevered awning projecting over the footway (see Figure 8). Figure 16 shows the locations within the Bondi Junction Commercial Centre where a combined awning and colonnade should be used.

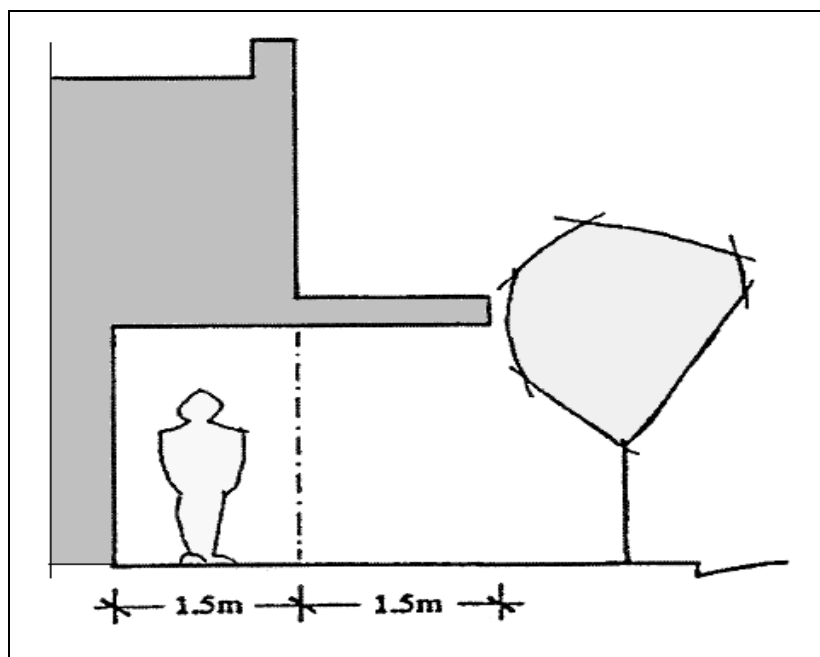


Figure 8. Combined Awning / Colonnade.

3.8 Corner Sites

Corner sites can be used to define a point of entry to the commercial centre, establish the character of a street block or to accentuate the major point of entry to a building.

Opportunities for design and emphasis include:

- (a) greater building height at the corner, above the established building height;
- (b) splayed or chamfered corners; and
- (c) a change in façade alignment, or a contrast to the vertical or horizontal division of adjacent building facades.

3.9 Access to Buildings

Accessible buildings benefit a large number of people, including older people, young children, parents carrying babies in strollers, and people with disabilities. All people have the right to access employment, recreational, retail and other opportunities the Commercial Centre offers. Accessible buildings are an asset to the community as they contribute to improving the quality of life of its members.

The main features of accessible buildings are:

- (a) ramps instead of or in addition to steps;
- (b) larger areas for lobbies, lifts, toilets and showers;
- (c) wider doorways and corridors;
- (d) appropriately designed stairways;
- (e) special or additional handrails, handles, signs and lighting; and
- (f) firm slip-resistant floor surfaces, with a texture that is traversable by wheelchair.

3.9.1 Controls

- (a) Development shall comply with the provisions of Part D3 of the Building Code of Australia.
- (b) The provisions held in Part J1 – Access for People with Disabilities should be considered in the preparation of any proposal for the commercial centre.

Parking level facades should relate to the scale, massing, proportions, materials and finishes of adjacent buildings and should be designed as an integral part of the main façade.

3.10 Community Crime Prevention through Environmental Design

Crime Prevention through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. This section seeks to enhance the safety of developments and minimise crime, specifically:

- (a) enhancing safety by reducing opportunities for crime to occur;
- (b) improving observation of public and private spaces;
- (c) optimising the use of public spaces and facilities by the community; and
- (d) promoting the design of safe, accessible and well maintained buildings and spaces.

The following key principles should be applied to the design and management of land uses to reduce opportunities for crime:

- (a) Surveillance – encourages opportunities for casual surveillance;
- (b) Accessibility and target hardening – restricts access and maximise use of appropriate security measures;
- (c) Reinforce territory/space management – encourages ownership of communal areas and sense of community and formally supervise/care for urban space; and

(d) Defensible space – appearance that space is cared protected. For the purposes of development within the Bondi Junction Commercial Centre it is necessary to apply controls within Section 2.9 of Part E1 to ensure that development and landscaping within a given site enhance security and feelings of safety.

3.11 Roller Shutters

Roller shutters are sometimes introduced as a precautionary measure, to protect glass shopfronts from anticipated damage resulting from break and enter, but they can be damaged and defaced, as a reaction against what is perceived to be part of a harsh environment.

The introduction of roller shutters, particularly along Oxford Mall, can transform this type of space into a neutral, alien environment for its users. Window shopping, and hence the legitimate presence of people on the street after hours, is discouraged when window display shopfronts are replaced with roller shutters. A well lit shopfront which openly and honestly displays the internal parameters of the shop will be less of an incentive to vandalism and provides visual security against intruders who attempt to gain entry.

3.11.1 Controls

- (a) Roller shutters on shopfronts are prohibited.
- (b) Roller grilles on standard shopfronts are discouraged.
- (c) Applications involving a change of use of retail premises shall be required to retain or reinstate the window shopfront.
- (d) Where the nature of the proposed retail activity does not warrant a window shopfront display, the Council may instead give consideration to folding or sliding glass doors. Consider incorporating expanding security doors and grilles behind the display. These can be custom built to meet specific requirements, and when folded away during trading hours, require an absolute minimum area of retail floor space.

3.12 Car Parking in Relation to Building Facades

Where possible, car parking should be located below ground level and should not be visible from the street. Car parking at or above ground level should be screened behind a façade which is visually integrated with the main building form. Car parking should not take the place of shopfronts at street level.

3.13 Vehicular Entrances

Vehicle entrances should have the least possible impact on pedestrians using the footpath, and should comply with the following controls:

- (a) Vehicle entrances to street frontages should be a maximum of 3.3m wide. Vehicle entrances adjacent to each other should be separated by a minimum of 600mm.
- (b) Doors, gates, shutters or grilles should be recessed from the face of the surrounding wall by at least 200mm.
- (c) Vehicular entrances should be carefully designed and detailed to present an attractive appearance to the street.

3.14 Bicycles

A series of bicycle networks link together at Bondi Junction, using roads which have been selected for their minimal grade, road surface, and safety, in terms of cyclist/vehicle conflicts.

As a commuter link to the City, a well utilised bicycle network can help to reduce vehicle generated trips and commuter parking demands. To provide an appropriate destination point for shoppers, commuters and workers who cycle to Bondi Junction, secure bicycle storage and change room amenities need to be provided.

3.14.1 Controls

- (a) All major development must provide for secure bicycle parking, with suitable access, such as ramps. Development in excess of one million dollars shall provide shower and changing facilities.
- (b) Where bicycle storage has been provided, the building entrance must be signposted to direct cyclists to the appropriate area within the building.

3.15 Accessibility

Council seeks to ensure that all new and refurbished buildings provide access for people with disabilities as required by the Federal Government's *Disability Discrimination Act (DDA 1992)* 1992. Council also seeks to promote recognition and acceptance within the community of the principle that persons with disability have the same rights of access as the rest of the community.

All applications lodged within the Bondi Junction Commercial Centre should be considered with regard to accessibility pursuant to provisions held within Section 2.10 of Part E1 and Section 7 of Part D2 as relevant, in addition to the Building Code of Australia (BCA) and relevant Australian Standards.

4.0 LANDMARKS AND HERITAGE CONSIDERATIONS

4.1 Entry Points

Entry points include buildings, landmarks, or locations which indicate a change of land use activity. In Bondi Junction, they define the main points of entry to the commercial centre. These have been identified in Figure 9.

The points of entry to the Bondi Junction Commercial Centre serve as gateway identifiers, indicating the point at which residential areas become commercial areas. At these points, the visitor should feel a sense of arrival or departure areas from the commercial centre.

4.1.1 Control

New development in immediate proximity to an identified entry point should address the entry point through subtle changes in height or façade treatment. This could be by means of a partial additional storey or parapet extension. Splayed setbacks and interesting architectural treatments should be used to announce each point of entry to the commercial centre. Elements such as clock towers, spires, and a change in colours and materials can help to differentiate or accentuate the corner from the lateral aspect of the streetscape.

4.2 Heritage Conservation

Oxford Street and Bronte Road are of historical significance for the local community as the focus for the retail precinct which developed around the tramway in the late 19th early 20th Centuries. The streetscape character at this time was based on a “corridor” of two to three storey buildings. These were built to the street alignment and featured decorative parapet lines.

The facades to most of these buildings have since been altered (particularly at the ground floor) with a number of sites being completely redeveloped. The former character of these streets still remains and provides important information about how the area developed.

Environmental Heritage can be taken to mean those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance for Bondi Junction. It is not solely the age of a building which causes it to be considered as an environmental heritage item.

The conservation of Bondi Junction’s environmental heritage plays an important role in helping us understand our past and present environment. As such, buildings of conservation significance have been identified on Figure 10. It includes heritage items as well as buildings having a degree of conservation status.

The characteristics and features of such buildings need to be considered when planning new development adjacent to, or in close proximity. New buildings, if not designed sensitively to be compatible with their surroundings, can have a negative effect on the appearance and atmosphere of historic buildings in the area.

4.2.1 Controls

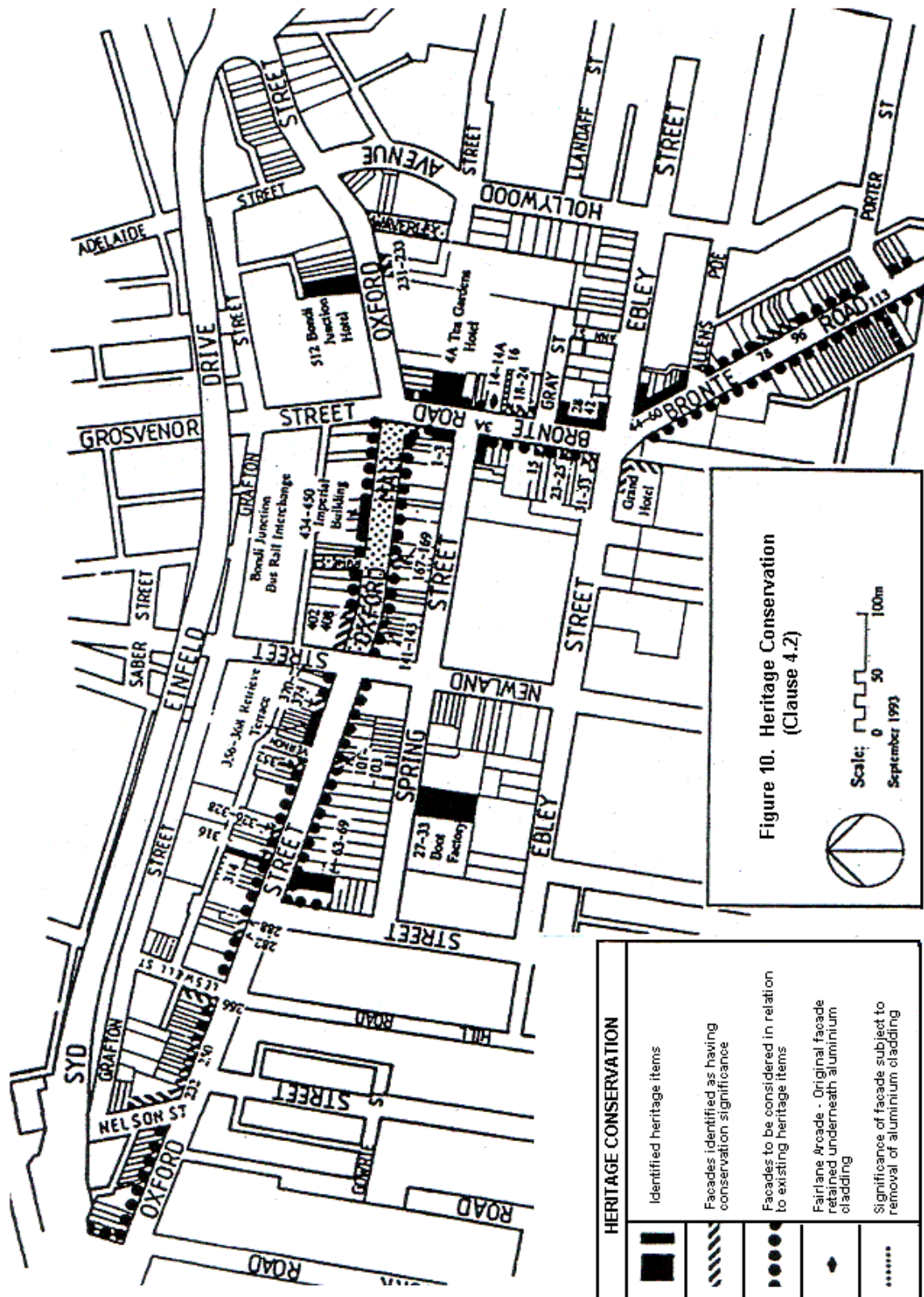
New buildings should establish an harmonious relationship to existing adjacent buildings of conservation significance in terms of scale, form and materials, without attempting to imitate these buildings. Development which tries to duplicate existing heritage buildings only tends to detract from their authenticity.

The potential impact of new development on buildings of conservation significance will be assessed having regard for the following criteria:

(a) Height/Scale/Alignment

Section 3.6 of this Part addresses façade treatment in detail. Particularly on matters of composition, building alignment, material, finishes and colours.

The main buildings in Bondi Junction which help to establish a sense of heritage character are the 2 to 3 storey Victorian rendered masonry commercial facades along Oxford Street and Bronte Road. New development along these street frontages shall make provision for a 2 to 3 storey elevation at the street alignment incorporating traditional cantilever awnings. Building facades which are subject to this requirement are shown in Figure 10.



