



# Waverley Development Control Plan 2012 (Amendment No. 4)

## Waverley Council

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## AMENDMENT HISTORY

Amendment No.	Date of Adoption	Date of Effect	Amendment Description
1	16 July 2013	24 July 2013	Amendments to Part E3 - Local Village Centres and introduction of new Part E4 - 113 Macpherson Street, Bronte
2	10 December 2013	8 January 2014	Housekeeping Amendment
3	16 December 2014	14 January 2015	Housekeeping Amendment
4	15 December 2015	13 January 2016	Housekeeping Amendment



# PART A PRELIMINARY INFORMATION

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## A1 STATUTORY INFORMATION

This Development Control Plan is referred to as Waverley Development Control Plan 2012 (DCP). This DCP has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&AA 1979) and *Environmental Planning and Assessment Regulation 2000* (Regulation 2000).

### 1.1 COMMENCEMENT

This DCP was adopted by Council on 15 December 2015 and came into force on 13 January 2016.

### 1.2 LAND TO WHICH THIS DCP APPLIES

This DCP applies to all land within the Waverley Council Local Government Area (LGA).

### 1.3 PURPOSE

This DCP provides strategies, objectives and development guidelines for the assessment of Development Applications (DA) and complements the provisions of Waverley Local Environmental Plan 2012 (WLEP 2012).

### 1.4 RELATIONSHIP WITH OTHER PLANS, STANDARDS AND CODES

This DCP should be read in conjunction with Waverley Local Environmental Plan 2012 (WLEP 2012). Where there is an inconsistency between this Plan and the WLEP 2012, the LEP prevails. This DCP is to be read in conjunction with the following:

- *Environmental Planning & Assessment Act 1979*;
- *Environmental Planning & Assessment Regulation 2000*;
- *Local Government Act 1993*;
- Any relevant State Environmental Planning Policy (SEPP);
- Any relevant Land and Environment Court Planning Principle;
- Building Code of Australia;
- Any relevant Australian Standard (identified or not in this Plan);
- Any policy or guideline adopted by Council.

It is the responsibility of the applicant to identify all relevant legislative requirements. The NSW Legislation website should be regularly checked for the most up to date version of all legislation and can be accessed at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

**1.5 COMPLIANCE**

Section 79C of the *EP&AA 1979* requires Council to take this DCP into consideration when determining applications. Compliance with the provisions of this DCP does not necessarily guarantee that consent to a DA will be granted. Each DA will be assessed having regard to the current LEP, DCP, adopted Council policies and any other matters listed in Section 79C of the *EP&AA 1979*.

**1.6 SAVINGS PROVISION**

If an application has been made before the commencement of WDCP 2012 in relation to land which the DCP applies, and the development application has not been finally determined before that commencement, the development application must be determined as if WDCP 2012 had not commenced. Please refer to the Amendment History at the front of this DCP for relevant commencement dates.

A reference to an application in the paragraph above is a reference to a development application, an application to modify a development consent or an application to review a determination of a development application or to review an application to modify a development consent.

All applications received after the commencement date of an amendment to the DCP are subject to the DCP as amended.

**1.7 OFFENCES**

Section 125(1) of the *EP&AA 1979* provides that where any matter or thing is by or under this Act or Regulation directed or forbidden to be done, a person offending against that direction or prohibition shall be guilty of an offence against this Act.

**1.8 STRUCTURE**

<b>PART A</b> Preliminary Information	Describes the purpose and structure of the DCP, development application submission requirements; and advertising and notification requirements.
<b>PART B</b> General Provisions	Provides general provisions that relate to all development and land including environmental protection, heritage, transport and parking, accessibility and safety.
<b>PART C</b> Residential Development	Provides controls for residential development including new and alterations and additions to single and dual occupancy development and multi dwelling housing, residential flat buildings and the residential component of shop top housing.
<b>PART D</b> Commercial Development	Provides controls for commercial development including restricted premises, advertising and signage and footpath seating for restaurants and cafes.
<b>PART E</b> Site Specific Development	Provides specific controls for development located within Bondi Junction, Bondi Beach and Waverley's other commercial centres known as Local Village Centres.
<b>PART F</b> Development Specific	Provides controls on specific development types including shared residential accommodation, tourist accommodation and child care centres.
Definitions & Abbreviations	Defines terms and abbreviations used in this DCP that are not defined by either the <i>EP&amp;AA 1979</i> or the <i>WLEP</i> .

**A2 DEVELOPMENT APPLICATION REQUIREMENTS****2.1 INTRODUCTION**

The statutory requirements for supporting information to accompany a Development Application (DA) are established in Schedule 1, Part 1 of the *Environmental Planning and Assessment Regulation 2000 (Regulation 2000)*. The additional information outlined in Section 2.2 below ensures the level of detail provided is adequate for each DA and will not lead to delays in the processing of an application.

It is recommended that applicants seek the services of professional architectural and town planning consultants for guidance and assistance. The required skills and expertise will vary depending on the nature and scale of a development.

In some circumstances it may be appropriate to lodge a *Pre-DA Application* before lodging a DA. This type of application requires less documentation and supporting information than a DA and provides an applicant with a preliminary opinion on the merits or issues of a proposal from senior development assessment staff. This is usually only necessary for significant development proposals or where substantial variations from development controls are being sought.

**2.2 DOCUMENTATION REQUIREMENTS**

The following table identifies the documentation requirements for all types of DAs. The level of detail included depends upon the size of the proposal and the likely environmental impacts. Where the proposal raises particular issues, it may only be necessary to submit details relevant to those issues.

Within 21 days of receiving the DA an applicant may be requested to provide additional information if that information is necessary for the determination of the application.

Plan/ Document (and when required)	Information
<b>Forms and Checklists</b> All forms are available at <a href="http://www.waverley.nsw.gov.au">www.waverley.nsw.gov.au</a>	
<b>DA Form</b> All Development Applications	Requires owners consent (and the owners corporation seal where applicable) and brief description of the proposal.
<b>Compliance Table</b> All Development Applications	Outlines compliance (or non compliance) with all relevant development standards within WLEP 2012 and numerical controls within WDCP 2012.
<b>Political Donations and Gifts Disclosure Statement</b> As required under Section 147(4) of the <i>EP&amp;AA 1979</i> .	Provides for the disclosure of relevant political donations or gifts as per Section 147(4) of the <i>EP&amp;AA 1979</i> .  See: <a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a>
<b>Non-Residential Development</b> All new or change of use for non residential development.	Provides additional information regarding the management of the use.

Plan/ Document (and when required)	Information
<p><b>Site Plan</b> All development applications. The level of detail included in the plan will be dependent on the scale of the proposed works.</p>	<p>A Site Plan must be at a scale of not less than 1:200 and include:</p> <ul style="list-style-type: none"> <li>• The location, boundary dimensions, site area and north point of the land;</li> <li>• Existing levels of the land in relation to buildings and roads to Australian Height Datum;</li> <li>• Existing vegetation and trees including their botanic name and size of trees proposed to be removed and retained;</li> <li>• Proposed private open spaces and landscaped areas;</li> <li>• The location of other natural features on the site e.g. rock/sandstone outcrops, watercourses;</li> <li>• The location and levels of existing buildings, fences and other structures;</li> <li>• The location and levels of any proposed new buildings or alterations and additions to existing buildings;</li> <li>• The location, levels and uses of buildings on the adjoining land;</li> <li>• Waste bin storage and collection areas;</li> <li>• Onsite stormwater management; and</li> <li>• Location of easements and services on the site and immediately adjoining the site.</li> </ul> <p>Note: Applicants may also be required to provide a Site Analysis indicating the predominant front and rear setbacks upon request by Council officers.</p>
<p><b>Floor, Elevation and Section Plans</b> All development applications involving building work and change of use.</p>	<p>Floor Plans must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> <li>• Existing and proposed works on each floor including roof plans;</li> <li>• Calculable GFA for proposal;</li> <li>• Room sizes and intended uses/works;</li> <li>• Ventilation systems, air conditioning and satellite dishes;</li> <li>• Setbacks from boundaries and adjoining buildings including window openings, doors and external living areas;</li> <li>• Outdoor spaces, such as balconies with dimensions and ancillary structures;</li> <li>• Details of any devices/measures to address amenity issues e.g. screening, window details;</li> <li>• Swimming pools/spas and associated works including the location of the pool filter and pool motor; RLs of the pool coping in relation to the existing ground levels of the subject premises and adjoining premises; and</li> <li>• External lighting.</li> </ul> <p>Elevation Plans must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> <li>• Outline of existing buildings;</li> <li>• Elevations of all sides of the building or structure;</li> <li>• Materials and external finishes;</li> <li>• Location of adjoining buildings showing height and setback;</li> <li>• Proposed window details;</li> <li>• Chimney, lift motor rooms and other structure</li> </ul>

Plan/ Document (and when required)	Information
	<p>associated with the roof.</p> <p>Section Plans must be must be at a scale not less than 1:100 and include:</p> <ul style="list-style-type: none"> <li>• Appropriate number and location of each section;</li> <li>• Section line;</li> <li>• Room names;</li> <li>• Areas of cut/and or fill;</li> <li>• Finished ground levels, floor levels, roof line levels and driveway grade;</li> <li>• Location of existing trees; and</li> <li>• Ground level from survey.</li> </ul>
<p><b>Survey Plan</b> Required for all new buildings.</p> <p>May also be needed for other development if determined by the assessing officer.</p>	<p>Survey to be prepared by a Registered Surveyor to AHD and to show existing natural ground level, proposed levels of all floors and roof/roof eaves and (where required by the assessing officer) the level of adjoining roof/roof eaves.</p> <p>The survey should also show the location and levels of any existing buildings on the site and on adjoining sites.</p>
<p><b>Shadow Diagrams</b> All development applications for dwelling houses or dual occupancies where the height or setback controls are not complied with.</p> <p>All development applications for residential flat buildings, multi dwelling housing and commercial development greater than 1 storey in height.</p> <p>In both cases above, there may be exceptions where the Council officer considers otherwise in regards to the circumstances of the case.</p>	<p>Shadow diagrams must be at a scale not less than 1:100 and should include:</p> <ul style="list-style-type: none"> <li>• North point (true north);</li> <li>• Position of existing and proposed buildings and fences;</li> <li>• Position of buildings on adjoining land including windows to living areas; private outdoor open space; swimming pools and solar panels;</li> <li>• Shadows cast during the winter solstice for 9am, 12 noon and 3pm (show altitude and azimuth angles);</li> <li>• Change(s) in shadows from existing to proposed development; and</li> <li>• If the proposal is likely to overshadow, the windows of adjoining building(s), provide an elevation to show shadow impacts.</li> </ul>
<p><b>Water Management Site Plan</b> All development applications except for internal works</p>	<p>Plans are to be in accordance with the Waverley Water Management Technical Guidelines.</p>
<p><b>Subdivision / Strata Plan</b> All development applications proposing to subdivide land or strata subdivide.</p>	<p>The Plan is to include:</p> <ul style="list-style-type: none"> <li>• Existing and proposed subdivision boundaries;</li> <li>• The number of lots;</li> <li>• Any easements or encumbrances;</li> <li>• Lot areas in square metres; and</li> <li>• Lot and deposited plan numbers.</li> </ul>
<p><b>Statement of Environmental Effects (SEE)</b></p>	<p>An SEE outlines the proposal and addresses all issues for</p>

Plan/ Document (and when required)	Information
All Development Applications	<p>consideration and assessment.</p> <p>The SEE must:</p> <ul style="list-style-type: none"> <li>• Explain how the proposal has resolved the relevant matters contained within Section 79C of the <i>EP&amp;AA 1979</i>;</li> <li>• The environmental impacts of the development;</li> <li>• How the environmental impacts of the development have been identified;</li> <li>• The steps to be taken to protect the environment or to lessen the expected harm to the environment;</li> <li>• Compliance with the relevant objectives and controls within the LEP and this DCP;</li> <li>• Where any relevant controls are not satisfied justification for the non-compliance must be provided;</li> <li>• If the non compliance relates to a development standard in WLEP 2012 (e.g. Lot size, building height and floor space ratio) you will need to refer to Clause 4.6 of the WLEP 2012 which sets out how non compliance may be considered.</li> </ul>
<p><b>BASIX Certificate</b> Under <i>State Environmental Planning Policy (BASIX Sustainability Index) 2007</i> the following applications require a certificate:</p> <ul style="list-style-type: none"> <li>• All new residential buildings;</li> <li>• Alterations and additions to existing residential buildings where the estimated cost of construction is more than \$50,000 and where development approval is required;</li> <li>• New swimming pool or spa with a capacity of 40,000 litres or more.</li> </ul>	<p>Certification is to be submitted to ensure the development satisfies suitability targets prescribed by the NSW Government.</p> <p>Site, floor elevation and landscape plans must identify BASIX commitments.</p> <p>If a swimming pool is proposed, the column of the pool must be shown on the plans.</p> <p>See: <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a></p>
<p><b>Heritage Impact Statement</b> May be required for applications relating to a heritage item, sites within a heritage conservation area, or on sites within the vicinity of a heritage items or heritage conservation area.</p>	<p>A Heritage Impact Statement is to be prepared by a qualified heritage architect/planner in accordance with the NSW Heritage Manual and the Burra Charter and include:</p> <ul style="list-style-type: none"> <li>• An assessment of the impact of works on the site, item and/ or conservation area;</li> <li>• Include a history of the property; and</li> <li>• Before and after photos.</li> </ul> <p>Council may also require the submission of a Heritage Conservation Management Plan.</p> <p>See: <a href="http://www.heritage.nsw.gov.au">www.heritage.nsw.gov.au</a></p>
<p><b>SEPP 65 Assessment</b> Applications to which <i>State Environmental Planning Policy No 65 – Design</i></p>	<p>Requirements include:</p> <ul style="list-style-type: none"> <li>• An explanation of the design in terms of the design quality principles set out in Part 2 of <i>State Environmental</i></li> </ul>



Plan/ Document (and when required)	Information
<i>Quality of Residential Flat Development</i>	<p><i>Planning Policy No 65 – Design Quality of Residential Flat Development;</i></p> <ul style="list-style-type: none"> <li>• Photomontages or photos of the model of the proposed development in the context of surrounding development;</li> <li>• A design verification statement by a registered architect; and</li> <li>• Applicable fee for referral.</li> </ul> <p>Please refer to the Residential Flat Design Code to confirm submission requirements.</p> <p>See:  <a href="http://www.planning.nsw.gov.au/residential-flat-design-code">http://www.planning.nsw.gov.au/residential-flat-design-code</a> </p>
<p><b>Models and/or Photomontages</b>  Photomontage and Model for:</p> <ul style="list-style-type: none"> <li>• SEPP 65 applications.</li> <li>• New residential dwellings including new multi-unit dwellings</li> </ul> <p>Council may require a photomontage for smaller scale development than those listed.</p>	<p>A Model should:</p> <ul style="list-style-type: none"> <li>• Be a minimum 1:200 scale;</li> <li>• Include the subject property and its relationship to its context and adjoining developments; and</li> <li>• Including existing vegetation and exterior detail of the proposed development.</li> </ul> <p>A Photomontage should:</p> <ul style="list-style-type: none"> <li>• Be a three-dimensional perspective of the proposal in relation to the existing streetscape; and</li> <li>• Include at least 2 sites on either side of the subject site.</li> </ul>
<p><b>Digital 3D Model</b>  Any development that proposes to make amendments to a building's existing envelope within the B3 Commercial Core or B4 Mixed Use Zone.</p> <p>For all other zones - Any development that proposes to make amendments to a building's existing envelope, which will result in a building height of 12 metres or more.</p>	<p>A 3D digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:</p> <ul style="list-style-type: none"> <li>• a building envelope which includes all elements affecting shadow analysis;</li> <li>• accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features;</li> <li>• neighbouring dwellings impacted by the proposal (for sites outside the Bondi Junction B3 Commercial Core or B4 Mixed Use Zone);</li> <li>• ground level terrain showing accurate RLs extending to site boundaries;</li> <li>• internal floor plate of each level showing accurate RLs.</li> </ul> <p>All models must be generated in accordance with Council's Requirements for Submitting a Digital 3D Model.</p> <p>Any future modifications (under Section 96 of the <i>EP&amp; AA 1979</i>) that affect the external configuration of building (from the ground level and up) require an amended model to be submitted.</p> <p>See: <a href="http://www.waverley.nsw.gov.au">www.waverley.nsw.gov.au</a></p>
<p><b>Schedule of external finishes</b>  For all new buildings</p>	<p>A materials board including all external finishes proposed is to be submitted.</p>

Plan/ Document (and when required)	Information
<b>Site Waste &amp; Recycling Management Plan</b> All development excluding minor internal alterations.	A Site Waste & Recycling Management Plan must be completed and submitted with applications.  See: <a href="http://www.waverley.nsw.gov.au">www.waverley.nsw.gov.au</a>
<b>Public Art Plan</b> For all new development and major alterations and additions within the B3 Commercial Core and B4 Mixed Use Zone in Bondi Junction.  All applications proposing public art.	Submission are to be in accordance with Council Public Art in the Private Domain Policy and include: <ul style="list-style-type: none"> <li>• Art Plan;</li> <li>• Description of art;</li> <li>• Budget and cost summary;</li> <li>• Timeframe and staging;</li> <li>• Personnel;</li> <li>• Concept scaled drawings, samples and finishes; and</li> <li>• A plan of implementation and the ongoing management of the artworks.</li> </ul>
<b>Fire Safety Upgrade Report</b> For all new and major alterations and additions to Residential Flat and Commercial buildings or where required by Council's Fire Safety Officer.	The fire safety upgrade report is to be prepared by a suitably qualified surveyor/accredited certifier which outlines an assessment of the levels of fire and life safety within the existing and proposed development and proving appropriate recommendations for its upgrade.
<b>Planning Agreement</b> Where a PA is being offered.	Applications are to be submitted in accordance with the Waverley Planning Agreement Policy.
<b>Site Compatibility Certificate</b> Applications in accordance with: <ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i></li> <li>• <i>State Environmental Planning Policy (Infrastructure) 2007; or</i></li> <li>• <i>State Environmental Planning Policy (Affordable Rental Housing) 2009.</i></li> </ul>	Certificates are to be in accordance with the relevant SEPP.  See: <a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a>
<b>Housing Report</b> Applications in accordance with <i>State Environmental Planning Policy (Affordable Rental Housing) 2009.</i>	The report is to address <i>SEPP (ARH) 2009</i> provisions.  See: <a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a>
<b>Traffic and Transport Management Plan</b> Applications for development as identified in Section B8 Transport: 8.6 Traffic and Transport Management Plans of this DCP.	The plan should provide an assessment of the traffic and parking impacts the development proposal may have on the surrounding road network and must address matters such as: <ul style="list-style-type: none"> <li>• Current on street parking restrictions and availability;</li> <li>• Current traffic conditions;</li> <li>• The likely impact of the proposed development on existing traffic flows, the surrounding street system and on street parking availability;</li> </ul>

Plan/ Document (and when required)	Information
	<ul style="list-style-type: none"> <li>• Safety of pedestrian and vehicular movements in and around the centre;</li> <li>• How impacts of drop-off and pick up will be accommodated;</li> <li>• Proposed Travel Plan; and</li> <li>• Encouraging active transport.</li> </ul>
<p><b>Arborist Report</b> A report may be required where a tree is:</p> <ul style="list-style-type: none"> <li>• Listed on the significant tree register or heritage listed.</li> <li>• Considered hazardous or dangerous.</li> <li>• Council considers prominent due to age, amenity, size or habitat and likely to be affected by a proposed development; or</li> <li>• Council considers the submitted information is insufficient and further information/ clarification is required.</li> </ul>	<p>The report must:</p> <ul style="list-style-type: none"> <li>• Be in accordance with the Australian Standard 4970 – Protection of Trees on Development Sites;</li> <li>• Include recommendations for minimising loss of landscape amenity;</li> <li>• Be thorough, balanced and objective in assessing the impact on a tree/s health and condition;</li> <li>• Be written by a qualified arborist with the minimum qualification of Level 5 AQF (Australian Qualification Framework) or equivalent;</li> <li>• Identify each tree with reference to the survey plan; and</li> <li>• Meet the criteria as outlined in Council’s Tree Technical Manual.</li> </ul>
<p><b>Acoustic Report</b> As required within this DCP. Council may request an acoustic report on any DA as deemed reasonable, necessary and appropriate to the assessment of the proposal.</p>	<p>The acoustic report must include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Identification of sensitive noise receivers potentially impacted by the proposal;</li> <li>• 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 NSW Office of Environment and Heritage (OEH) requirements;</li> <li>• Formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;</li> <li>• 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; and/or</li> <li>• A statement indicating the development/use will comply with the relevant criteria together with details of acoustic control measures incorporated into the development/use, will not create adverse noise impacts to surrounding development.</li> </ul>

Plan/ Document (and when required)	Information
<b>Adaptable Housing Certification</b> All new development with 3 or more habitable storeys or 10 or more units.	Adaptable units must be certified as 'adaptable housing units' by an independent suitably qualified person.
<b>Geotechnical Report</b> Where excavation is proposed for development at or near cliff faces.  On sites that have a slope of 25% or more.	<p>A geotechnical report must be prepared by a suitably qualified geotechnical engineer addressing the stability of the site and surrounding properties.</p> <p>Where excavation is close to a boundary the report must address how the works will be undertaken so as not to adversely affect surrounding properties.</p>
<b>Energy Assessment Report</b> Development identified in Section B2: 2.5 - Energy Assessment.	<p>The energy assessment report is to include:</p> <ul style="list-style-type: none"> <li>(i) Modelling of the predicted operational energy demand and greenhouse gas emissions of the proposed development.</li> <li>(ii) Proposals to reduce the predicted operational energy use and greenhouse gas emissions of the site and calculations to show the energy use and greenhouse gas emission reductions attributable to each proposal including: <ul style="list-style-type: none"> <li>• Design of site, buildings and services.</li> <li>• Use of on-site energy efficient technologies.</li> <li>• Use of decentralised energy where feasible, such as district heating and cooling and combined heat and power.</li> <li>• Use of on-site renewable energy technologies where feasible.</li> </ul> </li> </ul>
<b>Preliminary Contamination Report</b> Applications on land that is or may be potentially contaminated.	<p>Applications are to be in accordance with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>.</p> <p>See: <a href="http://www.legislation.nsw.gov.au">www.legislation.nsw.gov.au</a></p>
<b>Crime Risk Assessment</b> Applications for new residential development comprising of 50 or more dwellings.	A crime risk assessment is to be prepared in accordance with Crime Prevention through Environmental Design principles under Section 79C of the <i>EP&amp;AA 1979</i> .
<b>Integrated or Designated Development</b>	<p>An application for integrated or designated development must include:</p> <ul style="list-style-type: none"> <li>• sufficient information for the approval body to make an assessment of the application;</li> <li>• additional copies of the plans as determined by the consent authority; and</li> <li>• an additional fee for each approval body and administrative fee to Council.</li> </ul>
<b>Demolition Report</b> Applications for demolition works, as directed by Council.	<p>An application involving the demolition must include:</p> <ul style="list-style-type: none"> <li>• Details of the age and condition of the buildings or work to be demolished;</li> <li>• Details of the method of securing the site during the demolition and the course of construction; and</li> <li>• Site Waste &amp; Recycling Management Plan.</li> </ul>

Plan/ Document (and when required)	Information
<b>Plan of Management</b> Places of Shared Accommodation  Tourist Accommodation  Child Care Centres  Late Night Traders  Licensed Premises  Restricted Premises  Tattoo Parlours/Studios  As deemed reasonable, necessary and appropriate to the assessment of the proposal by Council.	A Plan of Management is to include: <ul style="list-style-type: none"> <li>• Description of the proposal;</li> <li>• Proposed management;</li> <li>• Hours of operation;</li> <li>• Set out measures taken to mitigate any likely adverse environmental or social impact;</li> <li>• Proposed vehicles ingress and egress, the adequacy of any loading, unloading, turning or parking facilities;</li> <li>• Existing and likely future amenity of the neighbourhood;</li> <li>• Traffic likely to be generated and the adequacy of existing roads and present volume of traffic carried;</li> <li>• Whether public transport will be necessary to serve the development, availability and adequacy of public transport;</li> <li>• Social and economic effects of the development on the community, including the loss of affordable housing;</li> <li>• Any special circumstances relating to the site or the locality; and</li> <li>• Additional requirements as specified within this DCP.</li> </ul>
<b>Loading Vehicles Plan of Management</b> Applications for development as identified in Section 8.2 – Loading Facilities of this DCP.	The Loading Vehicles Plan of Management is to be submitted when a development proposes less loading spaces than required by Table 4 in Section 8.2 – Loading Facilities.
<b>Coastal Risk Assessment</b> Any application for new buildings, significant alterations and/or additions and/or new swimming pools on properties as identified in Section B4 - Coastal Risk Management of this DCP.	A Coastal Risk Assessment must be prepared by a suitable qualified expert in accordance with Council's Coastal Risk Management Policy.
<b>Green Travel Plan or Workplace Travel Plan</b> Applications for development as identified in Section B8 - Transport: 8.5 Travel Plans of this DCP.	A travel plan must include: <ul style="list-style-type: none"> <li>• Targets – this typically includes the reduction of a single occupant car trips to the site for the journey to work and the reduction of business travel.</li> <li>• Travel data – an initial estimate of the number of trips to the site by mode is required.</li> <li>• Measures – a list of specific tools or actions to support and achieve the targets.</li> </ul> See <a href="http://www.pcal.nsw.gov.au">www.pcal.nsw.gov.au</a> and <a href="http://www.travelsmart.gov.au">www.travelsmart.gov.au</a>
<b>Wind Environment Statement</b> Applications for any buildings over 5 storeys in height - provided a Wind Tunnel Study is not required. Refer to Section E1 Bondi Junction - 1.22 Wind Mitigation.	Wind environment statement is to be prepared by a suitably qualified wind consultant providing evaluation of the wind conditions occurring on the various outdoor spaces within and around the development. The assessment is based on an understanding of the local wind climate, a site inspection, as well as an inspection of the proposed design. If any areas within or around the development are likely to be adversely affected then in-principle recommendations should be made to address these wind effects.

Plan/ Document (and when required)	Information
<b>Wind Tunnel Study</b> Applications for any buildings over 9 storeys in height or is considered exposed.	Wind Tunnel Study must: <ul style="list-style-type: none"> <li>• Assess the likely wind effects of the development;</li> <li>• If the wind conditions in any of the areas surrounding the site exceed the relevant criteria then model the existing wind conditions to accurately quantify the impact; and</li> <li>• Recommend measures required to improve adverse wind conditions created by the proposal and demonstrate that the recommended measures will be effective in mitigating the adverse wind effects.</li> </ul>
<b>Reflectivity Report</b> Applications for buildings which incorporate large areas of glazing (either clear or highly reflective) in external surfaces above ground floor level. Refer to Section E1 Bondi Junction - 1.23 Reflectivity.	Solar reflectivity report prepared by a suitably qualified consultant. Report must document whether luminance intensity of 500 candelas / m <sup>2</sup> (as calculated by Holladay formula) will be exceeded. Alternatively specify the limiting reflectivity such that luminance intensity of 500 candelas / m <sup>2</sup> is not exceeded. Report is to propose measures to reduce potentially undesirable / hazardous solar reflections.

## **A3 ADVERTISING AND NOTIFICATION**

This Part sets out the notification process including the extent and type of notification required for each type of development application and any subsequent requests for amendments, modification and review of Development Applications (DA).

The term ‘notification’ generally refers to the process of notifying affected property owners and/or occupants of an application by way of letter and, in some circumstances, a notice on the site.

‘Advertising’ refers to the process of notifying the wider community by placing a notice in the local or other newspaper (this form also includes the *Notification* process).

### **3.1 OBJECTIVES**

- (a) To encourage community participation in the development application process.
- (b) To set out matters Council consider when forming its opinion whether or not the enjoyment of neighbouring land may be detrimentally affected by a proposal.
- (c) To outline procedures for notifying owners and/or occupiers of land affected by a Development Application.
- (d) To outline the length and type of advertising requirement for each type of proposal.

### **3.2 DEVELOPMENT TO WHICH ADVERTISING AND NOTIFICATION APPLIES**

- (a) Advertising and notification provisions apply to the following applications:
  - (i) Development Applications – as per Table 1;
  - (ii) Modifications of a development consent – Section 96(1A), Section 96 (2), Section 96 (AA), Section 96 (AB) of the *EP&AA 1979*;
  - (iii) Requests to review a determination (e.g. refusal) of a development application – Section 82 (A) of the *EP&AA 1979*; and
  - (iv) Footpath seating for restaurants and cafes.
- (b) The following applications will not be notified:
  - (i) Exempt development;
  - (ii) Complying development;
  - (iii) Section 96(1) application for modification of a consent to correct a minor error, misdescription or miscalculation; and
  - (iv) DAs to strata title new buildings, which have not been occupied.

**3.3 PROCESS TO DETERMINE THE EXTENT OF NOTIFICATION**

- (a) Council will notify persons in accordance with Table 1 where in the authorised Council officer's opinion, the enjoyment of the adjoining or neighbouring land may be detrimentally affected. Types of issues that may be considered include:
  - (i) The likely impacts of the development including, but not limited to, loss of views loss of privacy, overshadowing, noise generation, visual bulk, hours and type of use, traffic and parking impacts; and
  - (ii) Any other instance that the council officer deems notification of a given DA is appropriate and required.
  - (iii) The minimum extent of notification is outlined in Section 3.7 and may be varied where in the authorised council officer's opinion additional (or lesser) properties should be notified.

**3.4 PERSONS TO BE NOTIFIED**

- (a) Notification will be provided to the following:
  - (i) All persons who, according to Council's property records, own or occupy land immediately adjoining the application site and any others that may (in the opinion of the Council officer) be affected by the proposal.
  - (ii) Where the notified property comprises a strata titled building, the Owners Corporation will be notified and any units that are considered to be directly affected (in the opinion of the Council officer) by the proposal.
  - (iii) The owner/occupant of any other property that (in the opinion of the Council officer) may be affected by the proposal.
  - (iv) The elected Councillors and the relevant local precinct committee will be notified of all Advertised and Notified Development as per Table 1 in this Part.
- (b) If the land to be notified is in an adjoining LGA, names and addresses of owners shall be obtained by Council from that adjoining Council.

**3.5 METHOD OF NOTIFICATION**

- (a) Development applications where required to be notified or advertised will be notified through all or part of the following ways:
  - (i) Written Notice;
  - (ii) Email notification;
  - (iii) Site Notice;
  - (iv) Advertisement in the local or other newspaper; and/ or
  - (v) Documents available on Council's website.
- (b) Designated and Advertised development will be notified in accordance with the *EP&AA 1979*.



### 3.6 RE-NOTIFICATION PROCEDURES

#### 3.6.1 Amendments prior to determination

Amendments to an application will be re-notified unless in the opinion of the Council officer the change or where there is more than one change, each change, results in lesser impact.

The notification period may be reduced if in the opinion of the Council officer all persons affected by the change(s) have been given an opportunity to make a submission.

The extent of the notification may be limited to those persons who in the opinion of the Council officer may be affected.

#### 3.6.2 Modifications and reviews (post-determination)

- (a) Modifications of a development consent (other than minor modifications) – Council will notify those persons who were notified of the original development application and any other person who, in the opinion of the Council Officer, may be affected by the modification.
- (b) Reviews of determinations (e.g. refusal) – Council will notify any person who made a submission in respect to the original application.

#### 3.6.3 Post determination notification

All those that made a written submission in respect of a development application will be notified of Council's decision once that application has been determined. A list of development applications approved will be published in one of the local newspapers.

### 3.7 ADVERTISING AND NOTIFICATION REQUIREMENTS

Table 1 provides guidelines of the type and length of notification. The notification period may be altered at the discretion of the assessing officer following consideration of the nature and likely impact of the proposal or the circumstances of the case.

The Council, any committee of the Council, the General Manager or the responsible Council officer may direct that a development application or an application to modify a development consent be advertised and/or notified to any additional persons or the like.

Where an application does not fall into one of the categories, Council will determine the most appropriate notification period using Table 1 as a guide.

There are 3 types of public exhibition procedures:

Type A – 14 days notification.

Type B – 21 days notification.

Type C – 28 days notification AND advertising in the local newspaper.

All types (A, B and C) also require a site notice.

Proposed Use/ Development	Notification
<b>Single/small scale residential</b>	
Dwelling Houses and Dual Occupancies – alterations, additions and new buildings, whether attached, semi-detached or detached	A
<b>Multi residential</b>	
Alterations and additions to multi dwelling housing, mixed use development, residential flat buildings, shop top housing, seniors housing or housing for people with a disability	A
New multi dwelling housing, mixed use development, residential flat buildings, shop top housing, seniors housing or housing for people with a disability	B
<b>Commercial - Accommodation</b>	
Bed & breakfast establishment	A
Alterations and additions to boarding house/group home	A
New Boarding house/group home	B
Alterations and additions to backpacker's accommodation/Hostel	A
New backpacker's accommodation/Hostel	B
Alterations and additions to hotel/motel/serviced apartment	A
New Hotel/motel/serviced apartment	B
<b>Commercial – Retail (selling products)</b>	
Footpath seating for restaurants/cafes and/or occupation of footpaths	A
Change of use	A
Alterations and additions to bulky goods premises	A
New bulky goods premises	B
<b>Commercial - Business (selling services)</b>	
Child care centre	A
Community facility	A
Educational establishment	A
Health consulting rooms	A
Home-based child care	A
Home business/industry	A
Medical centre	A
Alterations and additions to function centre	A
New function centre	B
Alterations and additions to restricted premises	A
New restricted premises	B
Alterations and additions to sex services premises	A
New sex services premises	B
<b>Heritage</b>	
Heritage conservation areas or minor work to heritage listed sites – all categories of development except change of use and footpath seating	A
Heritage listed sites (excluding minor works) – all categories of development except change of use and footpath seating	B
<b>Other</b>	
Amended plans	A

Proposed Use/ Development	Notification
Any building/activity which in opinion of Council would detrimentally affect owners/occupiers nearby land	A
Signage	A
Subdivision (Torrens Title) and strata subdivision (except new buildings not yet occupied)	A
Alterations and additions to place of public worship	A
New place of public worship	B
Road reservation/widening	B
Designated development	C
Planning Agreement	C

**Table 1** Advertising and notification requirements**NOTE**

1. 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. Notwithstanding this specified period, in certain circumstances, Council may use its discretion to allow an extension of the prescribed notification period.
2. *“Minor works”* - In the opinion of the consent authority, the proposed development is of a minor nature or consists of maintenance.
3. *“Immediately adjoining properties”* are those which share a common boundary with the subject property.
4. Notification periods for advertised development commences on the date of notice in the newspaper.
5. Site notice and newspaper provisions may not apply to modifications or amendments.
6. Notification of a development application or modification will be provided to only the relevant Precinct Committee.
7. Notification for Councillors and Precincts will remain for all applications in a weekly listing.

# PART B      GENERAL PROVISIONS

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## B1 WASTE

This Part aims to minimise waste and maximise resource recovery during the demolition, construction and ongoing management of a property, and facilitate safe and efficient waste and recycling collection from all premises throughout Waverley.

This Part applies to all works requiring a development application (DA).

### 1.1 DEMOLITION AND CONSTRUCTION

Construction and demolition contribute significantly to all waste going to landfill. Much of this waste is clean excavated material, concrete, bricks and timber. This waste is an inevitable part of a project but does present a significant opportunity to increase efficiency and profitability while encouraging sustainable practices.

#### Objectives

- (a) To minimise waste generated during demolition and construction.
- (b) To maximise the re-use of clean excavated material, concrete, bricks and timber.
- (c) To ensure the safe removal and disposal of hazardous building materials.

#### Controls

- (a) Separate collection bins or waste storage areas are to be provided giving consideration to slope, drainage, vegetation, access and handling requirements and may include:
  - (i) Landfill waste;
  - (ii) Recyclable waste;
  - (iii) Materials to be re-used on-site; and / or
  - (iv) Excavation materials (refer to Annexure B1-1 for common building materials that can be re-used and recycled).
- (b) All sandstone must be re-used.
- (c) All storage areas are to be located within the property boundary and identified on the site plans as part of the Site Waste & Recycling Management Plan (SWRMP).
- (d) Where on-site space is limited, approval may be granted by Council to place a skip bin on a footpath or other public area (refer to Annexure B1-7).
- (e) Waste and recycling containers/skips may only be provided by persons/companies holding a current permit granted by Council.
- (f) Asbestos and other hazardous material is to be managed under the *Protection of the Environment Operations Act 1997* and Council's Asbestos Policy 2005.
- (g) Materials that cannot be reused or recycled should be disposed of at an approved landfill site and specified in the SWRMP.
- (h) Records are to be retained on-site demonstrating lawful disposal of waste.
- (i) Easy vehicular access to waste and recycling material storage areas must be provided.
- (j) Construction materials are to be stored away from waste and recycling materials to enable easy access for waste collectors.
- (k) All waste and recycling is to be stored in way that prevents damage from the elements and reduces odour, health risks and windborne litter.