(b) Façade materials

The façade above awning level shall reflect the materials used on traditional Victorian facades, using either a solid masonry finish, compressed fibrous cement panelling, or similar. Bricks having a heavily mottled or textured finish, such as sand stocks or clinkers, should be avoided, as the surface finish is likely to dominate other features of the façade. The use of cladding or other similar prefabricated materials shall be avoided.

It is neither necessary nor appropriate to provide decorative detailing to the façade in order to copy the features of an adjacent heritage façade. Attention should instead be given to façade composition, including window proportion and the ratio of solid to void. These are explained in clauses (c) and (d).

(c) Window Proportion

Windows and openings above awning level should be of vertical proportion to preserve the unity of the streets façade. Their proportion should reflect an appreciation of the predominant architectural styles adjacent buildings.

Window openings should be evenly spaced and centred within the façade bays. Window frames, if constructed in aluminium, should be of a commercial scale and powder coated to complement the colour scheme of the façade. Domestic scale aluminium windows are not appropriate to the commercial shop fronts in Oxford Street and Bronte Road.

(d) Solid to void ratio

This is the ratio of solid surface area of the façade to the area of the window and other openings. The above-awning façade fronting Oxford Street, Oxford Mall and Bronte Road, should have a solid to void ratio of approximately 60:40.

(e) Façade modulation

Where the site to be developed incorporates a number of original retail shop sites, the bulk of the new façade can be reduced by dividing it into units of equal proportion, generally of between 4 to 6 metres, reflecting the traditional proportions of adjacent buildings. The division of the façade can be accentuated by vertical engaged piers.

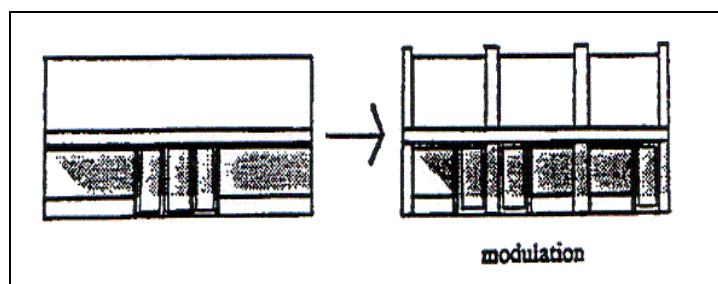


Figure 11. Façade modulation.

(f) Colour

On each shop front, there is the scope to apply an individual colour scheme, having regard for the principles in Clause 3.6.5. While a consistent scale and proportion provides unity to the row of shop front facades, a range of colour finishes can provide variety and interest to the streetscape at pedestrian level.

The selection of colours should not be restricted to commonly defined “heritage colours”. Many companies in promoting a special heritage collection may provide only a limited selection from their range. Applicants can discuss any matters concerning façade treatment or colour selection with Council’s heritage adviser.

5.0 ENVIRONMENTAL CONSIDERATIONS

5.1 General Considerations

Building design plays a decisive role in the comfort and amenity of commercial centres. Building height, massing and cladding, for instance, may affect solar access, air movement and glare conditions in the vicinity.

The provision of footpath awnings and trees for new development and the design of buildings for energy conservation may help to improve air quality and indoor and outdoor comfort levels. The following controls aim to optimise the contribution of development in the creation of a pleasant environment for Bondi Junction.

5.2 Solar Access

The amenity of a place is greatly enhanced when it is sunlit during the colder part of the year. Winter sunlight provides warmth and light, and is a source of delight for the senses.

Winter sunlight is particularly welcome in private open spaces, habitable rooms of residential buildings, and in public areas frequently used by pedestrians such as malls, parks and the footpaths of commercial streets.

5.2.1 Controls

- (a) Development should not cause additional overshadowing on land and buildings within surrounding residential zones or on public open space such as Clementson Park, Oxford Mall and the footpaths of the commercial centre.
- (b) The Council may approve a proposal which will result in additional overshadowing, but only to the extent necessary for the proposal to achieve permissible floor space ratios or to comply with other Council requirements.
- (c) Applications for new buildings or extensions to existing buildings must be accompanied by shadow diagrams. Please refer to Annexure F1-1 for shadow diagram requirements.
- (d) If the shadow diagram shows that the proposal will increase existing overshadowing, the applicant must submit a written statement addressing the points listed in subclause (e), giving justification for the increase.
- (e) A proposal resulting in additional overshadowing will be assessed having regard to:
 - (i) The extent of the additional overshadowing; and
 - (ii) The effect of the additional overshadowing on the amenity of the affected area, and the minimum solar access requirements shown in Figure 12.

- (f) If an existing development overshadows surrounding areas beyond the requirements shown on Figure 12 any future development on the site (such as extensions to the existing buildings or rebuilding after demolition) should be designed in accordance with those requirements.

5.3 Wind Effects

5.3.1 Natural wind patterns in Bondi Junction

Bondi Junction Commercial Centre experiences a high frequency of natural wind currents, mainly as a consequence of its location and landforms.

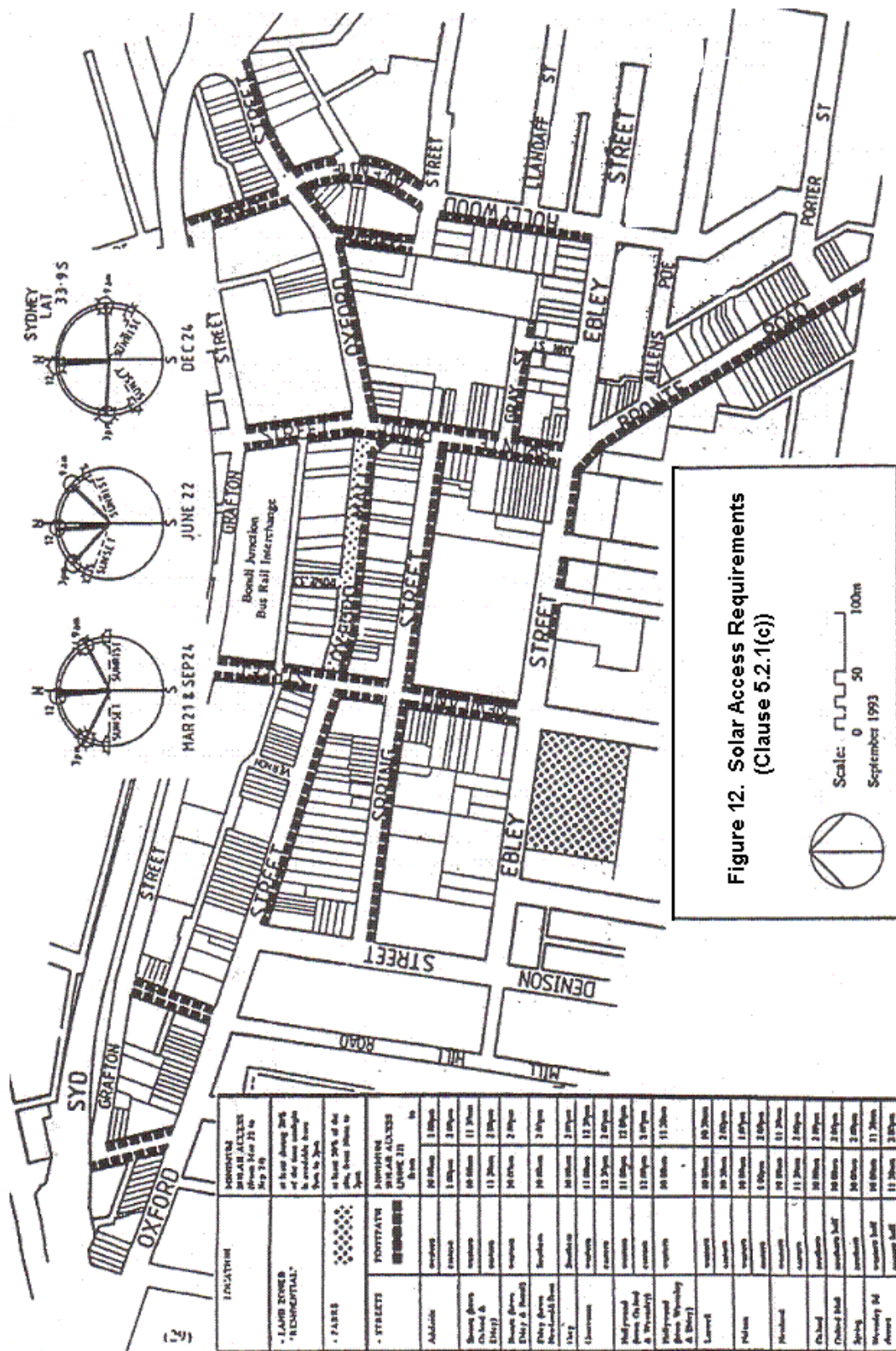
The Centre is located on a ridgeline, close to the highest point in the Sydney area south of the Harbour.

The ridgeline at this point takes the form of a saddle, with its centre at Newland Street, between Oxford Street and Spring Street. From this central point the land rises up gently towards east and west, and drops down rather more steeply towards north and south. This geographical disposition results in the area being highly exposed to oncoming winds.

The Centre's proximity to the waters of Sydney Harbour and the South Pacific Ocean also plays an important role in wind conditions, mainly by influencing wind directions during the day and throughout the year.

In the morning the prevailing winds come from the west and the north-west (except during summer months, when the prevailing winds come from the west in December and from the south in January and February).

In the afternoon, the wind's direction is somewhat reversed, as the prevailing winds come from the east and the north-east (except during the winter months, when the prevailing winds come from the south in June and from the west in July and August). Southerly storms occur throughout the year, but with greater frequency during summer.



5.3.2 Effect of buildings on wind conditions

Natural wind conditions are intensified by certain types of buildings by the way they relate to the surrounding area. In this section, those buildings are called exposed buildings.

A building may be considered exposed if:

- (a) Half or more of its height rises above surrounding buildings (see Figure 13); or

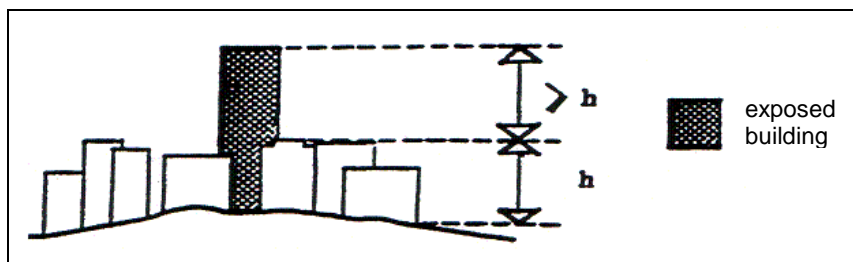


Figure 13. Exposed Building – Height.

- (b) The building lies on the perimeter of a built up area (see Figure 14).

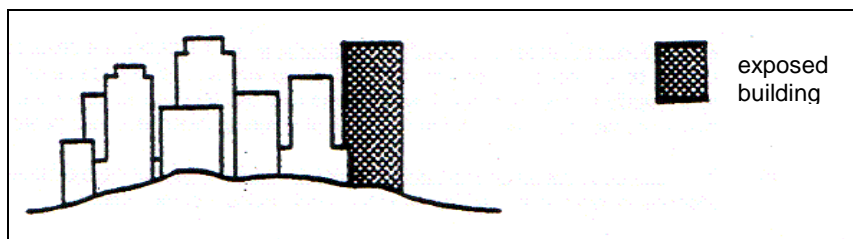


Figure 14. Exposed Building – Location.

Exposed buildings are likely to create unpleasant and even dangerous high winds, mainly in three locations: at the base, around corners or through arcades or other openings at the base of the building (see Figure 15).

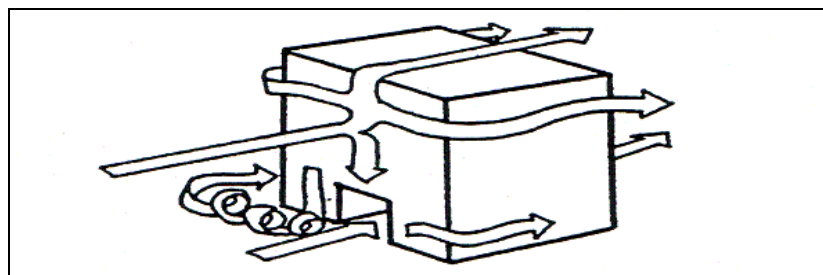


Figure 15. Wind movements in and around exposed buildings.

As the wind speed and turbulence increase, so does the degree of discomfort. For example, winds at a speed of 5 metres per second create a feeling of discomfort, winds of 10 metres per second become definitively unpleasant, while at 16 metres per second create difficulty in balance when walking. A wind speed of 23 metres per second could make a frail person fall to the ground. Sudden changes in wind speed or direction will further increase the feelings of discomfort and levels of danger mentioned above.

5.3.3 Guidelines for avoiding the creation of adverse wind conditions

The following guidelines shall be considered in the design of exposed buildings to avoid the creation of undesirable wind conditions at ground level and above ground areas proposed to be used for outdoor activities.