## 1.2 ONGOING MANAGEMENT

Waste is a key consideration in the design and ongoing management of all developments to ensure the efficient use and reuse of waste and ensure that it does not impact on the amenity of the surrounding area.

### Objectives

- (a) To ensure waste and recycling systems are easy to use and complement waste and recycling services.
- (b) To promote safe practices for storage, handling and collection of waste and recycling.
- (c) To prevent stormwater pollution that may result from poor waste and recycling storage and management practices.
- (d) To minimise amenity impacts during the storage, use and collection of waste and recyclables.

### 1.2.1 Storage

#### *All Development*

- (a) Sufficient space must be provided to accommodate the storage of waste and recycling (in separate containers) likely to be generated on the premises between collections and any associated equipment. Approximate waste and recycling rates for various commercial and residential developments are provided in Annexure B1-2.
- (b) All waste and recycling must be inside Council approved bins or skips, with lids closed to reduce littering, stormwater pollution, odour and vermin. Waste and recycling not presented in the correct manner will not be collected.
- (c) Council will supply and service 140L and 240L bins. Where a building consists of 40 or more units, 660L bins can be used, subject to negotiation with Council. The use of 660L bins will only be considered where:
  - (i) the building has more than 20 units; and
  - (ii) adequate off site access for waste collection vehicles is provided and is in accordance with relevant Australian Standards.
- (d) For developments with over 40 units, a compactor may be used subject to negotiation with Council.
- (e) Any volume reducing equipment must be installed in accordance with the manufacturers design specifications. The equipment must be installed on either a concrete plinth 75mm high or on legs at least 150mm high and have a space between the unit and the walls to enable easy access for cleaning and maintenance. Compaction rates must not be set higher than 2:1.
- (f) All organic waste should be either treated in a composting or worm farming system or stored in a Council approved bin or skip (refer to Annexure B1-5).
- (g) Waste and recycling receptacles must be stored at all times within the boundary of the site and screened from the public and commercial domains.
- (h) No incineration devices are allowed.
- (i) Waste and recycling storage rooms must be:
  - (i) Constructed of concrete or other approved materials at least 75mm thick;
  - (ii) Finished with a smooth even surface;

- (iii) Coved at the intersection with walls and plinths with a ramp to the doorway where necessary;
- (iv) Graded and drained to the sewerage system and approved by Sydney Water;
- (v) Fitted with a close fitting and self-closing door that can be opened from within the room;
- (vi) Fitted with smoke detectors in accordance with the relevant Australian Standards.
- (vii) Equipped taps supplying of hot and cold water, mixed through a centralised mixing valve with a hose cock and fitted with an aerator to increase water efficiency;
- (viii) Designed to include a clear and easy-to-read “NO STOPPING” sign and “DANGER” sign on the external face of waste storage rooms where appropriate;
- (ix) Designed to ensure waste-water from the cleaning of the waste storage area and bins, is not to drain into the stormwater system; and
- (x) Fitted with childproof compacters or mechanical devices where used in the storage of waste.

*Multi Dwelling and Multi Unit Housing Development*

- (a) A room or caged area with a minimum volume of 4m<sup>3</sup> must be allocated for the storage of discarded bulky items, such as old furniture, awaiting Council pick up.
- (b) Waste storage rooms are to be located a maximum 10m from pick up point.
- (c) Developments containing more than 3 habitable storey's must:
  - (i) Provide a system for convenient transportation of waste and recyclable material to the communal waste and recycling storage area (see Annexure B1-6); and
  - (ii) Provide a waste and recycling compartment/area on each floor with sufficient capacity to store at least 1 day volume of waste and recycling likely to be generated on that floor.
- (d) Both waste and recycling bins/crates must be stored together.

*Commercial Development*

- (a) Kitchens, office tea rooms and the like are to be designed with sufficient space for the interim storage of recyclable, organic and regular waste in separate receptacles.
- (b) A waste service compartment (waste and recycling area) is to be provided on each floor of the building and have sufficient capacity to store at least 1 day's volume of waste and recycling likely to be generated on that floor.
- (c) Sufficient space must be allocated on site for the storage of reusable items such as crates and pallets.
- (d) Separate space must be allocated for the storage of liquid wastes and oils etc. The liquid waste storage areas must be undercover, bunded and drained to a grease trap.
- (e) Liquid waste from grease traps must only be removed by licensed contractors approved by Sydney Water and NSW EPA.
- (f) All new developments are to provide adequate storage for waste to accommodate future change of uses including grease traps is to be provided.



- (g) For commercial premises whose waste contains 20% or more food waste or other waste which is considered by Council to have potential amenity impacts, a daily waste collection is required, unless an alternative is agreed upon with Council.

*Mixed Use Development*

- (a) There must be at least two separate centralised waste and recycling storage rooms or areas, one for commercial waste and one for residential waste. Storage rooms be self-contained and have separate keys and locking systems.

---

### 1.2.2 Access

*All Development*

- (a) Waste and recycling storage areas must be located in a position convenient for both users and waste collection personnel.
- (b) The path for bins between the waste and recycling storage area and the vehicle collection point must be free of steps and kerbs.
- (c) Collection from within the boundary of the property is only possible upon prior negotiation with Council.
- (d) Where collection vehicles are required to drive into a property to collect waste and recycling, the site must be designed to allow collection vehicles to enter and exit the property in a forward direction and have adequate vehicle clearance.
- (e) Access roads must comply with the Building Code of Australia, all relevant Australian Standards and Annexure B1-3.

*Residential Development*

- (a) Developments containing more than 3 habitable storeys must provide a system for convenient transportation of waste and recyclable material to the communal waste and recycling storage area in line with Annexure B1-6.

---

### 1.2.3 Amenity

*All Development*

- (a) Waste and recycling storage areas must be visually and physically integrated into the design of the development.
- (b) Waste and recycling storage areas must be designed and located to avoid adverse impacts on the amenity of adjoining sites including noise and odour.
- (c) All waste and recycling receptacles must be put out for kerb-side collection no earlier than the previous evening.
- (d) All waste and recycling receptacles must be removed from the kerb-side or laneway as soon as possible on the same day as the collection service.

*Mixed Use Development*

- (a) Noise and odour generated from the commercial component of the development must not impact on residents in the same site.
- (b) Residential units must be insulated from noise if adjacent or above the waste and recycling storage facility, compaction equipment or collection and vehicle access points.

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**1.2.4 Management***Multi Unit, Multi Dwelling, Commercial and Mixed Use Development*

- (a) The design of the waste and recycling management system must identify responsibility for cleaning of waste receptacles and storage areas and for transfer of bins within the property, to the collection point and back to the storage areas.
- (b) Clear and easy to read signs identifying the different waste receptacles and where in the storage area these should be positioned must be displayed.

*Commercial Development*

- (a) All businesses must have written evidence, held on site, of a valid and current contract with a licensed collector of waste and recycling.
- (b) The waste and recycling management (including composting) and collection system, along with allocated responsibilities should be clearly outlined in contracts with cleaners, building managers and tenants.

**B2 ENERGY AND WATER CONSERVATION**

Energy efficient buildings, through their design, construction and choice of appliances and heating and cooling systems not only reduce the consumption of non renewable resources and the level of green house gas emissions into the atmosphere, they are also more economically efficient and increase the level of all year round comfort for its users.

*State Environmental Planning Policy (Building Sustainable Index: BASIX) 2004* applies to residential developments and aims to ensure homes or apartments are designed to minimise potable water usage and energy usage.

An applicant is required to lodge a BASIX certificate with their development application with Council for:

- New residential buildings;
- Alterations and additions to existing residential buildings where the estimated construction cost of the work is more than \$50,000 and where development approval is required; and
- New swimming pool (or pool and spa) with a capacity of 40,000 litres or more.

More information is available at the following link: [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

Applicants are encouraged to exceed minimum BASIX scores.

**2.1 PASSIVE ENERGY DESIGN**

Passive solar buildings are designed so that windows, walls, and floors are able to collect, store, and distribute solar energy in the form of heat in winter and reject solar heat in the summer. A passively designed house reduces the need for the use of mechanical and electrical (active heating and cooling) systems, saving energy and costs.

**Objectives**

- (a) To encourage passive solar design through site layout, design and construction to reduce the need for active heating and cooling systems.

**Controls**

- (a) Development is to be designed and constructed to reduce the need for active heating and cooling system by incorporating passive design measures through site design and analysis. Considerations include:
  - (i) Physical characteristics of the site;
  - (ii) Site context, such as adjacent buildings or structures affecting the site, relationship of the site to the street, identification of key features such as views and orientation;
  - (iii) Overshadowing caused by existing buildings;
  - (iv) The orientation of true solar north, and a range of 30 degrees east and 20 degrees west of true north;
  - (v) Trees on, or affecting the site, identifying location, type, size and condition; and
  - (vi) Prevailing seasonal winds, sun and shade characteristics.
- (b) Development should be orientated to ensure optimum solar access and natural ventilation is achieved.
- (c) Shade north and west facing windows from direct summer sun by external shading devices such as awnings, upper floor balconies, eaves and overhangs.
- (d) Minimise east and west facing windows as they are difficult to shade. Where this is not possible use vertical shading devices such as blinds and shutters.
- (e) Insulation should be used in external walls and roofs to reduce heat escaping from a building in winter and to maintain a lower internal temperature in summer.
- (f) Position internal walls and partitions to allow for any prevailing passage of air through the building.
- (g) Minimise undue passive solar impacts especially for east-west running blocks for properties to the south.

## 2.2 WATER CONSERVATION

Water is our most valuable natural resource. Fresh water only makes up a small percentage of all the earth's water and therefore must be used in a sustainable way. Businesses account for nearly one third of Sydney's daily water use. Reducing water consumption reduces not only water costs but can reduce wastewater, energy and chemical treatment costs.

### Objectives

- (a) To reduce water consumption.
- (b) To encourage sustainable water use practices.

### Controls

- (i) All new development is to demonstrate the measures proposed to reduce water consumption.
- (ii) All new fittings and fixtures are to be installed with the highest Water Efficiency Labelling and Standards (WELS) scheme star rating available at the time of development.
- (iii) Rainwater tanks or storage must be installed in all new developments and major alterations/additions to provide water for non-potable uses. If this is not feasible, justification for this must be provided.
- (iv) Sub-meters are to be provided for individual tenants or floors in new commercial developments.
- (v) Dry basket arrestors are to be provided to floor wastes in food preparation areas and be shown on plans submitted.
- (vi) Premises shall have a floor waste point (drainage) to prevent polluted water from reaching the footpath.
- (vii) 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 piped connection to Council's stormwater drainage system is required and there is to be no discharge to the footpath.

**2.3 GREEN ROOFS AND WALLS**

Green roofs and walls are being increasingly installed as a way of improving the aesthetic quality of buildings while also increasing the building performance through their high insulation characteristics, improved local air temperature and quality, increased potential fauna habitat and improving stormwater quality and runoff.

**Objectives**

- (a) To encourage the use and installation of green roofs and walls to increase building performance, thermal comfort, fauna habitat, localised air temperature and aesthetics of the urban environment.

**Controls**

- (a) The green roof is to have a minimum soil depth of 300mm.
- (b) The green roof is to be planted with native plants (preferably locally indigenous) or with species for food production.
- (c) A statement from a structural engineer is required showing that the roof or wall is capable of supporting the chosen type of green roof or wall.
- (d) A description of the structure and makeup of the green roof or wall that demonstrates its long term waterproofing performance is required.
- (e) The green roofs or walls are not to detract the heritage significance of a building.
- (f) Green roofs are not to be used as recreational areas and access is to be for servicing the green roof only.
- (g) Stair overruns or associated equipment or structures should not block views of neighbouring properties.

## 2.4 ACTIVE ENERGY

Unlike passive heating and cooling, active heating, cooling and energy systems involve the use of mechanical and electrical systems. Where active systems are required it is encouraged that these are in the form of active solar technologies which convert [solar energy](#) into usable light and heat, cause air-movement for ventilation or cooling, or store heat for future use rather than air conditioning units and the like.

### Objectives

- (a) To encourage the installation and use of active solar technologies.
- (b) To ensure development takes into consideration neighbouring active solar technologies in the design of the building.

### Controls

- (a) The use of solid fuel heating in all new dwellings is prohibited.
- (b) Solar hot water systems are encouraged to be installed in all new developments and major alterations and additions. Where solar access is poor, alternative high efficiency systems are to be used, such as:
  - (i) High efficiency gas storage system;
  - (ii) High efficiency electric heat pump; or
  - (iii) Instantaneous gas hot water for premises with low level hot water usage or intermittent water usage.
- (c) Ceiling fans and passive cooling systems are preferred over air-conditioning systems.
- (d) Where mechanical ventilation or air-conditioning is required it must:
  - (i) Have sufficient controls so it is used only when required;
  - (ii) Should be an energy efficient reverse cycle air conditioning system that achieves one star less than the maximum possible under the Australian Government air conditioning energy rating standard.
  - (iii) New or replacement air conditioning units are to have a minimum 2-star rating for cooling only. Reverse cycle air conditioning units are to have a minimum of 2-star rating on one cycle and 2-star rating on the alternate cycle.
  - (iv) 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 piped connection to Council's stormwater drainage system is required and there is to be no discharge to the footpath.
- (e) The installation and expansion of photovoltaic panels is encouraged in new and existing developments.
- (f) Where photovoltaic panels are proposed it would be desirable that the panels be parallel and flush with the pitch of the roof and incorporated into the design of the building.
- (g) The use and location of photovoltaic panels and solar hot water heating systems should take into consideration the potential permissible building form on the subject property and/or adjoining properties.
- (h) Development and major tree plantings should maintain solar access to existing photovoltaic solar panels and solar hot water heating systems having regard to their performance, economic viability and reasonableness of the location.

- (i) For developments with multiple floors, multiple tenants or that are strata subdivided, electrical sub-metering is required.
- (j) Buildings are to incorporate energy saving systems for lighting. This includes the use of:
  - (i) Natural lighting where possible;
  - (ii) Energy efficient lights such as T5 fluorescents, CFLs, or LEDs; and
  - (iii) Sensor lighting so that lights are only used when necessary.
- (k) New roofs and/or ceilings are to be insulated with a minimum R3.2 rating, and new walls must be insulated to a minimum R2.8 rating.
- (l) All new development shall be designed to include an internal ventilation shaft to ensure future alterations do not place the shaft in an unsuitable location.
- (m) Lighting technologies i.e. sensors, timing switches, dimmers, two way lighting, diffused light, use of high efficiency lamps are encouraged.
- (n) New gas heaters must be rated no less than one energy star below the maximum available at the time of installation.



## 2.5 GREEN STAR

Green Star is a comprehensive national rating system that evaluates the environmental design, construction or performance of buildings. Green Star certification ensures a building will be designed to perform better than a comparable building that complies with the National Construction Code and BASIX, where applicable, and encourages innovative environmental solutions tailored to each development.

- (a) Green Star certification is encouraged for all developments with a cost of works of \$3 million or greater.
- (b) Development should be designed to, registered and obtain a minimum of a 4 star Green Star Certified Rating in accordance with the Green Star Design and/or the Green Star Design & As-Built assessment tools or equivalent certification.
- (c) Council requires proof of registration for a Green Star Design and/or Green Star Design & As-Built Rating for the proposed development.

**Note:** If the Green Star certification provision has been satisfied, an additional energy assessment is not required as per section 2.6 of this DCP. However if the Green Star provision has not been satisfied, an energy assessment report is required as part of the development application.

**2.6 ENERGY ASSESSMENT**

Applications which have satisfied section 2.5 *Green Star* will be deemed to have fulfilled criteria under 2.6 *Energy Assessment*.

- (a) An energy assessment report must accompany a development application for new mixed use and commercial development with a cost of works of \$3 million or greater.
- (b) The energy assessment report is to demonstrate that the proposed development's predicted greenhouse gas emissions are 30 percent less than those of a reference building. A reference building is a hypothetical building of the same size, shape, floor area and glazing areas as the proposed development, but whose building fabric and building services characteristics are based on the current National Construction Code Section J deemed to satisfy provisions.
- (c) The energy assessment report is to include a completed Green Building Council of Australia's Green Star Design and As Built Energy Calculator Path 2.3 Class 2-9 Reference Building. This is available online at <http://www.gbca.org.au/green-star/green-star-design-as-built/the-rating-tool/#Calc%20and%20guides%20>.

This includes:

- (i) Modelling of the predicted operational energy demand and greenhouse gas emissions of the proposed development.
- (ii) Proposed solutions to reduce the predicted operational energy use and greenhouse gas emissions of the site and calculations to show the energy use and greenhouse gas emission reductions attributable to each proposed solution.
- (iii) Potential solutions include:
  - Design of site, buildings and services.
  - Use of on-site energy efficient technologies.
  - Use of decentralised energy where feasible, such as district heating and cooling and combined heat and power.
  - Use of on-site renewable energy technologies where feasible.

## B3 BIODIVERSITY

Waverley contains 5.9 hectares of remnant bushland, occurring as scattered pockets on cliff edges, in parklands, road reserves and within private property, providing habitat and food for native wildlife. Since European Settlement, Waverley has lost over 99% of its original vegetation. Due to their local significance, these remnants must be protected. These areas also contain the threatened plant species, Sunshine Wattle, and the threatened ecological community, Eastern Suburbs Banksia Scrub.

Areas of introduced native and non-native vegetation have also been recognised as providing important habitat for native wildlife. Habitat corridors link areas of remnant vegetation with recognised habitat areas.

Council acknowledges the intrinsic value of remnant vegetation or bushland, as well as the habitat and other environmental values of revegetated areas and the need to protect them from the degrading influences of surrounding development.

### 3.1 REMNANT VEGETATION

Within Waverley's remnant vegetation, the plant species Sunshine Wattle, *Acacia terminalis* ssp *terminalis*, and the ecological community, Eastern Suburbs Banksia Scrub (ESBS) are listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, and on the NSW *Threatened Species Conservation Act 1995*.

*Sunshine Wattle* has a persistent soil seed bank which may last for up to 50 years (DECCW, 2007:8). Sites that are undeveloped should be protected to encourage regeneration from the seed bank.

The following objectives and controls relate to land identified in the Biodiversity maps located within WLEP 2012 as remnant vegetation or land adjoining remnant vegetation. Note, definitions are included at the end of this DCP.

### Objectives

- (a) To retain, protect and enhance remnant native vegetation for local wildlife and benefits to the community.
- (b) To protect and promote the recovery of threatened species, populations, and endangered ecological communities.

### Controls

- (a) For all development (excluding minor alterations and additions, retrofits and the like), a stormwater management plan must be submitted with the development application that demonstrates the proposed measures that will be adopted to ensure no adverse environmental impact on the remnant vegetation. Such measures could include sediment fencing to retain stockpiles on site or geotechnical fabric to protect stormwater drains.
- (b) For all new development and major alterations and additions, a landscape plan is to be submitted with the development application. The Plan is to include a plant species list, showing the botanical and common names of plants, pot size of plants, number of plants and the area of origin of the plant material. For properties containing or adjoining remnant vegetation the landscape plan should be consistent with the remnant section of the planting palette in the relevant plan of management.
- (c) A minimum of 90% of the proposed plantings (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2 - 1.
- (d) All noxious weeds on the property at the time of development are to be removed by a suitably qualified person
- (e) Trees with hollows are to be retained for habitat wherever possible to provide habitat for arboreal fauna. Consideration must be given to the potential risk of damage to public or property as determined by a suitably qualified arborist.
- (f) Council may require additional supporting information for an application including the following:
  - (i) Vegetation management/protection plan; and
  - (ii) Flora or fauna impact assessment.
- (g) Remnant vegetation is to be protected unless:
  - (i) Trees and vegetation are removed/trimmed in accordance with the *Roads Act 1993*;
  - (ii) The work needs to be carried out by Council, the State Emergency Services, the Rural Fire Service of NSW, or a public authority in response to an emergency;
  - (iii) Works are carried out by State or Federal Government Departments or Authorities under current legislative requirements; or
  - (iv) The tree or vegetation is a recognised noxious weed (*Noxious Weeds Act 1993*). The applicant must first seek advice from Council and Council must be notified in writing seven (7) days prior to the commencement of removal work.

### 3.2 HABITAT CORRIDORS AND RECOGNISED HABITAT

Wildlife movement allows dispersal, interbreeding and recolonisation to occur, improving long-term viability of the species. Wildlife movement also facilitates pollen and seed dispersal, thus enhancing the viability of plant populations. Continuous Habitat Corridors are preferable, but discontinuous corridors still contribute to fauna movement and can potentially be improved through habitat enhancement.

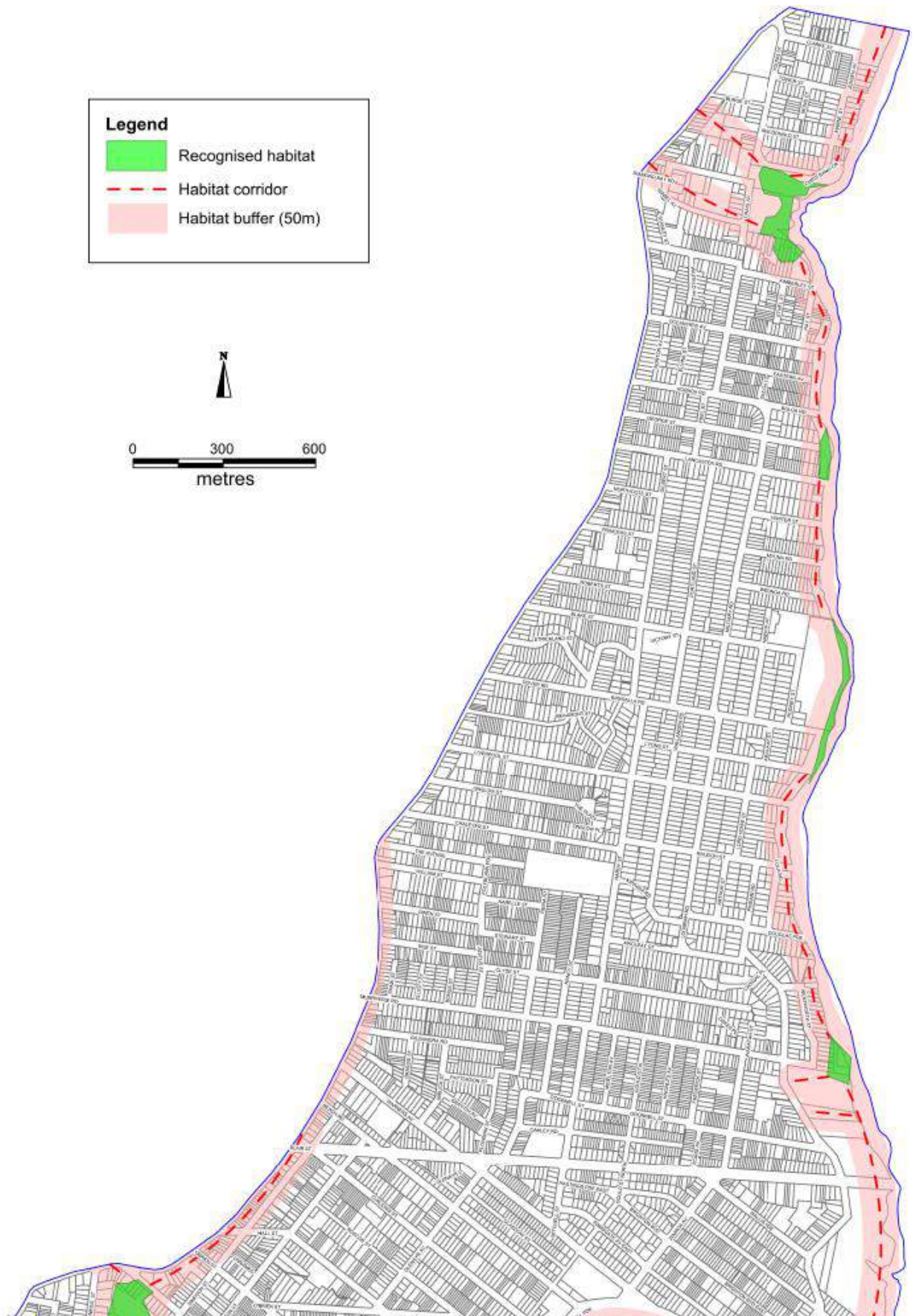
This part refers to land identified in Figure 1 and Figure 2 as Habitat Corridors and Recognised Habitat. Note, definitions are included at the end of this DCP.

#### Objectives

- (a) To ensure development contributes to the landscape character of the area.
- (b) To enhance planted native vegetation and the ecological functions of habitat corridors
- (c) To reconstruct habitat in non-vegetated areas of designated wildlife corridors that will as far as possible, represent the combination of plant species and vegetation structure of the original community.

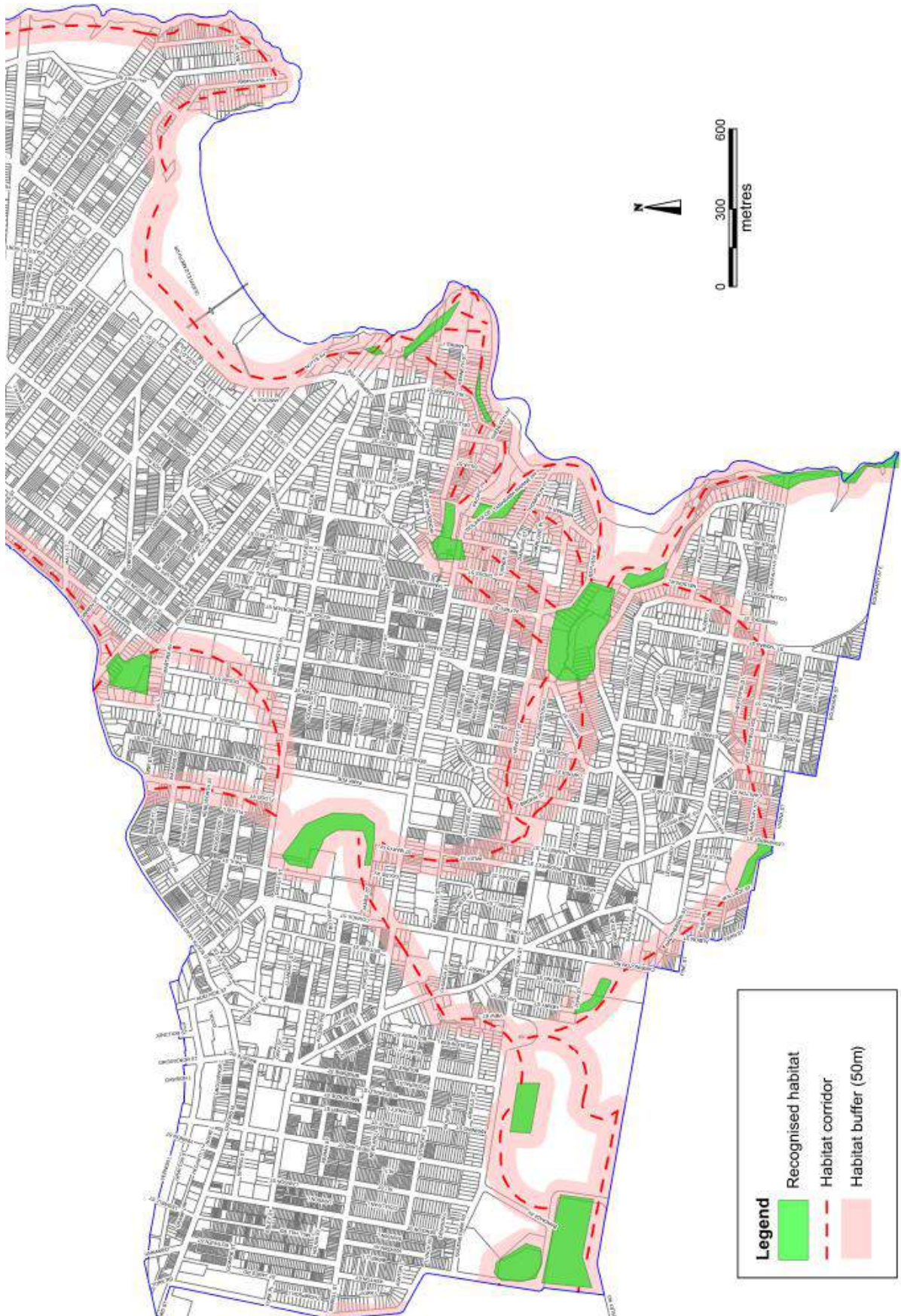
#### Controls

- (a) For all new development a landscape plan is to be submitted with the development application. The plan is to include a plant species list on all landscape plans, showing the botanical and common names of plants, pot size of plants, number of plants and the origin of the plant. For properties containing or adjoining remnant vegetation the landscape plan should be consistent with the habitat section of the planting palette in the relevant plan of management.
- (b) A minimum of 50% of the proposed plantings (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2 – 1.
- (c) All noxious weeds on the property at the time of development are to be removed by a suitably qualified person.
- (d) Trees with hollows will be retained for habitat wherever possible to provide habitat for arboreal fauna. Consideration must be given to the potential risk of damage to public or property as determined by a suitably qualified arborist.
- (e) Council may require additional supporting information for an application including the following:
  - (i) Vegetation management/protection plan; and/or
  - (ii) Flora or fauna impact assessment.



**Figure 1** Habitat corridors and recognised habitat





**Figure 2** Habitat corridors and recognised habitat

**B4 COASTAL RISK MANAGEMENT**

Coastal risks include risks from erosion, inundation and geotechnical instability. Erosion refers to the wearing away of the land by the action of natural forces. Coastal or tidal inundation is the flooding of coastal lands by ocean waters, which is generally caused by large waves and elevated water associated with severe storms and the peak of the high tide. Geotechnical risks in the coastal zone refer to coastal cliff or slope instability.

Any application for new buildings, significant alterations and/or additions to existing buildings and/or new swimming pools on properties identified in Figures 3 and 4 are required to submit the following with a development application (refer to DCP Part A2 - Documentation Requirements):

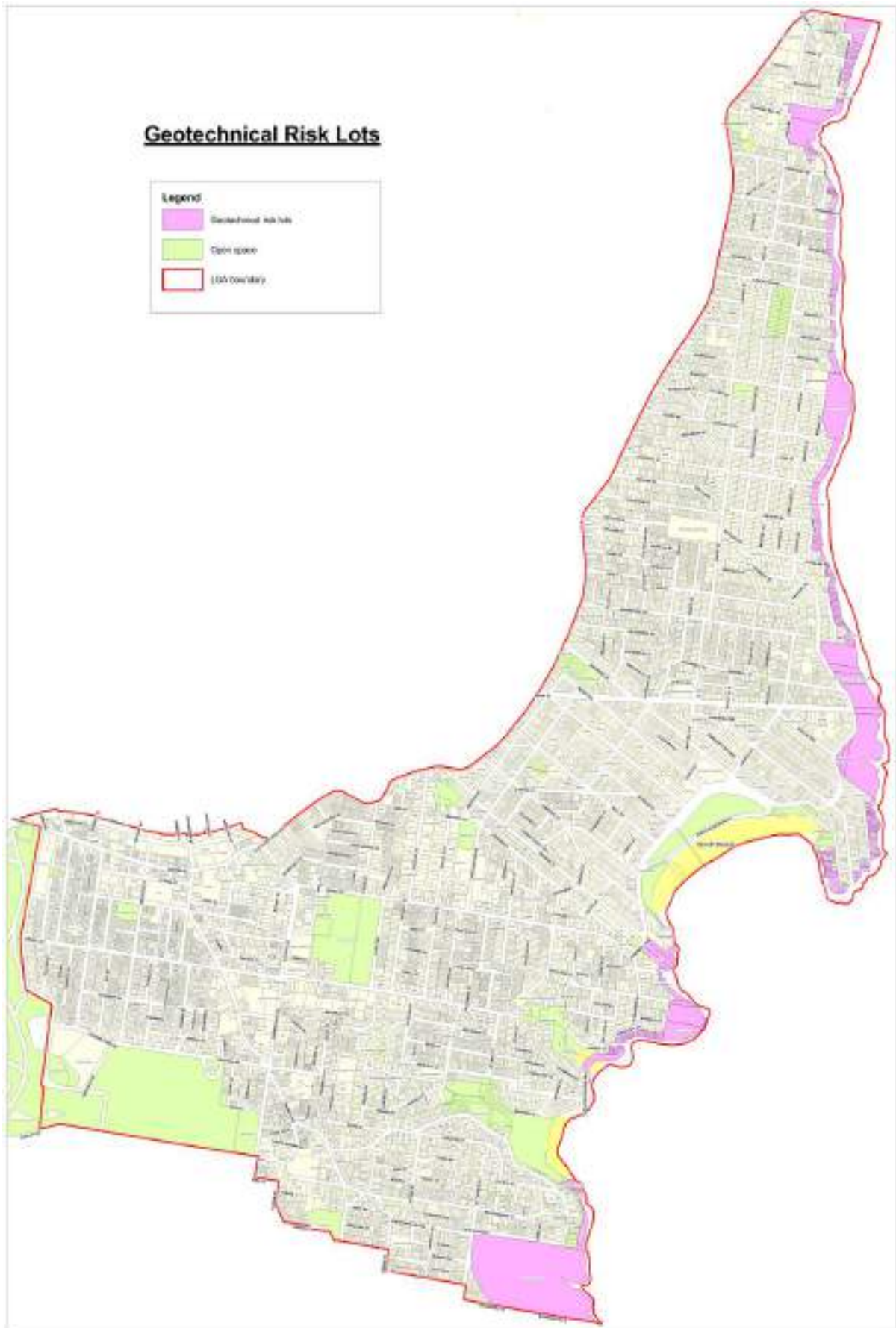
- (a) Coastal Risk Assessment; and/or
- (b) Geotechnical Risk Assessment.

Refer to Council's Coastal Risk Management Policy 2012 for further information.





**Figure 3** Coastal inundation risk map



**Figure 4** Geotechnical risk map

## B5 TREE PRESERVATION

Trees are an integral component of the urban environment. They provide habitat for animals, create a distinctive character for an area, visually soften the built environment and improve the natural environment through improved water infiltration, soil stability and air quality.

This part is to be in conjunction with Clause 5.9 Preservation of Trees of Waverley Local Environmental Plan (WLEP) which outlines additional provisions relating to the protection and preservation of tree and vegetation.

The 'Waverley Tree Management Policy' (WTMP) outlines the requirements for all tree and vegetation related activity. Please refer to the WTMP for additional information relating to the protection of trees and the requirements for applicants.

The objectives and controls in this section apply to trees and vegetation on private land. In the first instance, refer to the WTMP for the relevant requirements. Where there is any inconsistency between the WTMP and this DCP, the WTMP prevails.

## 5.1 GENERAL PROVISIONS

### Objectives

- (a) To ensure the conservation of trees of ecological, environmental, heritage and aesthetic significance.
- (b) To ensure development does not impact on the health of a tree on the site or adjoining properties or street trees.
- (c) To ensure all works to trees are conducted in accordance with the relevant Australian Standards.

### 5.1.1 When consent is required

#### Controls

- (a) An application is required to do work on any part of a tree above or below ground. This applies to any tree with a:
  - (i) Height of five metres or greater and trunk width of 300mm or greater at ground level; or
  - (ii) Canopy spread of five metres or greater and trunk width of 300mm or greater at ground level; or
  - (iii) Listing on the Waverley Register of Significant Trees.
- (b) An applicant may be able to apply for a complying development certificate if the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* are satisfied.
- (c) If the tree or other vegetation is, or forms part of a Heritage Item or is within a Heritage Conservation Area, then development consent is required. (Refer to Clauses 5.9 and 5.10(3) of WLEP).
- (d) Any person who contravenes or causes to be contravened, the provisions of this part of this plan shall be guilty of an offence. In any proceedings under this plan, it shall be sufficient defence to prove that the tree or trees and vegetation were dying or dead or had become dangerous.

### 5.1.2 Trees considered to pose an imminent danger

- (a) Except for specified emergency situations, expert advice should always be obtained with respect to hazardous trees to confirm their condition.
- (b) Where a hazardous tree is removed (in an emergency situation) due to obvious instability or hazard (e.g. following a storm), Council's Rangers must be notified prior to removal. It is recommended that evidence of the tree's condition be retained for a period of at least six (6) months after the event and produced at Council's request if needed. Such evidence might include a:
  - (i) Report by a consulting arborist including photographs; and/or
  - (ii) Written statement from the State Emergency Services, if the Service carried out the emergency work at the owner's request.
- (c) If trees are removed for the above reasons it is a requirement to plant replacement trees of a suitable native species to maintain canopy cover in Waverley.

## 5.2 PROTECTING TREES ON DEVELOPMENT SITES

Damage to trees on development sites is often caused because of a failure to appreciate their vulnerability, particularly the root system which can decline in health over several seasons following detrimental alterations to the soil environment. It is necessary that development takes into consideration trees both on the site and those on adjoining sites including street trees.

### Objectives

- (a) To ensure development does not impact on the health of a tree on the site or adjoining properties or street trees in accordance with Australian Standard – AS 4970 – Protection of Trees on Development Sites.

### Controls

- (a) When a proposed development may have an impact on trees on the site, on adjoining properties or public trees within 4 metres of the site, the following information is required at these stages:
  - (i) Lodgement of Development Application.
    - Tree Retention Value Report; and
    - For trees identified as moderate to high retention and to be protected an Arboricultural Impact Assessment (includes a tree protection plan).
  - (ii) Prior to Construction Certificate.
    - Final Tree Protection Plan (if modifications are required);
    - Tree Monitoring Report.
- (b) Details of requirements of the above reports are listed in the Waverley Tree Management Policy Development proposals must show all associated building works (including stormwater, hydraulic and sewerage works) located within any tree protection zone.
- (c) Selective pruning or removal of trees that conflict with proposed building works may be approved where redesign of the building work is not possible or will result in inferior building performance. However, Council may require the redesign of a development proposal to retain or lessen the impact on a significant or prominent tree.

### 5.2.1 Penalties

Any works carried out without approval, not in accordance with an approval or that is not exempt will be dealt with in accordance with the relevant legislation. This may result in a Penalty Infringement Notice or legal action through either the Local Court or the Land and Environment Court against all parties involved in any breach of WLEP or any conditions of approval.

Where a person is guilty of an offence involving the destruction of, injure or damage to a tree or vegetation, the court dealing with the offence may, in addition to or in substitution for any pecuniary penalty imposed or liable to be imposed, direct that person to:

- (a) Repair or remedially prune damaged trees;
- (b) Plant new trees and vegetation and maintain those trees and vegetation to a mature growth/or minimum height of five (5) metres, and
- (c) Provide security for the performance of any obligation imposed under paragraph (a) & (b) above.

*Note: injure a tree means but is not limited to:* poisoning; spilling or washing off toxic chemicals; applying herbicides to a tree or within its Tree Protection Zone; damage to tree roots from stockpiling materials, soil compaction, filling, excavation or altering soil levels within its Tree Protection Zone; wounding to tree trunks or the breaking or tearing of roots or branches; wounding to trunks or branches from fixing objects using nails, wires, staples or similar fastening materials e.g. attaching signs, swings, platforms or cubby houses.



## B6 STORMWATER

This Part contains planning controls relating to the management of all aspects of the water cycle in an integrated and consistent manner. The planning controls promote the need for long-term sustainable social, ecological and economic outcomes.

This Part is to be read in conjunction with Council's 'Water Management Technical Manual' (WM Technical Manual) which provides further details on controls outlined in this Part.

### 6.1 STORMWATER MANAGEMENT

This Part applies to all development (excluding minor alterations and additions, retro-fits, and the like).

Water Sensitive Urban Design (WSUD) aims to minimise the impacts of development upon the water cycle and achieve more sustainable forms of urban development by integrating stormwater management systems into the landscape. WSUD provides multiple benefits including stormwater retention and detention and water efficiency, whilst addressing the pre-development considerations of flooding, coastal water and groundwater protection, habitat creation and improving visual amenity.

For more information on how to implement WSUD refer to the Sydney Metropolitan Catchment Management Authority website, accessible at the following link: [www.wsud.org](http://www.wsud.org).

#### Objectives

- (a) To integrate water sensitive urban design with landscape and building design.
- (b) To reduce the volume of stormwater run-off.
- (c) To improve catchment water quality.
- (d) To minimise the impacts of urban development upon water balance and surface and groundwater flow regimes.
- (e) To promote infiltration within the "Infiltration zone" and reduce stormwater run-off (refer to annexure B in the WM Technical Manual).
- (f) To encourage the use of soft landscaping and permeable paving as an alternative to impervious surfaces.

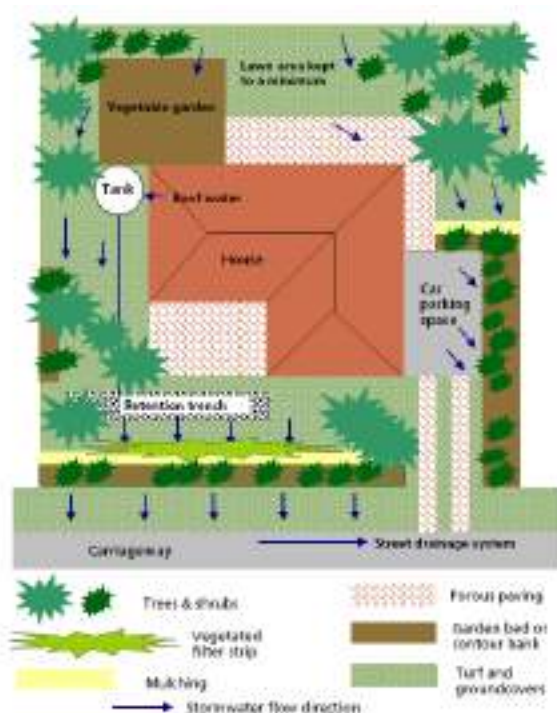
#### Controls

- (a) A stormwater management plan is required to be submitted with all development applications (except minor alterations, retrofits and the like).
- (b) WSUD principles are to be integrated into the development through the design of stormwater drainage, on-site detention and landscaping and in the orientation of the development rather than relying on 'end of pipe' treatment devices prior to discharge (refer to Figure 5).
- (c) WSUD measures are to be employed to prevent contamination of stormwater.
- (d) Development is to be sited and built to minimise disturbance of the natural drainage system.

- (e) WSUD elements should be located and configured to maximise the impervious area that is treated.
- (f) On site detention is to be designed, installed and maintained in accordance with the WM Technical Manual.
- (g) Council consent is required for temporary/permanent dewatering and groundwater extraction and use prepared in accordance with the WM Technical Manual. The proposal is assessed on merits and where appropriate, referred by Council to the relevant Government department for an access licence.
- (h) Applications for roof water and stormwater harvesting and reuse and grey water or black water treatment systems will be assessed on merit in accordance with the WM Technical Manual.
- (i) Methods of disposal of stormwater from the site must be provided using one or a combination of the following:
  - (i) Infiltration;
  - (ii) Gravity connection to Council's stormwater system;
  - (iii) Charged system; and / or
  - (iv) Pump system.

Note: A stormwater system must be constructed in accordance with AS/NZS 3500:2003 National Plumbing & Drainage and WM Technical Manual.

- (j) Depending on the extent of disturbed area, the following plans to manage erosion and sedimentation must be submitted with the development application:
  - (i) For areas of disturbance less than 250m<sup>2</sup>, a marked up plan of proposed works and control measures is required;
  - (ii) For disturbed areas between 250m<sup>2</sup> and 2,500m<sup>2</sup>, an erosion and sediment control plan is required; and
  - (iii) For disturbed areas greater than 2,500m<sup>2</sup> soil and water management plan is required.



**Figure 5** Example of an integrated stormwater strategy for a dwelling



## 6.2 FLOODING

The WLEP 2012 identifies areas within Waverley that are prone to flooding in a 1 in 100 year Average Recurrence Interval (ARI) flood event. These controls are to be read in conjunction with the WLEP 2012 and the Water Management Technical Manual.

### Objectives

- (a) To ensure that development is not subject to undue flood risk.
- (b) To ensure all areas identified as 'flood planning area' in WLEP 2012 will minimise the impact of stormwater and flooding on other developments and the public domain.

### Controls

- (a) Habitable floor levels must be set at a minimum of 300mm above the predicted design flood level for a 1 in 100 year storm event.
- (b) For all other areas habitable floor levels must be set at a minimum of 150mm above the level of adjacent ground for habitable areas.
- (c) Designs must be undertaken in accordance with the Water Management Technical Manual.

**B7 ACCESSIBILITY AND ADAPTABILITY**

It is important buildings are designed to ensure they are safe, accessible and adaptable.

*Disability Discrimination Act 1992 (DDA 1992)*

The *DDA 1992* makes it unlawful to discriminate against a person with a disability in regards to the provision of access to public buildings for the provision of goods and services, accommodation and employment unless this would cause 'unjustifiable hardship'.

Where a developer or builder believes that complying with the DCP would cause "unjustifiable hardship", an application can be made to be exempted from a particular provision or to provide access for people with disabilities in some other way than provided for in the DCP. It is the responsibility of the applicant to ensure that the development meets the requirements of the *DDA 1992*.

*Access to Premises - Australian Standards*

Access to Premises - Australian Standards provides the technical specifications for access design requirements in the built environment. The Australian Standards clarify the accessibility requirements for premises as implied under the *DDA 1992* and are incorporated within the Building Code of Australia (BCA).

## 7.1 ACCESSIBILITY

This Part provides controls for access to buildings and spaces to provide for equitable access for all people including people with a disability, ageing people with mobility difficulties, parents with prams and other people with temporary disabilities, by providing a continuous path of travel through the built environment.

### Objectives

- (a) To encourage an accessible path of travel to all development.
- (b) To provide equitable access within all developments.
- (c) To ensure major alterations and additions to existing buildings provides upgraded levels of access and facilities for all people.
- (d) To establish accessible dwelling standards for easy modification to cater for occupants with a disability or impairment.

### Controls

- (a) The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility, so that all people can enter and use the premises. Access is to meet the requirements of the *DDA 1992*, the relevant Australian Standards and the BCA.
- (b) Accessible parking for people with a disability must be provided in accordance with the BCA and AS/NZS 2890.1: 2004 parking facilities – Off Street parking and AS 1428: 2003 – Design for Access and Mobility Set.
- (c) An Access Management Plan may be required as a means of helping to provide services or facilities to people who would be unable to gain access to the premises.

### *Commercial Development*

- (a) A lift must be provided at ground floor to upper floors in developments with three or more storeys and where aggregate floor area above the ground floor is 400m<sup>2</sup> or greater.
- (b) 10% of total car spaces provided are to be accessible.

## 7.2 ADAPTABLE DWELLINGS

Adaptable housing is accommodation that is specifically designed to enable easy modification in the future for occupation and visitation by people with a current disability or people who will acquire disabilities gradually as they age.

### Objectives

- (a) To ensure adaptable units are included within residential development in accordance with the relevant Australian Standards.

### Controls

- (a) Adaptable dwellings are to be allocated to all unit sizes to accommodate various household sizes.
- (b) 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 specified accordance with the Australian Standards, as follows:
  - (i) Up to 9 units, the provision does not apply;
  - (ii) 10 – 15 units, 1 adaptable unit;
  - (iii) 16 – 20 units, 2 adaptable units;
  - (iv) 21 – 30 units, 3 adaptable units; and
  - (v) 30+ Units - 10% of units.
- (c) One accessible car parking space is to be provided for every adaptable residential unit and be a part lot in the strata plan.
- (d) Adaptable units must be certified as 'adaptable housing units' by an independent, suitably qualified person.

### 7.3 UNJUSTIFIABLE HARDSHIP

It is the responsibility of the applicant to ensure that the development meets the intent of the *DDA 1992*, and the requirements of the Premises Standards and this DCP. However, it is recognised under the *DDA 1992* that in some circumstances the provision of access may cause unjustifiable hardship by being unreasonable, impractical or uneconomical.

Where a developer believes that compliance with the provisions of this DCP and intent of the *DDA 1992* would cause unjustifiable hardship, an application can be made to Council to be exempted from a particular provision, or to provide access in some other way than that specified in this DCP. The information that must be supplied by the applicant is set out in detail under the Controls section of this Part.

In accordance with the *DDA 1992*, Council's assessment of an application for exemption will consider the extent to which people will benefit or be detrimentally affected by non-compliance with this DCP, the cost of compliance and the ability of the developer to meet the cost. Each claim will be considered by Council on its merits as there is no general formula that can be applied to guide what might be considered to be Unjustifiable Hardship.

It must be emphasised that there is always a requirement to provide whatever access is possible up to the point of unjustifiable hardship.

#### Objectives

- (a) To have public buildings accessible to all people, consistent with requirements under the *DDA 1992* and the BCA.

#### Controls

- (a) Claims of unjustifiable hardship will be considered on a case by case basis and on the merit of the case put forward by the developer.
- (b) An application of unjustifiable hardship must be accompanied by a statement that includes the following information:
  - (i) The nature of the benefit or detriment likely to occur or be suffered by any persons in relation to the proposed development;
  - (ii) Two independent quotes from tradespeople or suppliers for the cost of works to meet the principles of the *DDA 1992*;
  - (iii) The space required to carry out works and the effect this may have upon the viability of the proposed work;
  - (iv) The impact on the heritage significance of the premises or conservation area (where applicable) and details of the work required to provide access;
  - (v) Typographical, technical, operational and safety issues;
  - (vi) Details of investigations into different ways in which the space could be configured or used so as to comply with the applicable access requirements; and
  - (vii) Details of investigations into design alterations so that future works to improve access are not compromised.

## B8 TRANSPORT

Car parking is one of the most critical planning and transport issues in Waverley. Wherever possible, Council strongly encourages the use of alternative modes of transport such as walking, cycling and public transport and continues to work towards providing better transport connections to the area.

The provision of private (on-site) and public (on-street) parking must be managed in an equitable and environmentally sensitive manner that benefits the community as well as the individual.

When considering applications, the following general principles shall apply:

### Strategies

- New development that generates the need for car parking should provide adequate parking on the site (refer to Table 2).
- Where it can be demonstrated that new development either does not generate the need for car parking; or that adequate alternate modes of transport are easily available, then on-site car parking may be reduced (refer to Table 2).
- The provision of car parking on-site may not be appropriate in all locations or circumstances and approval will only be granted where the site and locality conditions permit.
- Car parking must be designed to complement the design of the building and streetscape to which it relates and incorporate a range of appropriate materials and design.
- Where site conditions allow, car parking structures should be located behind the front building line. In some circumstances, car parking structures in front of the building line may not be appropriate for streetscape or design reasons.
- Driveways and vehicular access should be designed to minimise the loss of on-street parking wherever possible.
- Car parking for multi storey and other large scale development (residential flat buildings, commercial buildings, mixed use buildings and the like) should be located below ground level.

### *Waverley Transport Plan 2011*

This Part has been prepared in the context of the Waverley Transport Plan 2011. The vision of the Waverley Transport Plan 2011 is:

- People regularly use public transport particularly for trips to work and our beaches;
- Roads and intersections are safer and less congested;
- Parking both on street and off street is equitably accessed and effectively managed;
- People frequently walk and ride their bikes particularly for local trips;
- Public transport, cycling and pedestrian alternatives are improved and encouraged;
- All pedestrian routes are high quality, safe and accessible;
- Our bike network and facilities are safe and connected; and
- All stakeholder needs for improvement to transport effectiveness and usefulness are appropriately planned and delivered.

## 8.1 PARKING RATES

The controls for car parking vary across Waverley but are generally based on proximity to existing public transport services, proximity to services and where the provision of parking is constrained. Based on this, Waverley is divided into two Parking Provision Zones. These zones are summarised in Table 1 and the Parking Zone Map in Figure 7. Note that parking rates and controls relating to dwelling house development are contained in WDCP Part C1 Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development.

Parking Zone	Description	Location	Rate of Provision
1	High accessibility to public transport and services, high density and prone to traffic congestion.	<ul style="list-style-type: none"> <li>Within 800m of Bondi Junction railway station where multi-dwelling housing is permissible.</li> </ul>	Low
2	Good to fair accessibility to public transport and services, mainly low and medium density, with some high density, and varied on-street parking pressures.	<ul style="list-style-type: none"> <li>Properties outside Zone 1.</li> </ul>	Moderate - Medium

**Table 1** Parking Provision Zones

### 8.1.1 Car Parking

#### Objectives

- (a) To provide car parking rates which reflect the proximity of development to existing public transport, services and the availability of on-street parking.
- (b) To balance the need to meet parking demand on site with the need to contain parking and promote sustainable transport.
- (c) To establish controls for parking that reflect the characteristics of the area in terms of urban form, land use and proximity to public transport.

#### Controls

- (a) Where a DA involves a change of use, the parking rate for the new use is to be calculated as the difference between the parking rates required for both the present and proposed uses (under this Part).
- (b) Council reserves the right to require the parking provision rate based on the total requirement for the use if, in its opinion, the DA involves a re-construction of the building.
- (c) When calculating the provision of parking spaces or loading facilities, the following method is to be applied:
  - (i) the number of spaces for each use on the site is to be calculated separately; and
  - (ii) the total number of facilities or spaces to be provided is to be rounded to the nearest whole number, i.e. 2.15 spaces equals a requirement for 2 spaces and 2.50 spaces equals a requirement for 3 spaces.
- (d) Car parking rates are provided in Table 2. Each parking zone is identified in the Parking Zone Map in Figure 7.
  - (i) Variations to Parking Rates  
Variations to the relevant parking standards will only be accepted where the applicant can demonstrate that the requirement cannot be reasonably achieved (provision of less than the standard); or that exceeding the standard is in the public interest. Matters that the Council may consider in assessing variations include, but are not limited to, any of the following as are relevant:
    - Particular site design requirements such as setbacks, landscaping, solar access and streetscape controls
    - Site and building constraints such as the physical and topographical nature of the site,
    - Impacts of any increased building bulk on the streetscape or adjoining land, including overshadowing and loss of views
    - Compliance with deep soil landscape area requirements (side and rear boundary setbacks)
    - Impacts of excavation, including land form, structural integrity of buildings and structures on adjoining land, and stability of land on the subject site and adjoining sites
    - Impacts from any increase in hard surface driveways and the building footprint on the availability of water permeable ground spaces.



Variations to the car parking standards will only be supported where the applicant can demonstrate that the development is unlikely to create significant additional demand for on-street car parking in surrounding streets.

When a development application seeks to vary the car parking provisions, the following priority is to be adopted:

1. Residential parking
2. Visitor parking
3. Commercial parking (i.e. business, office, retail).

Land Use	Parking Zone 1		Parking Zone 2	
<i>Medium density residential flat building (less than 20 dwellings)</i>				
Studio	0.5		0.5	
1 bedroom	1 space per unit <b>plus</b>		1.0	
2 bedroom	1 space per (5 x 2 bedroom unit) <b>plus</b>		1.5	
3 bedroom +	1 space per (2 x 3 bedroom unit) or part thereof		2.0	
Visitor	1 space per 5 units		1 space per 5 units	
<i>High density residential flat building</i>				
Studio	0.5		0.5	
1 bedroom	0.6		1.0	
2 bedroom	0.9		1.5	
3 bedroom +	1.4		2.0	
Visitor	1 space per 5 units		1 space per 5 units	
	<i>Minimum</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Maximum</i>
<i>Business and office premises</i>	0	0.66/100m <sup>2</sup> GFA	0	1.0/100m <sup>2</sup> GFA
<i>Retail premises</i>	0	2.0/100m <sup>2</sup> GFA	0	3.3/100m <sup>2</sup> GFA

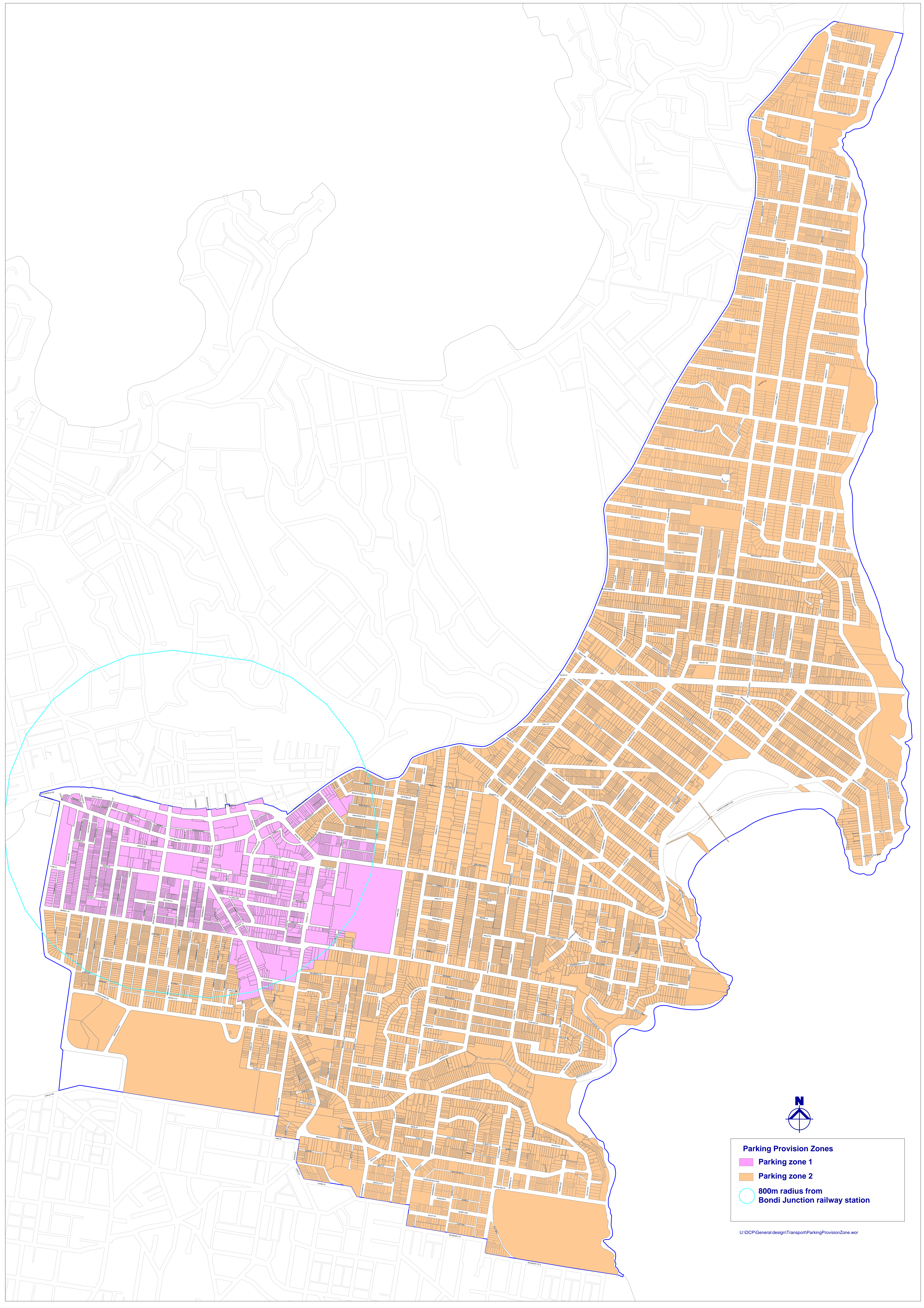
**Table 2** Car Parking Rates

- (e) For developments requiring more than 50 car parking spaces, a maximum of 2% of the required parking spaces may be specified as "small car spaces", with a minimum length of 5 metres. Such spaces are to be indicated on the plans submitted and clearly indicated when completed.
- (f) Council may also require on-site parking provision be reduced for development fronting "pedestrian-dominated" streets in the Bondi Junction Centre, as shown in the area marked in Figure 6. The exact reduction in on-site parking provision will be determined by Council on a case-by-case basis.



**Figure 6** Pedestrian dominated streets in Bondi Junction Centre





**Parking Provision Zones**

- Parking zone 1**
- Parking zone 2**
- 800m radius from Bondi Junction railway station**



### 8.1.2 Bicycle Parking

#### Objectives

- (a) To provide safe and convenient end of trip facilities for residents as well as commuters and employees.
- (b) To ensure the quantity of bicycle parking available is sufficient to meet growing demand.
- (c) To promote cycling as a healthy and environmentally friendly way to make commuter, shopping and recreational trips.

#### Controls

- (a) Parking for bikes is to be provided at the following minimum rates, except where an apartment in a residential building has a basement storage area on title that is large enough to accommodate a Class 1 bike locker (refer to Table 3).
- (b) Areas for bicycle parking will not be included as part of gross floor area or gross leasable area (GLA) for the purpose of calculating car parking provision.

Land Use	Rate	
	Resident	Visitor
Multi dwelling/ unit housing	1 space per dwelling/unit	1 space per 10 dwellings/units
Commercial/ retail	1/ 150m <sup>2</sup> of GFA	N/A

**Table 3** Bicycle parking rates

- (c) Council reserves the right to require a greater provision of bicycle parking than indicated in Table 3, where in Council's opinion, the particular nature of the development will generate an increased demand for bicycle parking.
- (d) Bike parking is to be provided in accordance with requirements for layout, design and security as set out in the Australian Standard *AS 2890.3 -1993 Parking facilities – Bicycle parking facilities*, including:
  - (i) Security Class 1 bike lockers for occupants of residential buildings;
  - (ii) Security Class 2 bike enclosures for staff/employees of any land use; and
  - (iii) Security Class 3 bike rails/ racks for visitors of any land use.
- (e) Where bike parking for tenants is provided in a basement, it is to be located:
  - (i) On the uppermost level of the basement;
  - (ii) Close to entry/exit points; and
  - (iii) Subject to security camera surveillance where such security systems exist.
- (f) A safe path of travel from bike parking areas to entry/exit points is to be marked.
- (g) Access to bike parking areas are to be:
  - (i) A minimum of 1.8m wide to allow passage of a pedestrians and bikes to pass each other (access ways can be shared with vehicles within buildings and at entries to buildings);
  - (ii) Accessible via a ramp;
  - (iii) Clearly identified by signage; and

- (iv) Accessible via appropriate security / intercom systems.
- (h) Bicycle parking for visitors is to be provided in an accessible on-grade location near a major public entrance to the development and is to be signposted.
- (i) For retail premises provide minimum 50% of the required bicycle parking at an accessible location on the footpath near the entry to the retail premises.
- (j) For non-residential uses, the following additional end-of-trip facilities are to be provided at the following rates:
  - (i) 1 personal locker for each bike parking space;
  - (ii) 1 shower/change cubicle for up to 10 bike parking spaces;
  - (iii) 2 shower/change cubicles for 11 to 20 bike parking spaces are provided;
  - (iv) 2 additional showers/cubicles for each additional 20 bike parking spaces or part thereof.
- (k) Locker, change room and shower facilities are to be located close to the bike parking area, entry/exit points, and within an area of security camera surveillance where there are such building security systems.

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### **8.1.3 Motorcycle parking**

#### **Objectives**

- (a) To encourage alternative forms of transport.
- (b) To ensure the quantity of motorcycle parking available is enough to meet growing demand.

#### **Controls**

- (a) Motorcycle parking spaces are to have dimension of 1.1m x 2.5m.
- (b) In all buildings that provide on-site parking, 3 motorcycle spaces are to be provided for every 15 car spaces provided.
- (c) Motorcycle spaces are to be indicated on the plans submitted, and clearly identified for motorcycle use only when the development is completed.

## 8.2 LOADING FACILITIES

There is a need to balance parking and loading and ensure that each development has adequate loading and unloading facilities without impacting on amenity and safety.

### Objectives

- (a) Adequate off street loading and servicing facilities shall be provided for all commercial development and any other use where regular delivery of goods are made to or from the site.
- (b) The number of loading bays to be provided shall be determined having regard to the scale and type of the use proposed.

### Controls

- (a) The provision of loading and unloading facilities should be provided for all commercial premises. The number of loading bays shall be determined having regard to the scale and type of use proposed. In this regard, details of anticipated volumes and frequency of deliveries is to be provided with the DA. Table 4 provides for minimum loading requirements.

Use	Rate
Industrial uses	1 per 800m <sup>2</sup> GFA
Offices, commercial premises & professional consulting rooms	1 per 4000m <sup>2</sup> up to 20,000m <sup>2</sup> plus 1 per 8000m <sup>2</sup> thereafter
Residential flat buildings	1 per 50+ dwellings
Retail	1 per 400m <sup>2</sup> GFA
Other uses	Merit Assessment

**Table 4** Minimum Commercial Loading Rates

- (b) The following design principles should be considered in the design of loading facilities including:
  - (i) The size and layout of the service area must be designed to facilitate operations relevant to the development;
  - (ii) Service areas must be a physically defined area which is not used for other purposes, such as storage of goods and equipment or parking areas;
  - (iii) All vehicles must enter and exit the property in a forward direction;
  - (iv) Internal circulation must be adequate for the largest vehicle anticipated to use the site; and
  - (v) Loading facilities being designed to comply with the requirements of AS 2890.2 -2002 Part 2: Off-Street Commercial Vehicle Facilities.
- (c) A development application shall include the following:
  - (i) The class and dimensions, including height of the design vehicle accessing the service area.
  - (ii) Clearance heights between the access driveway and the loading dock(s).
  - (iii) The dimensions of the loading dock(s).
  - (iv) Swept wheel paths between the access driveway and the loading dock and the required manoeuvring areas for both entry and exit movements.

**8.3 PEDESTRIAN/BICYCLE CIRCULATION AND SAFETY**

Everyone is a pedestrian at some stage in their journey. This means pedestrians are a highly diverse road user group which includes children, older people, teenagers, joggers, the disabled and mobility impaired. Pedestrians and cyclists are particularly vulnerable in the road environment because most other road users are moving significantly faster, and pedestrians and cyclists have little or no bodily protection in the event of a collision. As a result, Council places a very strong focus on pedestrian and cyclist safety.

**Objectives**

- (a) To ensure priority is given to pedestrian and bicycle movements.
- (b) To maintain bicycle and pedestrian safety.
- (c) To provide safe and easy access to buildings.
- (d) To provide a safe and accessible public domain.

**Controls**

- (a) The location of parking spaces is not to obstruct pedestrian and bicycle access to the premises or major pedestrian and cycling routes.
- (b) Within parking areas of larger than 10 car spaces, segregated routes for main pedestrian and bicycle movements must be created making use of line marking, pedestrian crossings, signage and where appropriate speed humps.
- (c) Exit points of parking areas of larger than 10 car spaces require the following safety devices installed within the boundary of the property:
  - (i) Two stop signs;
  - (ii) A white, unbroken line at the exit point appropriate to accompany stop signs;
  - (iii) Two fish eye mirrors to improve sighting of pedestrians traversing the public footpath area;
  - (iv) Either a boom gate or a speed hump, or both, within 8 metres of the exit point; and
  - (v) Speed limit of 8 km per hour with the vehicles lights being left on to be enforced within the property; which should be clearly sign posted.

## 8.4 URBAN DESIGN

The provision of parking should satisfy the parking demand for current and future residents but recognise the need to balance car parking access and urban design outcomes. This Part should be read in conjunction with the [Austroads Traffic Management Guides](#) and all relevant Australian Standards.

### Objective

- (a) To ensure the provision of off-street parking is subject to considerations of urban design, streetscape and heritage conservation.

### Controls

- (a) Where off street parking is not characteristic of the street, vehicular access from the street is not permitted.
- (b) Properties which have two frontages are only permitted to have one vehicular crossing to the secondary frontage only (e.g. the lane).
- (c) Applications involving on-site parking spaces shall indicate in the street analysis how the proposal maximises the retention of on-street parking, and retains and improves pedestrian and cyclist amenity. The street analysis must show:
  - (i) a comparison between the current and proposed on-street parking; and
  - (ii) adequate pedestrian and cyclist accessibility.
- (d) Driveways should be provided from rear lanes where possible.
- (e) Where only front access is available, car parking shall be provided behind the front building line, unless otherwise indicated in the controls within the DCP.
- (f) Car parking and vehicular access must not dominate the streetscape. Landscaping is to be used to soften the impact of such structures/areas.
- (g) Car parking and driveway design is to preserve mature and significant trees and vegetation on the site and in the surrounding streetscape.
- (h) Existing natural rock faces and heritage listed sandstone walls are not to be removed for the purpose of car accommodation.
- (i) Entry gates and structures for car accommodation should be an open design to allow for improved security by way of street surveillance and to reduce any impact on the streetscape.
- (j) Vertically stacked parking is only permitted where site constraints (such as horizontal dimensions or vertical relief) prevent full provision of conventional parking.
- (k) Stacked parking spaces are to comply with the dimensions for individual spaces and are not acceptable for visitor parking.
- (l) Access ways and driveways are to enable vehicles to enter the parking space in a single movement, and to leave the space in a maximum of two turning movements.
- (m) The templates provided in Australian Standards must indicate the paths swept by manoeuvring vehicles and must be used by applicants to design access to parking and loading facilities. A minimum clearance of 300mm between the swept path and any building and obstruction is to be maintained.



## 8.5 TRAVEL PLANS

A travel plan is a package of actions designed to encourage safe, healthy and sustainable travel options. By reducing car travel, Travel Plans can improve health and wellbeing, free up car parking space, and make a positive contribution to the community and the environment.

### Objective

- (a) To remove barriers to active travel for all users of developments.
- (b) To maximise the number of people who walk, cycle or take public transport to and from the development.

### Controls

- (a) A Green Travel Plan or Workplace Travel Plan is mandatory for all new developments:
  - (i) With over 2,500m<sup>2</sup> for office / commercial/ retail land uses;
  - (ii) Including 15 units or more;
  - (iii) Where 50 or more employees are proposed; or
  - (iv) As deemed necessary by Council.
- (b) A travel plan must include:
  - (i) Targets – this typically includes the reduction of a single occupant car trips to the site for the journey to work and the reduction of business travel.
  - (ii) Travel data – an initial estimate of the number of trips to the site by mode is required.
  - (iii) Measures – a list of specific tools or actions to support and achieve the targets.

For further information on how to prepare a Green Travel Plan or Workplace Travel Plan go to: [www.pcal.nsw.gov.au](http://www.pcal.nsw.gov.au) and [www.travelsmart.gov.au](http://www.travelsmart.gov.au)

## 8.6 TRAFFIC AND TRANSPORT MANAGEMENT PLANS

A Traffic and Transport Management Plan sets out the procedures to mitigate and minimise the impacts of the development (both construction and operation) on the capacity, performance and safety of the local road network and traffic systems and also addresses the impacts on pedestrians, public transport, parking and cyclists.

### Objectives

- (a) To ensure an adequate assessment is made of the traffic and parking impacts of development on the surrounding road network and adequate measures to ameliorate the impacts are considered.

### Controls

- (a) A traffic and transport management plan is required to accompany a development application for the following developments:
  - (i) Child care centre;
  - (ii) Residential development over 15 units or more
  - (iii) Commercial development with over 2,500m<sup>2</sup>; or
  - (iv) Other development at the discretion of Council.
- (b) The study should provide an assessment of the traffic and parking impacts the development proposal may have on the surrounding road network and must address matters such as:
  - (i) Current on street parking restrictions and availability;
  - (ii) Time of peak demand;
  - (iii) Proportion of people using facilities on site;
  - (iv) Hours of operation;
  - (v) Current traffic conditions;
  - (vi) The likely impact of the proposed development on existing traffic flows and the surrounding street system;
  - (vii) Safety of pedestrian and vehicular movements in and around the centre;
  - (viii) How impacts of drop-off and pick up will be accommodated; and
  - (ix) Deliveries to the site.

## 8.7 CAR SHARE

Car sharing enables individuals to reduce or eliminate the need for ownership of a private vehicle. This in turn reduces the space required for car parking and promotes the use of sustainable forms of transport such as walking, cycling and public transport. There is extensive use of car share vehicles in Waverley.

### Objectives

- (a) To provide off-street parking opportunities for car share groups, in balance with competing parking demands.
- (b) To support alternative methods of transport and reduce the demand on private car ownership.