- (a) Use multi-sided, stepped, circular, or modified rectangular plan forms in preference to pure rectangular forms. Buildings of decreasing width with height (tapered buildings) may help to reduce the impact on ground level wind conditions.
- (b) Place the exposed building upon a podium or provide a large continuous canopy at its base. The exposed section of the building (ie. the tower) should be sited at an appropriate distance from the edge of the podium (a minimum of 3 metres) to be effective. The podium helps to dissipate downward wind movements.
- (c) Avoid openings through a building at ground level. If arcades are proposed it will usually be necessary to protect the entrances with self-closing doors or strategically placed screens. A wind tunnel test can be used to determine if these measures are necessary and in the case of screens, determine their position.
- (d) Prevent pedestrian access to areas where high winds cannot be eliminated. Planting or fencing should be used to direct pedestrian movement.
- (e) Careful consideration should be given to the location of outdoor areas of the building. Windy corners may not be an appropriate location for balconies. Podiums may be unsuitable on windy days for outdoor activities such as cafes and sitting areas, unless other measures are proposed to reduce the wind speeds, such as dense canopy planting, awning or covered pergolas.
- (f) Undertake Preliminary wind studies during the early design stages. It is during these stages that fundamental changes can be made without excessive cost. There are three types of studies that can be undertaken, each providing a different level of resolution. The three study types are briefly outlined below.
 - (i) Wind Opinion. A wind opinion study involves an inspection of the site of the proposed development and architectural drawings. From this, an opinion of the likely wind effects from the development is determined. The information contained in a Wind Opinion Report does not detect specific problems. Rather, it provides information on the broader effects, such as the prevailing wind conditions in the surrounding pedestrian areas. It is generally the case that the findings from a Wind Opinion study are verified by a wind tunnel test, once a final development plan has been determined.
 - (ii) Flow Visualisation Study. This type of study relies on a wind tunnel simulation. It represents an inexpensive method of detecting areas having potential wind problems and involves the use of a simple, small scale model together with flow visualisation techniques. This determines wind flow patterns around the building at ground level and can identify areas with

potential high wind speeds. Actual wind speeds, and the acceptability of areas for different activities, cannot be determined by this kind of study (more detailed information can only be determined by measuring the wind speed). This can only be done by conducting a wind tunnel study.

- (iii) **Wind Tunnel Study.** A Wind Tunnel Study is the most effective way to determine the wind conditions generated by a proposed development. Wind speeds are measured in all outdoor areas around a proposed development, and acceptability is determined by comparing these to appropriate criteria. (If this type of study is conducted during the early planning stages, after the initial establishment cost, any modifications to the building can be tested relatively inexpensively). The conclusions derived from this study can be incorporated directly into a wind tunnel report, to meet the requirements of Clause 5.3.4 (c).

5.3.4 Controls

- (a) Buildings shall not create uncomfortable or unsafe wind conditions in public areas such as footpaths and parks, or in private spaces used by pedestrians such as arcades, terraces and colonnades.
- (b) Buildings should not create wind conditions which would exceed the "Acceptable Criteria for Environmental Wind Conditions" set out in Table 1.
- (c) All application for buildings over 35 metres in height (measured from ground level) and for any other building which may be considered an exposed building shall be accompanied by a wind tunnel report. Refer to Annexure F1-2 for requirements regarding the preparation of this report.

Classification	Human Activities	Annual Maximum Gust u = peak gust wind speed
D – Dangerous	Completely unacceptable: people likely to get blown over	$u > 23\text{m/s}$
W – Windy	Unacceptable as main public access ways.	$23\text{m/s} > u > 16\text{m/s}$
M – Moderate	Acceptable for walking, main public access ways.	$16\text{m/s} > u > 13\text{m/s}$
G – Gentle	Generally acceptable for walking and stationary, short exposure activities such as window shopping, standing or sitting in plazas	$13\text{m/s} > u > 10\text{m/s}$
C – Calm	Generally acceptable for stationary, long exposure activities such as in outdoor restaurants and theatres	$10\text{m/s} > u$

Table 1. Acceptance Criteria for Environmental Wind Conditions.

Note: The above criteria are based on research work undertaken by W H Melbourne ("Criteria for Environmental Wind Conditions", Journal of Wind Engineering and Industrial Aerodynamics, vol.3, pp. 241 – 249, 1978) and are in agreement with criteria developed by other researches around the world.

5.4 Reflectivity

5.4.1 General

Solar reflection from the external surface of buildings can create uncomfortable and unsafe conditions for pedestrians, drivers and occupants of other buildings, and reduce the amenity of streets, parks and other public or private spaces.

Solar reflection may also increase the temperature of affected surfaces such as footpaths, roadways, courtyards, facades and roofs. In addition areas which are shaded in summer either by orientation or by shading devices may be adversely affected by low angle solar reflection, creating additional heat loads for buildings, and discomfort for people.

Problems associated with adverse solar reflections from building surfaces can be minimised by:

- (a) Limiting the use of large areas of glass in facades to a maximum of 60% of the façade surface area;
- (b) Introducing as much diffuse reflective (matt) surfaces into facades as possible;
- (c) Shading glass areas with horizontal, vertical or diagonal shading devices; and
- (d) Avoiding the use of reflective glass.

The form and orientation of buildings may also influence the amount and intensity of solar reflection. Glazed curved facades and glazed sloping roofs, including footpath awnings, can produce unexpected glare problems.

5.4.2 Controls

- (a) Development shall be designed and sited to minimise adverse solar reflection.
- (b) Mirrored glass and other highly reflective materials should not be used on building exteriors.
- (c) Façade treatments containing large areas of glazing, even of quite low reflectivity, are to be avoided.
- (d) Reflected solar glare on drivers should not exceed 500 candelas per square metre. A candela is the base unit for measuring luminous intensity under the International System of Units (SI).
- (e) All applications for buildings which incorporate large areas of glazing (either clear or highly reflective) in external surfaces above ground floor level must be accompanied by a reflectivity report. Refer to Annexure F1-3 for requirements regarding the preparation of this report.

5.5 Climate Control – Awnings and Trees

5.5.1 General

Climate control measures, such as the provision of awnings and tree planting, increase the attraction of a commercial centre by creating pleasant environments. Awnings protect pedestrians from rain, downdraughts of wind and summer sun and create spaces at a pedestrian scale along the street edge.

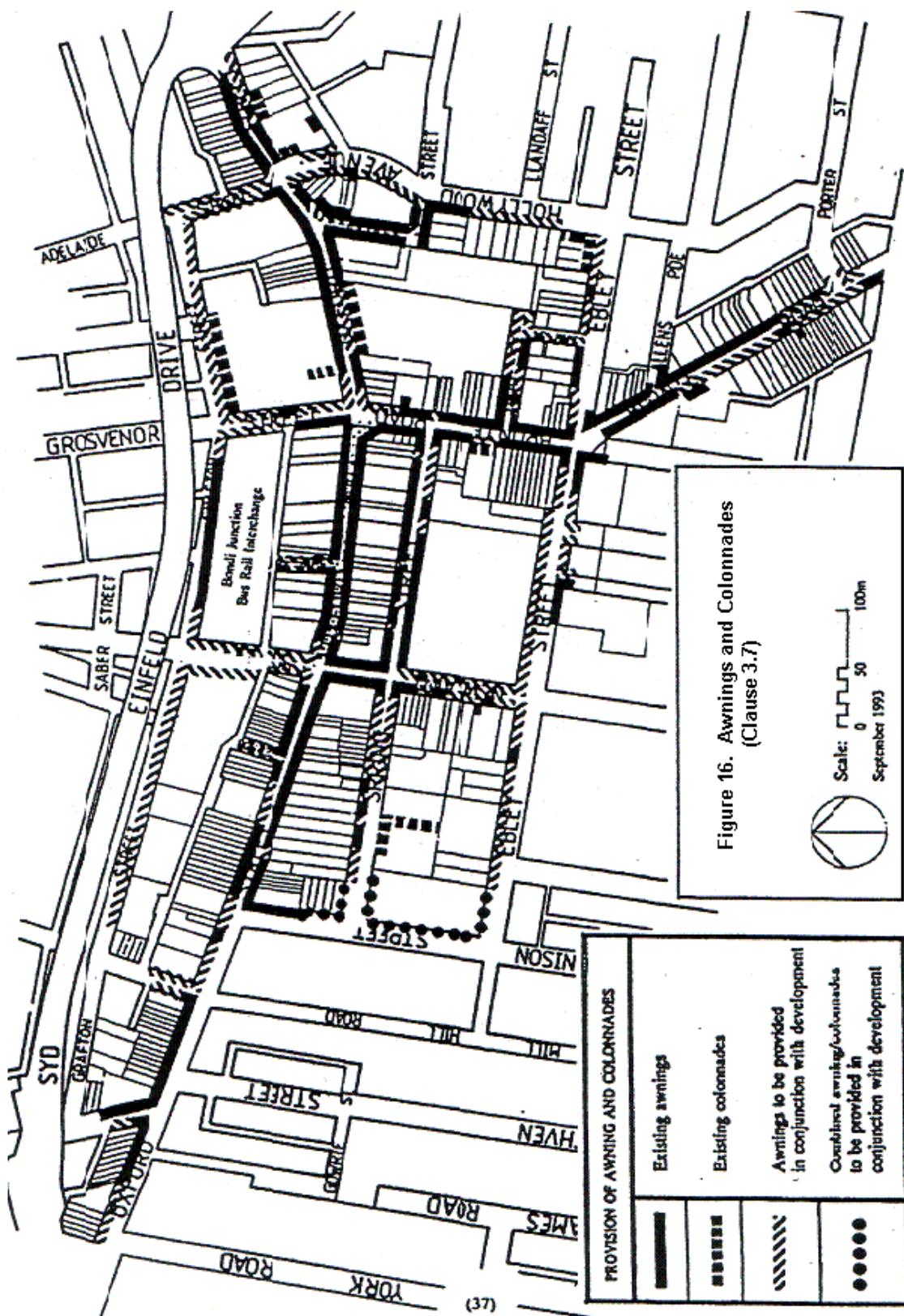
Trees provide summer shade, mitigate wind effects, have the potential to increase the energy efficiency of buildings, enhance the streetscape and most importantly, improve air quality by absorbing the carbon dioxide emissions from cars and other sources. Refer to the Bondi Junction Technical Manual (2000) and the Bondi Junction Urban Design Framework (October 1999).

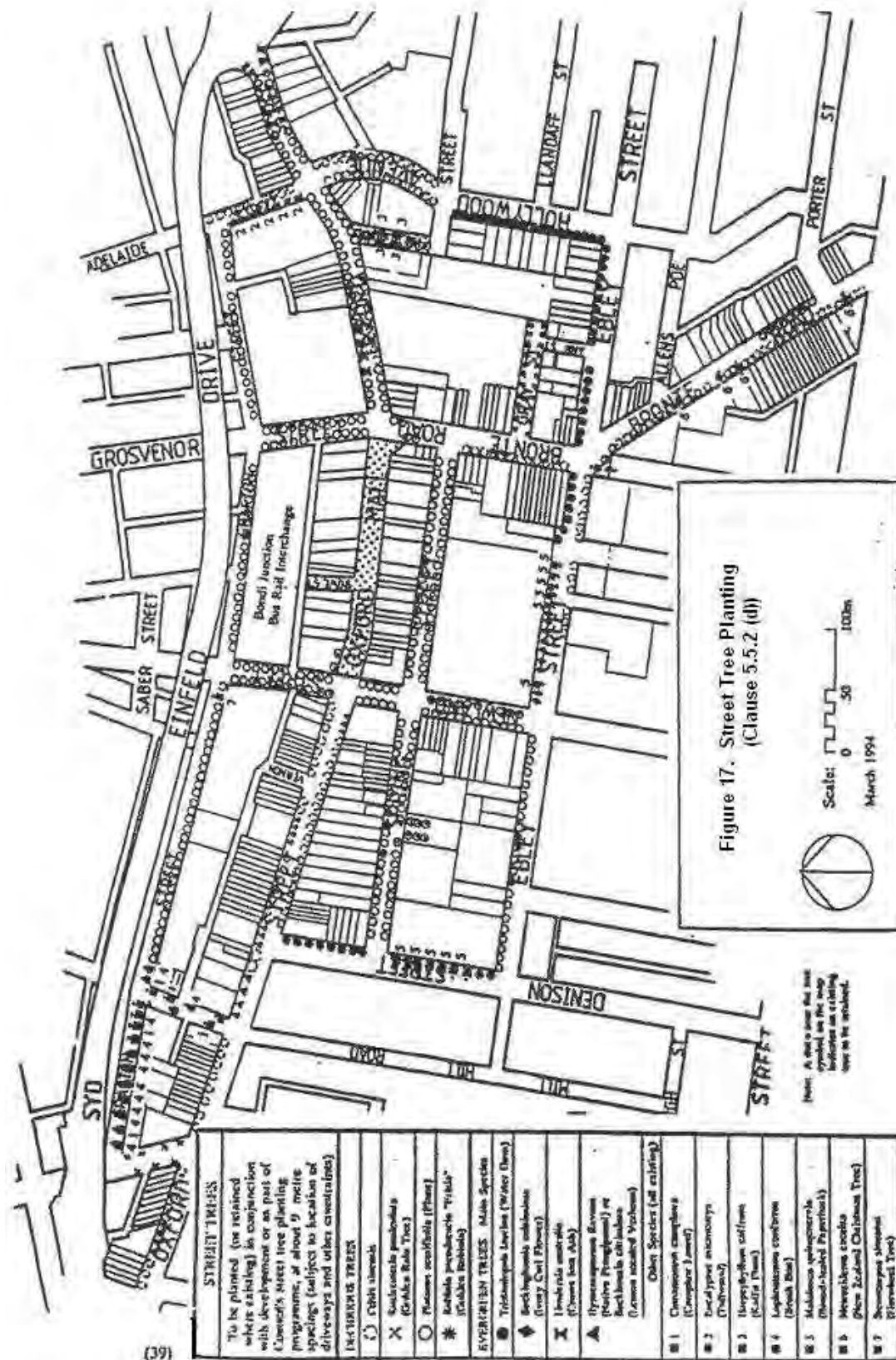
5.5.2 Controls

- (a) Development shall provide for climatic control in the form of awnings and tree planting in the locations shown on Figures 16 and 17.