### Controls

- (a) That the maximum amount of car parking spaces for a development is inclusive of the minimum number of parking spaces allocated for car sharing.
- (b) A minimum of 1 car share space is to be provided for every 90 residential units.
- (c) A minimum of 1 car share space be provided for every 50 commercial car parking spaces.
- (d) Car share parking spaces must be publicly accessible at all times, adequately lit and sign posted and located off the street.
- (e) 1 car share space can be provided in lieu of 3 car parking spaces.
- (f) Car share spaces must comply with the design principles and standards in the DCP and Australian Standards.
- (g) Car share spaces must be in optimum positions within the parking area to allow ease of access to car share vehicles by residents and the public.
- (h) Car share spaces must be always under the ownership of a building's Owners' Corporation as common property.
- (i) Car share spaces must be used and have authorised use by car share vehicles only.
- (j) If a car share space is not taken up by a genuine car share provider, they cannot be permanently or temporarily designated for alternative purposes.

**B9 HERITAGE**

This Part applies to all land identified under Schedule 5 of WLEP 2012, where development consent is required for certain works. This section aims to ensure that all new works are sensitive and cohesive to the identified significance of the heritage item or conservation area.

*State Heritage Listing*

The State Heritage Register maintained by the NSW Department of Planning and Environment Heritage Branch includes items of Local and State Significance. Works to items identified as being of State Significance require a submission to the NSW Heritage office in conjunction with submission of a Development Application to Council.

*Listings with the National Trust of NSW*

Where a building or conservation area is also listed by the National Trust, it is Council's practice to refer applications to the Trust for comment. Council will consider submissions made by the National Trust however; Council is not obliged to follow the Trust's advice.

*National Heritage Register*

Where a place or object is included in the Register of the National Estate, Council is the designated consent authority for all identified buildings.

## 9.1 DEFINING HERITAGE

The heritage aspects of Waverley are shaped by nature and local history. They consist of many diverse elements such as parks, beaches, headlands and trees that contribute to Waverley's distinctive character but to a greater extent it relates to buildings and other manmade structures.

### 9.1.1 Heritage Items

A heritage item has cultural significance meaning aesthetic, historic, scientific and / or social value for future generations. All heritage items have been assessed as having significance under the criteria established by the NSW Heritage Branch of the Department of Planning and Environment. The basic criteria of assessment include historic, aesthetic, scientific and social significance, rarity and association with institutions, groups or individuals of importance to the community.

Council supports the retention of heritage items in their significant form and setting whilst allowing sympathetic development to occur. As significance includes the setting, grounds and often the interior of buildings these aspects must be addressed in development applications.

Where new buildings or new building work is to be carried out in the context of a heritage site it is important that the character, quality and value of the setting, streetscape and listed item be maintained.

### 9.1.2 General Conservation Areas

A General Conservation Area contains a group of buildings where historical origins and relationships between various elements create a distinctive character of heritage. The heritage significance may include subdivision and street pattern, form and scale, the consistency of building materials or the common age of the building stock.

General Conservation Areas often contain both Contributory Items and Non Contributory Items. Conservation Areas respond to natural features including topography, vegetation and views. Such features are considered contributory to the cultural significance of the Conservation Area and are acknowledged as contributory items. Note, definitions are included at the end of this DCP.

Council encourages the alteration and or replacement of Non Contributory Items in a manner enhancing the defined heritage significance of the Conservation Area. The existence of non contributory items in a Conservation Area is not considered a basis for the introduction of development which is not cohesive with the identified significance of the Conservation Area.

All new development in a heritage conservation area is treated as 'infill development'.

### 9.1.3 Landscape Items and Conservation Areas

A substantial number of items in Waverley are identified as Landscape Heritage Significance. These include natural and manmade or cultivated elements both of planted

and non biological forms. Landscape items and conservation areas are to be treated as are other identified heritage items or conservation areas with any development required to maintain and enhance the significance of the landscape item or conservation area.

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#### **9.1.4 Archaeological Sites**

Evidence of past indigenous and non indigenous land use remains throughout Waverley. Evidence located below ground or concealed within later works is identified as an archaeological site. Many of these sites are identified on the basis of previous land uses providing the potential for discovery of archaeological evidence of past activities. Others contain known subterranean deposits or artefacts identified in the listing.

## 9.2 CHARACTER

To maintain the significance of listed heritage items and conservation areas, development should be designed to ensure any contributory features and characteristics of the building and the streetscape in which they are located are both understood and addressed within the design.

The character of a place is shaped by many contributing factors including:

- Topography;
- Distinctive landscape elements;
- The date and style of the buildings;
- The scale and form of the buildings;
- Street and subdivision patterns;
- Materials, building techniques and details; and
- Views, vistas and skylines.

### Objectives

- (a) That alterations and additions to the external appearance of heritage items and contributory buildings respect the contributory features and characteristics of the existing building and streetscape.
- (b) That infill development respects and harmonises with the existing character of the area.

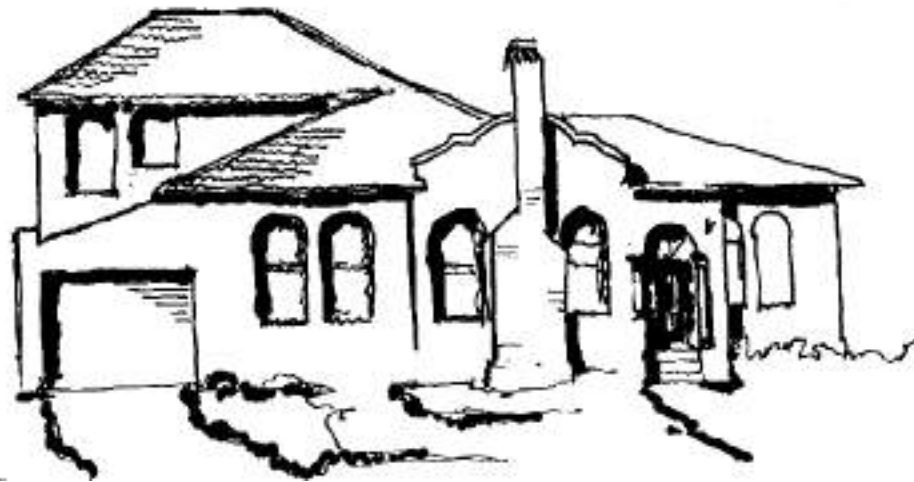
### Controls

#### *All Development*

- (a) Development should identify and respect the contributory features and characteristics of the item or the conservation area and incorporate these features into the design.
- (b) The established landscape character of the locality including the height of canopy and density of landscaping should be retained.
- (c) Development near a heritage item should respect the visual curtilage of the item.

#### *Heritage Items and Contributory Buildings*

- (a) The design proposal needs to address the following streetscape issues:
  - (i) Width of the street between building facades or front walls;
  - (ii) Average height of buildings;
  - (iii) Average setback of building front walls;
  - (iv) Average position of garages, if any;
  - (v) Type and size of front fences;
  - (vi) Materials of the walls, roof and roof pitch;
  - (vii) Type of windows and doors and the modelling of walls;
  - (viii) Any individual decorative features; and
  - (ix) Architectural style of buildings in the street.
- (b) Additions should be located to the rear to minimise the impact from the street (refer to Figure 8).
- (c) Where the building form, detailing or use of individual buildings of historic character have been inappropriately altered and changed, any application to upgrade or re-use the buildings must clearly demonstrate that the architectural and streetscape value of the building will be enhanced by the proposal.



**Figure 8** Sympathetic additions located to the rear

*Infill Development*

- (a) Contemporary design is acceptable in a conservation area where it is sympathetic to, and respects the context of the conservation area and any heritage item in the vicinity (refer to Figure 9).
- (b) New buildings adjacent to buildings of historic character or heritage items should be secondary in prominence to the existing streetscape fabric and draw on the predominant pattern of the existing streetscape.



**Figure 9** Sympathetic infill development



### 9.3 SCALE AND PROPORTION

Scale and proportion are essential to the character and quality of heritage listed items or buildings in a conservation area. Scale refers to the size of the whole building or any of its parts in relation to each other and to people. Proportion refers to the relationship of height to width or depth of each element or the whole building. A large second storey addition to a single storey house will almost always compromise its scale and proportion and therefore its character and value. Scale and proportion are as important for the smaller elements of a building as they are for the larger elements.

#### Objectives

- (a) That alterations and additions to heritage item and contributory building is consistent with the scale and proportion of the item and/or streetscape.
- (b) That infill development recognises the predominant scale and proportion of the setting and responds sympathetically.

#### Controls

##### *Heritage Items and Contributory Buildings*

- (a) Alterations and additions should not visually dominate, compete with or conceal the original scale and proportion of the existing building or conservation area.
- (b) Alterations and additions should respect the proportions of major elements including doors, windows, roof forms and verandahs (refer to Figures 10-12).

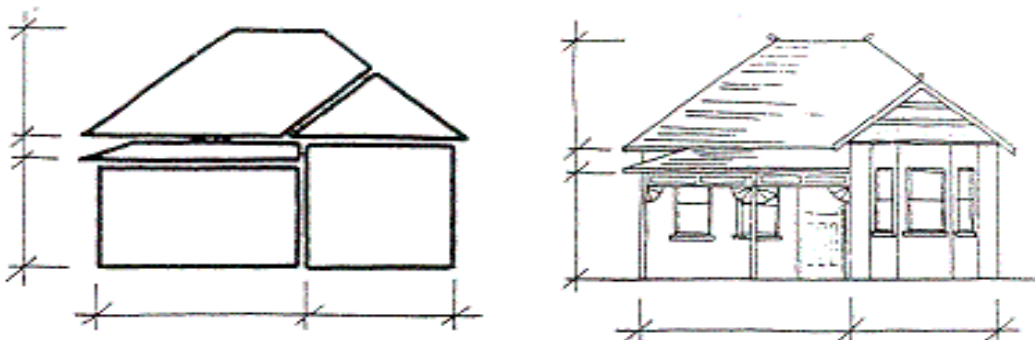


Figure 10 Consideration of scale and proportion

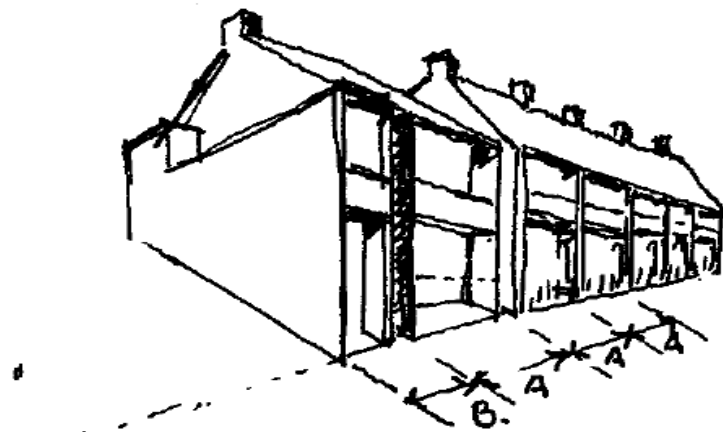
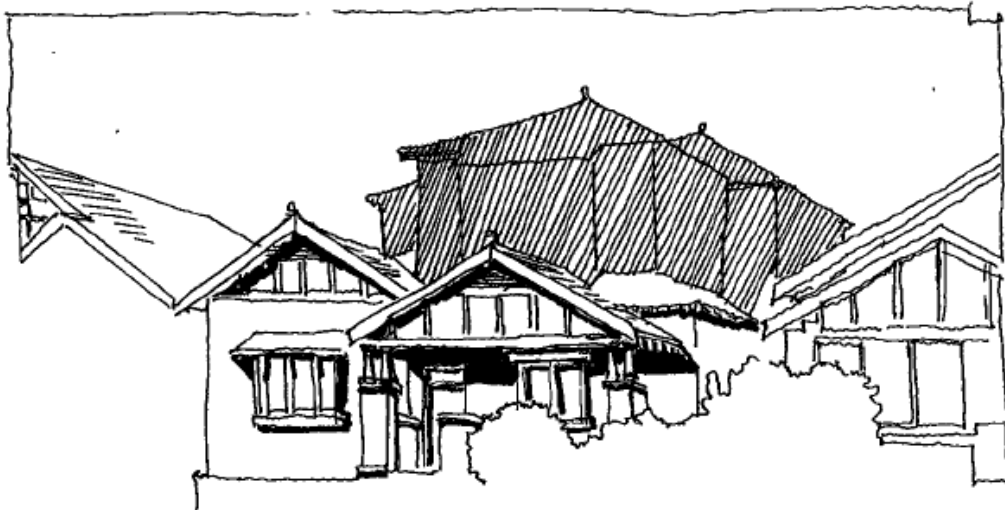


Figure 11 Consideration of scale and proportion within a row of terrace houses



**Figure 12** Unsympathetic additions in relationship to the scale of the original dwelling

*Infill Development*

- (a) Infill development should be cohesive in scale, proportion and finish to the surrounding streetscape and buildings (refer to Figure 13).
- (b) Infill development should maintain and enhance the skyline profiles of established settings.
- (c) Where the scale of the roof is much larger than that of adjacent buildings, the roof should be broken up into smaller elements to reduce bulk.
- (d) Setbacks should be provided to upper levels.



**Figure 13** Sympathetic infill development

## 9.4 SITING

Front and side boundary setbacks are a major contributor to the character and significance of a heritage item or conservation area. It is important to note the general pattern of setbacks and site planning in the street when siting new buildings or additions.

### Objectives

- (a) That the existing heritage character of the streetscape including setbacks, siting and landscaping is maintained.
- (b) To ensure adequate curtilage and landscape setting is provided.
- (c) The siting of alterations and additions to existing and new buildings retains the integrity of the heritage item, its setting, and the conservation area.

### Controls

#### *All Development*

- (a) Development should conform to the predominant front setbacks in the streetscape.
- (b) Front and rear setbacks should ensure the retention of the existing landscape character of the heritage item or conservation area.
- (c) Any significant historical pattern of subdivision and lot sizes is to be retained.
- (d) Development should respect or utilise the topography and existing vegetation of the land such as rock outcrops and mature trees.

#### *Heritage Items and Contributory Buildings*

- (a) Extensions should be kept to the rear of the site where possible. If there is insufficient space for a rear extension, side extensions should be setback as far as possible from the street.
- (b) Subdivision or site amalgamation involving heritage items or contributory buildings should not compromise the setting or curtilage of buildings on or adjoining the site.
- (c) Construction, demolition or modification should not adversely affect the existing setting of the item or area.

## 9.5 MATERIALS AND COLOUR

The construction of the majority of older buildings was solid and well executed. Areas of consistent and notable heritage value are characterised by predominant building materials, textures and ranges of colour, detail and decoration. Detailing and decoration in consistent materials, finishes and colours provide aesthetic quality to listed heritage items and identified conservation areas (refer to Annexure B9-1).

### Objectives

- (a) To ensure the selection of materials and colours is harmonious with the item or conservation area.
- (b) To ensure infill development considers the materials and colours characteristics of the conservation area.

### Controls

#### *Heritage Items and Contributory Buildings*

- (a) Council may require a proposed colour palette to be submitted with the development application.
- (b) Original construction and in particular original finishes should be maintained where possible.
- (c) Changes to materials on elevations visible from the public domain are discouraged.
- (d) Alterations and additions should use materials similar to or compatible with the original material used.
- (e) The selection of materials and colours is to be based on an understanding of the original finishes and matches, as closely as possible, those used in the item or conservation area.
- (f) Colours for alterations and additions should be consistent or harmonious with existing building to help integrate new and old.
- (g) Previously unpainted surfaces should not be painted. Painting of original stone or face brickwork causes fretting and eventually substantial damage as it traps moisture inside. Similarly, clear sealer such as silicone should be avoided.
- (h) Original face brickwork and stonework should not be rendered.
- (i) Bricks should match the existing brick and mortar colours as well as the type of joint and brick laying pattern.
- (j) New building work constructed of timber should match the existing building elements made of timber (e.g. frames, weatherboarding, fascias, brackets, columns, friezes, etc).
- (k) Cast iron or wrought iron elements, should be reinstated where possible. Decorative wrought iron was often used as a substitute early in the 20<sup>th</sup> century featured in both balustrading and fences.

#### *Infill Development*

- (a) Infill buildings should recognise characteristics materials, textures and colours used locally and in adjacent buildings.
- (b) Materials and colours of surrounding buildings need not be simply copied but used as a point of reference.
- (c) Modern materials can be used if their proportions and details are harmonious within the surrounding historic context.

## 9.6 ROOFS AND CHIMNEYS

Characteristic roof forms materials and chimneys form part of the aesthetic qualities of buildings. Generally 19<sup>th</sup> and early 20<sup>th</sup> Century buildings feature distinctive chimneys and roof forms and finishes. Chimneys located to side and rear areas of buildings serve to provide cohesion to the overall building, the character of the setting and or Conservation Area. Later structures may also feature roof forms closely related to the style and period of construction.

### Objective

- (a) To retain and maintain the characteristic roof forms and chimneys of heritage items and conservation areas.
- (b) To ensure new roof profiles are consistent with the established skyline profiles of the conservation area.

### Controls

#### *Heritage Items and Contributory Items*

- (a) Skyline profiles of original roofs and chimneys should be retained where possible.
- (b) Where chimneys are paired across party walls, treatment of finishes and detailing is to be consistent between properties.
- (c) Substitution of finishes and removal of details including chimneys is only permitted where Council approves a cohesive replacement finish or detail.
- (d) Attic rooms are to use existing roof forms which retain the streetscape appearance of the existing building.
- (e) Roof extensions are to match the existing roof in form, pitch and eaves and be in proportion with the existing building.
- (f) The use of modern roofing materials is discouraged as they can significantly alter the character of the building.
- (g) New tiles or slates should match the existing tiles/slates as closely as possible and concrete tiles are not considered a suitable replacement material.

#### *Infill Development*

- (a) New roof profiles are to be secondary to the established skyline profiles in the Conservation Area and are to enhance the established character of the existing skyline (refer to Figure 14).



**Figure 14** New roof forms are to be secondary to the established skyline profile

## 9.7 VERANDAHS AND BALCONIES

Responding to the climate of Waverley, many of the listed buildings and contributory buildings within Conservation Areas retain verandahs and balconies detailed in the style of the original building. Verandahs and balconies form an integral aspect of heritage buildings particularly from the 19<sup>th</sup> and early 20<sup>th</sup> Century.

### Objectives

- (a) To encourage the retention and reinstatement of early verandahs and balcony forms.
- (b) That alterations and additions do not detract from original balconies and verandahs.

### Controls

#### *Heritage Items and Contributory Buildings*

- (a) All original verandahs and balconies should be retained and restored (refer to Figure 15).
- (b) Infilling or enclosure of verandahs and balconies is not supported.
- (c) Additional verandahs should not compete with an original verandah or balcony.



**Figure 15** Original verandahs should be retained

## 9.8 GARDEN ELEMENTS

Elements of hard and soft landscaping from the time of original construction form aspects of heritage listing and contribute to the character of Conservation Areas. Garden and boundary retaining walls using coursed local sandstone occur throughout Waverley and form a valued aspect of the areas heritage.

### Objective

- (a) That the landscape settings and elements of heritage items or buildings within a conservation area are retained or reinstated.

### Controls

#### *Heritage Items and Contributory Buildings*

- (a) Original and contributing elements of hard and soft landscaping are to be retained on heritage listed sites and where occurring in Conservation Areas.
- (b) High walls or fences and unsympathetic garden treatment (e.g. rockeries, dense plantings that are out of character) are discouraged.
- (c) New hard and soft landscaping is to be provided with regard to the:
  - (i) stability of existing significant fabric;
  - (ii) retention and enhancement of original hard and soft landscaping;  
and
  - (iii) character of the site and/or Conservation Area.

## 9.9 BUILDING FACADES

The facade is generally one side of the exterior of a building, especially the front, but also sometimes the sides and rear. The facade of a building is one of the most important elements of a building from a design standpoint, as it sets the tone for the rest of the building.

### Objective

- (a) To retain the existing façade of the original building.

### Controls

#### *Heritage Items and Contributory Buildings*

- (a) Where a building façade provides the core character detail and aesthetic qualities of an item the extent of a cohesive alteration and addition may extend to removal of other areas of the listed structure provided the façade remains in conjunction with a full structural bay or room depth and there remains a cohesive interface of new and existing works.
- (b) Alteration or removal of original facades which are of heritage significance is not supported.
- (c) Proposed works are to be sympathetic to and not detract from the style and character of the building.



## 9.10 FENCING AND GATES

Fences and gates to street frontages historically reflected the aesthetic characteristics of associated buildings and provide an important element in the cohesion and quality of streetscapes. Appropriate fencing can unify and make a positive contribution to the character and quality of a street. Boundary fence designs can have a significant impact on the streetscape given their proximity to the street (refer to Figure 16).

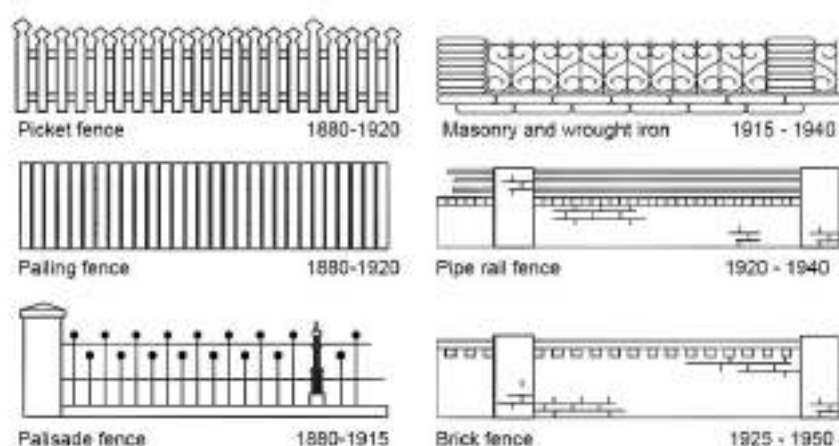
### Objectives

- (a) To retain, repair and reconstruct original fencing.
- (b) To ensure fencing makes a positive contribution to the character and quality of the street.
- (c) To ensure new fencing is consistent with and does not detract from the heritage item or streetscape.

### Controls

#### *Heritage Items and Contributory Buildings*

- (a) Where original fences remain to listed buildings or within Conservation Areas these are to be retained and enhanced by appropriate maintenance and sympathetic landscaping.
- (b) Planting and maintenance of existing plantings is to avoid tree or plant growth that damages existing fences or gates.
- (c) Fences and boundary walls employing masonry (principally stone or face brick) construction are not to be rendered, painted or coated with other materials unless the finish is known to be a detail of the original construction.
- (d) Front fences should not obscure building facades.
- (e) New fence heights and form should be appropriate to the character of the heritage item or to the conservation area.
- (f) Where an original fence has been lost, new fencing should try to match the original style.
- (g) Sandstone fencing, foundations, etc should be retained and sympathetically incorporated into any new additions or alterations. Restoration /repair of slate /stone must be carried out by specialists.



**Figure 16** Examples of period fences

## 9.11 DETAILING

Common details within an area establish neighbourly resemblance and contribute to its significance. The significant features and elements of a heritage item or conservation area are often reflected in details such as windows, doors and decorative woodwork, metal work, stonework or cement render. Although it is rarely necessary to make exact copies of original features, attention to the quality of details is important.

### Objectives

- (a) To encourage the retention and maintenance of original detailing.
- (b) To ensure alterations and additions have a level of detail that is appropriate to the architectural character and style of the heritage item or conservation area.
- (c) To ensure infill development has regard to the architectural character and style of the conservation area.

### Controls

#### *All Development*

- (a) Landscape details such as fences, garden walls and planting treatment which contribute to the area should be retained where possible.
- (b) New windows should match the existing in size and detail, including the existing sill details, window heads, and stained or patterned glass type. Window should not be enlarged or altered.

#### *Heritage Items and Contributory Buildings*

- (a) Development should be designed to enhance original detailing of buildings.
- (b) Original details should be retained and repaired where possible.
- (c) Where original details have been removed or replaced with modern materials, consideration should be given to reinstating original features.
- (d) Decorative elements should not be introduced on heritage items and contributory buildings unless documentation or physical evidence indicates the elements previously existed.
- (e) Alterations and additions should adopt a similar character, which uses external finishes, colours, and textures that complement the heritage fabric, rather than mimic inappropriate decoration or detailing (refer to Figure 17).

#### *Infill Development*

- (a) Modern details should defer to and be cohesive with traditional details that contribute to the character of the area.



**Figure 17** Sympathetic detailing of additions

## 9.12 LANDSCAPE CONSERVATION AREAS

Waverley retains areas of natural and manmade landscape including the ocean shoreline, parklands, residual coastal valleys, and streetscapes characterised by terraced sandstone retaining walls and mature avenue planting.

### Objective

- (a) Retain all aspects of Landscape Conservation Areas which contribute to the identified heritage significance of the area.

### Controls

#### *All Development*

- (a) New works in the vicinity of Landscape Conservation Areas and natural settings are to acknowledge the significant character, detail and context of the setting.
- (b) Any new works must consider the visual and physical impact upon the setting.
- (c) Any new work should avoid the removal of fabric whether plant material, manmade feature or natural formation and any works likely to cause long or short term impact upon the setting e.g. change in ground water flow, reflected light, illumination of natural planting and stability of natural or manmade features.

### 9.13 COMMERCIAL PROPERTIES

Waverley's heritage includes commercial and retail buildings and streetscapes from the later 19<sup>th</sup> and early 20<sup>th</sup> Century. They provide distinctive settings of grouped building frontages aligned to the street and characterised by distinctive detailing to ground level shopfronts, upper floor workrooms/ residences and parapet lines.

Shops and other main street structures of the 19<sup>th</sup> and early 20<sup>th</sup> Century frequently featured balconies and post supported verandahs extending over the public footpath. Removed in the late 1940's these elements provided key aesthetic aspects of early shopping streets and corner stores.

#### Objective

- (a) The original characteristics of traditional neighbourhood retail buildings are retained and enhanced.

#### Controls

##### *All Development*

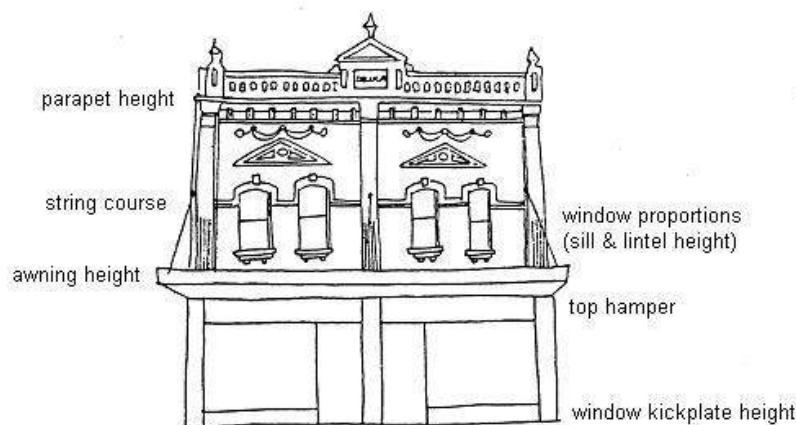
- (a) Generally, the facade at street alignment shall comprise a canopied shop front at ground level, and first floor facade above the awning.
- (b) The height of the building at the facade shall take into consideration existing parapets and other facade details of established surrounding development.
- (c) Additional floors should be setback from the street alignment to ensure a two storey elevation to the facade is maintained where appropriate (refer to Figure 18).
- (d) Consideration will be given to a variation of the established alignment in the case of a comprehensive development incorporating a pedestrian open space function.
- (e) Developments on corner sites should be designed to accentuate the corner, and provide the transition between one streetscape and the next. Existing corner splays shall be retained.
- (f) Signage shall be restricted to under awning shop fronts, awning fascias and as suspended under awning signs.
- (g) Signage above the awnings shall be limited to appropriate areas allocated for such a purpose in the original facade design (parapets for example).
- (h) Flush mounted, or projecting wall signs shall not be permitted above the awning. Council will give consideration to the architectural qualities of the building when addressing the suitability of the proposed sign.
- (i) Pitched or domed awnings of glass or canvas construction shall not be permitted where they interrupt a run of traditional awnings.



**Figure 18** Additional floors should be setback from the street alignment

*Heritage Items and Contributory Buildings*

- (a) Details of earlier shop front features should be retained.
- (b) The maintenance and restoration of detailing to commercial/ retail groups is encouraged (refer to Figure 19).
- (c) Horizontal proportions should be considered both in new development, and in the redevelopment of old facades. Consistency should be achieved through:
  - (i) parapet height;
  - (ii) string course both at parapet level, and to the remainder of the facade;
  - (iii) window proportions (sill and lintel height);
  - (iv) awning height and continuity; and
  - (v) top hamper proportions and window kick plate height.

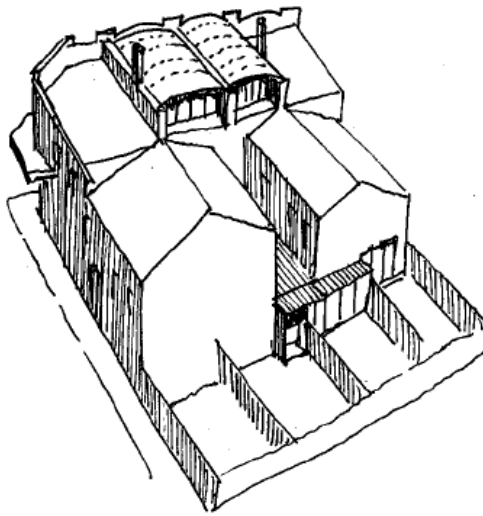


**Figure 19** Overall consistent design of elements

- (d) Where shopfront groups are listed as heritage items the following issues are to be considered:
  - (i) the extent and quality of conservation and restoration of street frontages;
  - (ii) the interface of new and existing works; and
  - (iii) the impact of new works on the existing fabric, streetscape and overall setting.
- (e) Where it is proposed to retain the street facade and construct new works to the remainder of the site, assessment will be based upon the above the impact of

skyline profiles on the retained façade the setting and the cohesion of the works (refer to Figure 20).

- (f) Existing shop fronts should not be bricked up or replaced by roller shutters.
- (g) Existing box section awnings, either cantilevered, or suspended by tie rods, should be retained.
- (h) New awnings should match the form of adjacent awnings and maintain the same alignment, to ensure unity in streetscape details.
- (i) Reinstatement of balconies and verandahs to street frontages is supported.
- (j) Alterations to individual shop facades above awning level will not be permitted where that facade is part of a homogeneous or symmetrical group of facades.
- (k) A row of shops which are homogeneous or symmetrical in style should adopt a uniform tonal distribution over the facade, without limiting the individual expression of colour on each shop.



**Figure 20** Rear extensions to commercial properties

#### *Infill Development*

- (a) New development should conform to the established street front building alignment for the extent of its height.
- (b) New under awning shop fronts should be simply detailed with large areas of glazing and narrow mullions/framing.
- (c) The height of new development at the street alignment should not exceed the height of existing buildings.
- (d) New development should conform to the established street front building alignment for the extent of its height.
- (e) New under awning shop fronts should be simply detailed with large areas of glazing and narrow mullions/framing.

## 9.14 DEMOLITION

Heritage places are deemed to possess an intrinsic value to the local community. It is preferred that a heritage place be maintained and 'conserved' although there are some instances where demolition could be approved. Demolition requires Council consent and such an application would require supporting documentation justifying the application which would then be publicly notified and assessed by Council officers.

### Objectives

- (a) To ensure both listed items and buildings which contribute to the significance and character of Conservation Areas are conserved.
- (b) That replacement development enhances the character of the conservation area.

### Controls

- (a) Unless identified alternately, heritage listing of buildings encompasses the whole building and site including outbuildings and boundary enclosures.
- (b) Demolition of a heritage item or contributory building in a conservation area will generally not be supported, unless there are overriding reasons such as extreme structural damage.
- (c) Demolition of a non contributory building within or adjacent to a Conservation Area and replacement by an appropriately designed infill building is generally supported provided the proposed infill development is consistent with the objectives and controls outlined in this Part.

### 9.15 ABORIGINAL SITES

A number of Aboriginal cultural heritage sites occur within Waverley and have been included within the WLEP 2012. This Part provides additional controls to ensure the ongoing management of these sites (refer to Figure 21).

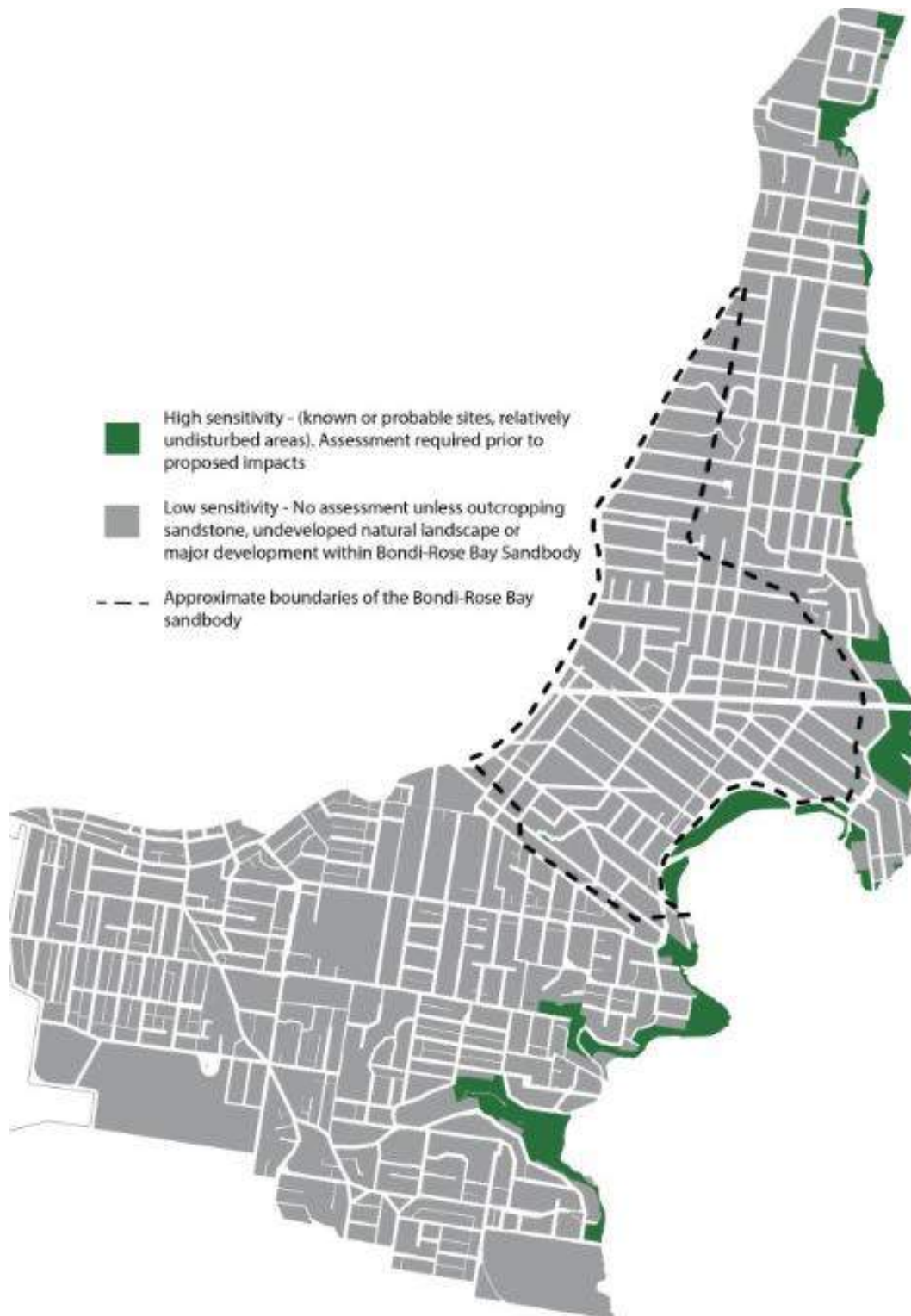
#### Objectives

- (a) To effectively manage and protect currently identified Aboriginal heritage sites.
- (b) To protect any undetected aboriginal heritage sites.

#### Controls

- (a) Development on land where there are known Aboriginal Archaeological Values as identified in WLEP 2012.
  - (i) Development applications on land on which there is an item of Aboriginal archaeological significance are required to be supported by an Aboriginal archaeological heritage assessment prepared in accordance with the requirements of the *National Parks and Wildlife Act 1974*.
  - (ii) An Aboriginal archaeological assessment is to include appropriate recommendations to inform the long term management of the item of significance.
- (b) An applicant must refer to the *National Parks and Wildlife Act 1974* should an object be discovered when undertaking development.





**Figure 21** Areas of Aboriginal Archaeological value

## 9.16 QUEENS PARK CONSERVATION AREA

The Queens Park Conservation Area (QPCA) has been identified as an area that has unique physical qualities and an intrinsic residential character that should be preserved (refer to Figure 22).

When proposing a development in the QPCA applicants need to address Clause 5.10 – Heritage conservation of Waverley LEP 2012 (LEP). This section contains additional performance criteria and controls that complement the considerations in the LEP. The performance criteria and controls in this section prevail over any similar provisions in Part C1 – Residential Development.



**Figure 22** Queens Park Conservation Area

## Existing Character Elements

The 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:

### Physical Setting – Topography

The 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.

### 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 100m<sup>2</sup> to 250m<sup>2</sup>) dominate the north-eastern portion of the study area. These lots typically contain Victorian terraces and other attached dwelling styles (refer to Figure 23).



**Figure 23** Example of Victoria terraces in the area

In the central and southern part of the area, lots tend to be larger (typically 200m<sup>2</sup> to 400m<sup>2</sup>) reflecting the semi detached and detached villa dwelling typology (refer to Figure 24).



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

The largest lots (500m<sup>2</sup> to 800m<sup>2</sup>) 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 large front set back, and a small number of residential flat buildings (refer to Figure 25).



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

### Views and Vistas

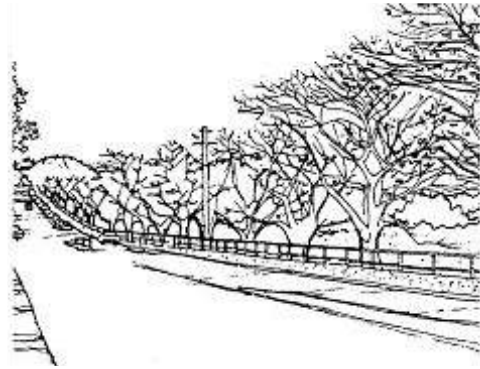
North-south street axes provide important view corridors to Queens Park. Formal tree plantings in these streets frame views to the open parkland in the distance. Properties in the upper eastern portion of the area enjoy distant views of parklands and the city to the west.

### Open Space

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

## Landscaping

Vegetation is an important element 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).

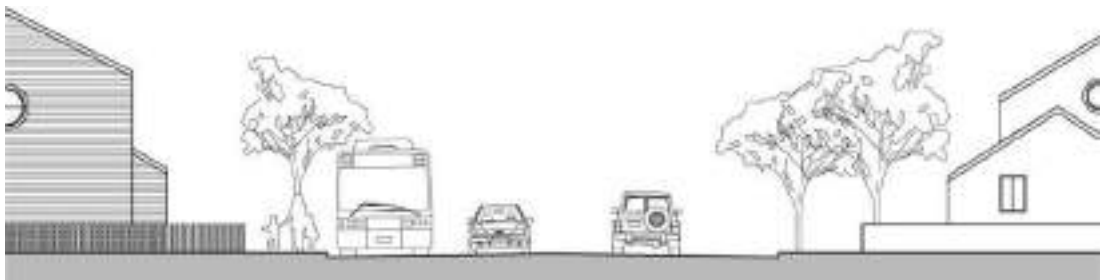


**Figure 26** Open views, established street trees and rock outcrops are a unique character of Queens Park

## Residential Character – Streetscapes

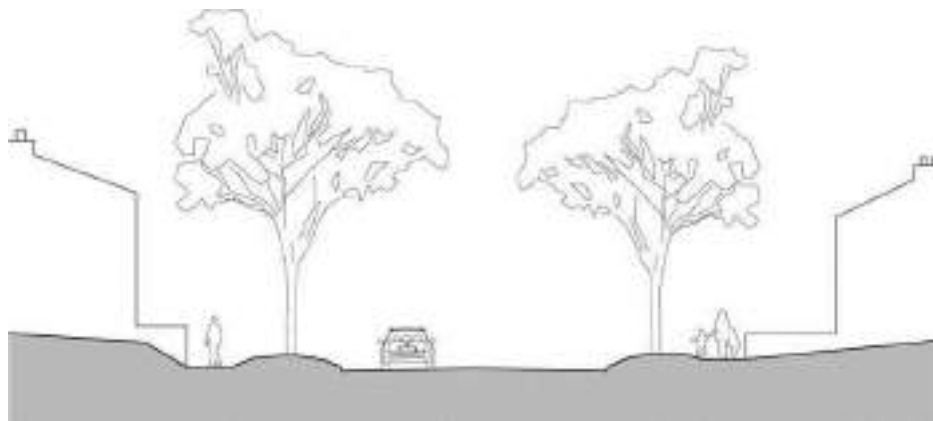
Three distinct types of streetscape character are found within the area. Streets which carry larger volumes of local through traffic (e.g. Birrell Street, Queens Park Road, York Road), inner residential streets (e.g. Manning Street, Alt Street, Ashton Street) and rear access lanes.

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 streetscape (refer to Figure 27).



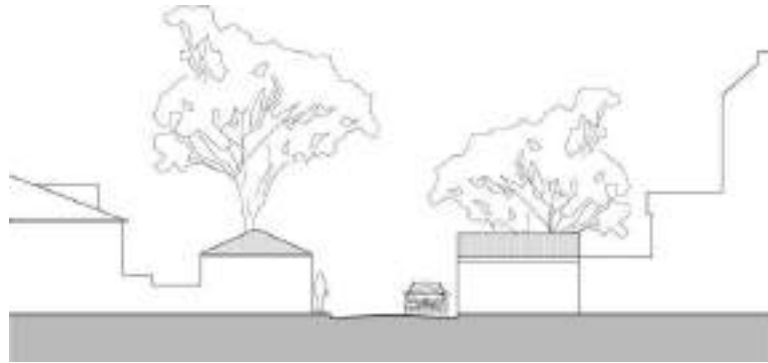
**Figure 27** Typical section of a street with high volumes of through traffic

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 Figure 28).



**Figure 28** Typical section of an inner residential street

The narrow, corridor like rear access lanes are dominated by garage doors, high fences, walls, landscape screening, and a variety of building setbacks (refer to Figure 29).



**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 front setbacks with cast iron front 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 front fences being the most common styles (refer to Figure 30)

Low, stepped 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 Figure 31).



### Architectural Style

QPCA is one of the oldest precincts in the Municipality, containing many manmade 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 semidetached 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.



**Figure 30** Example of low and transparent fences which correspond to the established existing character elements.



**Figure 31** Stepped fences on steeper sites

### Controls

Any property within the QPCA must have regard for the following Desired Future Character Objectives and Performance Criteria. This Part is to be read in conjunction with Part C1 – Dwelling House and Dual Occupancy Development. Where there is any inconsistency, this Part will prevail.

## Views and vistas

Desired Future Character Objectives	Performance Criteria
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.

## Streetscape

Desired Future Character Objectives	Performance Criteria
2.1 To reinforce the existing street character, through appropriate dwelling facades, building setbacks, fence and landscaping.	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 integrate 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(a) Low and transparent front fences in front yards are desirable, especially where setbacks are minimal. This provides surveillance to the street, and a wider ambience for pedestrians, and gives a better scale to the building façade (refer to Figure 32).  2.4(b) Front fences should be of a low or transparent style and where masonry is used it should be no higher than 600mm, while transparent fences may not exceed 1200mm in height.  2.4(c) Rear fences should be between 1.8m and 2m in height.
2.5 To progressively improve the existing cluttered character of rear access lanes.	

2.5(a) Where rear lane access to a property exists or is provided, garages and driveways should be located at the rear.

2.5(b) Where no rear lane access is provided, garages should be either setback behind the line of the dwelling frontage, or incorporated within the building design (for new dwellings). Where the streetscape is dominated by garages located up to the front boundary, garages may be allowed in front of the dwelling. Driveway width shall be minimised to maximise on street parking availability and landscaping used to unify the garage and dwelling with the landform.

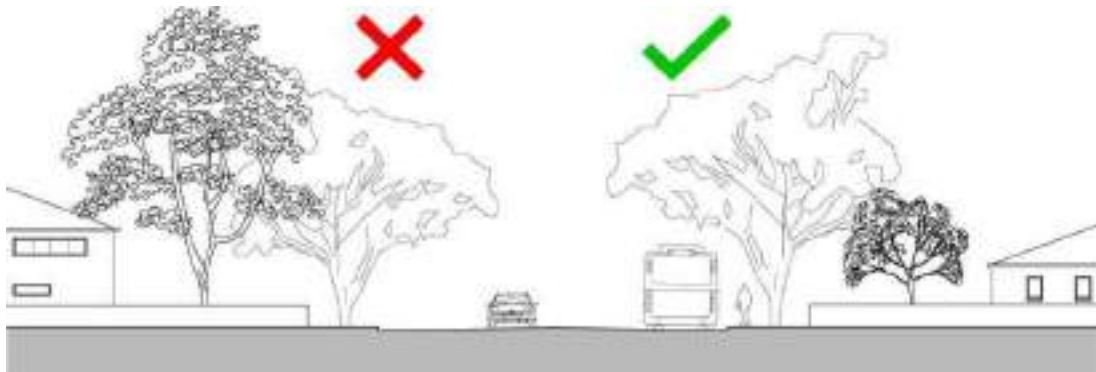


**Figure 32** Low fences are desirable, especially where setbacks are minimal.

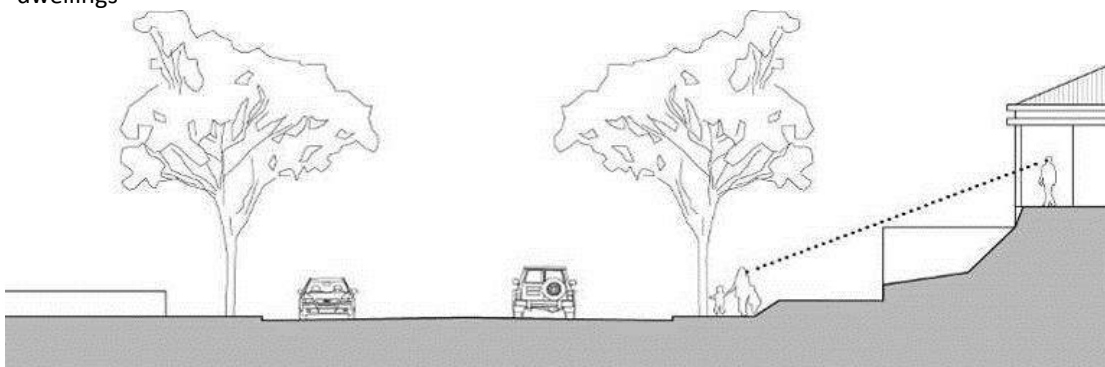


## Landscaping

Desired Future Character Objectives	Performance Criteria
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.	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 (refer to Figure 33).
3.2 To establish soft landscaping at the front of dwellings compatible with its style and setback.	3.2(a) On steeply sloping or split level sites landscaping is planted so as to allow for a visual connection between the building facades and the street (refer to Figure 34).  3.2(b) Soft landscaping is used to reinforce important character elements in the front of dwellings, especially detached dwellings and larger sites.



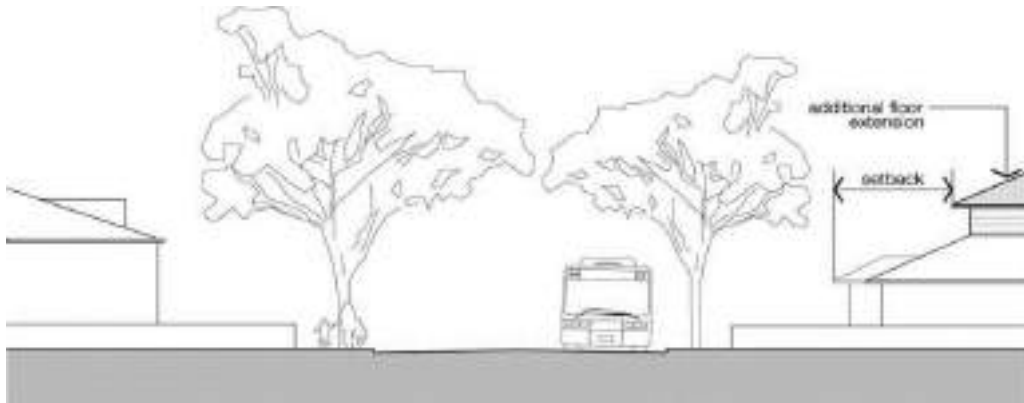
**Figure 33** Where mature street trees exist, avoid high and over dense landscaping in the front of dwellings



**Figure 34** A visual connection to the street is important to cultivate surveillance and is in keeping with the established character

## Architectural style

Desired Future Character Objectives	Performance Criteria
<p>4.1 To reinforce the various established architectural styles of dwellings through sensitive alterations and additions and appropriate new developments.</p> <p>4.2 To emphasise balance and symmetry in alterations and additions to detached, semi detached and attached dwellings.</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>4.1 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(a) 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 35).</p> <p>4.2(b) The incorporation of garages, carports or other areas to accommodate motor vehicle parking within the building envelope of existing dwellings is discouraged where alternate locations on the land are available or where the design will detract from the architectural appearance of the existing dwelling.</p> <p>4.2(c) 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.</p> <p>4.2(d) New dwelling development is sympathetic to the established architectural style in the vicinity and preserves the area's character.</p> <p>4.2(e) Where terrace and semi detached dwellings have a small front setback, their façade detail and building elements, such as doors, windows, balustrades, mouldings or tiles are sensitively integrated with the streetscape character.</p> <p>4.3 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 35** An example of alterations and additions which are sensitively undertaken and are within the existing envelope. First floor additions are set back in order to minimise the impact upon the street character

**B10 SAFETY**

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.

This Part should be read in conjunction with NSW Government's Crime Prevention and the Assessment of Development Applications – Guidelines under Section 79C of the *Environmental Planning and Assessment Act 1979*.

**10.1 BUILT FORM**

The design of a building can reduce opportunities for crime and contribute to the security and safety of residents and visitors.

**Objectives**

- (a) To provide for a safe environment for residents, visitors and workers and minimise the opportunities for criminal and anti-social behaviour.
- (b) To encourage the design and management of the built environment to reduce the opportunity for crime.

**Controls**

- (a) Maximise casual surveillance by orientating buildings towards the street.
- (b) Active spaces including windows of habitable rooms within the buildings are to be located to maximise casual surveillance of public spaces such as streets, laneways, parking areas and communal areas such as play areas, swimming pools, gardens and the like.
- (c) The design of building details including the provision of fencing, drainpipes and landscaping is to be such that illegitimate access is not facilitated through the creation of footholds, concealment and the like.
- (d) Minimise blind corners, recesses and other external areas which have the potential for concealment.
- (e) Pathways and entries providing access to, around and within the site should be designed to ensure good visibility for and of the user.
- (f) Building entries and mailbox entries are to be clearly visible, easily identifiable from the street and unobstructed.
- (g) Pedestrian routes to and from car parking spaces including to lift lobbies are to be as direct as possible with clear sightlines.
- (h) All entrance and exits, service areas must be clearly identifiable after dark by appropriate lighting.
- (i) All lighting on the site should be designed so it doesn't produce areas of glare and shadow or create a nuisance for neighbours.
- (j) 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.
- (k) Ensure landscaping does not jeopardise security of the site by avoiding planting large trees/shrubs which obscures sightlines.

- (l) Fencing which is used to delineate private space is to be used in a way which enhances safety by maximising opportunities for casual surveillance between the dwellings and the street frontage.
- (m) Materials should minimise opportunities for vandalism.
- (n) 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.
- (o) 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.
- (p) Ensure individual dwellings are equipped with security devices.

## ANNEXURES

**Annexure B1-1**  
**Examples of Building Material Reuse**

Material	Reuse/recycling potential
Concrete	Reused for filling, levelling or road base
Bricks and Pavers	Can be cleaned for reuse or rendered over or crushed for use in landscaping and driveways
Roof Tiles	Can be cleaned and reused or crushed for use in landscaping and driveways
Untreated Timber	Reused as floorboards, fencing, furniture, mulched or sent to second hand timber suppliers
Treated Timber	Reused as formwork, bridging, blocking and propping, or sent to second hand timber suppliers
Doors, Windows, Fittings	Sent to second hand suppliers
Glass	Reused as glazing or aggregate for concrete production
Metals (fittings, appliances and wiring)	Removal for recycling
Synthetic Rubber (carpet underlay)	Reprocessed for use in safety devices and speed humps
Significant Trees	Relocated either onsite or offsite
Overburden	Power screened and used as topsoil
Garden Waste	Mulched, composted
Carpet	Can be sent to recyclers or reused in landscaping
Plasterboard	Removal for recycling, return to supplier

Note: More information is available at the following link:

<http://www.epa.nsw.gov.au/warr/index.htm>

## Annexure B1-2

### Waste and Recycling Generation Rates

Based on a study by the Southern Waste Board in 2001 the approximate waste and recycling generations rates for a two person dwelling are as follows:

Generation rates	
Waste stream	Waste stream
Garbage	80 L/unit/week
Paper and cardboard recycling	25 L/unit/week
Other Recycling	15 L/unit/week

Use these figures to estimate the storage space required inside each residential dwelling for the storage of at least two days worth of waste and recycling.

Councils bin allocation for multi-unit residential buildings, boarding houses, backpackers and serviced apartments is as follows:

- 1 x 240 L bin for garbage per 3 units – collected weekly
- 1 x 240 L bin for paper/cardboard per 8 units – collected fortnightly/alternate weeks
- 1 x 240 L bin for other recyclables per 8 units – collected fortnightly/alternate weeks
- 1 x 80L, 140 or 240L bin for garden waste where Council considers a suitable amount of garden waste may be generated.
- 1 X 660 L bins may be considered in consultation with Council
- Where units of 3 bedrooms or more are built, Council may require additional bins, space or collection services.

Councils bin allocation and services for single dwellings is as follows:

- 1 x 140L Bin for garbage
- 1 x 140L Bin for paper/cardboard recycling
- 1 x 140L Bin for other recyclables
- 1 x 80L, 140L or 240L MGB for garden waste where Council considers a suitable amount of garden waste may be generated
- Garbage collected weekly
- Recycling collected on alternate weeks, ie. each collected fortnightly.
- Further information on Council's waste services is available in the Waste Avoidance and Resource Recovery Part.

Councils bin allocation and services for commercial buildings is as follows:

- 2 x 240L bin for garbage
- 2 x 240L bin for paper/cardboard recycling
- These rates may be varied on a case by case basis depending on the business type.

Premises type	Waste generation	Recyclable material generation
Backpackers hostel	40L/occupant space/week	20L/occupant space/week
Boarding house, guest house	60L/occupant space/week	20L/occupant space/week
Food premises:		
Butcher	80L/100m <sup>2</sup> floor area/day	Variable
Delicatessen	80L/100m <sup>2</sup> floor area/day	Variable
Fish shop	80L/100m <sup>2</sup> floor area/day	Variable
Greengrocer	240L/100m <sup>2</sup> floor area/day	120L/100m <sup>2</sup> floor area/day
Restaurant/Café	10L/1.5m <sup>2</sup> floor area/day	2L/1.5m <sup>2</sup> floor area/day
Supermarket	240L/100m <sup>2</sup> floor area/day	240L/100m <sup>2</sup> floor area/day
Takeaway food shop	80L/100m <sup>2</sup> floor area/day	Variable
Hairdresser, beauty salon	60L/100m <sup>2</sup> floor area/week	Variable

Premises type	Waste generation	Recyclable material generation
Hotel, licensed club, motel	5L/bed space/day 50L/100m <sup>2</sup> bar area/day 10L/1.5m <sup>2</sup> dining area/day	1L/bed space/day 50L/100m <sup>2</sup> bar area/day 50L/100m <sup>2</sup> dining area/day
Offices	10L/100m <sup>2</sup> floor area/day	10L/100m <sup>2</sup> floor area/day
Shop less than 100m <sup>2</sup> floor area	50L/100m <sup>2</sup> floor area/day	25L/100m <sup>2</sup> floor area/day
Shop greater than 100m <sup>2</sup> floor area	50L/100m <sup>2</sup> floor area/day	50L/100m <sup>2</sup> floor area/day
Showroom	40L/100m <sup>2</sup> floor area/day	10L/100m <sup>2</sup> floor area/day



### Annexure B1-3 Vehicle Dimensions and Turning Circles

Rear Loading Bin Collection Vehicle Dimensions	
Length	10.6m
Width	2.8m
Height	4.3m
Wheelbase	5.25m
Turning circle	16.5m between kerbs

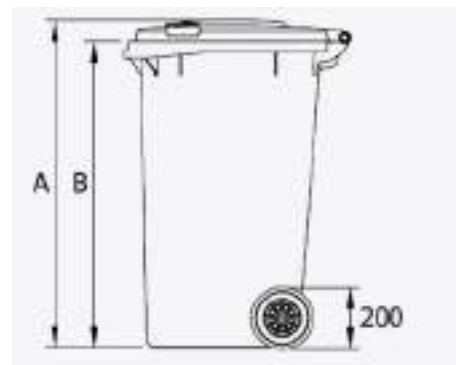
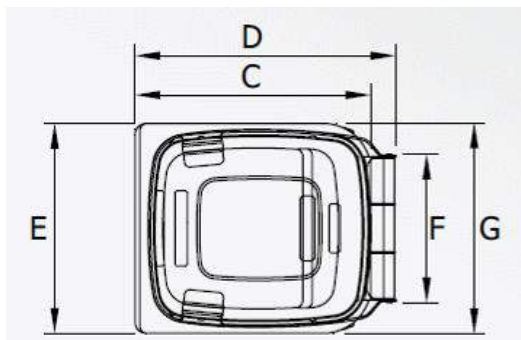
#### Access and Turning Provisions

Any turning circle considerations must make allowances for driver steering error and overhangs. The steering error allowance should be at least 0.6 metres (absolute minimum) on both sides of the wheel path and 1m as desirable minimum. Best design practice for access and egress from a development calls for a separate entrance and exit to allow the collection vehicle to travel in a forward direction at all times. Where there is a requirement for the collection vehicles to turn at a cul-de-sac head within a development, the design should incorporate a bowl, 'T' or 'Y' shaped arrangement. The design aspects that must be taken into account include the following:

- The weight, height and length of Council collection trucks.
- Placement of waste and recycling bins outside each home, or in a common collection area.
- Parked cars greatly inhibit the turning of collection truck.
- Trucks should only be expected to make a three-point turn to complete a U-turn.
- Allow for collection vehicle overhang and possible interference with bins and road furniture.

### Annexure B1-4 Council Supplied Bin Dimensions

Bin Type	80L	140L	240L	660L
A (HEIGHT)	840mm	925 mm	1060 mm	1235 mm
B	795mm	870 mm	990 mm	-
C	480mm	550 mm	660 mm	-
D (DEPTH)	510mm	615 mm	730 mm	1360 mm
E (WIDTH)	450mm	535 mm	585 mm	1235 mm
F	300mm	395 mm	400 mm	-
G	450mm	535 mm	585 mm	-



Source: Sulo Waste Management

### Annexure B1-5 Composting and Worm Farming Guidelines

A composting facility must be provided in all residential use developments. Such facility may comprise either:

- A dedicated area on the site for the accommodation of a sufficient number of commercially available compost bins or worm farms, or
- A purpose designed compost area incorporated in the landscaped (low waste garden) area of the site.

#### Location

Conveniently accessible from all dwellings and reasonably close to the waste storage area. The facility should be located so as not to cause any nuisance to the occupants of the building on this or neighbouring sites.

#### Size

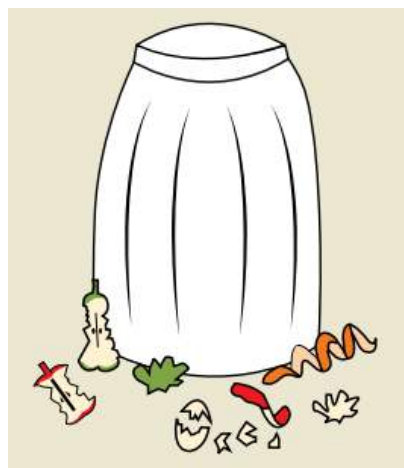
The capacity of compost bins for single dwellings is discretionary and will depend on the circumstances in the individual case. In new dwelling houses, an area of 1000mm x 1000mm should be provided.

In multi- unit residential buildings, provision should be made for:

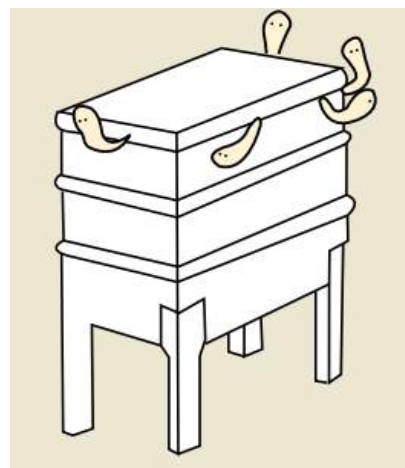
- A dedicated area to accommodate sufficient compost bins having a minimum capacity of 30 litres for each dwelling unit; or
- A purpose designed compost structure having a minimum capacity of 1 cubic metre for every 6 dwelling units or part thereof.

#### Construction

A permanent compost facility may be three-sided, two-compartment structure made of solid timber or masonry, with a cover for weather protection.



**Compost Bin**



**Worm Farm**

Examples of composting and worm farming containers and structures

**Note:** More information is available at <http://compostrevolution.com.au/>

### Annexure B1-6

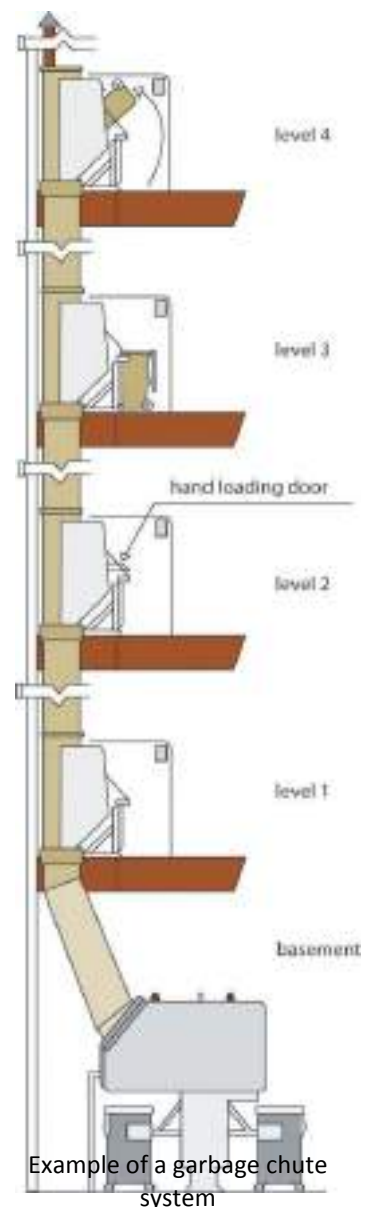
#### Garbage Chutes, Compactors and Service Lifts Guidelines

##### Garbage chute design

- Garbage chutes must be constructed in accordance with the requirements of the *Building Code of Australia (BCA)*.
- Garbage chutes must be located and insulated in a manner that reduces noise impacts.
- Chutes, service openings and charging devices must be constructed of material (such as metal) that is smooth, durable, impervious, non-corrosive and fire resistant.
- Chutes, service openings and charging devices must be capable of being easily cleaned.
- Chutes must be cylindrical and should have a diameter of at least 500mm.
- There must not be any bends (or sections of reduced diameter) in the main shaft of the chute.
- Internal overlaps in the chute must follow the direction of waste flow.
- Chutes must deposit rubbish directly into a bin or compactor located within a waste/recycling storage room.
- A cut-off device must be located at or near the base of the chute so that the bottom of the chute can be closed when the bin or compacting device at the bottom of the chute is withdrawn or being replaced.
- The upper end of a chute should extend above the roofline of the building.
- The upper end of a chute should be weather protected in a manner that doesn't impede the upward movement of air out of the chute.

##### Garbage chute service room design

- The service opening (for depositing rubbish into the main chute) on each floor of the building must be located in a dedicated service room.
- The charging device for each service opening must be self-closing and must not project into the main chute.
- Branches connecting service openings to the main chute are to be no more than 1m long.
- Each service room must include containers for the storage of recyclable materials. Signage regarding the materials that can be recycled should be displayed near these containers.
- Each service room must be located for convenient access by users and must be well ventilated and well lit.
- The floors, walls and ceilings of service rooms must be finished with smooth, durable materials that are capable of being easily cleaned.
- Service rooms must include signage that clearly describes the types of materials that can be deposited into the garbage chute and the types of materials which should be deposited into recycling bins.



### Management

- Garbage chutes are not to be used for the disposal of recyclable materials. Signage to this effect should be displayed near service openings.
- Arrangements must be in place for the regular maintenance and cleaning of garbage chutes and any associated service rooms, service openings and charging devices.
- Arrangements must be in place for the regular transferral of recyclable materials (which are stored in service rooms) to the main waste/recycling storage room.

### Service Lifts

- A service lift (or service elevator) may be appropriate in place of a waste chute in developments where a caretaker is to be employed.
- A service lift is a dedicated elevator system for the transport of waste and recycling containers and other equipment required for the operation of the development.
- A waste service compartment must be provided on each floor of the development to allow residents to store waste and recyclables.
- Residents place their waste and recyclables in bins provided and these are transported daily by the caretaker to the waste storage room.
- Each service room must be designed with sufficient space for the storage of two days waste and recycling for all residents on that level.
- Developers will need to check with Council whether this option is acceptable.

### Compactors

- Compactors are used to compress the waste (or recyclables) into smaller collection containers.
- The compaction ratio is typically set at around 2:1. Higher ratios are not used as they may result in heavier bins, causing OH&S problems, mechanical damage and breakage of recyclable materials.
- Best practice compaction systems compact directly into a 240 litre bin or a skip, reducing the requirement of manually loading the compacted waste into bins or skips.
- Compactors are extremely useful for mixed garbage, if used for recyclables extreme care must be taken not to cross contaminate the recycling streams.
- Compactors are less useful for steel containers and should not be used for glass.
- Compactors require regular maintenance. In particular, systems fed from a chute can be prone to blockages or failure of the “electronic eye”, which can result in garbage overflowing or backing up the chute. As a result if the 2:1 compaction ratio, the requirement for garbage storage bins is halved. This information was sourced from: Resource NSW (The Department of the Environment and Conservation), “Better Practice Guide for Waste Management in Multi-Unit Dwellings”, 2002.

Source: *Better Practice Guide for Waste Management in Multi-Unit Dwellings*, DECC, 2008.

### **Annexure B1-7**

#### **Placing a Waste Storage Container in a Public Place**

To place a waste storage container (skip) in a public place, such as on a roadway or footpath, a Building Waste Container Company registered with Council must be used.

For the purposes of this Part, a waste storage container means a bulk container, commonly known as a skip, that is used for the temporary storage and transportation (by a registered vehicle) of waste and recycling materials generated by building demolition and construction activities, as well as general household rubbish. Also for the purposes of this Part, a public place means the whole of a public roadway, including any footway and grass verge, but does not include a public park or reserve which is land used for public recreation and like purposes.

A waste container may be placed in a public place, only where there is no suitable space available on the user's premises. Council permits this to encourage source separation and recycling of waste materials. Council encourages the use of multiple containers or careful scheduling of single container collections to enable separation of re-useable and recyclable materials. Details of the container must be marked on the plans presented to Council when applying for a construction certificate.

#### **Approval Requirements**

Permission to supply and locate a building waste container / skip is granted subject to compliance with the following conditions:

1. The Company holds a current Council permit to place a waste storage container in a public place;
2. The Company have lodged an appropriate security deposit with Council to cover the costs for repair of any damage caused to public property;
3. Containers will be positioned in conformity with the "Interim Guidelines for the Placement of Building Waste Containers" as prepared by the Roads and Traffic Authority of N.S.W;
4. Containers shall not exceed a width of 2.5m;
5. No containers shall be located in a public reserve without the prior approval of Council;
6. Containers shall not be left on a roadway longer than seven (7) days;
7. Containers shall bear the name and telephone number of the supplier;
8. Suppliers agree that the site where containers are being placed will be left in a clean and tidy condition with all spillage removed from the area;
9. Suppliers are to be responsible for any incidence of damage arising from poor placement of containers or spilt debris; and
10. Suppliers are to agree in writing to indemnify Council against any public liability claim arising from the placement of containers on Council's roadways and such insurance cover to indemnify Waverley Council for a minimum amount of \$10,000,000.

When placing a waste storage container / skip in a public place the following provisions must be complied with:

1. Public safety and convenience must be preserved;
2. The container will not cause any damage to public property;
3. The container is a size appropriate to the location;
4. The container is clearly identifiable;
5. The container is clearly visible to traffic;
6. The container does not restrict or obstruct traffic visibility;
7. The container does not disturb or obstruct the free flow of pedestrian or vehicular traffic; and
8. The container does not disturb normal stormwater flow.

## Annexure B2-1

### Planting List

All species on this list are generally recommended for use throughout Waverley, however, the selection of appropriate plant species for each site should be recommended by a suitably qualified landscape or bushland regeneration professional. Alternative species may be approved by Council.

Two asterisk (\*\*) next to common names indicates that they are an indigenous species and common in Waverley's remnant vegetation communities and are recommended for a range of plantings. One asterisk (\*) indicates the species is a local native and is also preferred. Plan the sourcing of plant material in advance of any development to ensure availability of indigenous species.