Awnings

- (a) Existing awnings of traditional design should be retained. Any new awning should satisfy the requirements of this section.
- (b) New awnings should:
- (i) be of opaque materials; glass awnings will generally not be permitted as they do not protect people from summer sun. They present an untidy appearance unless regularly cleaned, and contribute to heat build-up on footpath surfaces;
 - (ii) be continuous for the whole length of the site frontage, including any vehicular entrance, where a stepping up of the awning can satisfy height clearance requirements;
 - (iii) be set back 600mm from the footpath edge;
 - (iv) have openings of a suitable size to accommodate the growth of street trees, where required;
 - (v) be weather sealed to the face of the buildings to which they are attached, and to the sides of adjoining awnings;
 - (vi) have a height clearance above the footpath between 3 metres and 4.2 metres, to the satisfaction of the Council, as follows:
 - where the footpath is relatively flat, the awning should be of a constant height, and generally coincide with the height of adjoining awnings, and/or
 - where the footpath is sloping, the awning should maintain the horizontal alignment, stepping down at regular intervals to follow the topography;
 - (vii) be of a traditional box form, with a minimum slope to allow for water drainage. Sloping or curved awnings are discouraged as they generally disrupt the visual continuity of the streetscape;
 - (viii) complement and enhance the façade of the building to which they are attached;
 - (ix) be in harmony with the architectural character of adjoining awnings, if those awnings contribute to the quality of the streetscape; and
 - (x) be kept in a good state of repair, both in terms of visual appearance and structural stability.





Trees

- (a) Figure 17 shows the location and species of street trees to be planted (or retained where existing) in conjunction with development or as part of Council's street tree planting programme.
- (b) Tree species shown on Figure 17 were selected having regard to the following principles:
 - (i) use of a 'tree' form; that is, trunk and canopy, rather than shrubs;
 - (ii) avenue planting;
 - (iii) streetscape continuity;
 - (iv) unifying or screening effect;
 - (v) theme planting to establish streetscape character, express gateway locations, or to indicate the boundary of the commercial centre;
 - (vi) use of deciduous trees where availability of sunlight is important; and
 - (vii) retention of trees of historic significance and infill planting with trees of the same species.
- (c) The tree species shown on Figure 17 may need to be modified after consideration of localised limitations such as soil depth, power lines, wind conditions, awnings, sunlight access, and Sydney Water requirements.
- (d) The size of trees at the time of planting shall have a minimum container size of 100 litres, and a minimum height of 3500mm, subject to species specification.
- (e) All trees are to be protected by a metal tree guard, of a design to the satisfaction of the Council and of sufficient dimensions to deter casual damage by pedestrians and vehicles.
- (f) Existing trees to be retained shall be adequately protected during construction works to ensure their survival and future healthy growth.

5.6 Energy Efficiency in Buildings

The design, construction and fitting of a building directly affects its energy consumption. The efficient use of non-renewable energy supplies can be achieved by reducing energy consumption. This in turn contributes to the maintenance of environment quality through a reduction in greenhouse gas emissions.

Buildings which use less energy more efficiently provide benefits to the community, and to the occupant through reduced running costs and greater comfort levels. Energy efficiency needs to be considered at the design stage to ensure both passive and active solar design measures are considered.

Retail and commercial components of applications for major developments (over \$500,000 cost of construction) are to be accompanied by an energy-performance report. Refer to Annexure FI-4 for requirements regarding the preparation of this report.

For all residential development, the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 requires all residential

development to meet water and energy targets.

Development in Waverley Council area shall comply with the provisions of Part G2 Solar Access. Development north of Oxford St (previously held within the Woollahra Council area) must comply with the following guidelines (i.e., 5.6.1 and 5.6.2)

5.6.1 Guidelines for Commercial Buildings

The following guidelines apply to buildings used as offices for professional or commercial purposes:

- (a) Commercial buildings should be sited and designed to allow maximum daylight into working areas.
- (b) An elongated building form with the longer axis running in an east-west direction is recommended to optimise access to daylight and minimise windows on the eastern and western facades.
- (c) Window size should serve to admit daylight into working areas. Large windows are discouraged as they are potential sources of heat loss in winter and heat gain in summer.
As a general rule, areas of standard single glazing should not exceed 50% of the total wall area.
- (d) The area of east and west facing windows should be minimised as these sides receive sunlight at a lower angle and are more difficult to shade in summer.
- (e) Windows which are exposed to direct sunlight should be shaded from October to March to reduce heat gain during the warmer part of the year.
- (f) Shading can be achieved:
 - on north facing windows by using horizontal elements such as roof projections, awning or the projecting floor of upper balconies.
 - on east or west facing windows by using vertical elements such as slats or louvres, or a combination of vertical and horizontal elements.Shading devices can be accurately designed using solar charts and shadow angles.
- (g) Air infiltration should be minimised by adequate sealing of external building materials, to assist in reducing heat loss in winter and heat gain in summer.
- (h) Energy efficient light fittings should be used and control equipment enabling the illumination of isolated areas should be installed.

5.6.2 Guidelines for Retail Buildings

These guidelines apply to shops and other buildings used for the sale of goods by retail or the supply of services directly to the public.

- (a) Lighting, heating, ventilation and air conditioning systems used in retail buildings should be energy efficient to reduce energy consumption.
- (b) Glazed and transparent roofs should be shaded in summer to reduce heat gain.

- (c) Cooling devices such as fridges and freezers should not be located in direct sunlight, so as to prevent additional heat load on such equipment.

6.0 STREETScape AND PEDESTRIAN AMENITY

6.1 Preliminary

The streetscape is made up of a number of elements which contribute to the character and amenity of streets and public spaces. These include the colours and materials used on buildings facades, street furniture such as seating, litter bins, lighting and planter boxes, advertising signage, awnings, footpath paving and tree planting.

The combination of elements which make up the streetscape should reflect a human scale, using materials, colours and forms to create interest and vitality. In addition to providing guidelines to developers and architects on streetscape initiatives, this Part identifies the approaches Council will take to improve the character and amenity of the streetscape in a consistent manner. The principles are outlined here to show how new development can be further enhanced through cohesive streetscape improvement initiatives. Refer also to the Bondi Junction Technical Manual (2000) and the Bondi Junction Urban Design Framework (October 1999).

6.2 Footpath Paving

The selection of footpath paving is based on the objective of promoting a high standard of visual quality and pedestrian amenity.

The type of paving to be selected should be applied uniformly throughout the Bondi Junction Commercial Centre, with the exception of pedestrian malls and other specific areas such as building entrances, footpath widening, or transitions from heavily used to lightly used pedestrian areas which may adopt a particular theme.

Footpath paving shall have regard to the following principles:

- (a) The overall paving theme should contribute to an image of Bondi Junction as a vibrant, attractive, friendly and relaxed commercial centre;
- (b) Paving colour and texture should be coordinated with the design of street furniture;
- (c) More A one paving material or colour should be selected to avoid a monotony of surface area, and to assist in identifying a physical character for Bondi Junction Commercial Centre;
- (d) The selection of any header course should be designed to integrate with and acknowledge tree surrounds and other elements of street furniture;
- (e) In the selection of any paving units, rumbled or chamfered edges should be avoided, as these create difficulties with cleaning, and cause damage to high heels;
- (f) The colour of paving material should be easily distinguishable from the colour of the road surface, to highlight the different functions they serve;
- (g) Light coloured paving materials should be avoided as they

generally darken in areas of heavy pedestrian movement, create uncomfortable glare for pedestrians when sunlit and a clean visual appearance is difficult to maintain.

- (h) Highly polished and other slippery surfaces should be avoided as they can be dangerous during wet weather;
- (i) The material selected should be affordable, cost effective in maintenance, and subject to long term availability; and
- (j) The paving material should be able to be readily and uniformly reinstated, following access by service authorities.

6.3 Street Furniture

Street furniture which relates to a theme and is applied uniformly throughout the commercial centre will help to create a strong sense of character for Bondi Junction.

- (a) In the selection of street furniture, the following matters shall be considered:
 - (i) Individual elements such as seating, lighting, litter bins, tree guards, sign posts and planter boxes should be coordinated in design, colour and materials. They should be functional and attractive.
 - (ii) Materials and form should be able to withstand intentional vandalism. Ease of maintenance should be a priority in response to damage from bill posters, spray can vandalism and skate board riders.
- (b) In the location of street furniture, the following matters shall be considered:
 - (i) Seating should be positioned in combination with tree planting to ensure the provision of summer shade.
 - (ii) Litter bins should be located close to food outlets, adjacent to seating areas, at the entrances to pedestrian arcades, and at the perimeters of the retail precinct.
 - (iii) Directional signs should be prominently located.
 - (iv) Community noticeboards should be provided and strategically positioned to discourage bill posting of street furniture such as lamp posts.
 - (v) In areas of heavily pedestrianised movement, bus stop seating should be located to avoid conflict with pedestrian movements.
 - (vi) The location of street furniture should have regard for the access requirements of service and emergency vehicles and for the access and egress requirements of passengers boarding and alighting buses at bus stops.
- (c) The content of public transit and other information displays should have regard for the need of users, and be legible, visible, comprehensible and up-to-date.

6.4 Outdoor Seating and Eating Controls

Footpath restaurants are an appropriate way of focusing on the outdoor character of Bondi Junction. They make available opportunities for outdoor leisure in conjunction with working or shopping activities, and help to satisfy the demand for recreation space in the commercial centre.

A footpath seating application is required for any area proposed to be leased or licensed for a footpath restaurant. Following granting of consent, a licence is then issued. The requirements for lodging an application for a restaurant on the footpath are included in Part E3 Footpath Seating for Restaurants.

6.5 Outdoor Advertising Signs and Structures

6.5.1 Desired Character

Signs which are well designed and located can contribute to the quality and character of a streetscape. They can add vitality and interest to commercial centres, providing helpful information for its users.

6.5.2 Objectives

To provide guidelines for the site, shape and position of outdoor advertising signs which will enhance:

- (a) The general character and attractiveness of the streetscape;
- (b) The architectural integrity of the subject building and adjacent buildings;
- (c) The amenity of any adjacent non-commercial or residential uses;
- (d) The safety of pedestrians and traffic; and
- (e) Harmony with other features, having particular regard to the size and juxtaposition of other signs in the immediate vicinity. Refer to Figure 18.

6.5.3 Controls

General Controls

- (a) Signage should relate to the use of the building on which it appears and be designed to complement the established streetscape character and the views and vistas identified in this Part.

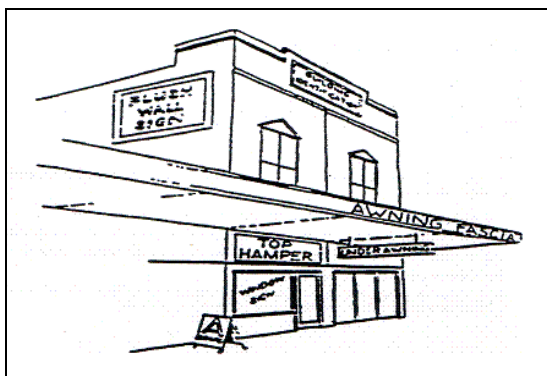


Figure 18. Types of signs.

- (b) Design and Location: Features of the architecture of the building shall be considered in the design of the advertising sign or structure.

Signs should not obscure decorative forms or moulding and should observe a reasonable separation distance from the lines of windows, doors, parapets, piers, and the like.

(c) Proportion: Signs should be of a size and proportion which complement the scale of the existing façade, as well as surrounding buildings and signs. The design scale of lettering should be proportioned to the area of the panel to which it will be applied.

(d) Colour: The colour used in the design of an advertising sign or structure should complement the colour finish of the building to which it will relate.

Corporate colours should be limited to the advertising sign or structure, and should not be applied to the painted surface of the building. Careful consideration should be given to the use of illuminated red, green and amber colours in proximity to signalised intersections, to avoid the likelihood of motorist misinterpretation.

(e) Illumination: Illumination of signs by floodlighting is preferable over the use of boxed fluorescent or neon lighting on buildings and place of architectural significance. Floodlit illumination can also highlight the features of such buildings.

The use of neon tubing to highlight the features of any building will not be permitted. For top hamper signs, consider using neon or skeletal backlit signage in preference to boxed fluorescent signs to help soften the impact of the sign and to complement the shop façade. Illuminated signage on buildings exceeding eight storeys can be viewed from the Harbour. Notwithstanding its regional significance, it is not intended that Bondi Junction compete with the established illuminated skylines of the City of Sydney or North Sydney. Any corporate advertising on the Bondi Junction skyline should only be for the purpose of serving the immediate region.

(f) Number of Signs: The number of proposed signs per building or site shall take into account the following:

- (i) The number of existing signs on the subject premises;
- (ii) The proportion of solid (wall surface area) to void (window and door openings) available for signage;
- (iii) The length of frontage to the premises; and
- (iv) The extent of façade detail and projecting features of the building which should remain unobscured by signage.

Specific Controls

(a) Under awning signs, both illuminated and non-illuminated, shall:

- (i) Have maximum dimensions 1800mm x 300mm;
- (ii) Be erected in a horizontal position at right angle to the building façade;
- (iii) Have a minimum clearance of 2650mm above the footpath;
- (iv) Be separated by at least 3000mm from other under awning signs; and
- (v) Be setback 600mm from the footpath edge.

(b) Top hamper signs:

- (i) May project up to 100mm from the building façade;
- (ii) Shall have a minimum clearance of 2130mm above ground level;
- (iii) Shall have dimensions proportionate to the size of the top hamper fascia;

- (iv) Shall not exceed 600mm in height, with a maximum length of 4000mm;
- (v) Shall be restricted to one sign per premises, unless the Council considers the buildings frontage sufficient to accommodate more than one such sign;
- (vi) Should allow a proportion of the wall surface area of the top hamper to be exposed; and
- (vii) Shall be set back 600mm from side boundaries to satisfy fire regulations. Refer to Figure 19.