TREES		
Genus	Species	Common Name
<i>Acmena</i>	<i>smithii</i>	Lilly Pilly
<i>Backhousia</i>	<i>citriodora</i>	Lemon Myrtle
<i>Banksia</i>	<i>integrifolia</i>	Coastal Banksia
<i>Banksia</i>	<i>serrata</i>	Old Man Banksia*
<i>Ceratopetalum</i>	<i>apetalum</i>	Coachwood
<i>Cupaniopsis</i>	<i>anacardioides</i>	Tuckeroo
<i>Elaeocarpus</i>	<i>reticulatus</i>	Blueberry Ash
<i>Eucalyptus</i>	<i>botryoides</i>	Bangalay
<i>Eucalyptus</i>	<i>gummifera</i>	Red Bloodwood
<i>Eucalyptus</i>	<i>obstans</i>	Port Jackson Mallee
<i>Glochidion</i>	<i>ferdinandi</i>	Cheese Tree*
<i>Ficus</i>	<i>rubiginosa</i>	Port Jackson Fig

SHRUBS: Medium-Large		
Genus	Species	Common Name
<i>Acacia</i>	<i>longifolia</i>	Sydney Golden Wattle **
<i>Angophora</i>	<i>hispida</i>	Dwarf Apple
<i>Banksia</i>	<i>ericifolia</i>	Heath-leaved Banksia **
<i>Banksia</i>	<i>oblongifolia</i>	Fern-leaved Banksia
<i>Banksia</i>	<i>marginata</i>	Silver Banksia *
<i>Ceratopetalum</i>	<i>gummiferum</i>	NSW Christmas Bush
<i>Dodonaea</i>	<i>triquetra</i>	Common Hop Bush
<i>Grevillea</i>	<i>speciosa</i>	Red Spider Flower
<i>Hakea</i>	<i>dactyloides</i>	Finger Hakea
<i>Hakea</i>	<i>gibbosa</i>	Needlebush
<i>Hakea</i>	<i>teretifolia</i>	Dagger Hakea *
<i>Kunzea</i>	<i>ambigua</i>	Tick Bush
<i>Lambertia</i>	<i>formosa</i>	Mountain Devil
<i>Lasiopetalum</i>	<i>ferrugineum</i>	Rusty Petals
<i>Leptospermum</i>	<i>laevigatum</i>	Coastal Tea Tree
<i>Leptospermum</i>	<i>polygalifolium</i>	Tantoon, Yellow tea-tree
<i>Leptospermum</i>	<i>squarrosus</i>	Pink tea-tree
<i>Leucopogon</i>	<i>ericoides</i> &/or <i>juniperinus</i>	Pink bearded-heath
<i>Melaleuca</i>	<i>armillaris</i>	Bracelet Honey-myrtle **
<i>Ozothamnus</i>	<i>diosmifolius</i>	Paper Daisy
<i>Ricinocarpus</i>	<i>pinifolius</i>	Wedding Bush

SHRUBS: Small-Medium		
Genus	Species	Common Name
<i>Acacia</i>	<i>myrtifolia</i>	Myrtle Wattle
<i>Acacia</i>	<i>suaveolens</i>	Sweet Wattle*
<i>Acacia</i>	<i>ulicifolia</i>	Prickly Moses*
<i>Astroloma</i>	<i>pinifolium</i>	Pine Heath*
<i>Baeckea</i>	<i>imbricata</i>	Baeckea**
<i>Bauera</i>	<i>rubroides</i>	River Dog Rose**
<i>Bossiaea</i>	<i>heterophylla</i>	Variable bossiaea*
<i>Brachyloma</i>	<i>daphnoides</i>	Daphne Heath*
<i>Breynia</i>	<i>oblongifolia</i>	Coffee Bush*
<i>Callistemon</i>	<i>citrinus</i>	Crimson Bottlebrush**
<i>Callistemon</i>	<i>linearis</i>	Narrow-leaved Bottlebrush*
<i>Correa</i>	<i>alba</i>	Coastal Correa
<i>Crocea</i>	<i>saligna</i>	Crocea
<i>Darwinia</i>	<i>fascicularis</i>	Darwinia
<i>Dillwynia</i>	<i>retorta</i>	Heathy Parrot Pea*
<i>Lomatia</i>	<i>silifolia</i>	Crinkle Bush
<i>Melaleuca</i>	<i>nodosa</i>	Prickly-leaved paperbark**
<i>Melaleuca</i>	<i>thymifolia</i>	Thyme Honey-Myrtle
<i>Monotoca</i>	<i>elliptica</i>	Tree-broomed heath**
<i>Olearia</i>	<i>tomentosa</i>	Toothed Daisy –Bush*
<i>Pimelea</i>	<i>linifolia</i>	Slender Rice flower*
<i>Platysace</i>	<i>lanceolata</i>	Native Parsnip*
<i>Phebalium</i>	<i>squamulosum</i>	Silvery Phebalium
<i>Pultenaea</i>	<i>linophylla</i>	Halo Bush Pea*
<i>Westringia</i>	<i>fruticosa</i>	Coastal Rosemary**

GRASSES/SEDGES		
Genus	Species	Common Name
<i>Baumea</i>	<i>juncea</i>	Baumea**
<i>Carex</i>	<i>pumilla</i>	Carex**
<i>Danthonia</i>	<i>linkii</i>	Wallaby Grass
<i>Dianella</i>	<i>caerulea</i>	Blue Flax Lily**
<i>Dianella</i>	<i>congesta</i>	Coastal Flax Lily**
<i>Dichelachne</i>	<i>crinita</i>	Long Hair Plume Grass**
<i>Echinopogon</i>	<i>caespitosus</i>	Tufted Hedgehog Grass
<i>Entolasia</i>	<i>marginata</i>	Bordered panic*
<i>Lachnagrostis</i>	<i>billardierei</i>	Common Tussock Grass**
<i>Ficinia</i>	<i>nodosa</i>	Knobby Club Rush**
<i>Imperata</i>	<i>cyllindrica</i>	Blady Grass*
<i>Lachnagrostis</i>	<i>billardierei</i>	Common Tussock Grass**
<i>Lomandra</i>	<i>longifolia</i>	Spiny-headed Mat rush**
<i>Microleana</i>	<i>stipoides</i>	Weeping Grass*
<i>Themeda</i>	<i>australis</i>	Kangaroo Grass
<i>Xanthorrhoea</i>	<i>resinosa</i>	Grass Tree
<i>Zoyzia</i>	<i>macranthra</i>	Prickly Couch*



CLIMBERS/GROUNDCOVER		
Genus	Species	Common Name
<i>Billardiera</i>	<i>scandens</i>	Hairy Apple Berry*
<i>Carpobrotus</i>	<i>glaucescens</i>	Pig Face**
<i>Centella</i>	<i>asiatica</i>	Gotu Cola*
<i>Dichondra</i>	<i>repens</i>	Kidney Weed*
<i>Gonocarpus</i>	<i>teucrioides</i>	Germander Rasperwort
<i>Hardenbergia</i>	<i>violacea</i>	False Sarsaparilla
<i>Hibbertia</i>	<i>scandens</i>	Golden Guinea Flower
<i>Mirbelia</i>	<i>rubifolia</i>	Mirbelia
<i>Pandorea</i>	<i>pandorana</i>	Wonga Wonga Vine*
<i>Stephania</i>	<i>japonica var. discolor</i>	Snake Vine
<i>Tetragonia</i>	<i>tetragonoides</i>	Warragal Greens**
<i>Viola</i>	<i>hederaceae</i>	Native violet

FERNS		
Genus	Species	Common Name
<i>Adiantum</i>	<i>aethiopicum</i>	Maidenhair Fern*
<i>Cyathea</i>	<i>cooperi</i>	Australian Tree Fern*
<i>Doodia</i>	<i>aspera</i>	Rasp Fern
<i>Histiopteris</i>	<i>incisa</i>	Bats Wing Fern**
<i>Hypolepis</i>	<i>muelleri</i>	Harsh Ground Fern*
<i>Pellaea</i>	<i>falcata</i>	Sickle fern*
<i>Pteridium</i>	<i>esculentum</i>	Common Bracken*
<i>Sticherus</i>	<i>flabellatus</i>	Umbrella Fern*

## Annexure B9-1 Charing Cross Conservation Area

The following map highlights the study area, as well as an extract of the Charing Cross heritage conservation area (refer to Figure 36).



**Figure 36** Charing Cross heritage conservation area

This annexure provides recommendations for future conservation opportunities as well as appropriate colour schemes for the identified properties or property groups. Furthermore, the Charing Cross Streetscape Study provides a physical description of every building or building group within the study area and general recommendations for the overall improvement of the streetscape. All of the buildings included in the study are located in the Charing Cross heritage conservation area.

### **Conservation of Original Fabric**

A large amount of original fabric still exists in the street facades of the conservation area, particularly in the upper wall areas above the awnings. However, much of it has been compromised by later

additions or is covered by unsympathetic paint schemes. It is recommended that each period of building be respected for its individual contribution to the development of the area and that future treatment will be consistent with the original character of the building.

Original shopfronts are becoming increasingly rare and remaining examples should be conserved. Partial or missing examples of original fabric can be restored or reconstructed to aid interpretation and appreciation of the streetscape, however, this must be done with care and be based on evidence, thorough research and inspection of the physical evidence on site by an experienced conservation architect.

### Colour Schemes

Cleaning and repainting the facades of the buildings in the study area would be an improvement to the presentation of the street. Many individual buildings have unsympathetic colour schemes that are inconsistent with the style of the building and with the grouping in which they were built. It is desirable that the colour scheme of each building or group of buildings be informed by the period in which it was built and by physical investigation of the early paint layers on the exterior fabric. A conservation architect or heritage practitioner could carry out paint scrapes to determine the early colours. These colours could then be interpreted in a colour scheme that suits the current owners or tenants. Correct tonal relationships (the use of light and dark colours on various elements) are more important than exact replication of hues.

The accompanying inventory sheets for each building or group of buildings contain recommended colour schemes which are based on the period, style, and current treatment of the buildings. For example, in some cases where original face brickwork has been painted over, the colour scheme provides a recommendation to paint the brickwork brown to simulate face brick. These recommended colour schemes are speculative, relying on knowledge of original colour schemes of other buildings of similar periods, and are not based on physical intervention. It is preferable to undertake paint scrapes to determine the original colour scheme of each building, however, if this is not possible, the recommended colour schemes would result in a more historically relevant appearance of the streetscape.

Colour terms used in the inventory sheets relate to the Australian Standard 2700 - Colour Standards for General Purposes as follows:

Colour name	AS2700 colour name	AS2700 code
Biscuit	Raffia	X31
Bridge grey	Light grey	N35
Bronze green	Deep bronze green	G63
Brown (to simulate brickwork)	N/A – approve by sample	
Buff	Oatmeal	Y54
Copper beech	Dark brown	X65
Cream	Sandstone	Y53
Crimson	Maroon	R65
Deep Brunswick green	Bottle green	G11
Eau-de-Nil	Palm green	G44
Forest green	Holly	G12
French grey	Storm grey	N42
Grey green	Banksia	G53
Indian red	Deep indian red	R64
Manilla	Manilla	Y45
Mid-brown	Brown	X54
Mountain blue	Blue jay	T24
Off-white	Off-white	Y35
Olive	Mist green	G54

Colour name	AS2700 colour name	AS2700 code
Pale grey (to simulate render)	N/A – approve by sample	
Pink brown	Cinnamon	X45
Sea green	Lichen	G55
Vellum	Surf green	G43
Venetian red	Venetian red	R62
White	N/A	N/A

### Recommended Finishes

All render and plaster should have a semi-gloss finish. All timber and metalwork should have a gloss finish.

# PART C RESIDENTIAL DEVELOPMENT

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## **C1 DWELLING HOUSE, DUAL OCCUPANCY, SECONDARY DWELLING, SEMI-DETACHED DWELLING AND TERRACE DEVELOPMENT**

This Part applies to any type of lower density residential accommodation proposing a new development or alterations and additions in the Waverley LGA. For the purposes of Part C1 the term lower density residential accommodation includes the following types of development:

- Dwelling house;
- Dual occupancy;
- Semi-detached dwelling;
- Terrace styled development; and
- Secondary dwelling.

Each type of lower density residential accommodation is defined in the Waverley LEP 2012.

**Note:** For the purposes of this Part, the term “terrace styled development” above has the same meaning as the term “attached dwellings”, which is defined in the Waverley LEP 2012.

### **Objectives**

- (a) To ensure that the scale of lower density residential accommodation is appropriate for allotment sizes and other dwellings in the vicinity.
- (b) To ensure that lower density residential accommodation does not significantly detract from the amenity, privacy and views of other dwellings and public view corridors.
- (c) To ensure that Council has regard to the principles of ecologically sustainable development when assessing applications.
- (d) To ensure that new development and alterations and additions to existing lower density residential accommodation is sympathetic in bulk, scale and character with other dwellings in their vicinity.
- (e) To encourage lower density residential accommodation to have high design standards and are built in accordance with the objectives and controls of this Part.

## **1.1 HEIGHT**

The maximum building height and maximum wall height are two of the most important design elements that influence the overall appearance of residential buildings and character of a streetscape. The maximum building height standards are identified by Clause 4.3 and the Height of Buildings Map in WLEP 2012.

Achieving the maximum building height may not be appropriate in all cases and should not be considered as prescribed or allowable regardless of circumstance. Amenity or streetscape impacts may mean that a lower height or additional setbacks are warranted. Therefore nothing in this part restricts Council's ability to require the height of a building to be less than the maximum height as specified in the LEP.

Maximum heights are stated in the LEP however not all development types are appropriate to achieve the maximum height. For example, it may not be acceptable that a laneway development achieves the overall maximum height based on the LEP standard. For this reason, each development type has different height control expectations as outlined in the following sections:

- Dwelling Houses – Part C1, Section 1.1.
- Laneway Development – Part C1, Section 1.14.
- Secondary Dwellings and Ancillary Buildings – Part C1, Section 1.16.
- Local Village Centres – Part E3.

### **Objectives**

- (a) To provide appropriate building heights for flat or pitched roof forms for lower density residential accommodation.
- (b) To ensure the height and scale of development relates to the topography and street character.
- (c) To ensure the height and scale of development does not unreasonably impact on views enjoyed by neighbouring and nearby properties.
- (d) To ensure that the height and scale of development does not result in unreasonable overshadowing of neighbouring and nearby properties.
- (e) To minimise loss of views from and overshadowing of public places.
- (f) To ensure development in excavation areas does not add to the overall visual bulk of the dwelling.

#### **1.1.1 Flat roof dwellings**

Flat roof dwellings can potentially have a greater impact on neighbouring properties than pitched roof dwelling designs. As such, the proposed height of a flat roof dwelling must not preclude the achievement of standards relating to overshadowing, building orientation topography, privacy and views as specified elsewhere in this DCP.

### **Controls**

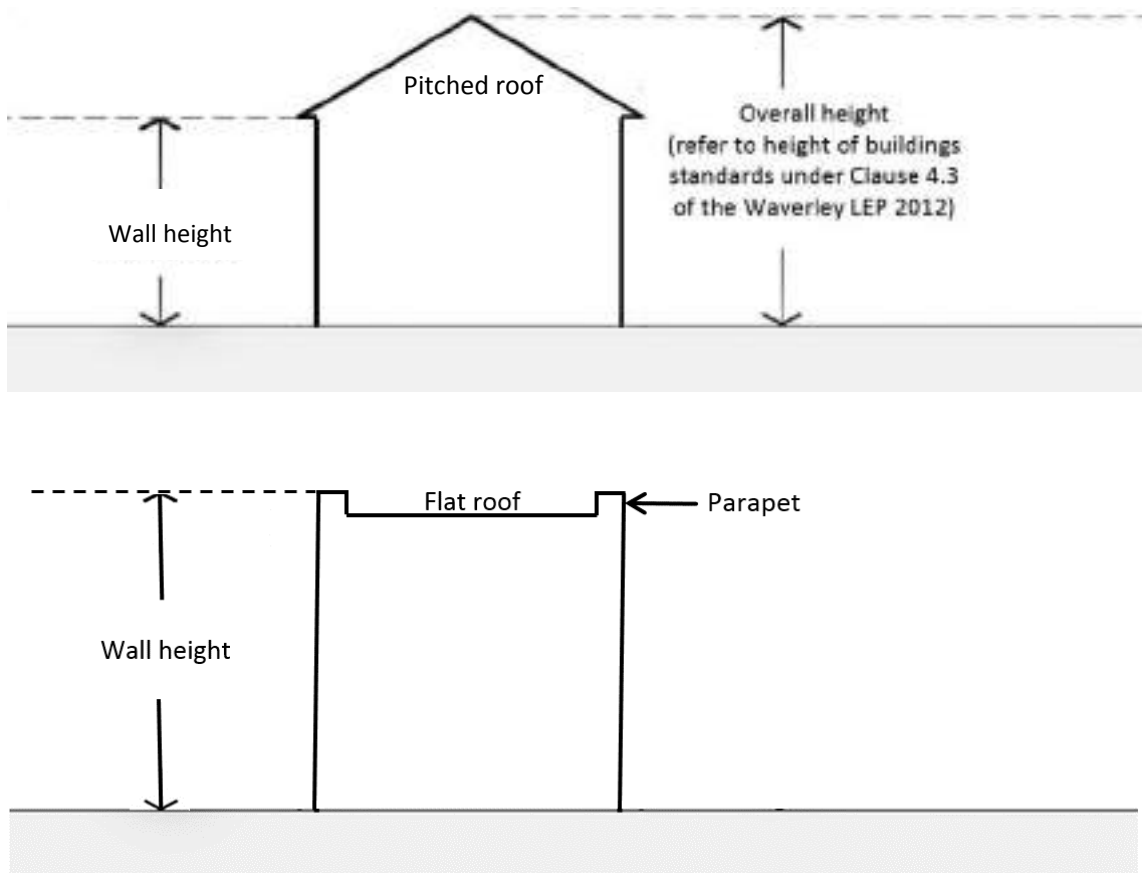
- (a) For a building with a flat roof the maximum overall building height is 7.5m above existing ground level (refer to Figure 1).



### 1.1.2 External Wall Height

#### Controls

- (a) For a building with a pitched roof the maximum wall height is 7m above existing ground level (refer to Figure 1), except as determined in Control (b) below.
- (b) Where it is permissible for dwellings to be built to a height greater than 9.5m under WLEP 2012, the wall height will be determined by a merit assessment of the design of the building and its relationship to adjoining dwellings.
- (c) Buildings on steep sites are to be stepped down to avoid high columns, elevated platforms and large undercroft areas.



**Figure 1** How to measure wall height for dwellings with pitched and flat roofs

### 1.2 SETBACKS

Setbacks influence the size and shape of lower density residential accommodation and it is critical their bulk and appearance in the streetscape and relationship to adjoining properties is appropriate to the locality.

Setbacks provide rhythm and character to residential streets, retains views and glimpses of local and distant landmarks and provides access to the rear of properties.

Setbacks also provide amenity to existing and proposed housing through the maintenance and provision of privacy, ventilation, solar access and views. Setbacks generally increase as the building height increases.

#### Objectives

- (a) To ensure the distance between buildings on adjacent properties allows adequate solar access, ventilation and privacy.
- (b) To ensure that the amenity of rear yards, their function as private open space and their visual and landscape contribution to the surrounding area is protected and enhanced.
- (c) To accommodate flexibility in the siting of buildings, where appropriate.
- (d) To ensure the front and rear setbacks of buildings are consistent with surrounding buildings and does not visually detract from the streetscape.
- (e) To ensure significant views and view corridors available from the public domain and existing properties are considered as part of the local context of any development. Refer to Section 1.10 – Views.

#### 1.2.1 Front and rear building lines

##### Controls

- (a) New buildings and extensions to existing buildings are to extend no further than the predominant front and rear building lines of buildings in its vicinity (refer to Figures 2 and 3).
- (b) The predominant rear building line is determined by the average setbacks of the existing main buildings on adjoining properties either side of the subject site (generally 3 to 4 dwellings) and is determined separately on the ground floor and first floor level.

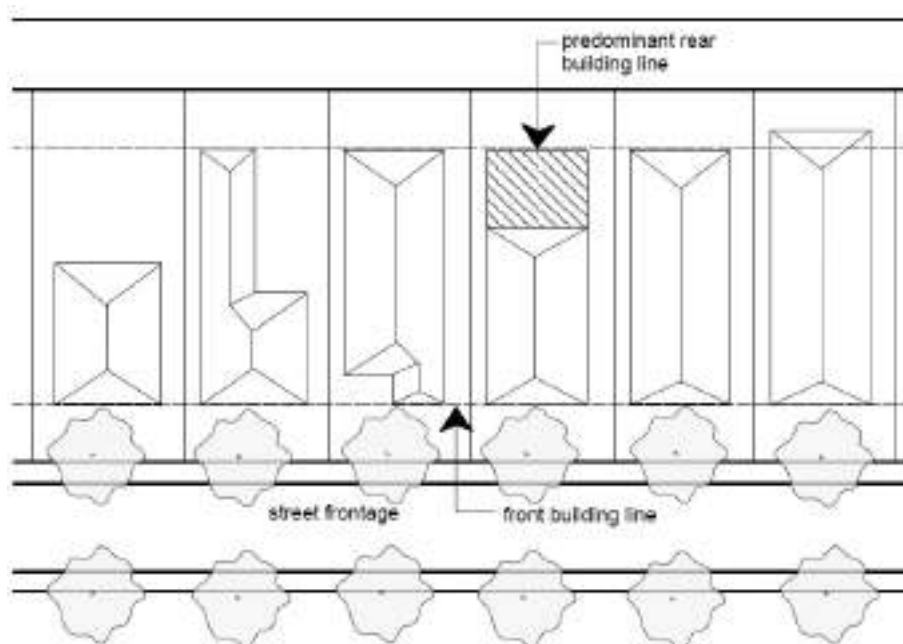
In most circumstances development at first floor level and above shall be setback from the rear building line of the ground floor level in order to minimise bulk and scale impacts and provide visual relief for the open space and living areas at adjacent properties (refer to Figure 3).

Refer to the definition of **building line** stated in the Dictionary of Waverley LEP 2012.

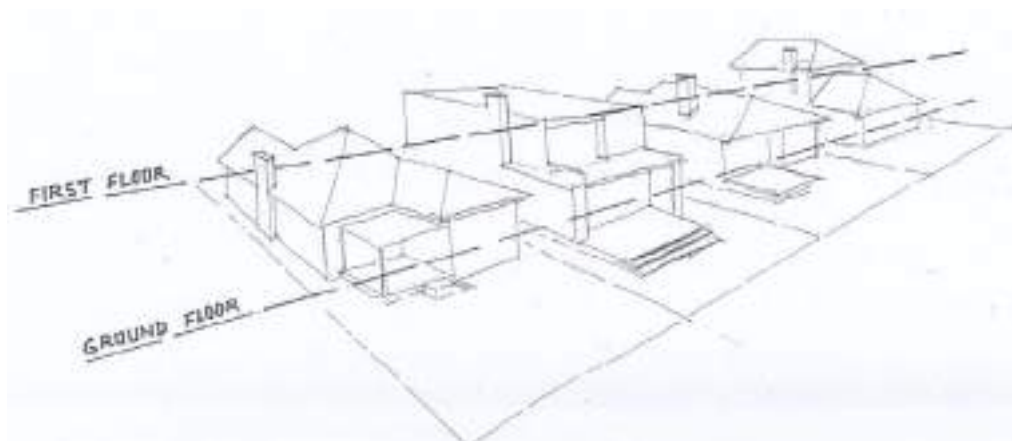
- (c) Where it is proposed to build beyond the predominant front and/or rear building line, then greater consideration must be given to the following;

## Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development C1

- (i) Compliance with applicable development standards, including Floor Space Ratio and Building Height;
- (ii) Compliance with the landscaped and open space controls;
- (iii) Compliance with side setback controls;
- (iv) Emergence of a new front and/or rear building alignment beyond the dwellings either side of the subject site (note that any reliance on an emerging front and/or rear building alignment as a precedent can only be justified where the emerging alignment is itself based on compliant development with respect to building height, FSR and side setback controls);
- (v) Location and retention of existing significant vegetation;
- (vi) Visual aspect of the bulk and scale as viewed from the private open space and living areas of adjoining properties;
- (vii) Acceptability of amenity impacts on adjacent properties with regard to solar access, and visual and acoustic privacy;
- (viii) Views available from the subject site and adjoining properties including an assessment against the Land and Environment Court “Tenacity” Planning Principle;
- (ix) In areas of heritage significance, the importance of preserving the front portion of the building by providing an additional setback from the front building line.



**Figure 2** Example of front building line and predominant rear building line on regular shaped lots



**Figure 3** Example of ground and first floor level predominant rear building lines

### 1.2.2 Side Setbacks

(a) Comply with the minimum setbacks as follows:

Height (in storeys)	Side setback (min.)
<b>1-2 storeys</b> (height up to 8.5-9.5m in accordance with height of buildings development standard in clause 4.3 of WLEP 2012)	900mm
<b>3 storeys</b> (height up to 9.5-12.5m in accordance with height of buildings development standard in clause 4.3 of WLEP 2012)	1500mm
<b>Greater than 3 storeys</b>	1500mm – 3000mm

**Table 1** Minimum side setbacks

#### Note

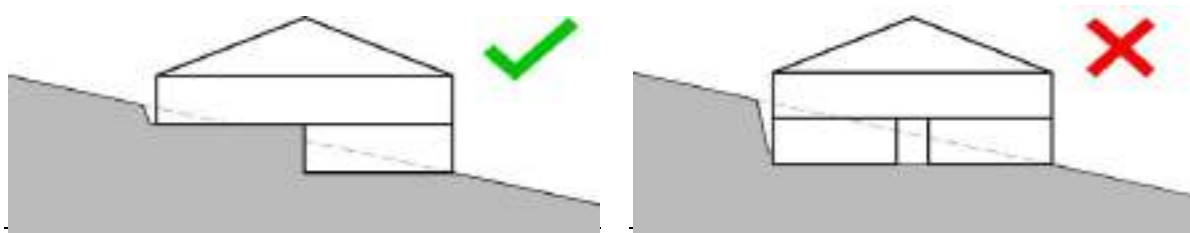
- Where a 2 storey dwelling exceeds the maximum height building standard in Clause 4.3 of the WLEP 2012, the side setback of the building is to be 1200mm.
- The side setbacks may be reduced if the proposed dwelling or alteration adjoins another dwelling without a setback along the shared boundary. This applies only to that section of the boundary which the neighbouring dwelling is built to.
- For dwelling houses greater than 3 storeys, side setbacks will be determined on merit.
- For new dwellings, the relevant minimum setback control shall apply for all levels.

### 1.3 EXCAVATION

Excavation can have a detrimental effect on the local environment, neighbouring properties and streetscape.

Where excavation is proposed to exceed 3m in depth, is at or near cliff faces or on sloping sites that have a slope of 25% or more, a geotechnical report which addresses the stability of the site and surrounding properties must be submitted. The geotechnical report must confirm that the site is suitable for the proposed development and must list any relevant conditions. Please refer to Part A – Submission Requirements for additional information.

- (a) To minimise cut and fill on sloping sites and to encourage good quality internal environments including direct natural light and direct natural ventilation, any habitable room of a dwelling must have at least one external wall fully above existing ground level with necessary glazing and openings for light and air (refer to Figure 4).
- (b) Fill shall not be used to raise the ground level.
- (c) Excavation is not permitted within 900mm of side boundaries and shall only occur within the building footprint except where access to a basement car park is required.
- (d) Excavation should not add to the visual bulk and scale of the building.
- (e) Excavation should not result in the loss of naturally occurring sandstone.
- (f) Excavation for garaging within sandstone walls facing the street must be minimised to preserve as much of the original wall as possible.
- (g) Development should accommodate stormwater detention tanks and storage systems within the excavated area.



**Figure 4** Habitable rooms are to have at least one external wall entirely above existing ground level

## **1.4 STREETScape AND VISUAL IMPACT**

The objectives and controls in this section are designed to enhance the built form by encouraging quality design that corresponds harmoniously with their surroundings.

### **Objectives**

- (a) To encourage and facilitate lower density residential accommodation of a high architectural and aesthetic standard, that acknowledges and responds to the architectural style, scale, materials and character of the existing built environment.
- (b) To ensure development provides a clear distinction between private and public space and encourages casual surveillance of the street.
- (c) To ensure views to and from a public place including parks, reserves, beach or the ocean are preserved.

### **Controls**

- (a) New development should be visually compatible with its streetscape context. It should contain or at least respond to essential elements that make up the character of the surrounding area.
- (b) New windows are to complement the style and proportions of the existing dwelling when viewed from the street.
- (c) Development must not dominate the streetscape, particularly when viewed from a public place such as parks, reserves, beach or the ocean.
- (d) New development as well as alterations and additions to existing dwellings are to maintain the established character of the building in terms of significant landscaping. Existing ground levels and significant landscaping is to be maintained.
- (e) Existing verandahs and balconies fronting the street are not to be enclosed.

### 1.5 DUAL OCCUPANCY DEVELOPMENT

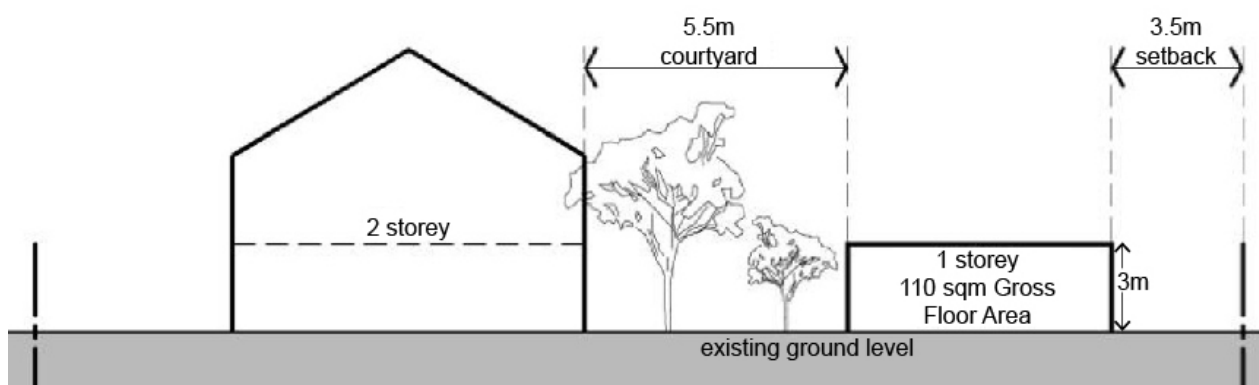
The objectives and controls in this section aim to facilitate an acceptable size and bulk of dual occupancy development that maintains a satisfactory relationship with adjoining development and the wider street context.

#### Objectives

- (a) To ensure that the size and bulk of dual occupancy development is in character with surrounding development and streetscape.
- (b) To ensure that the size and bulk of new buildings and alterations and additions to dual occupancy developments do not result in unreasonable impacts on neighbouring properties.

#### Controls

- (a) The allotment area for a dual occupancy development must be consistent with the following:
  - (i) 450m<sup>2</sup> or more where the two dwellings are attached; or
  - (ii) 600m<sup>2</sup> or more where the two dwellings are detached.
- (b) Attached dual occupancy development should be designed so as to have the appearance from the street of a single dwelling.
- (c) In the case of a detached dual occupancy, any second building is restricted to a single storey and to a maximum gross floor area of 110m<sup>2</sup> (refer to Figure 5) and must not exceed the maximum FSR for the site.
- (d) In the case of a detached dual occupancy, the second dwelling is restricted to a maximum external wall height of 3m measured from natural ground level (refer to Figure 5).
- (e) A detached dual occupancy must provide a minimum 5.5m courtyard area between each dwelling (refer to Figure 5).
- (f) The second dwelling should typically be located in the rear yard, except in cases where there is a pattern of larger secondary structures within the front yard on adjoining sites.



**Figure 5** Example of a detached dual occupancy.

**1.5.1 Rear Setback**

- (a) A detached dual occupancy building shall have a minimum 3.5m setback from the rear boundary (refer to Figure 5) to maintain adequate solar access, privacy and outlook.



### 1.6 SEMI-DETACHED DWELLINGS & TERRACE STYLE DEVELOPMENT

Semi-detached dwellings form a significant percentage of Waverley's existing housing stock and are being increased in numbers in the form of dual occupancies. Examples of semi-detached dwellings dating from the 1850's to the present are characterised by the principle of providing cohesive residences having the appearance of a more substantial single dwelling.

#### Objectives

- (a) Any alterations and additions to single dwelling, dual occupancy, terrace, and semi-detached dwelling developments need to visually read as an inclusive part of the existing dwelling from the streetscape.
- (b) Overall materiality and detailing of design elements such as roof features, garages and car ports is to be of a high quality and reference existing architectural features where present.

#### 1.6.1 Built Form

Semi-detached dwellings exhibit a wide variety of stylistic forms ranging from mid Victorian to contemporary styles. Consideration of additions to a semi-detached dwelling needs to begin with identification of and maintenance of the paired building's style, form and detail.

#### Objective

- (a) To maintain the original style, form and detail of semi-detached dwellings in order to provide cohesion between paired buildings.

#### Controls

- (a) The existing original style of the subject semi-detached dwelling is to form the basis of additions visible from the street.
- (b) The existing roof form is to be maintained forward of the principle ridge line with any addition located forward of the ridgeline to be secondary to the ridge and of lesser height.
- (c) The use of an attic room in the existing roof void of a semi-detached dwelling is permitted provided:
  - (i) Design controls for dormers are met;
  - (ii) No external balconies are proposed for the attic room;
  - (iii) The attic room maintains the existing roof form as the dominant aspect of the street frontage;
  - (iv) New works do not exceed the existing ridge height; and
  - (v) New works remain cohesive with the existing roof form, pitch and finish.
- (d) Alterations to front verandahs are to be minimal and to maintain the existing verandah form, detail and finish and the relationship of the verandah to the front verandah of the adjoining semi-detached dwelling.

- (e) Face brickwork to street facing elevations is to be maintained and not painted, rendered, bagged or otherwise coated.
- (f) Original front fence detailing is to be maintained in new works to semi-detached residences with any new front or dividing fencing maintaining the cohesion of the paired dwellings.

---

### 1.6.2 First Floor Additions to Semi-detached Dwellings

First floor additions are the most common form of addition to semi-detached dwellings. First floor additions are constrained both by building alignment and the cohesive form and style of the existing paired dwellings. Expectations of extent and accommodation in first floor additions need to be gauged by the overall building size and the need for cohesion with the existing style and form of the paired dwellings.

#### Objectives

- (a) To maintain the cohesion of the semi-detached dwelling as one of a pair demonstrating consistent scale, character and established streetscape values.
- (b) To retain the ability of the adjoining residence to undertake comparable cohesive additions.

#### Controls

- (a) Any first floor addition is to be set back from the principal street frontage in order to maintain a substantial portion of the existing front roof slope and any front verandah.
- (b) Where an existing roof incorporates a main gable oriented to the street, frontage additions are to be located a minimum of 1000mm behind the main gable front.
- (c) Where an existing roof has a principal transverse ridgeline, the bulk of the additions are to be located behind the ridgeline with the exception of secondary dormers or gables set into the front roof slope.
- (d) Where first floor additions extend forward of the existing ridgeline or apex of a hipped roof:
  - (i) The width of additions is limited to no more than 50% of the existing roof of the subject dwelling; and
  - (ii) Architectural elements of semi-detached dwellings are to be retained; and
  - (iii) The extent of the existing roof form is to be contiguous with the attached dwelling.
- (e) The bulk of any first floor addition is to be located to the rear areas of the dwelling.
- (f) Flat roof forms should only be employed where not seen from the street or surrounding important viewing position in Heritage Conservation Areas.
- (g) Uncharacteristic roof forms and details are not considered appropriate if these impact on the streetscape character of adjoining or nearby semi-detached dwellings.
- (h) Roof forms which contribute excessively to the visual bulk of the building such as high skillion roof forms will not be permitted.

### 1.6.3 Material Finishes and Detail for Semi-detached Dwellings

Cohesion of finishes and detail to semi-detached dwellings is a key aspect on building design quality and streetscape character.

#### Objectives

- (a) To have additions seen as an extension of the historic form of the existing building envelope cohesively related in form and detail to the existing semi-detached dwelling.

#### Controls

- (a) The style, pitch, profile and colour of roofs to proposed additions are to match and complement the existing roof form of the dwelling.
- (b) Historic features of the existing roofscape are to be identified and where appropriate be incorporated into the proposed addition.
- (c) Dormer roof forms are to be used in a manner characteristic of the original style of the subject dwelling.
- (d) New roofing is to match the original roofing in material colour and profile. Where roofs of adjoining semi-detached dwellings are currently different to each other, new additions are to match the roofing of the adjacent semi-detached dwelling.
- (e) Windows to first and ground floor additions are to be in scale and proportionate to the original windows in the semi-detached dwelling.
- (f) Upper wall finishes are to reflect the style and character of the original building finishes.

### 1.6.4 Interface with adjoining Semi-detached Dwellings

#### Objectives

- (a) As additions to one dwelling rarely occur conjointly with an adjacent dwelling when the dwellings are part of a semi-detached dwelling development, design of first floor additions must provide for cohesion, both at the interface of dwellings resulting from additions to one dwelling and the overall form resulting from additions to both adjoining semi-detached dwellings.

#### Controls

- (a) First floor additions are to limit the rise of walls at the interface with the adjoining semi-detached dwelling to a height of 600mm.
- (b) Any raised party wall is to be set behind the principle ridge line and / or mitigated by detailed design.
- (c) Contemporary roof forms to the rear of traditional semi-detached dwellings may be acceptable if the visual impact to the street and the adjoining dwelling is minimised.

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- (d) Where first floor additions exist to the adjoining semi-detached dwelling, the original style and form of the semi-detached dwelling is to form the basis of first floor additions.
- (e) Where symmetry or asymmetry is the dominant aspect of the original semi-detached dwelling pair, this is to be acknowledged in first floor additions.

## 1.6.5 Side setback and courtyard design controls for terraces

- (a) The common (or party) wall between a pair of terraces can be built with no side setback along the common boundary where it abuts an existing wall to the neighbouring property or where it can be reasonably expected that a wall to the neighbouring property would be constructed in the future.
- (b) The outer side wall of the building (i.e. the wall that is not a shared wall or party wall), should be set back a minimum of 900mm from the outer side boundary (refer to Figure 6).
- (c) Part of the outer side wall may be built to the outer side boundary to create an internal courtyard. The wall on this boundary should generally be a maximum of 2.1m in height. Refer to Figure 6.
- (d) Internal courtyards must have a minimum 1.5m dimension.
- (e) No openings are permitted for walls built to the side boundary.
- (f) The extension should not encroach beyond the predominant rear building line (refer to Figure 6).