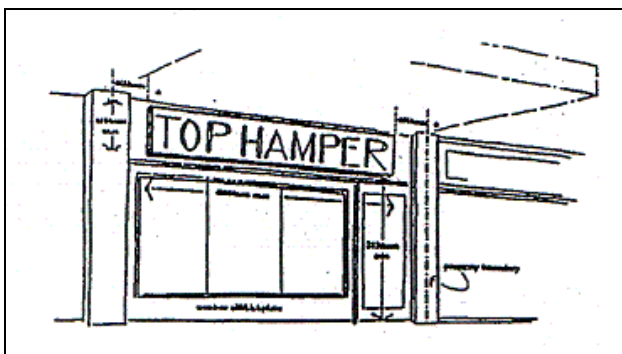


Figure 19. Top hamper sign.

- (c) Window shopfront Signs – Window shopfront signs, particularly those using fluorescent in iridescent paints, shall be temporary in nature, and shall not cover more than 60% of the window surface area. Refer to Figure 20.

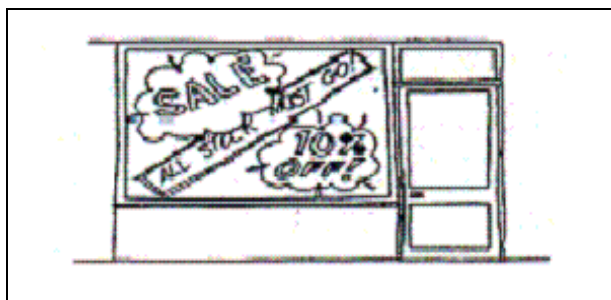


Figure 20. Window shopfront signs.

- (d) Awning Fascia Signs – Awning fascia signs shall be part of the awning and not illuminated. They should not project above or below the awning fascia. Sign writing shall be limited to the street number, name and general nature of the business. Product identification on awning fascias is not permitted. Where a building comprises a number of tenants, such as in an arcade, the awning fascia should identify the name of the arcade only.
- (e) Flush Wall Signs – Opportunities may exist for flush wall signs on the blank side or rear walls of some buildings, provided that:
 - (i) The commodities or services advertised are sold within the premises to which the sign is affixed or painted;
 - (ii) The total area of signage is no greater than 4.5m²; and
 - (iii) The number of such signs is limited to one only.
- (f) Above Awning Signs – These may be permitted above awning height on buildings of traditional design which incorporate a place for an advertising panel (generally at parapet height). The content of the sign should relate only to the business name or services provided.

- (g) **Building Identification Signs** – These should be located at building parapet height, for the purpose of identifying the building. They will be permitted where, in Council's opinion, there is sufficient wall surface area to display the sign, and where the sign is proportionate to the façade area, and appropriate to the design and decoration of the building. Where the building comprises a number of tenants, only one identification sign will be permitted to identify the building or the principal tenant. Such signs shall only be permitted where that tenant occupies floor space above awning level.

Building identification signs should be positioned at the local point of the building façade, generally central to the top parapet, and shall not project by more than 300mm from the wall. They shall be integrated with the character and form of the buildings and shall not alter its roofline. Building identification signs will not be permitted on mixed commercial/residential buildings.

- (h) Refer also to the controls in section 8.4 of Part E2 – Advertising Signs and Structures.

6.5.5 General Matters

- (a) The following will not be permitted:
- (i) Wall signs projecting more than 300mm from the wall.
 - (ii) Flashing or moving signs.
 - (iii) Advertising on display window piers or below the display window sill/kick plate.
 - (iv) Sky, roof, or fin signs.
 - (v) The display of bunting, banners, canvas, or fabric signs.
 - (vi) Inflatable signs and the like.
 - (vii) Advertising on garbage bins, telegraph posts, telephone booths, or other surfaces of a public nature.
 - (viii) Any sign which in Council's opinion, would adversely affect the operation of traffic lights, distract motorists or obstruct their vision.
 - (ix) Third party advertising.
 - (x) A-Broad (sandwich boards). Shopkeepers located within a shopping arcade are encouraged to jointly erect business directory instead of the incremental placement of A-Boards within an arcade.
 - (xi) Advertising on canvas shade blinds.
- (b) Notwithstanding the provisions of subclause 6.5.5(a), the Council may give consideration to temporary advertising in the form of bunting, banners, inflatable or canvas signs for special events such as openings, festival, fetes, seasonal promotions, and the like, provided that the temporary display period does not exceed four weeks.
- (c) The requirements for the preparation of a sign application are listed in Annexure F1-5.

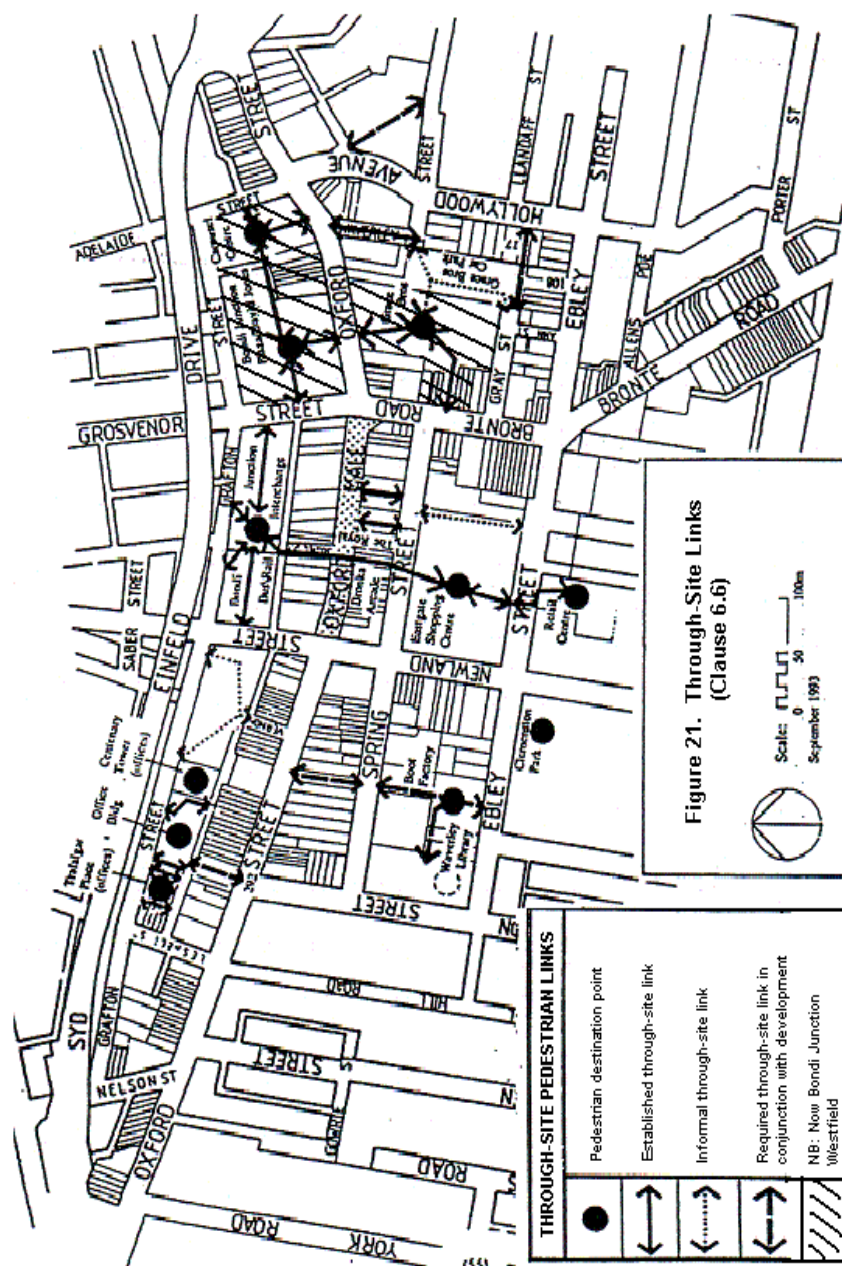
6.6 Pedestrian Arcades and Through-Site Links

Figure 21 shows the major pedestrian destination points around Bondi Junction. By providing for direct pedestrian movement between these destination points, pedestrian travel times can be reduced, and this

contributes to the amenity of users of the Junction. Through-site links can help to concentrate pedestrian movements across streets, thereby helping to reduce pedestrian/vehicle conflicts. Some linkages are provided informally such as department store through-site connections or short cuts through car parks. Others are more defined in the form of pedestrian arcades, which have the additional attraction of retail frontage.

6.6.1 Controls

- (a) Where new development involves site consolidation resulting in frontage to two streets, provision shall be made for pedestrian access, according to Figure 21.



- (b) The through-site link shall preferably provide all weather protection incorporating appropriate surface finishes and adequate safety lighting. Where possible, it should incorporate places to rest, wait, or eat.
- (c) A minimum width of 3 metres, clear of any obstruction, should be provided for pedestrian movement.
- (d) Pedestrian use of through site links should be available at least between the hours of 6:00am to 10:00pm daily.

6.7 Retention of Views from Public Places

Views from public places are part of the identity of an area and enhance people's sense of orientation. Significant views from the Bondi Junction Commercial Centre include the harbour views, the spire of the Holy Cross Catholic Church in Adelaide Street.

6.7.1 Controls

- (a) Development should allow the retention of views to places of scenic, historic or architectural value, as shown on Figure 22.
- (b) Where possible, new development should help to establish new views by creating gaps between buildings, particularly in those areas identified on Figure 22 as having view potential.
- (c) Landscaping of open spaces should allow for the retention of existing or potential vistas or views.

7.0 KEY NODES – OBJECTIVES & DESIGN PRINCIPLES

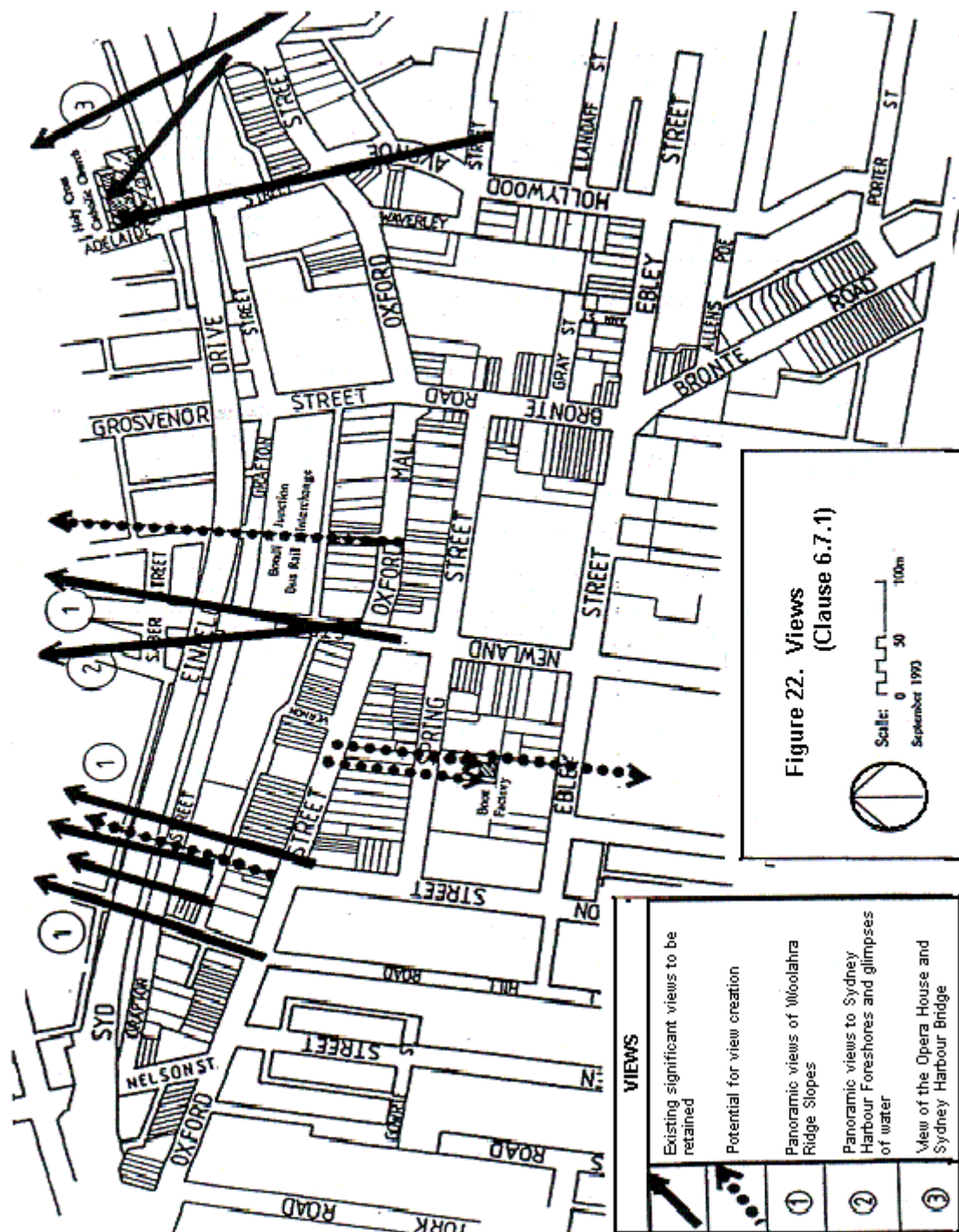
7.1 General

Bondi Junction Commercial Centre has been divided into four precincts or "Nodes" because they have different characters and functions. (although the Westfield and the Bus/Rail Interchange/Grafton Street Nodes have been developed). The remaining 2 nodes have a different set of objectives and Design Principles which are outlined on the following pages.

The "Nodes" are:

- (a) The Denison Community Node;
- (b) The Eastgate Node; and
- (c) The Bus/Rail Interchange/Grafton Street Node.

See Figure 23.



7.2 Denison Community Node

7.2.1 Objectives

The following objectives apply to this node:

- (a) The Denison Street Node be categorised as a Community/Commercial area which encourages:
 - (i) Community/government buildings;
 - (ii) Office development;
 - (iii) Some residential; and
 - (iv) Restaurants, cafes and the like.
- (b) Reinforce the area as a focus for community facilities, and encourage as a café/restaurant quarter.
- (c) Improve streetscape quality, introducing a smaller scale, more detailed character.

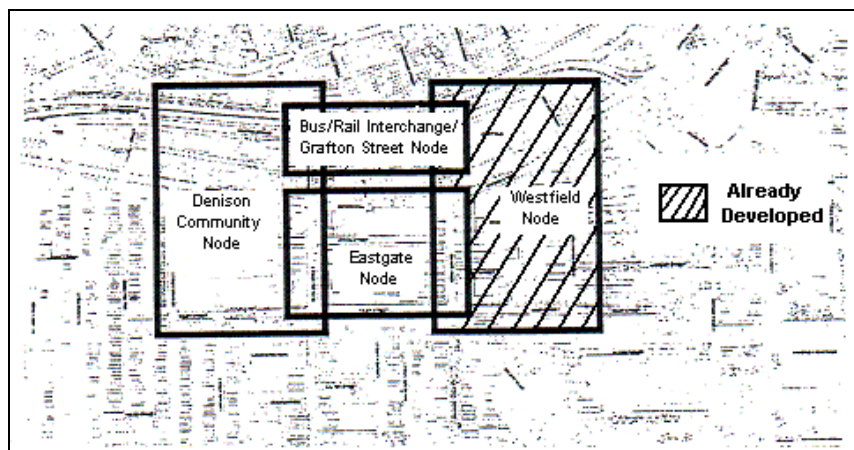


Figure 23. Bondi Junction nodes.

- (d) Pay careful attention to new buildings which relate to Denison and Ebley Streets. Refer to Figure 24.

7.2.2 Principles

The following principles apply to this node:

- (1) Maintain street character along Oxford Street – including attention to pavement, trees, furniture, lighting.
- (2) Maintain more intimate spatial quality of Spring Street.
- (3) Encourage consolidation of cultural/community uses.
- (4) Integrate footpath spaces with building forecourts along Spring Street.
- (5) Install consistent deciduous street tree planting.
- (6) Control building forms over library and carpark sites to ensure satisfactory interface.
- (7) Create Conservation area west side of Denison Street.
- (8) Prepare plan of street trees for Oxford, Spring, Ebley and Denison Streets.

Refer to Figure 24.

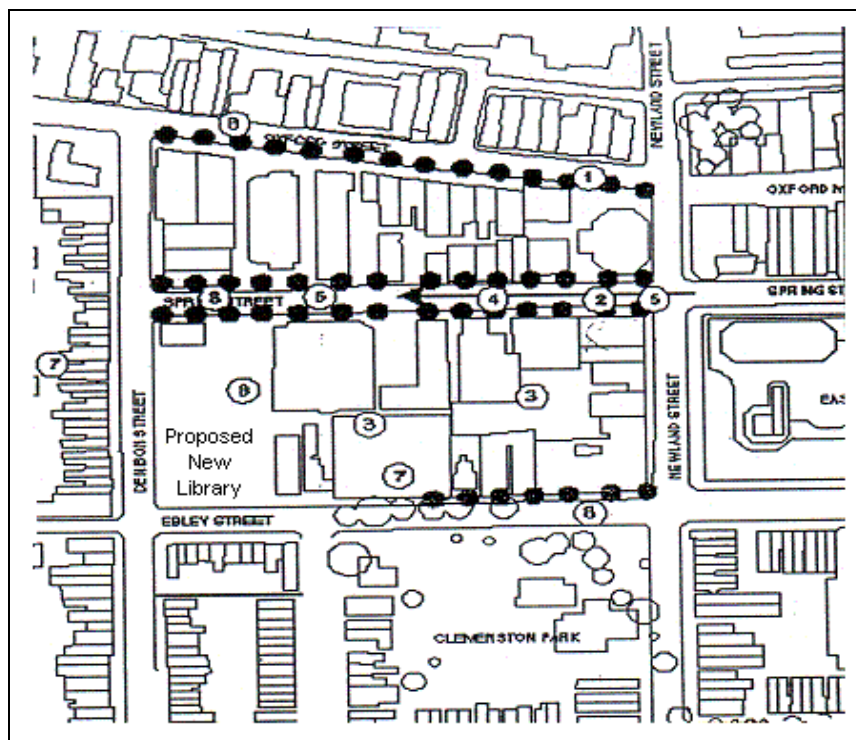


Figure 24. Denison Community Node.

7.3 Eastgate Node

7.3.1 Objectives

The following objectives apply to this node:

- (a) Maintain the scale and character of existing streets - in particular Oxford and Spring Street, and Bronte Road.
- (b) Encourage and enhance the street life and activity on all streets.
- (c) Encourage and provide incentives for the provision of through-block links – in particular the Bronka Arcade, which has the potential to be part of a major civic space.
- (d) Improve pedestrian amenity by widening footpath and designing intersections to minimise pedestrian/vehicle conflict.
- (e) Restrict buses in “pedestrian” streets as they are generally out of scale and alienate people areas.
- (f) Buildings along all streets should maintain human scale and have active edges, rather than blank walls. Higher parts of buildings should step back, maintaining parapet lines.
- (g) Maintain solar access to Spring Street.

Refer to Figure 25.

7.3.2 Principles

The following principles apply to this node:

- (1) Stronger north-south link through Rowe Street and Bronka Arcade through possible redevelopment of Bronka – Rowe Street entry to the Interchange; a critical element in centre improvements. Also improve other arcade links between Spring & Oxford Streets.
- (2) Restrict building height in the blocks bounded by Spring Street, Grosvenor Lane, Bronte Road and Newland Street to preserve sun and daylight access and retain sense of human scale and street liveliness.
- (3) Retain Spring Street as one-way traffic without buses.
- (4) Footpath widening, upgraded pedestrian crossing, deciduous street trees in Spring Street.
- (5) Establish better interface with residential along Ebley Street – including new tree planting to obscure Eastgate wall.
- (6) Consider design and streetscape to Commonwealth Bank.

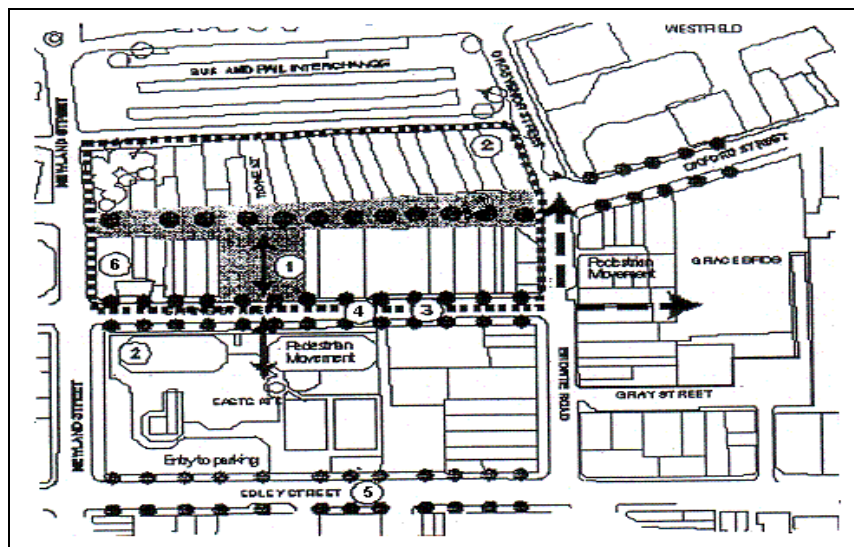


Figure 25. Eastgate node.

7.4 Bus/Rail Interchange

Objectives

The following objectives apply.

- (a) Maintain scale and character of buildings along Oxford Mall.
- (b) Improve design and finished quality of Oxford Street Mall to compete with quality of internalized malls.
- (c) Maintain solar access to the Mall.
- (d) Maintain parapet lines to Mall.
- (e) Extend level of Oxford Street north over bus/rail interchange through Rowe Street.
- (f) Allow for vertical access from extended Oxford Mall, Rowe Street level to both bus concourse and rail concourse.
- (g) Avoid on-grade pedestrian crossing at Grosvenor Street because of conflict with vehicles.
- (h) Take advantage of views and aspect to north.

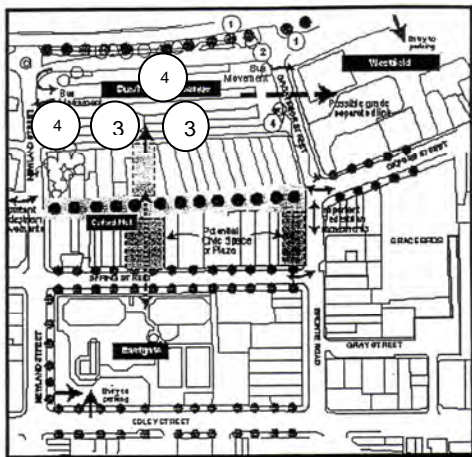


Figure 26. Bus/Rail Interchange
Grafton Street Node.

Principles

- (1) Improve landscape detail and plating against expressway and along Grafton Street.
- (2) Rowe Street access should connect directly to train as well as bus concourse.
- (3) Incorporate public space, contiguous in level with Oxford Street, to ensure optimum connectivity between centre and transport node.
- (4) Give considered architectural treatment to street levels of Interchange – model to emphasise entries, provide shelter etc.

Refer to Figure 27 for further detail on Bus/Rail Interchange/Grafton Street Node.

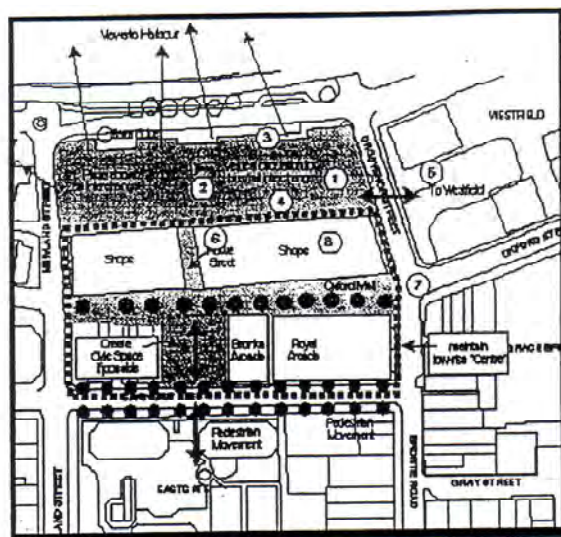


Figure 27. Specific principles.

Specific Principles

- (1) Central link at Rowe Street to Oxford Mall allows for direct link to Eastgate – potential to make Bronka Arcade into significant civic space.
- (2) Keep block bounded by Spring, Newland, Grosvenor Lane – Grosvenor low rise to retain environmental quality.

Annexure F1–1
Requirements for the Preparation of Shadow Diagrams
(See Clause 5.2.1 (c))

1. Shadow diagrams shall be prepared by an architect, a surveyor, or other suitably qualified person, and shall indicate:
 - Scale (preferably 1:400), and true north point;
 - Solar angles (ie. bearing angle and altitude angle) used in construction of the shadows;
 - The shadows cast by the proposal;
 - The date and time for which each diagram is prepared; and
 - The location of existing buildings in the vicinity of the site and the shadows cast by them.
2. The dates and time for which shadow diagrams are to be prepared will depend upon the site's location relative to the requirements shown on Figure 12. For instance, if the proposal is likely to overshadow a residential zone, shadow diagrams shall be prepared for 9:00am, 12noon and 3:00pm, on March 21, June 22, and September 24. If the proposal is likely to overshadow the footpath of commercial streets, shadow diagrams shall be prepared for June 22, for the hours specified on the map.
3. If the shadow diagrams show that the proposal will cause additional overshadowing or shadows beyond the requirements shown on Figure 12, the Council may require further shadow diagrams for other dates or times of the day, to enable a more detailed assessment.

Annexure F1–2
Requirements for the Preparation of the Wind Tunnel Report
(See Clause 5.3.4(c))

1. The wind tunnel report required under clause 5.3.4 (c) of this Plan should:
 - a) assess the likely wind effects of the proposed development; and
 - b) recommend measures required to improve adverse wind conditions created by the proposal.
2. Wind tunnel tests must be carried out as follows:
 - a) Surround models are to be placed around the model of the proposed building to a radius of approximately 500 metres. The model scale should not be smaller than 1:500.
 - b) The boundary layer flow pertaining to the upstream terrain from the various wind angles must be reproduced to the appropriate scale. This includes the modelling of the variation with height, of mean velocity and turbulence intensity of the wind, up to the height of the boundary layer. Other modelling parameters that should be considered are the power spectrum of the wind and the effect of scale on the Jensen and Reynolds numbers. These are dimensionless numbers used to predict full scale results from tests performed using reduced scale models.
 - c) Measurements of local wind velocities should be based on the maximum 2 to 3 second duration gusts (in full scale), taken from a sample length of 1 hour (in full scale).
 - d) Analysis of the wind effects must be based on measurement taken from an adequate number of locations, covering all the potentially affected areas. For each of the locations, wind speed measurements should be taken from a minimum of 16 wind directions.
 - e) Analysis of results must be based on reliable meteorological data for Sydney (preferably from the Sydney Airport Observation office), taken over a minimum of 30 years of continuous data.
 - f) In the case where treatments are required, their effectiveness must be confirmed with further wind tunnel measurements.

Annexure F1–3
Requirements for the Preparation of the Reflectivity Report
(See Clause 5.4.2 (e))

The reflectivity report required under clause 5.4.2 (e) of this Part shall:

- a) Identify and analyse the effect of solar reflection on the glare conditions of the surrounding environment including:
 - Drivers at any points on affected busy roads, pedestrians using crossings; and
 - The amenity of footpath, Oxford Mall, Clementson Park and other public areas;
- b) Determine and document whether the glare limit of 500 candelas per square metre (as calculated by the Holladay formula) will be exceeded;
- c) Assess the effect of solar reflection on the heating load of other buildings and areas; and
- d) Propose measures to reduce potentially undesirable or hazardous solar reflection, where required.