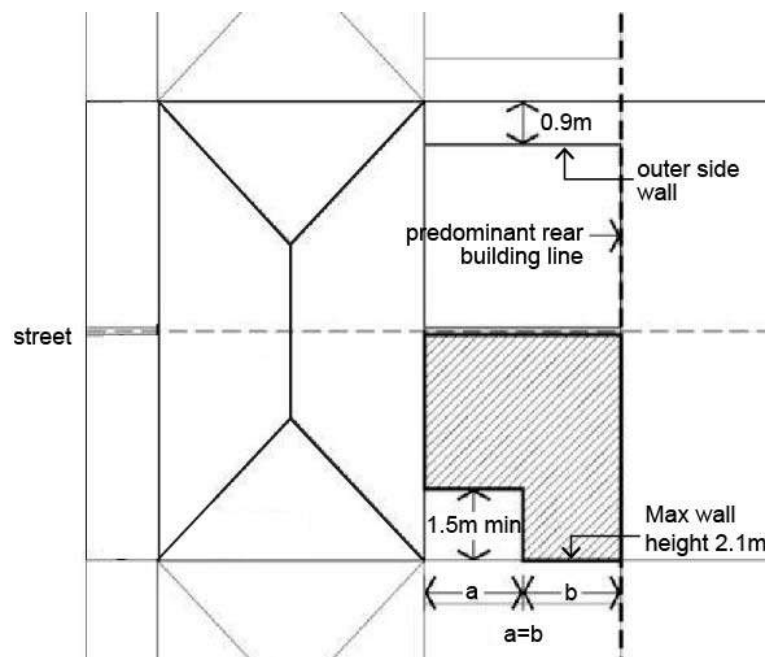


Figure 6 Example of rear extension to terrace.

## 1.6.6 Streetscape and visual impact controls for terraces

- (a) 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

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acceptable if the new storey reflects the character and detail of the ground floor facade.

- (b) Extensions to the rear of an existing single storey terrace dwelling are to be no higher than the existing ridge.
- (c) In the case of attic conversions, the main roof envelope of the existing dwelling should remain intact and any dormers should be proportional in size and scale with the existing roof.
- (d) For further guidance, refer to Section 1.4 Streetscape and Visual Impact.

### 1.7 FENCES

The appropriate design of fencing can assist in the achievement of architectural uniformity and streetscape cohesion.

The design of fences should generally relate to the period and architectural style of buildings at the site and in the vicinity.

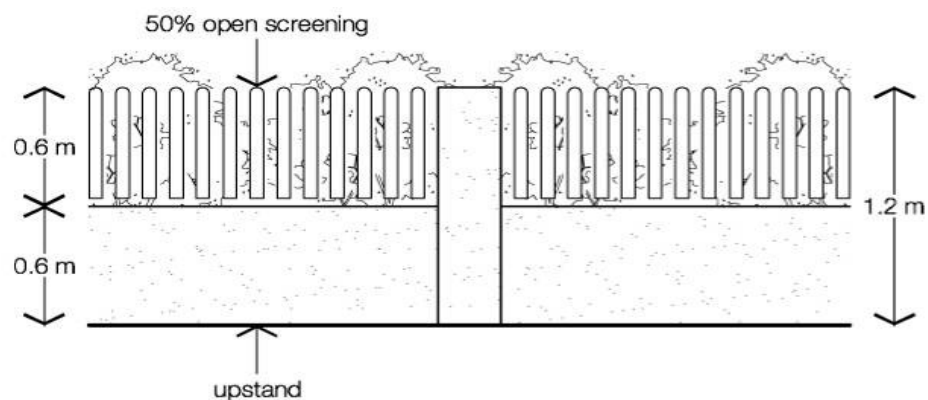
#### Objectives

- (a) To avoid adverse visual impacts from the creation of high blank walls to the street.
- (b) To promote a streetscape where the ground floor front facades of dwellings are visible from the street.
- (c) To ensure front fences do not dominate the streetscape.
- (d) To ensure that side and rear fences are not excessive in height, resulting in adverse impacts on adjoining properties.
- (e) To ensure boundary treatments of properties adjoining parks are consistent with the materials palette in the relevant Plan of Management to maintain the amenity of parks.

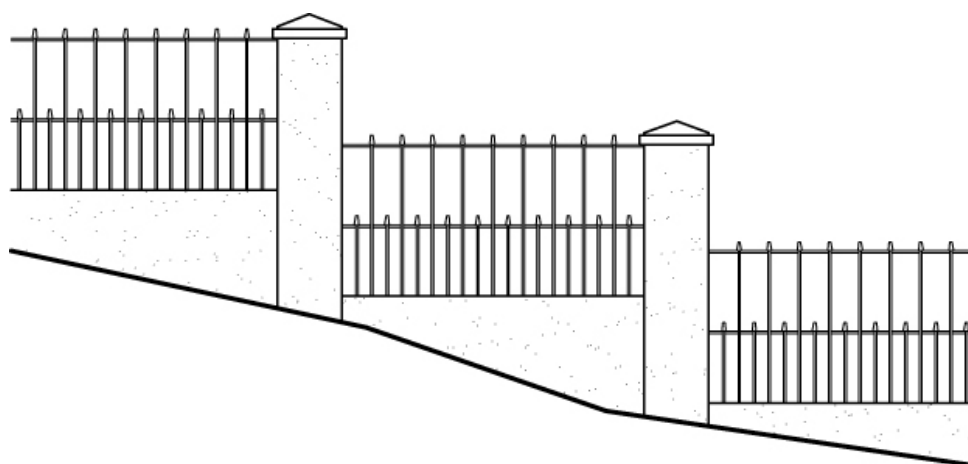
#### Controls

- (a) The design of front fences is to take reference from, and complement, the architectural style of the dwelling on the site and dwellings on adjacent sites in terms of style, height and materials.
- (b) Front fences should generally not exceed 1.2m in height. Any solid upstand section should be limited to 600mm in height. The top half of the fence should be an open design with a minimum open area of 50%, for visibility to and from the site (refer to Figure 7). Components such as arched gates, piers and the like may exceed the predominant 1.2m height.
- (c) On sloping sites, the height limit is averaged so that the fence steps down the slope (refer to Figure 8).
- (d) Side and rear boundary fences are not to exceed 1.8m above the existing ground level of adjoining properties and are to taper down from the front building line to match the height of the front fence at the front boundary (refer to Figure 9).
- (e) Where there is dual street frontage, consideration may be given for the allowance of a higher side fence to ensure privacy.
- (f) All boundary treatments for properties adjoining public parks are consistent with materials palette from the relevant Plan of Management.
- (g) New brickwork increasing the height of brick fences should match the existing wall.
- (h) Decoration and/or architectural relief shall be provided to masonry fences, avoiding expansive blank walls facing the street.
- (i) No part of a fence, including its footings, is to encroach on the street alignment or adjoining properties.
- (j) Gates are not open into the street alignment or adjoining public parks.  
All fence controls are subject to the provision of adequate sight lines for emerging vehicles to enable surveillance of pedestrians using the footpath in front of a dwelling.

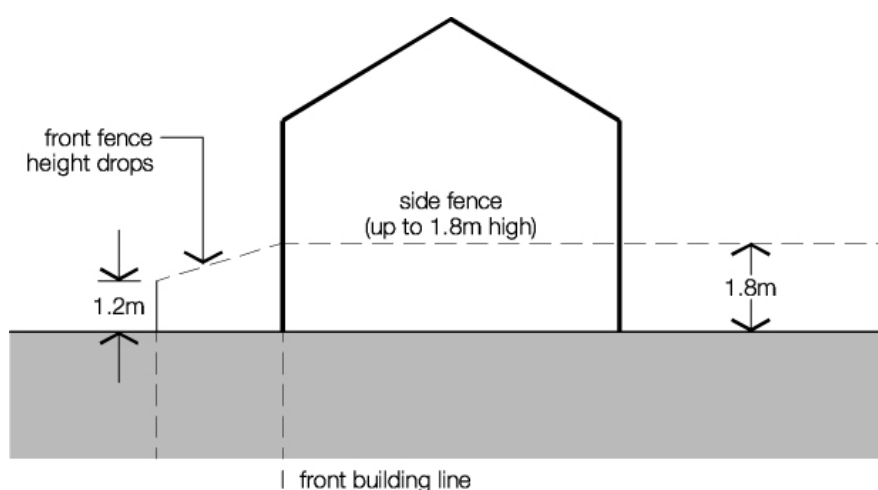
# Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development C1



**Figure 7** Example of front fence with maximum solid up stand of 600mm and open design top section



**Figure 8** Fence height limit is averaged on sloping sites



**Figure 9** Side fences should taper down from the front building line.

### 1.8 VISUAL AND ACOUSTIC PRIVACY

Privacy is important for residential amenity. The enjoyment of a residential property by its occupants relies on achieving a reasonable level of acoustic and visual privacy. Roof terraces are generally discouraged however there may be instances where a small roof terrace may be appropriate. Where a roof terrace is proposed the application must have regard for the Land and Environment Court “Super Studio” Planning Principle available at:

[http://www.lec.justice.nsw.gov.au/Pages/practice\\_procedure/principles/planning\\_principles.aspx](http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx)

#### Objectives

- (a) To ensure that new developments and / or alterations and additions to lower density residential accommodation does not unreasonably impact upon existing residential or other properties due to unacceptable loss of privacy or generation of noise.
- (b) To minimise the impact of roof terraces on adjoining properties.

#### Controls

- (a) Windows to habitable rooms are not to directly face windows and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design.
- (b) Where an elevated courtyard, balcony or deck is visually prominent from, or in close proximity to, a neighbouring dwelling, permanent screening, landscaping and vegetation is to be used in combination to minimise this impact to an acceptable level.
- (c) Where an elevated deck or balcony is proposed it should have a maximum area of 10m<sup>2</sup> and a maximum depth of 1.5m. Where a larger area is proposed then greater consideration must be given to the following:
  - (i) Compliance with the building height development standard;
  - (ii) Compliance with setback controls;
  - (iii) Efforts to mitigate visual and acoustic privacy impacts including the use of permanent screening devices, increased setbacks, and retention of existing vegetation;
  - (iv) Pre-existing pattern of development in the vicinity of elevated decks and balconies; and
  - (v) The visual impact of the elevated deck or balcony and any proposed privacy screening in terms of bulk and scale as viewed from the private open space and living areas of adjoining properties and from the street.
- (d) Roof tops are to be non-trafficable and not capable of being used as roof terraces or as entertainment areas, except in the following circumstances:
  - (i) Developments adjacent to the subject site include a roof terrace;
  - (ii) They will not result in unreasonable amenity impacts such as overlooking and loss of privacy and acceptable noise;
  - (iii) They are not to exceed 15m<sup>2</sup> in area;
  - (iv) They are provided for casual and infrequent activity and not as an extension of private open space or entertaining areas; and



## Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development C1

- (v) Any access must be provided within the envelope of the main building and there are to be no access hoods or lift overruns proposed above the main roof level. Operable skylights and hydraulic lifts are acceptable where they finish generally flush with the roof level.

It is acknowledged that in some areas within Waverley there are a number of large roof top terraces. These large terraces (larger than 15m<sup>2</sup>) may impact upon the visual and acoustic privacy of adjoining properties. Control (c) above specifically aims to limit this development outcome continuing and the existence of larger roof top terraces in close proximity to the proposed roof terrace does not justify a variation from the maximum size control in (c) above.

- (e) Consideration must be given to noise mitigation measures including:
  - (i) Noise efficient building materials;
  - (ii) Avoiding noisy walking surfaces (such as external metal decks) and unenclosed elevated side passages.
  - (iii) Incorporate all sewerage, water pipes, ducting, cables, fans, vents and other utilities within the building envelope;
  - (iv) Plumbing for each dwelling is to be contained using appropriate noise resistant wall, ceiling and floor treatments in order to prevent the transmission of noise between dwellings.
- (f) External lighting is to be directed away from the main internal living areas and bedrooms of adjacent dwellings.

### 1.9 SOLAR ACCESS

The amenity of any building is influenced by the amount of solar access received. Lower density residential accommodation should consider orientation and siting to maximise solar access.

#### Objectives

- (a) To ensure reasonable levels of direct sunlight to living areas and private open space of lower density residential accommodation.
- (b) To improve solar amenity and energy efficiency to existing lower density residential accommodation.
- (c) To minimise overshadowing of windows to internal living areas and private open space of adjoining dwellings.

#### Controls

- (a) Where a reduction of direct sunlight to solar collectors or private open space of an adjoining property is caused by floor space, building height or setbacks that do not comply with the relevant control, any reduction of sunlight may be considered unacceptable.
- (b) All forms of lower density residential accommodation are to be designed so as to provide for a minimum of 3 hours direct sunlight to at least 50% of the ground plane to living areas and principal private open space areas, when measured between 9am and 3pm during winter solstice (June 21).
- (c) All forms of lower density residential accommodation are not to reduce the amount of direct sunlight to solar collectors or the principal private open space of adjoining properties to less than 3 hours to at least 50% of the ground plane to living areas and principal private open space areas, when measured between 9am and 3pm during winter solstice (June 21).
- (d) If the provision of direct sunlight is already below 3 hours (as per above), any reduction may be unacceptable. Minimise undue passive solar impacts especially for east-west running blocks for properties to the south.

### 1.10 VIEWS

Many properties in Waverley enjoy local and district views, including those to Sydney Harbour, beaches, the coastline, ocean and open space.

Views are often available from public places and private properties situated a considerable distance from proposed development.

It is generally accepted that views do not 'belong' to anyone or any property, nor is a view the exclusive right to any one property or to certain individuals. 'View sharing' is an important principle to consider when developing a property.

This Part should be read in conjunction with the NSW Land and Environment Court Planning Principle based on *Tenacity Consulting v Warringah [2004] NSWLEC 140* which provides general principles for the assessment of views and view sharing. The Planning Principle may be viewed at the following link:

[http://www.lec.justice.nsw.gov.au/Pages/practice\\_procedure/principles/planning\\_principles.aspx](http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx)

#### Objectives

- (a) To minimise the impact on existing views and vistas enjoyed from existing residential development and from the public domain.
- (b) To encourage view sharing as a means of ensuring equitable access to views from private dwellings
- (c) To maintain views from public places of landmark or iconic features.

#### Controls

- (a) Existing views and vistas available from the public domain, including but not limited to ocean, harbour, beach, city and parks views are to be maintained where possible by the design of buildings.
- (b) Existing views of landmark or iconic features from the public domain (such as Sydney Harbour, Opera House, Harbour Bridge, Bondi Beach) are to be maintained and where possible, enhanced. In some circumstances, complying with maximum development controls may not be achievable if an iconic view is impeded.
- (c) Lower density residential accommodation is to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. Where views are enjoyed by a neighbouring property across a proposed terrace, balcony or deck, it may be appropriate to exclude a privacy screen to enable the view to be maintained.

### 1.11 CAR PARKING

Car parking is one of the most critical planning and transport issues in Waverley. Wherever possible, Council strongly encourages the use of alternative modes of transport such as walking, cycling and public transport and continues to work towards providing better transport connections to the area.

The provision of private (on-site) and public (on-street) parking must be managed in an equitable and environmentally sensitive manner that benefits the community as well as the individual. When considering applications, the following general principles shall apply:

#### Strategies

- The provision of car parking on-site may not be appropriate in all locations or circumstances and approval will only be granted where the site and locality conditions permit.
- Car parking must be designed to complement the design of the building and streetscape to which it relates and incorporate a range of appropriate materials and design.
- Where site conditions allow, car parking structures should be located behind the front building line. In some circumstances, car parking structures in front of the building line may not be appropriate for streetscape or design reasons.
- Driveways and vehicular access should be designed to minimise the loss of on-street parking wherever possible.
- Car park access is to be provided from secondary streets or lanes where possible.

#### Objectives

- (a) To provide convenient and accessible parking that is appropriately designed and located.
- (b) To achieve a high standard of urban design and retain the visual quality of lower density residential accommodation, streetscapes and landscapes.
- (c) To protect the amenity and safety of pedestrians.
- (d) To ensure that car parking accommodation does not dominate or adversely impact on the existing built or landscape character of the street.
- (e) To encourage the use of alternative modes of transport in areas well serviced by public transport.
- (f) To ensure on-street parking supply is protected by minimising impacts of additional vehicular kerb crossings.

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**1.11.1 Parking Rates**

**Controls**

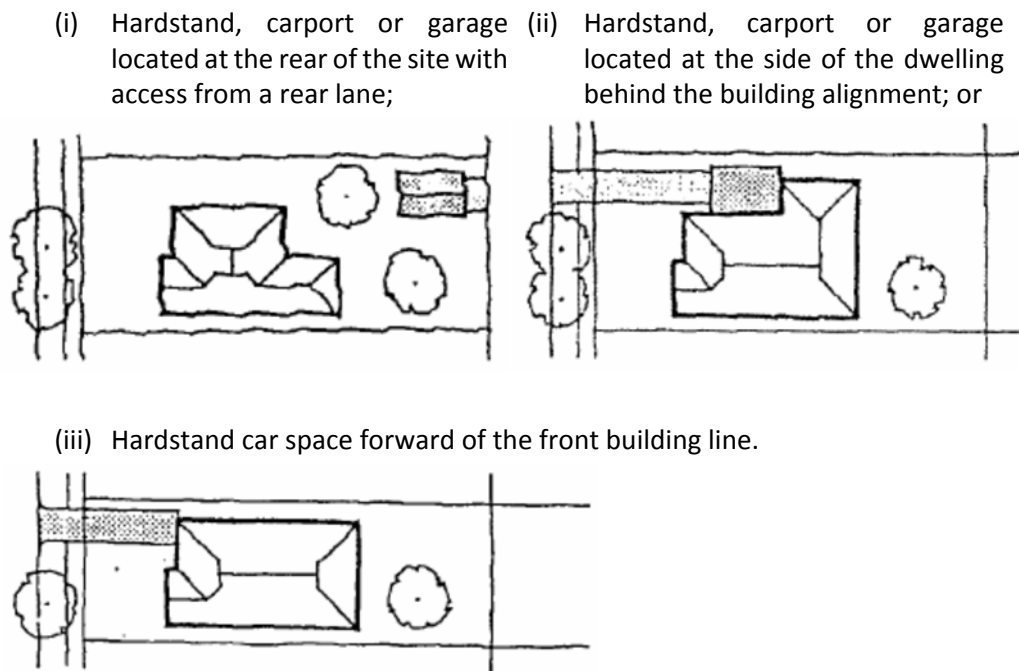
- (a) For new dwellings, car parking should not exceed:
  - (i) 1 space for dwellings with 2 or less bedrooms.
  - (ii) 2 spaces for dwellings with 3 or more bedrooms.
- (b) Notwithstanding the above, a reduced rate (or no parking) may be required in the following circumstances, where:
  - (i) Parking may have a detrimental impact on the character of the streetscape, heritage item or heritage conservation area, or health of a significant tree.
  - (ii) A driveway cannot comply with maximum gradients and design standards required by the Australian Standards.
  - (iii) Vehicle entry and exit may have a detrimental impact on pedestrian and traffic movements and safety or nearby services or infrastructure.
  - (iv) The access to the on-site car parking will result in the loss of more than 1 on-street car parking space.
  - (v) There is low on-street parking availability and no net car parking public benefit.
- (c) Where an applicant proposes to provide more than the number of on-site car spaces specified in (a), additional justification must be provided to cover matters such as, but not limited to the impact of:
  - (i) The visual impact of parking accommodation compared to alternatives such as landscaping;
  - (ii) Any increased building bulk on the streetscape;
  - (iii) Any increased building bulk on the amenity of adjoining properties;
  - (iv) The loss of existing on-street parking illustrating existing and proposed off street parking;
  - (v) The level and impact of any excavation; and
  - (vi) Access to public transport.

---

**1.11.2 Location**

- (a) For new dwellings all on-site car parking is to be located behind the front building line.
- (b) For existing development, car spaces should be sited having regard to the following hierarchy (refer to Figure 10):

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**Figure 10** Hierarchy of preferred car parking locations

- (c) Garages on rear lanes must not create conflict with parking in the lane and result in the loss of laneway parking for any property other than the subject site.
- (d) A hardstand (in the form of wheel strips) or carport forward of the building line may be permitted where:
  - (i) There is no rear access;
  - (ii) The site is of sufficient width where the car space will not dominate the existing building (i.e. does not exceed 45% of the width of the site frontage);
  - (iii) It is no greater than a single car space;
  - (iv) The distance between the building and the front property boundary is a minimum of 5.4m;
  - (v) Public views would not be adversely affected;
  - (vi) There is a predominance of this form of off street car parking in the immediate vicinity of the site;
  - (vii) It is designed so that it does not detract from the heritage significance of the building or area;
  - (viii) There is limited availability to public transport;
  - (ix) The safety of vehicles, pedestrians and cyclists is maintained; and
  - (x) There is adequate bin storage space other than on the hardstand.
- (e) Where an allotment is subdivided to create a "battleaxe" shaped allotment, the access "handle" is to have a minimum width of 3.5m.
- (f) On-site car parking (other than from rear lanes) is not acceptable in heritage conservation areas where it will:
  - (i) Break a consistent building line;
  - (ii) Introduce uncharacteristic elements within an established streetscape; and/or
  - (iii) Adversely impact on the integrity of the listed or contributory building or setting.

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### 1.11.3 Design

- (a) All car parking should be designed to complement the style, massing and detail of the dwelling to which it relates.
- (b) Car parking is to be sympathetically integrated into the design of residences and to be secondary in area and appearance to the primary residence and related site.
- (c) No element of the street façade/frontage of a building, including verandahs and window awnings are to be removed or demolished in order to accommodate car parking.
- (d) Car parking is to preserve the natural features of the site and incorporate substantial screen planting to both the surrounds and any structure facing the street.
- (e) Exposed natural rock faces and heritage listed sandstone walls must not be removed for any car parking.
- (f) Vehicle access is not to remove existing street planting without consent and replacement of street planting with like mature species or Council approved alternate species.
- (g) Where parking is provided to dual occupancies parking is to utilise shared access ways. Parking to dual occupancies is to be located behind the front building line and to utilise open spaces between residences preferably screened from the street.
- (h) Where existing retaining walls form part of the streetscape any new garage is to have single vehicle width entries. Entry set within stone faced exterior walls of matching stone work to that in the streetscape. Stone facing to new garages is to incorporate whole stone return corners and not mitred or butt jointed veneer.
- (i) Where gates are proposed they should have an open design to allow for improved security by way of street surveillance and are not to open over the footpath or public nature strip.
- (j) All parking accommodation is to be constructed or installed so that any roof or surface water is disposed of into the existing stormwater drainage system.
- (k) The surface and slope of driveways must be designed to facilitate stormwater infiltration on site such as the use of wheel strips or alternatively porous materials.

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### 1.11.4 Dimensions

- (a) Hardstand spaces, carports and garages should have minimum dimensions of 5.4m x 2.4m per vehicle.
- (b) All car spaces are to accommodate the vehicle within the site without the vehicle or vehicle appendages overhanging the public domain. Internal sliding or hinged gates are to be provided to hardstands/carports to ensure enclosure of the vehicle within the site.

**1.11.5 Driveways**

- (a) Where possible driveways to off-street car parking should be located so they may provide vehicle access to adjacent properties.
- (b) Provide a maximum of 1 vehicle crossing per property.
- (c) Driveways are to be 3.0m wide at the gutter (excluding the splay) and may splay to the property boundary as required.
- (d) Vehicle crossings will not be permitted where one off street parking space will result in the loss of two or more on street parking spaces.
- (e) A street analysis is required illustrating the number of on-street spaces provided before and after the proposed vehicle crossing.



### 1.12 LANDSCAPING AND OPEN SPACE

Landscaping provides a setting for residential development when viewed from the street and adjoining properties amenity for residents, as well as contributing to sustainable development outcomes.

The definition of 'landscaped area' is the same as the definition adopted in the WLEP 2012 and means *"a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area"*.

Open space has a broader meaning than landscaped area and means an area external to a building (including an area of land, terrace, balcony or deck) and includes hard paved areas, areas containing swimming pools as well as landscaped area.

Private open space is the component of open space that is used for private outdoor purposes ancillary to the use of the building and generally relates to rear and side yards and private decks, balconies and courtyards.

#### Objectives

- (a) To enhance the amenity and visual setting of the site, streetscape, and surrounding neighbourhood.
- (b) To ensure the provision of open space in a size and arrangement that meets user requirements for recreation, service and storage needs, solar access and is well integrated with living areas.
- (c) To retain and increase remnant populations of endemic flora and fauna.
- (d) To maximise on site stormwater infiltration and minimise off site stormwater runoff.

#### Controls

- (a) A minimum of 40% of the total site area is to be provided as open space.
- (b) A minimum of 15% of the total site area is to be provided as landscaped area.
- (c) Each dwelling is to have a minimum of 25m<sup>2</sup> of private open space capable of being used for recreation.
- (d) Each dwelling in a detached dual occupancy development is to have a minimum open space area of 130m<sup>2</sup> including a private open space area having minimum dimensions of 5m x 5m located adjacent to the living area of each dwelling.
- (e) A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space.
- (f) A minimum of 50% of the open space provided at the front of the site is to be landscaped area.
- (g) Existing significant vegetation is to be retained.
- (h) Species should be retained, selected and placed in order to help achieve the following:
  - (i) Cool buildings in summer;
  - (ii) Intercept glare from hard surfaces;
  - (iii) Channel cooling air currents into the dwelling in summer;
  - (iv) Allow sun into living rooms in cooler months; and
  - (v) Provide windbreaks where desirable.

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- (i) Existing natural features including sandstone and rock features are to 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 area.
- (j) Landscaping is to be designed to minimise non-porous areas and maximise on-site infiltration of stormwater. Paved areas are to be semi-porous or graded to maximise on-site infiltration.

### 1.13 SWIMMING POOLS AND SPA POOLS

This part should be read in conjunction with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 which allows the construction of a swimming pool with a complying development certificate subject to certain criteria. Swimming pools which do not satisfy that criteria are subject to the following objectives and controls.

All applications for swimming pools over 40,000 litres in capacity must be accompanied by a BASIX Certificate. Please refer to Part A2 – Submission Requirements for more information.

#### Objectives

- (a) To protect significant trees and landscaping on the subject site and adjoining properties.
- (b) To retain the visual and acoustic privacy of adjoining properties.
- (c) To ensure the location of swimming pools and spa pools do not adversely impact upon adjoining properties and/or streetscapes.

#### Controls

- (a) Swimming pools and spa pools must be located at the rear of the property.
- (b) Swimming pools and spa pools should not be located within the side setback, between dwellings.
- (c) In the case of a corner block, swimming pools and spa pools must not be located within the primary street frontage.
- (d) Swimming pools and spa pools are to be setback from significant trees and landscaping in line with Australian Standard AS4970-2009 - Protection of trees on development sites.
- (e) Where decking abuts any boundary, additional consideration must be given to the visual privacy of adjoining properties.
- (f) Exposed pool structures must be screened if visible above ground.
- (g) All pool equipment must be enclosed within an acoustically treated structure.

## **1.14 LANEWAY DEVELOPMENT**

The proposed use of laneway development is to be clearly specified. Where it is not proposed as a secondary dwelling the development should not include kitchen or bathroom facilities. Any proposal for the development to be used as a separate occupancy must comply with the relevant provisions for this type of use.

### **Objectives**

- (a) Maintain and improve the key function of a lane being the provision of access to and from a site.
- (b) To ensure bulk, scale and form of laneway development does not have a detrimental impact on the established character of Heritage Conservation Areas.
- (c) To activate rear laneways:
  - (i) Through improved passive surveillance;
  - (ii) Through improved quality of construction and design; and
  - (iii) By establishing opportunities for improved landscaping.
- (d) To maintain and enhance aesthetic qualities of Conservation Areas.
- (e) To maintain the amenity of existing residences within the Conservation Area.

### **Controls**

#### **1.14.1 General design provisions**

- (a) The external wall height of laneway development shall not exceed 3.6m and maximum height to the roof ridge shall not exceed 6m (refer to Figure 11).
- (b) External walls that include gabled roof ends are to have a maximum ridge height of 6m and are only appropriate where the impact on neighbours is considered acceptable in terms of solar access, bulk and scale, visual and acoustic privacy impacts.
- (c) Laneway development is to be designed with simple built forms, built at or very close to the lane alignment and is not to be seen from the primary street frontage (refer to Figures 12 and 13).
- (d) Laneway development design should incorporate a pitched roof. Skillion roofs located behind parapets may be acceptable in some instances where the prevailing laneway development is consistent with such an approach and where it will result in fewer impacts to the amenity of adjacent properties.
- (e) Development along lanes is to maintain the prevalence of mature, regularly spaced street trees and bushes, as well as mature and visually significant trees on private land. Laneway development should not occur if it will result in a significant alteration to the landscape character of the laneway.
- (f) Landscaped areas must be consistent with the requirements in Section 1.12 – Landscaping and Open Space of this DCP.
- (g) External stairs are not acceptable in order to protect the visual and acoustic privacy of adjoining properties and to maintain an appropriate aesthetic quality of the development.
- (h) Rear lane garages are to employ gable ended and hipped roof forms with continuous roof pitch from outer walls to ridgeline.

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- (i) Orientation of ridgelines is to consider and minimise impact upon neighbours' amenity.
- (j) Dormer or other roof projections are to be set a minimum of 600mm from outer garage walls and to be set a minimum of 300mm below the garage ridgeline (refer to Figure 12).
- (k) Dormers or other roof projections are to have a maximum combined width not exceeding 50% of the associated roof width.
- (l) Dormers or other roof projections and openings to gable ends are to be detailed to minimise overlooking of neighbours properties.
- (m) To maintain neighbours privacy and amenity, windows and glazed doors to above garage accommodation and storage areas are to incorporate privacy screening, translucent glazing, offset windows or other discrete detailing, cohesive to the design of the building and setting.
- (n) Single width garage doors should incorporate an adjacent pass door for pedestrian usage.
- (o) Pass doors should incorporate off street enclosure for waste bin storage.
- (p) The design of garages and studio structures are to incorporate a diversity of building and landscaping materials.
- (q) Garage studios and rear lane garage developments are to incorporate landscape planting. Landscaping is to include but not be limited to:
  - (i) Inset pockets for tree, shrub or vine planting;
  - (ii) Overhanging planters;
  - (iii) Setback planters; and
  - (iv) Green walls utilising mesh supported climbers or vertical emphasised tree or shrub species.

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### 1.14.2 Laneway development in Conservation Areas

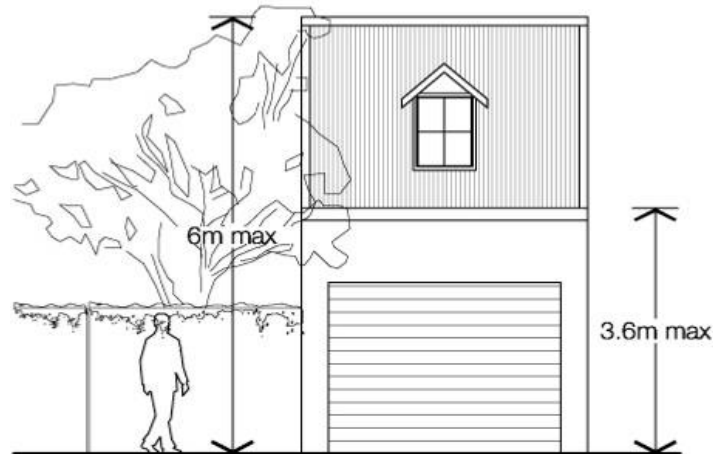
#### Garage Articulation

- (a) Garage doors are to be limited to single vehicle widths, with central divide to double vehicle garages (refer to Figure 13).
- (b) Roof forms are to reflect those of the Conservation Area in pitch and modulation.
- (c) Garage/studio finishes are to reflect the finishes and proportions of traditional construction in Conservation Areas.
- (d) Proportions of openings to studios are to maintain the proportions and voids to solid ratios of traditional construction in the Conservation Area.
- (e) Windows to above garage studios are to be designed to minimise overlooking of surrounding properties both adjacent to the site and on opposing sides of laneways. Outlook is to be directed into the associated property or into the rear lane.
- (f) Treatment of windows and glazed openings to studios is to incorporate privacy screening to or from neighbouring sites including but not limited to obscure glazing, window hoods, awnings and recessed window planes.
- (g) Garage studio structures are to be visibly separate from the associated residence. Yard areas and private open space areas are not to be roofed.
- (h) The massing and roof line of garage/studio structures are to align with garage/studios on neighbouring sites. Box gutters on side boundaries are to be avoided.

# Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development C1

## Solar Panels

- (a) Solar collection panels are to be located to inner roof slopes facing the associated residence or to roof slopes facing side boundaries.



**Figure 11** Maximum overall and external wall height for laneway development



**Figure 12** Example of acceptable designs for laneway development



**Figure 13** Laneway development should not be visible from the primary street frontage

### 1.15 DORMER WINDOWS

Where it is proposed to utilise the existing building roof space by the inclusion of dormer windows, which are vertical windows that projects from a sloping roof and usually illuminates a room and provides more headroom on the first floor.

#### Objectives

- (a) To ensure additions to roofs for the purposes of accommodation, are proportionate and complementary with the character of the dwelling and streetscape.
- (b) To ensure where part of a semi-detached dwelling pair, row or group, the character of dormer and roof windows is consistent in all respects, to conserve the unity of the group.

#### Controls

- (a) Where the height of the roof as measured from the gutter to the ridge is less than 2.5m, windows must be flush to the roof and limited to one per single fronted dwelling, or a pair on a double fronted dwelling. Windows are to be centrally located on the roof.
- (b) The roof of any dormer shall generally be a minimum of 300mm below the main ridge.
- (c) Where the dwelling is part of semi-detached pair, row or group of like dwellings, any dormer or roof window must match the unity of the group and the total width of dormers should be no greater than 25% of the width of the roof.
- (d) In terrace style dwellings, a rear skillion dormer may be permitted at the rear of the roof, provided the existing ridge line is maintained, the addition is set below the ridge and a side setback of minimum 900mm is maintained. In addition, the rear skillion dormer is not to extend beyond the rear gutter line.

### 1.16 SECONDARY DWELLINGS AND ANCILLARY BUILDINGS

*State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP)* includes development standards for secondary dwellings. This Part provides additional development guides that may be read in conjunction with the SEPP. Where there is an inconsistency between the SEPP and this DCP, the development standards in the SEPP prevail.

Secondary dwellings and ancillary buildings must clearly read as secondary structures associated with the principal dwelling. The objectives and controls in this Part aim to ensure that the bulk and scale of these structures is appropriate in relation to the principal dwelling and the locality.

#### Objectives

- (a) To ensure secondary dwellings and ancillary development achieve acceptable levels of building design, amenity, landscaping, access and security.
- (b) To limit the bulk and scale of secondary dwellings and ancillary development.
- (c) To avoid excessive development of existing landscaped areas and open space of dwellings.
- (d) To minimise the adverse amenity impacts of secondary dwellings and ancillary buildings on adjoining properties.
- (e) To ensure secondary dwellings and ancillary development enhances the streetscapes of laneways and primary streets.

#### Controls

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##### 1.16.1 Secondary Dwellings

- (a) Secondary dwellings are to comply with the provisions of Clause 5.4(9) of WLEP 2012. Where secondary dwellings are proposed to address the rear lane, the development guides in Part 1.8 – Laneway Development will apply.

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##### 1.16.2 Ancillary Development

- (a) Ancillary buildings are to be minor buildings, integrated into the landscaped open space area of the dwelling, with the floor area of all ancillary buildings on an allotment not exceeding 10% of the allotment size.
- (b) The wall height of the ancillary buildings on a property boundary shall not exceed 2.1m.
- (c) The maximum height of ancillary buildings is not to exceed 2.4m.
- (d) 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.



### 1.17 BATTLE AXE BLOCKS

A battle axe block is an allotment that has access to a road by an access laneway or 'handle'.

Particular controls are required in order to minimise the impacts of battle axe block development to the amenity of adjacent and nearby residential dwellings.

#### Objectives

- (a) To ensure battle axe block development achieves acceptable levels of building design, amenity, landscaping and access.
- (b) To ensure development is of a size and scale that minimises adverse impacts on the amenity of adjoining residential properties.