Annexure F1–4
Requirement for the Preparation of the Energy Performance Report
(See Clause 5.6)

An energy performance report is required with the development application for all development proposals where the total cost is greater than \$500,000.

The energy performance report is to be prepared by an accredited energy consultant and shall contain the following information:

- (a) Details of the total anticipated energy consumption of proposal in Mega Joules per metre square per annum (MJ/am²);

This is to be estimated using a computer program such as BUNYIP and should not be greater than
 - (i) 450 MJ/am² for commercial proposals; and
 - (ii) 950 MJ/am² for retail proposals.
- (b) Details of all passive and active energy efficient design measures that have been incorporated into the proposal.
- (c) Details of how the energy efficiency of the proposal may be improved, the actual cost and anticipated cost savings of such changes.
- (d) Energy consumption details of:
 - (i) Plant and equipment; and
 - (ii) Lighting.
- (e) Details of the effect of the proposal on any solar collection devices in the immediate vicinity;
- (f) Details of renewable energy sources in the proposal.

Annexure F1–5
Requirements for Submitting a Sign Application
(See Clause 6.5.5 (c))

1. Plans accompanying the sign application and fee shall provide the following information:
 - a) The size and type of advertising sign or structure, showing height, width and depth dimensions where appropriate;
 - b) The design and colours proposed for the sign or structure, including details of lettering type, means of construction and materials;
 - c) The location of the sign or structure in relation to the building façade showing height clearance above the footpath, and the means of attachment to the building;
 - d) Other existing advertising signs and structures on the buildings, drawn to scale;
 - e) Consent of the property owner to lodge the sign application; and
 - f) Photographs, where these may be considered to assist in the determination of an application, incorporating a photomontage or overlay showing the position and scale of the proposed sign on the building.

Part F Site Specific

F2 Bondi Beach

Contents

1.0 Introduction	2
1.1 How to Use Part F2 – Bondi Beach	3
2.0 Street Design Policies	3
2.1 Campbell Parade	4
2.2 Hall Street	5
2.3 Gould Street	5
2.4 Jacques Avenue	5
2.5 Roscoe Street (Between Campbell Parade and Gould Street) . .	6
2.6 Curlewis Street	7
2.7 Glenayr Avenue	8
2.8 Other Residential Streets	8
3.0 Development Controls by Area	9
4.0 Development Control Guidelines	11
5.0 Design Guidelines	12
6.0 Bondi Beach Trading Hours	12
7.0 Community Crime Prevention	12
8.0 Accessibility	13

F2 Bondi Beach

1.0 INTRODUCTION

This Part provide urban design controls for development within the Bondi Beach commercial area (see Figure 1) and are complimentary to clauses 13 - 16 of Waverley Local Environment Plan 1996 (WLEP 1996) regarding the Bondi Beach Precinct.

The Hall Street town centre, identified in Section 10.0 of Part F5 – Local Village Centres, sits within the Bondi Beach area. There are specific controls that apply to the Hall Street town centre in this Part (ie. Part F2 – Bondi Beach). These are complimentary to the controls in Part F5. Where there is an inconsistency between the two Parts, controls in Part F5 prevail.

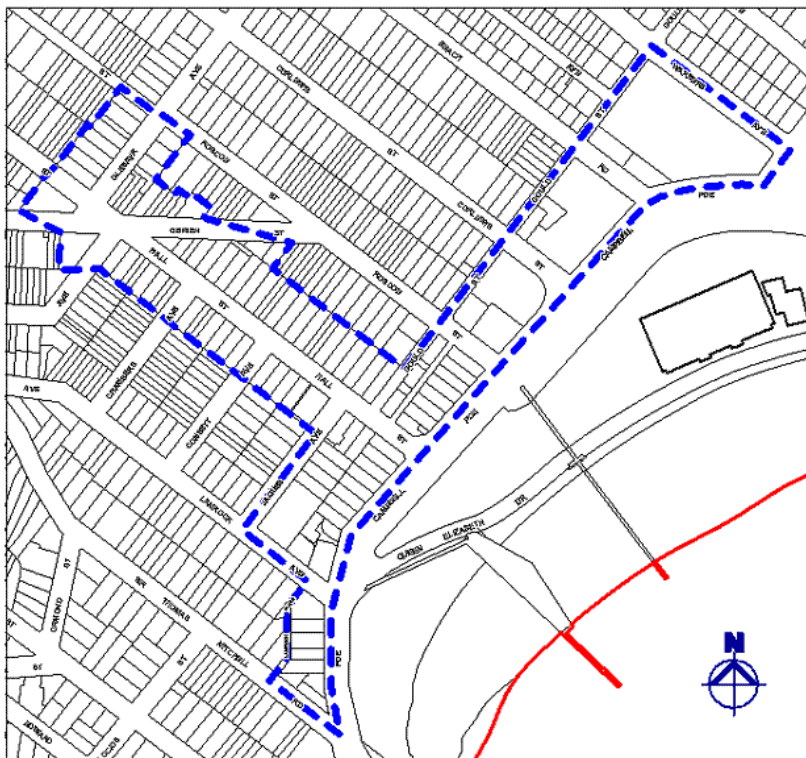


Figure 1. Area to which the Bondi Beach urban design controls apply

The urban design controls consist of four components:

- (a) **Street Design Policies:** apply to the properties that interface with the public domain. They define the goals for each street in terms of heights, uses, setbacks and other requirements. The intent is to establish design principles while creating an overall unity in terms of urban design principles. The policies for each street have been developed from an analysis of each property within the context of the existing street in which it belongs (refer

to Section 2.0).

- (b) Development Controls by Area: detailed urban design controls (shown graphically as street elevations) contain individual property requirements. Each property has been drawn in elevation to provide a ready reference (refer to Section 3.0).
- (c) Development Control Guidelines: this Part provides 3-dimensional examples of the application of the above controls as they apply to certain individual properties. This is where elucidation is seen as necessary (refer to Section 4.0).
- (d) Design Guidelines: provide information to owners intending to alter or rebuild their properties within the Bondi Beach Precinct. The guidelines provide examples of key building types and elements (derived from an analysis of Bondi's existing buildings) and seek to encourage new development that contributes to, and enhances, the Bondi Character. These guidelines include standard elevation types, wall elements, roofs, windows, balconies and verandahs, parapets, colours and colour application (refer to Section 5.0.)

These controls provide a practical guide to the implementation of an appropriate urban design policy.

1.1 How to use Part F2 – Bondi Beach

The urban design controls should be read as follows:

- (a) Street Design Policies (Section 2.0) in the first instance;
- (b) Development Controls by Area (Section 3.0) in the second instance;
- (c) Development Control Guidelines (Section 4.0) in the third instance; where applicable; and
- (d) Design Guidelines (Section 5.0) in the final instance.

2.0 STREET DESIGN POLICIES

The coordinated development of the interface between private property and the public domain at Bondi Beach involves appropriate design outcomes at both the public and private spheres. The quality and function of the interface at the property boundary is also a major consideration.

There is a wide range of street types in the Bondi Beach area, from Campbell Parade at one end of the spectrum providing a retail and café role, to residential streets that have a secluded character, at the other. The policies for each street have been developed from a street analysis. They deal with the public domain interface and define the goals for each street in terms of heights, uses, setbacks as well as other requirements. They are also complimentary to the standards set down for height, use and volume of development in other sections of this Part.

The intent of the Street Design Policies is to establish design principles for each street while creating an overall unity in terms of urban design outcomes. They propose to enhance and strengthen the existing

character of streets rather than to introduce new uses and unfamiliar forms or building types.

The Street Design Policies apply to the following streets within the Bondi Beach Precinct:

- (a) Campbell Parade – between Warners Avenue and Sir Thomas Mitchell Road
- (b) Hall Street – between Campbell Parade and Glenayr Avenue
- (c) Gould Street
- (d) Jarques Avenue
- (e) Roscoe Street – between Campbell Parade and Gould Street
- (f) Curlewis Street – between Campbell Parade and Gould Street
- (g) Glenayr Avenue – between O'Brien Street and Roscoe Street
- (h) Other Residential Streets, in part,
 - (i) Roscoe Street, northern end
 - (ii) Sir Thomas Mitchell Road, Beach Road, Consett Avenue, Chambers Avenue, Cox Avenue and O'Brien Street
 - (iii) Lamrock Avenue.

(Refer to Figure 1).

2.1 Campbell Parade

Campbell Parade is the principal street at Bondi Beach which role transcends its local significance. It is an integral element of the tourist image of the Bondi Beach area, providing retail, food and other services for the transient daytime population.

The desired treatment of Campbell Parade has two purposes. The first, to encourage development of a consistent height and character in order to create an appropriate backdrop for its role as Australia's most famous beach. The second, extend and reinforce the retail and commercial activity at ground and first floor level by the construction of a continuous accessible awning, with retail and service uses at ground floor level and with outdoor eating areas at first floor level overlooking the beach.

The building line is to enhance the existing character of the precinct. Whilst a permissible building height of 15 metres applies to Campbell Parade, a recommended building height of 12.5 metres is proposed to maintain the level of development and permit views out from perimeter residential precincts (refer to Figure 2).

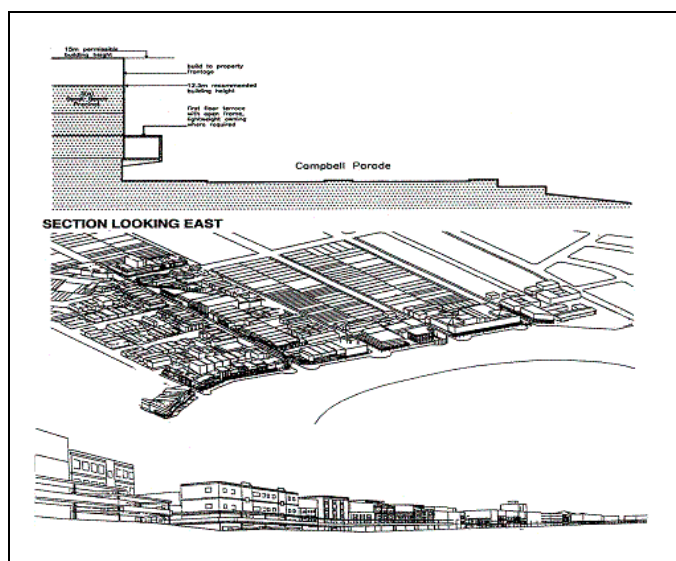


Figure 2. Campbell Parade.

2.2 Hall Street

Hall Street provides access to retail and service activities for the Bondi community. Its character is largely made up of retail and service activities at ground floor with residential and services spaces at the first floor. At street level the development controls contained in this Part and in Part F5 (Section 10.0) encourage development to the street frontage with continuous awnings and a minimum number of footpath crossings for on-site parking.

2.3 Gould Street

Gould Street, a narrow street running parallel to Campbell Parade, provides a secondary level of commercial, retail and service uses for the daytime population of the precinct. It provides the same range of services for the local population in a more intimate environment than that of Campbell Parade.

The controls create a continuous retail frontage to both sides of the street with awnings for covered access. Set-backs on the eastern side of the street above 9 metres allow sunlight penetration and create a balanced street profile which recognises the height limits of the residentially zoned properties to the west. This ensures the built edge is in scale with the street width and reinforces the pedestrian scale and special character (refer to Figure 43).

2.4 Jacques Avenue

The eastern side of Jacques Avenue is zoned for retail commercial use whilst the western side remains residential. Jacques Avenue is primarily residential in character with limited traffic, although service access to commercial properties and car parking remain a problem. The street design policy requires the development of a balanced street profile which matches the height, and setbacks of the commercial frontage, to

the potential height and setbacks on the residential (western) frontage.

On the western side, residential character is set by a 10m permissible height limit and setbacks of 3m at both ground and first floor. Whilst a 15m permissible building height prevails on the eastern side, with a recommended building height overall of 12.5m, the street design policy requires ground floor development to be setback 3m, with a further setback of 3m at the 10m building height and a third setback of 3m at the 12.5m building height.

Setbacks above ground level should be treated as landscaped or roof areas with outdoor usage minimised to avoid noise problems at the residential/commercial interface. Commercial uses at ground floor should be limited to those with low service requirements to protect residential amenity. (Refer to Figure 4 overleaf).

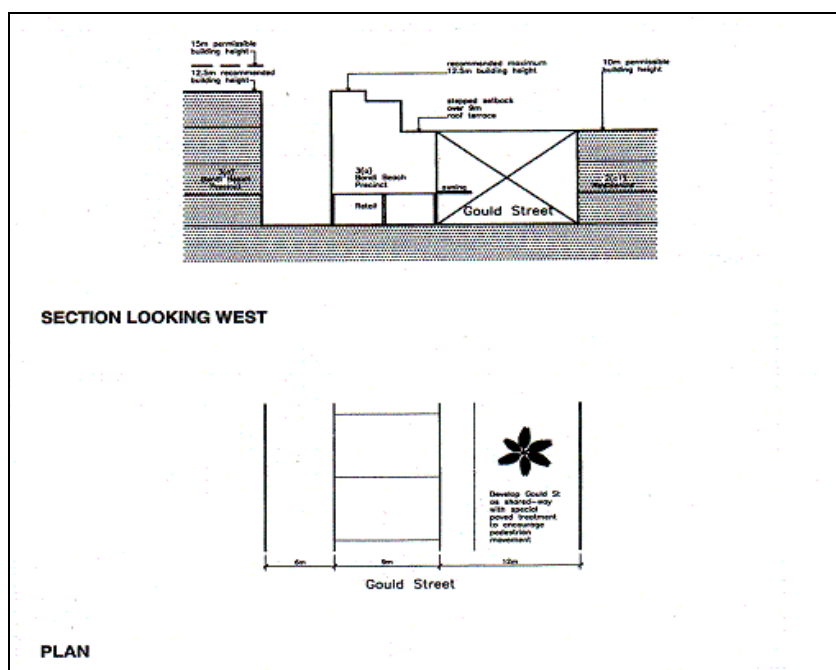


Figure 3. Hall Street.

2.5 Roscoe Street (Between Campbell Parade and Gould Street)

Roscoe Street divides into two distinct areas, one relates to the beach area and the other to the residential sector behind the Campbell Parade beach-front. The eastern end is proposed to be an extension of the Campbell Parade Promenade, with the 15m permissible building height zone (recommended building height 12.5m) extending to both sides of Roscoe Street to provide a clear definition of the pedestrian space. The first floor balcony awning extends for the length of the pedestrian areas. (Refer to Figure 5). See Section 2.8.1 Roscoe St (Northern End).

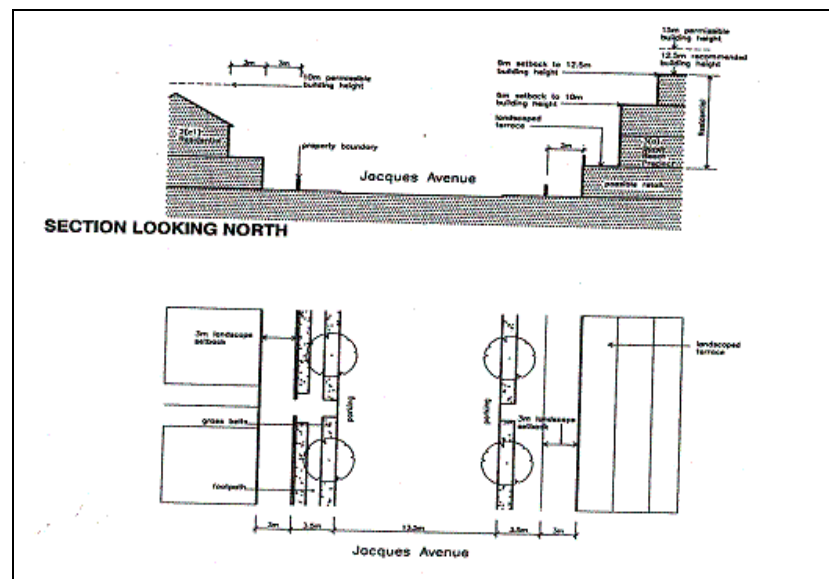


Figure 4. Gould Street.

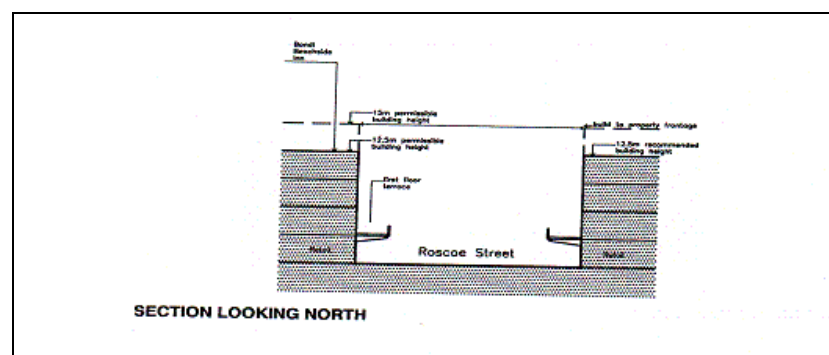


Figure 5. Jacques Avenue.

2.6 Curlew Street

Curlew Street is a street of mixed uses with some retail and residential on its western side and predominantly residential development on its eastern side. The development controls maintain and strengthen existing uses, clearly differentiating between the eastern and western side of the street.

Building heights area restricted to 10m on both sides.

On the western side, consolidation of retail frontage to the property boundary is encouraged where possible, with tree planting in footpath extensions in the parking lane of the street (see plan view). Elsewhere, residential development may set back to form a landscaped forecourt to the street.

On the eastern side, buildings are required to be set back 3 metres from the property boundary, with tree planting recommended on grass belts (in the footpath zone) and on the parking lane (see plan view). This will be achieved through a condition of consent. (Refer to Figure 6).

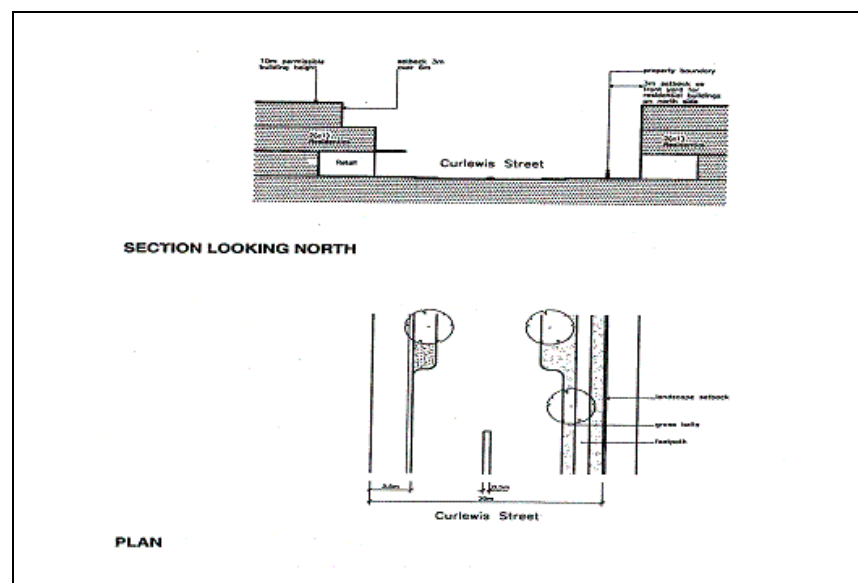


Figure 6. Roscoe Street (Between Campbell Parade and Gould Street).

2.7 Glenayr Avenue

Glenayr Avenue provides retail and service facilities for the Bondi Community. Its character is mixed, largely made up of residential uses with retail and service activities at ground floor particularly in the vicinity of the fiveways intersection.

At street level the development controls, contained in this Part and in Part F5 – Local Village Centres (Section 10.0), are intended to consolidate and develop retail activities by encouraging development at the street frontage with continuous awnings. A minimum number of footpath crossings for on-site parking are recommended.

2.8 Other Residential Streets

Refer to Figure 7 for an elevation and plan view of the Street Design Policy for 'Other Residential Streets'.

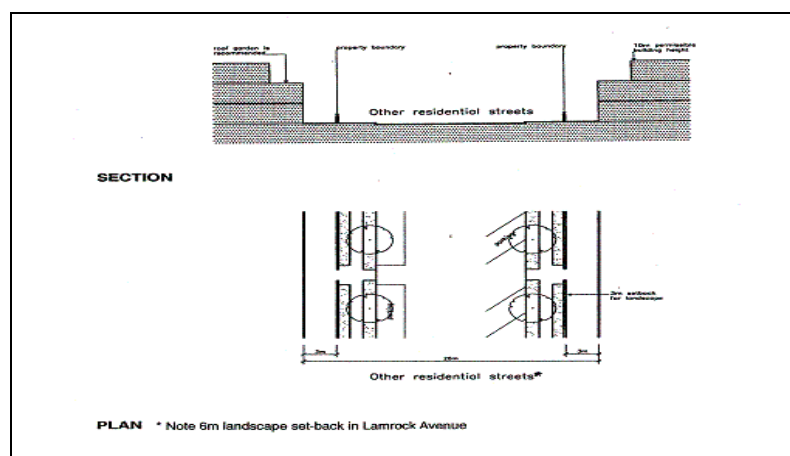


Figure 7. Lewis Street.

2.8.1 Roscoe Street (Northern End), Sir Thomas Mitchell Road, Beach Road, Consett Avenue, Chambers Avenue, Cox Avenue, O'Brien Street

Primarily residential in character, development is to have a maximum height of 3 storeys with setback roof terrace 3 metres deep. In addition, buildings are to be set back 3 metres from the front property boundary. Avenue planting will be achieved for both sides of the street, within the footpath zone by way of conditions of consent.

2.8.2 Lamrock Avenue

In Lamrock Avenue a set-back of 6 metres is required to coordinate with existing property lines. This set-back zone is to be reserved for access and landscaping and shall not provide for car parking where this involves the construction of garages or car ports, whether these structures are attached or free-standing. Buildings are to be setback 3 metres from the front property boundary, with a further setback of 3 metres at third storey. This setback should be treated as a landscape roof terrace area.

3.0 DEVELOPMENT CONTROLS BY AREA

Development controls (developed in conjunction with clauses 13 to 16 in Waverley LEP 1996) are listed for each property, for 28 development control areas that divide up the Bondi Beach urban design area. There are 23 guidelines in total. These are described as follows:

A) Conserve Existing Building

The existing building on the site is to be retained in any future development. Development is to leave the heritage qualities of the building unimpaired with the form of the development to be appropriate to the location in terms of style and bulk. The completed development is required to enhance the existing character and architectural qualities of the existing building.

B) Retain Existing Facade

While the building does not carry a heritage classification the front section of the building including the façade is of streetscape importance and should be retained in the redevelopment of the site.

C) Enhance Existing Character

The existing building on the site has characteristics of form, style and detail which contribute to the street and to the Bondi character. Redevelopment of the site should enhance the qualities present in the existing building.

D) Build to Recommended Height at Front Property Boundary

To provide a continuous line of building of equal height at the front alignment as a backdrop to Bondi Beach and Park, development is required to extend to the recommended building height specified herein.

E) Setback 3 metres over Existing Facade

Where a building is to be extended by the construction of additional floors, the new section is to be set back from the existing façade line by a minimum distance of three metres. This setback also provides an

opportunity for the incorporation of a roof terrace or verandah with view beyond the immediate location.

Where a building is to be constructed in conjunction with a retained façade, the new construction is to be similarly set back and integrated with the preserved section of the building.

F) Maintain and Develop Ground Floor Retail Space

To maximise retail effectiveness and consolidate existing retail areas, new development is to provide retail frontage at the front boundary alignment, without intrusion by institutional and related issues, or by trafficked footpath crossings.

G) Provide Continuous Pedestrian Cover

Shelter for pedestrians is to be provided by continuous awnings, extended balconies or other equivalents.

H) Incorporate Terrace at First Floor

The new development may incorporate an open terrace area at first floor level as part of an awning over the existing footpath.

I) Provide Special Corner Treatment

Corner sites require architectural treatment which emphasises the prominent role filled by these sites in the urban context. Measures include the deletion of upper floor setbacks with construction to external site boundaries, design measures to emphasis the corner and improvements in the public domain at footpath level including footpath widening, tree planting and street furniture.

J) Provide Roof Terrace to Street Frontage

In common with a wide range of Bondi residential buildings, set back the floor to provide a roof terrace or verandah.

K) Provide Solar Access to Adjacent Property

Development is to be setback from rear property boundary to provide access to sunlight, up to the distance equivalent to the height of the proposed building.

L) Build to Front Property Boundary, Setback over 9 metres

New development is required to align to the street property boundary to a height of 9 metres with higher floors to be setback by a distance of 3 metres.

M) Minimise Footpath Crossings

To reduce the impact of footpath crossings on continuous retail frontages, vehicular access to on-site parking and service bays should be minimised, preferably with one access point for consolidated sites. Where possible access should be directed away from retail areas.

N) Provide Visual Termination at Street Junction

Where a property in one street lies on the axis of another, forming a visual termination of the view along the second street, the treatment of the front elevation of the property should desirably acknowledge the axial relationship in terms of design and planning.

O) Setback 3 metres from Front Boundary

Provide a setback of 3 metres from the property alignment at the street frontage.

P) Limit Ground Floor Commercial Uses

In order to preserve residential amenity in mixed use street, ground floor commercial/retail activities should be limited to those with only low service and parking requirements.

Q) Set-back 3 metres above Ground Floor to maximum height of 9 metres, and then a further 3 metres to maximum recommended height of 12.5 metres

Development at Ground Floor is to be set-back 3 metres from the street boundary. A further set-back of 3 metres above Ground Floor to a maximum of 9 metres is required, with a further set-back of 3 metres to the recommended building height of 12.5 metres.

R) Setback 1.5 Metres from Street Alignment

Setback required.

S) Setback 3 metres over 6 metres

Setback of 3 metres required over a height of 6 metres, or 2 storeys.

T) Develop to 10 metres Height at Front Property Boundary

Development is to be to a maximum height of 10 metres at the front property boundary.

U) Orientation to Match Adjacent Development

Due to double frontage constraints, orientation of buildings in this segment differ from continuous street alignments in other areas. New development is to conform to the existing pattern.

V) Setback 9 metres from Front Property Boundary

Setback required as shown in plan.

W) Minimum Development Height 9 Metres

As stated in REP No. 14 – Eastern Beaches, the minimum development height is 9 metres.

Figure 8 overleaf should be read in conjunction with the development controls for each of the 28 development control areas. These development controls are held in a series of diagrams which follow immediately from Figure 8.

4.0 DEVELOPMENT CONTROL GUIDELINES

Section 4.0 contains 5 Development Control Guidelines, each with an accompanying objective. Each Guideline provides an example – comprising supporting plan view and elevation and 3D model – for properties at Campbell Parade (5 examples).

The Development Control Guidelines provide directions for the guidance of owners of a wide variety of properties within the study area. These properties are generally those where part or all of the existing fabric is recommended for retention or incorporation into new development. Where retention is not recommended, new development of a character and detail which integrates with the existing character of the streets is considered desirable.

The five examples are addressed, as part of their development in Section 3.0 Development Controls by Area.