#### Controls

- (a) Dwellings on battle axe blocks are restricted to single storey in height. Exceptions may be considered where the lot has a minimum area of 450m<sup>2</sup> (not including the area of the access handle), a minimum width of 12m and a minimum depth of 12m and the building is able to achieve large setbacks to boundaries on all sides. In such circumstances it must be demonstrated that the proposed dwelling will have minimal detrimental impacts upon adjacent residential development and the proposal shall accord with other controls in Part C1 of this DCP.
- (b) The alignment of dwellings on battle axe blocks should take reference from the alignment of dwellings on adjacent sites. Where a dwelling cannot align with the predominant front and rear alignments of adjacent dwellings, it should be sited and orientated in a manner that will minimise amenity impacts on adjacent dwellings, while maximising the residential amenity to the proposed dwelling in terms of solar access and private open space.
- (c) Access handles on battle axe blocks are to be a minimum of 3.5m in width and are to be landscaped in a manner complementary to the established character and streetscape of the area.

## C2 MULTI UNIT AND MULTI DWELLING HOUSING

This Part applies to new, alterations and additions or change of use to residential flat buildings, attached dwellings, multi dwelling housing and shop top housing throughout the Waverley Local Government Area (LGA).

*State Environmental Planning Policy No. 65 – Design Quality for Residential Flat Development (SEPP 65)* aims to improve design quality of residential flat buildings of three or more storeys, and containing four or more self contained dwellings. This part is to be read in conjunction with the provisions of SEPP 65. More information is available at the following link:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+530+2002+cd+0+N>

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## 2.1 SPECIAL CHARACTER AREAS

### 2.1.1 Bondi Heights

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 14).



**Figure 14** Bondi Heights Special Character Area

#### 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 (700-750m) with a range of site lot sizes. A range of building types and styles exist that relate to lot sizes and development history of the area. The overall character of the area is of buildings that sit in a landscape setting.

## Desired Future Character Objectives

- (a) To ensure the landscape character is the dominant image of Bondi Heights.
- (b) To maintain the predominant street and rear setback to provide for front gardens and planting of mature trees.
- (c) To ensure buildings respond to their location on the low and high sides of the street with respect to height and site access.
- (d) To ensure front garden walls and fences do not detract from the setting.

## Controls

- (a) Garden walls and fences on the low side of the street are to be a maximum height of 1.2m, 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.
- (b) Front setbacks should be predominantly planted or grassed, to allow the elevated view of the front garden to contribute to the streetscape.
- (c) Outdoor terraces and decks are not permitted over garages located on the street boundary on the high side of the street.
- (d) Communal landscaped gardens are required within the front setback to contribute to the public domain.
- (e) 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.
- (f) Roof terraces are discouraged due to the greater potential impacts in higher density areas.

### 2.1.2 North Bondi

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 15).



**Figure 15** North Bondi Special Character Area

## Existing Character Elements

North Bondi Special Character Area has an undulating topography. The roofscape is prominent when viewed from surrounding high points (refer to Figure 18). 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 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.

### **Desired Future Character Objectives**

- (a) To maintain the streetscape rhythm created by uniform building frontages.
- (b) To improve the amenity for residents while not detracting from the amenity of adjacent buildings.
- (c) To allow minor alterations and additions in the roof space.

### **Controls**

- (a) Planting should utilise minimum maintenance species growing to no more than 1m in height at maturity. The overall appearance and species selection should be compatible with the adjoining gardens. Growth must not encroach upon the footpath or obstruct pedestrian access.
- (b) Communal landscaped gardens are required within the front setback.
- (c) Private open space is permitted to encroach 2.5m into communal landscaped front setback provided the front setback is a minimum of 6m from the street boundary.
- (d) The proportion of openings along street facades is to be maintained when retrofitting with balconies.
- (e) Buildings should have pitched roofs with red tiles in keeping with the existing character of the area.
- (f) Attics are to be secondary to the main pitched roof form.
- (g) The established patterns of materiality and colour where there are existing rows of consistency along a street are to be maintained.
- (h) Roof terraces are discouraged due to the greater potential impacts in higher density areas.

## 2.1.3 Ben Buckler

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 16).



**Figure 16** Ben Buckler Special Character Area

### Existing Character Elements

Streets generally have wide verges that contribute to the headland character (refer to Figure 17). 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 Avenue 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.



**Figure 17** Wide grassed and planted verges contribute to the public domain and streetscape character

### Desired Future Character Objectives

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

### Controls

- (a) Planting should utilise minimum maintenance species growing to no more than 1m in height at maturity. The appearance and species selection should be compatible with the adjoining gardens. Growth must not encroach upon the footpath or obstruct pedestrian access.
- (b) Side setbacks are to be clear of obstructions to allow views between buildings to the beach.
- (c) 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.
- (d) Communal landscaped gardens are required within the front setback to contribute to the public domain.
- (e) 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.
- (f) Rendered and painted finish is appropriate in this area.
- (g) Allow balconies to be provided over existing car courts for existing buildings on battle-axed blocks along Ramsgate Avenue.
- (h) Roof terraces are discouraged due to the greater potential impacts in higher density areas.

## 2.2 SITE, SCALE AND FRONTAGE

The objectives and controls in this section aim to facilitate an acceptable size and bulk of development that maintains a satisfactory relationship with adjoining development and the wider street context.

As FSRs are determined by the size of the allotment, compliance with FSR controls, in itself, does not ensure a building is in scale with the general streetscape and adjoining development and must be applied in conjunction with the other key building envelope controls including building height and setback controls.

### Objectives

- (a) To ensure lot size and dimension are able to accommodate the appropriate building envelope, landscaping and service requirements.
- (b) To ensure development sites have adequate street frontage to meet side setback and building requirements.
- (c) To have lot sizes and a building form appropriate to the streetscape.
- (d) To encourage amalgamation of allotments to provide for improved design outcomes.

### Controls

- (a) The maximum floor space ratio (FSR) is set by Clause 4.4 of WLEP 2012 and the FSR Map.
- (b) Where it is proposed to exceed the maximum FSR permitted the onus is upon the applicant to justify that the proposed FSR is acceptable. Matters that must be addressed in justifying the proposed FSR include, but are not limited to:
  - (i) Compliance with Building Height development standards;
  - (ii) Compliance with side setback controls;
  - (iii) Visual aspect of the building bulk and scale particularly associated with floor space exceeding the standard:
    - as viewed from the streetscape; and
    - as viewed from the private open space and living areas of adjoining properties.
  - (iv) Acceptability of amenity impacts on adjacent properties with regard to sunlight, visual and acoustic privacy and views; and
  - (v) A high design quality is achieved.
- (c) Lot sizes and dimensions must enable development to be sited to meet the site and building design controls outlined in this Part.
- (d) Lot sizes and dimensions must enable development to be sited to protect the natural or cultural features of the site and avoid significant changes to the natural topography.
- (e) Development is encouraged to amalgamate narrow sites and not isolate a site with less than the minimum developable site frontage which are:
  - (i) A minimum street frontage of 15m is required for R3 zones.
  - (ii) A minimum street frontage of 20m is required for R4 zones.



## 2.3 HEIGHT

Building height is one of the most important design elements that influence the overall appearance of residential buildings and character of a streetscape and the amenity of adjoining properties. The height of building standards are outlined in WLEP 2012. This Part provides additional design guidance and prescribes maximum external wall heights that complement the overall heights identified in WLEP 2012.

An attic is an extension of floor area within an existing building envelope, such as the use of the pitched roof section of a building, being ancillary to the main form of the building. Any additions larger than an 'attic' are considered a genuine additional storey and are not attics (refer to Figure 18).

### Objectives

- (a) To ensure future development responds to the desired scale and character of the street and local area.
- (b) To minimise the impact of attics and basement car parks on the overall building height.
- (c) To provide good residential amenity for apartments.

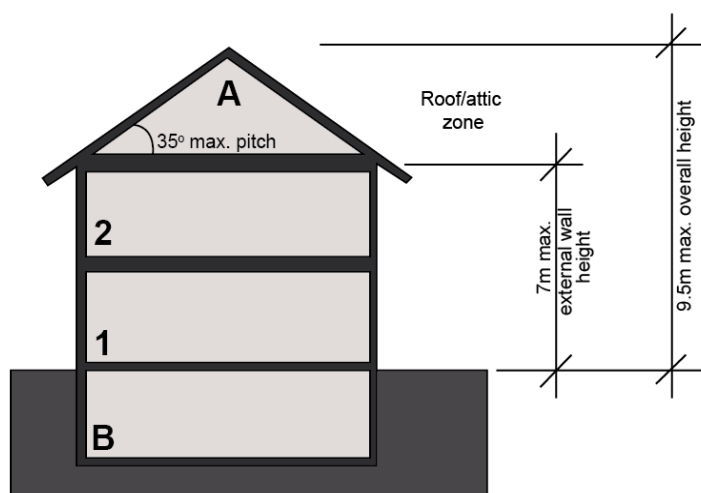
### Controls

- (a) The maximum building height is as set by Clause 4.3 of the WLEP 2012 and the Height of Buildings Map.
- (b) Council may consider varying the height development standard where it can be demonstrated that the proposed departure from the standard will result in a better environmental planning outcome than that which could have been achieved on the site had the control been complied with.
- (c) Where it is proposed to build beyond the maximum Building Height development standard, the onus is upon the applicant to justify that the proposed building height is appropriate. Matters that must be addressed in justifying the building height include, but are not limited to:
  - (i) Compliance with Floor Space Ratio development standard;
  - (ii) Compliance with side setback controls;
  - (iii) Visual aspect of the bulk and scale, as viewed from the private open space and living areas of adjoining properties;
  - (iv) Amenity of adjacent properties with regard to sunlight, visual and acoustic privacy and views; and
  - (v) A high design quality is achieved.
- (d) An attic level may be permitted, provided it is fully contained within the roof form or an additional storey may be permitted, provided it does not exceed the overall height identified in WLEP 2012 and is compliant with the following controls:
  - (i) Include a minimum setback of 2m from the edges of the building below and provide no additional overshadowing as compared to the edge of the building below.
  - (ii) Must not exceed 50% of the floor area of the floor below.
  - (iii) Must not contain independent dwellings and must be connected to a unit on the level below via internal stairs only.

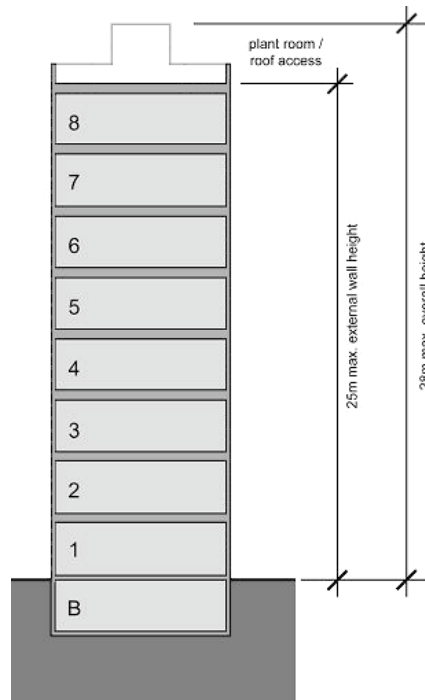
- (iv) May not be used where they compromise the privacy of residents within the development, or within neighbouring buildings.
  - (v) May access a roof terrace no greater than 15m<sup>2</sup>. These areas are to be designed to minimise opportunities for overlooking and not be enclosed above parapet height.
  - (vi) Parapet height must not exceed 1.2m.
- (e) Development must comply with WLEP 2012, Table 2 and Figures 18 and 19 below:

Zoning	Overall Height	Max external wall height
R3	9.5m	7m
R3	12.5m	9.5m
R4	20m	17m
R4	28m	25m

**Table 2** Height requirements



**Figure 18** Residential R3 zone height controls



**Figure 19** R4 Residential zone height controls

## 2.4 EXCAVATION

Excavation can have a detrimental effect on the local environment, neighbouring properties and streetscape.

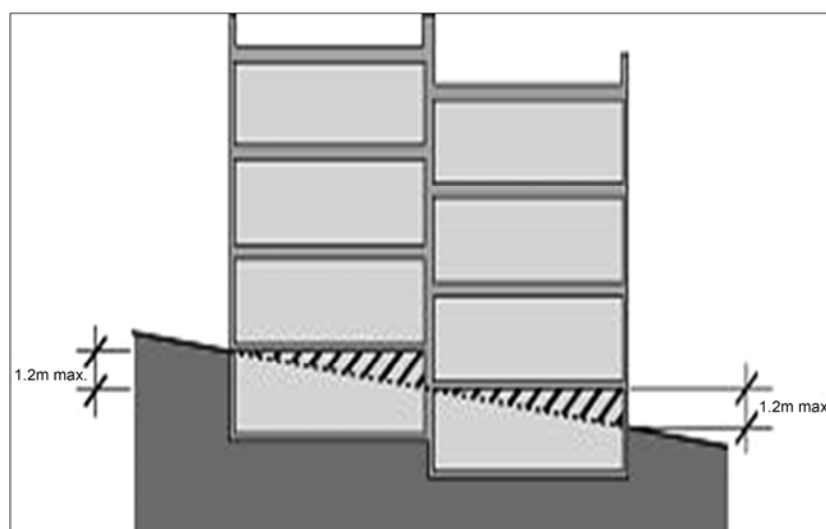
Where excavation is proposed to exceed 3m in depth, is at or near cliff faces or on sloping sites that have a slope of 25% or more, a geotechnical report which addresses the stability of the site and surrounding properties must be submitted. The geotechnical report must confirm that the site is suitable for the proposed development and must list any relevant conditions. Please refer to Part A2 – Submission Requirements for additional information.

### Objectives

- (a) To ensure the physical environment is preserved and enhanced by ensuring minimal site disturbance and the geotechnical stability of landfill and excavations.

### Controls

- (a) Fill shall not be used to raise the ground level.
- (b) Where excavation is proposed it is not to occur within a 1.5m setback from side boundaries and shall only occur within the building footprint except where access to a basement car park is required.
- (c) Basement car parking is to be located fully below natural ground level. Where this cannot be achieved due to topographic constraints, a maximum protrusion above ground of 1.2m is permissible (refer to Figure 20).
- (d) Excavation should not add to the visual bulk and scale of the building.
- (e) Existing natural features including trees and sandstone walls should be retained and incorporated as landscape features on the site in order to maintain the natural character of the landscape.
- (f) Development should accommodate stormwater detention tanks and storage systems within the excavated area.



**Figure 20** Basement parking level on sloping sites

## 2.5 SETBACKS

The setbacks of buildings to boundaries influence the building bulk, appearance in the streetscape, relationship and impact on adjoining properties.

Continuity in setbacks can provide rhythm and add character to residential streets, provide views and glimpses of local and distant landmarks and can provide access to the rear of properties.

Setbacks also provide amenity to existing and proposed housing through the maintenance and provision of privacy, ventilation and solar access. Generally setbacks increase with building height.

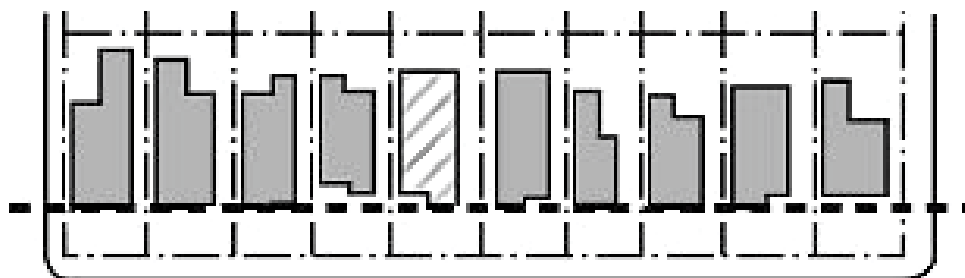
### 2.5.1 Street Setbacks

#### Objectives

- (a) To integrate new development within the established setback character of the street.
- (b) To provide a transition between public and private space.
- (c) To assist in achieving visual privacy to apartments from the street.
- (d) To ensure developments preserve and contribute to the landscape character of the street.

#### Controls

- (a) Street setbacks must be consistent with the predominant building line setback along the street (refer to Figure 21).
- (b) Where there is no predominant building line, setbacks will be assessed on the merits of the proposal.
- (c) An increase in setbacks may be required to retain existing trees.
- (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.
- (f) Setbacks above street frontage height are to be included where the adjacent building includes upper levels setbacks.



**Figure 21** New building to align with predominant street setback

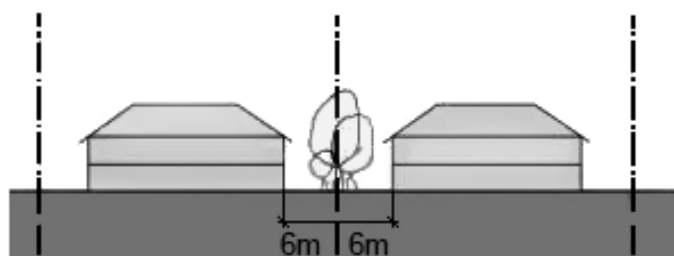
## 2.5.2 Side and Rear Setback

### Objectives

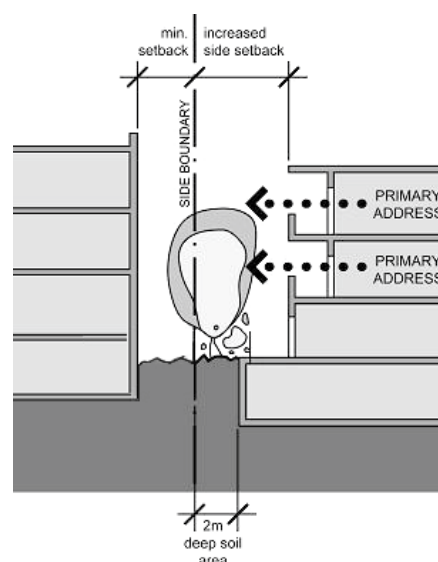
- (a) To reinforce the existing side and rear setbacks of the street.
- (b) To maximise building separation with adjoining sites to the rear, providing visual and acoustic privacy.
- (c) To maximise the opportunity to retain and reinforce mature vegetation to maximise natural site drainage and protect the water table.
- (d) To maximise the useability of side setback space.
- (e) To provide setbacks that positively contributes to the landscape of the site, and its presence in the streetscape.

### Controls

- (a) A minimum rear setback of 6.0m is required (refer to Figure 22).
- (b) A deep soil area of 2m must be provided along one side boundary at a minimum.
- (c) Development in R3 zones with a height of 9.5m is to provide a minimum side setback of 3m.
- (d) Development in R3 zones with a height of 12.5m is to provide a minimum side setback of 4.5m.
- (e) Development in R4 zones is to provide a minimum side setback of 6m.
- (f) A variation to the side or rear setbacks may be permitted where there is no adverse impact of the amenity of adjoining properties and is consistent with the existing streetscape.
- (g) Council may require additional side setbacks to ensure adequate solar access to adjacent buildings and privacy or to minimise view loss. In particular an additional setback for the southern boundary for east-west orientated lots may be required (refer to Figure 23).



**Figure 22** Rear setbacks



**Figure 23** Side setbacks

## 2.6 LENGTH AND DEPTH OF BUILDINGS

The depth of buildings contributes to the amenity of occupants by providing adequate access to sunlight and ventilation. The length of buildings contributes to the existing streetscape by ensuring long walls are not created.

### Objectives

- (a) To ensure development responds to the existing subdivision pattern and the scale of surrounding buildings.
- (b) To continue the pattern of sightlines through to the rear of blocks between buildings along the street.
- (c) To have a high standard of amenity for occupants of dwellings.

### Controls

- (a) The maximum length of a building along the street is 24m (refer to Figure 24).
- (b) Within the maximum length, buildings must be articulated to respond to the established pattern of existing building length along the street.
- (c) Maximum depth of any apartment including balconies is 18m.
- (d) Single aspect apartments should be limited in depth to 8m from a window.

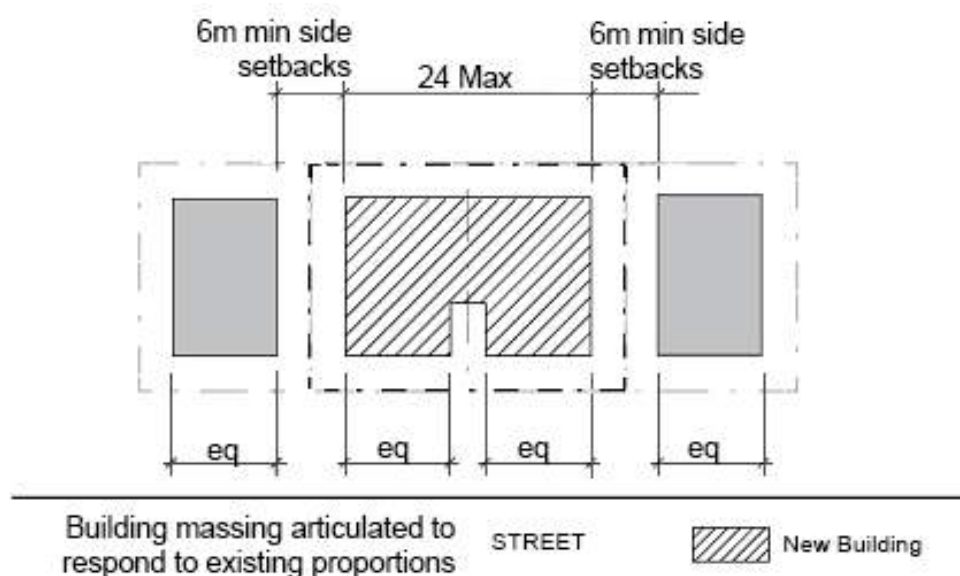


Figure 24 Building length controls

## 2.7 BUILDING SEPARATION

Building separation is an important determinant in urban form. Buildings which are too close together create amenity problems for the building, for the space between and for neighbouring buildings. Building separation controls should be considered in conjunction with height and private and communal open space controls.

### Objectives

- (a) To provide visual and acoustic privacy for residents.
- (b) To ensure new development is scaled to maintain the desired character of the area with appropriate massing and spaces between buildings.
- (c) To allow for the development of smaller infill sites where existing adjacent building setbacks result in unbalanced building separation requirements.

### Controls

- (a) The building separation for internal courtyards and adjoining sites increases in proportion to building height in accordance with the following minimum dimensions:

Height	Between habitable rooms & balconies	Between habitable rooms/ balconies & non habitable rooms	Between non-habitable rooms
Up to 4 storeys (12m)	12m	9m	6m
5 – 8 storeys (25m)	18m	13m	9m
9 storeys and above (over 25m)	24m	18m	12m

**Table 3** Building separation requirements



**2.8 BUILDING DESIGN AND STREETScape**

High quality streetscape character concerns not only the incoming occupants of housing, but also their neighbours and the wider community. Streetscape encompasses building, street and landscape design and includes all adjacent buildings, landscaping and fencing, traffic treatments, paths, driveways, street surfaces and utility services. The spatial arrangement of these components and their visual appearance determine the streetscape character of an area.

The contributory elements of a streetscape should be considered in building design.

**Objectives**

- (a) To have development of a scale and appearance in keeping with the street.
- (b) To design residential development to respond to the streetscape character.
- (c) To promote high quality architectural design.

**Controls**

- (a) Building design is to respond to the existing streetscape character of the area.
- (b) The design of alterations and additions should demonstrate architectural unity with the existing building.
- (c) The colour and surface of external finishes should be sympathetic to the street and contribute to the overall appearance of the building.
- (d) For developments on corner sites, each frontage of the development must present as the primary street frontage.
- (e) Avoid the removal of original architectural details and finishes, including avoiding painting face brick work or sandstone, replacing timber with aluminium or replacing unglazed terra cotta tiles or slate.

## 2.9 FENCES AND WALLS

The appropriate design of fencing can assist in the achievement of architectural uniformity and streetscape cohesion.

The design of fences should generally relate to the period and architectural style of building and help to integrate development into the existing streetscape.

### Objectives

- (a) To define boundaries between communal and private areas within the site and to provide privacy and security for the development.
- (b) To ensure fencing contributes positively to the streetscape or adjoining park.
- (c) To ensure boundary treatments of properties adjoining parks are consistent with the materials palette in the relevant plan of management to maintain the amenity of parks.

### Controls

- (a) Front fences are to be provided where it is a predominant character of the street frontage within a street block.
- (b) Front fences must not exceed 1.2m in height.
- (c) Front fences must have a maximum proportion of two thirds solid to one third open design. On sloping sites, the height is averaged so that fences step down the street.
- (d) Council may permit front fences up to a height of 1.8m and/or of solid material provided it can be shown that the fence acts as an effective noise barrier as a result of adjoining a street with high traffic volume. Such fences are to be setback from the boundary to allow landscaping to soften the bulk or the structure is to be articulated as an alternative to a solid blank wall.
- (e) 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.
- (f) Fences are to respond to the architectural character of the street in terms of materials used, predominant height, vertical/horizontal rhythm and predominant setback.
- (g) Fences are to clearly delineate between public, communal and private areas.
- (h) Fencing is to be designed so that sightlines between pedestrians and vehicles exiting the site are not obscured and gates do not open over the public roadway or footpath or into parks.
- (i) All boundary treatments for properties adjoining parks are consistent with the material palette from the relevant plan of management.

## 2.10 VEHICULAR ACCESS AND PARKING

Accommodating parking on site has a significant impact on the site layout, landscape design, deep soil zones and stormwater management. The amount of parking provided is related to the size of the development but also in relation to the local context.

This Part must be read in conjunction with Part B8 – Transport of this DCP for applicable parking rates and other transport provisions.

### Strategies

- New development that generates the need for car parking should provide adequate parking on the site.
- Car parking for multi storey and other large scale development (residential flat buildings, commercial buildings, mixed use buildings and the like) should be located below ground level.

### Objectives

- (a) To integrate adequate car parking without compromising street character, landscape quality, the provision of deep soil zones or pedestrian amenity and safety.
- (b) To encourage increased use of public transport and bicycles.

### Controls

- (a) The siting of car parking must be integrated into the design of the development ensuring the building façade is the dominant streetscape element.
- (b) The car park entry is to be secondary to pedestrian building entry.
- (c) A maximum of one 2-way vehicular access point per individual development is to be provided.
- (d) Car park access is to be provided from secondary streets or lanes where possible.
- (e) The safety of pedestrian entry and circulation is not to be compromised by the location of driveways and car park access.
- (f) The provision of basement parking must not result in non-compliance with the deep soil zone controls in Section 2.12.

## 2.11 PEDESTRIAN ACCESS AND ENTRY

Access to a building should give priority to achieving high quality, accessible and safe pedestrian access to all people who live and visit the development.

### Objectives

- (a) To create entrances which provide a desirable residential identity for the development to orientate visitor(s).
- (b) To contribute positively to the streetscape and building façade design.
- (c) To promote development with a strong connection to the street and contributes to the accessibility of the public domain.

### Controls

- (a) Provide main building entries at street level which respond to patterns in the streetscape in terms of design for high-sided and low-sided streets (see Figure 25).
- (b) 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.
- (c) Separate and clearly distinguish between pedestrian access ways and vehicle access ways/building service areas (e.g. garbage rooms).
- (d) Locate entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian footpath.
- (e) 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.

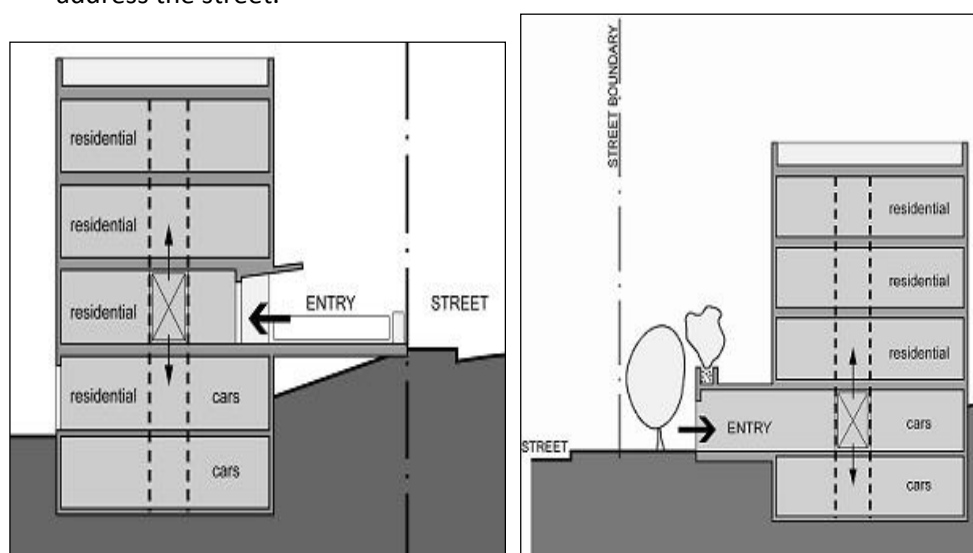


Figure 25 Entry level at low and high side of the street

## 2.12 LANDSCAPING

Landscaping plays an important role in the preservation of wildlife habitat, contributes to and reinforces streetscape character, can improve the energy efficiency and solar efficiency of buildings and the microclimate of private open space.

The definition of 'landscaped area' is the same as the definition adopted in the WLEP 2012 and is defined as *"a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area"*.

### Objectives

- (a) To encourage mature and substantial tree planting to improve the amenity of developments.
- (b) To allow for landscaping to provide screening between buildings.
- (c) To ensure landscaped areas are useable and maintainable spaces that contribute to the existing landscape character of the street.
- (d) To minimise the extent of impervious areas and facilitate rainwater infiltration.
- (e) To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.

### Controls

- (a) 30% of the site area is to be provided as landscaped area.
- (b) 50% of the landscaped area required in (a) above must be deep soil zone.
- (c) Where site conditions allow, the deep soil zone is to be consolidated as one area to assist the ease of drainage and to allow for effective deep soil planting.
- (d) Existing natural features including sandstone and rock features should be retained and incorporated as landscape features on the site to maintain the natural character of the landscape.
- (e) Landscaping must relate to the building scale and assist integration of the development with the existing street character.
- (f) Landscaping should give precedence to species with low water needs, include native plant species and select and position trees to maximise control of sun and winds.
- (g) All development proposals are to be designed to eliminate the impact upon significant trees on site, street trees and trees on adjoining land including public open space and bushland.

**2.13 COMMUNAL OPEN SPACE**

Communal open space plays an important role in a development where minimum private open space can be provided, encourages resident interaction and provides for landscaping.

**Objectives**

- (a) To provide communal ground floor areas of high design quality.
- (b) To encourage a positive street and identity for the development.
- (c) To provide residents with recreational opportunities.
- (d) To provide a pleasant outlook for development.

**Controls**

- (a) 15% of the total site area for development in the R3 zone is to be provided as consolidated communal open space.
- (b) 25% of the total site area for development in the R4 zone is to be provided for R4 as consolidated communal open space.
- (c) Communal open space is to:
  - (i) Be consolidated into a useable area with a minimum dimension of 6m x 6m.
  - (ii) Be located so that solar access is maximised.
  - (iii) Provide a landscape buffer between buildings.
  - (iv) Demonstrate that its size and dimensions allow for a variety of uses, complementary to balconies and private courtyards. These may include active recreation (BBQ or play areas) or passive amenity (shade trees/structures, water features, seating).
- (d) Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space.
- (e) At least 30% of the communal area is to receive 3 hours of direct sunlight between 9am and 3pm on June 21.
- (f) Communal open space is to be accessible to all dwellings within a development.
- (g) A continuous accessible pathway of travel is to be provided from all entrances to all of the common facilities on site.
- (h) All facilities in communal areas are to be constructed so as to enable their use by people with disabilities.
- (i) Communal open space may be provided on a podium or roof terrace provided the controls within this Part are met.
- (j) In considering the creation of a roof terrace or deck, Council will consider the magnitude of the impact on both privacy and noise for neighbouring residents, with the reasonableness of the proposal. Table 4 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 4** Minimum soil requirements

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.

**2.14 PRIVATE OPEN SPACE**

Private open space is a key component in contributing to the amenity of the dwelling and can fulfill a number of different functions, including:

- The extension of living areas for entertaining, eating and relaxing;
- Utility storage and space, including clothes line and drying areas, compost bins, tools and equipment, and outdoor furniture;
- Providing an area where planting and landscaping can occur to soften the built form, enhance the appearance of the space, provide shade and comfort to the outdoor space, and supplement household food requirements.

**Objectives**

- (a) To provide all apartments with secure private open space.
- (b) To provide private open space of useable proportions.
- (c) To ensure solar access and privacy for private open space.
- (d) To ensure balconies are integrated into the overall architectural form and detail of the building.
- (e) To protect the privacy of residents within and around the development.

**Controls**

- (a) Private open space is to have a northern aspect where practicable.
- (b) Private open space is to be provided for at least 75% of dwellings and may be in the form of a courtyard, deck or balcony or the like.
- (c) Swimming pools are not to be included in any calculation of consolidated private open space area.
- (d) Private open space is to be directly accessible from the main living area.

**2.14.1 Courtyards**

- (a) Private courtyards must have the following minimum dimensions:
  - (i) Minimum 25m<sup>2</sup> area; and
  - (ii) Minimum width and depth of 3m.
- (b) Provide opportunity for planting in private courtyards, including access to deep soil zones wherever possible.
- (c) Private open space is not to be provided at the front of the building unless a landscape buffer between the private open space and the street is provided.
- (d) Provide a clear distinction between private courts and public/common open space, e.g. a change in level can distinguish private courtyards from common areas.
- (e) Private courtyards are to have a maximum gradient of 1 in 10.
- (f) Sun screens, pergolas, shutters and operable walls are to be used to increase amenity where appropriate, and to ensure privacy for neighbours.



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### 2.14.2 Balconies/ Decks

- (a) Balcony additions are to be designed to relate to the character of the existing building.
- (b) 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.
- (c) 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.
- (d) Piecemeal enclosure of balconies for weather protection where a precedent on existing buildings does not exist is discouraged.
- (e) Provide balconies of the following minimum dimensions - Minimum 10m<sup>2</sup> in area and a minimum depth dimension of 2.5m.
- (f) Locate primary balconies to achieve maximum solar access and privacy. Sun screens, pergolas, shutters and operable walls are to be used to increase amenity where appropriate, and to ensure privacy for neighbours.
- (g) Design balustrades to allow views and casual surveillance of the street, whilst maintaining visual privacy.

**2.15 SOLAR ACCESS AND OVERSHADOWING**

The amenity of any building is influenced by the amount of solar access received. Residential development should consider orientation and siting to maximise solar access.

**Objectives**

- (a) To ensure daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat developments.
- (b) To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.
- (c) Allow the development of small infill sites where access to direct sunlight is compromised by existing adjacent buildings.

**Controls**

- (a) Living rooms & 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 on June 21.
  - (i) Developments which seek to vary the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards.
- (b) New development should not reduce the solar access of solar collector/s of an adjoining property to less than two hours per day in mid winter except solar hot water and photovoltaic panels to which full solar access must be maintained.
- (c) Direct sunlight to north facing windows of habitable rooms and all private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 21.
- (d) The numerical guidelines will be applied with the NSW Land and Environment Court Planning principle for sunlight (in accordance with the case of *The Benevolent Society vs. Waverley (2010) NSWLEC 1082* in mind, where relevant:
  - (i) The ease with which sunlight access can be protected is inversely proportional to the density of development. At higher densities sunlight is harder to protect and the claim to retain it is not as strong.
  - (ii) The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained.
  - (iii) Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines.
  - (iv) For a window, door or glass wall to be assessed as being in sunlight, regard should be had not only to the proportion of the glazed area in sunlight but also to the size of the glazed area itself.
  - (v) For private open space to be assessed as receiving adequate sunlight, regard should be had of the size of the open space and the amount of it receiving sunlight.

- (vi) Overshadowing by fences, roof overhangs and changes in level should be taken into consideration. Overshadowing by vegetation should be ignored, except that vegetation may be taken into account in a qualitative way, in particular dense hedges that appear like a solid fence.
- (vii) In areas undergoing change, the impact on what is likely to be built on adjoining sites should be considered as well as the existing development.

## 2.16 VIEWS AND VIEW SHARING

Many properties in Waverley enjoy local and district views, including Sydney Harbour, the coastline, ocean and open space. Views are often available from public places and private properties situated a considerable distance from proposed development.

A distant view does not in itself 'belong' to anyone or any property, nor is a view the exclusive right to any one property or to certain individuals. Nonetheless views and vistas are a desirable aspect of amenity and can contribute significantly to the enjoyment of the owners and occupiers of a property and also the general public.

It is difficult to quantify the significance and importance of a view and it can be a highly subjective matter. For this reason the NSW Land and Environment Court 'planning principle' for view sharing shall be applied in development where view sharing and access to views is an issue.

### Objectives

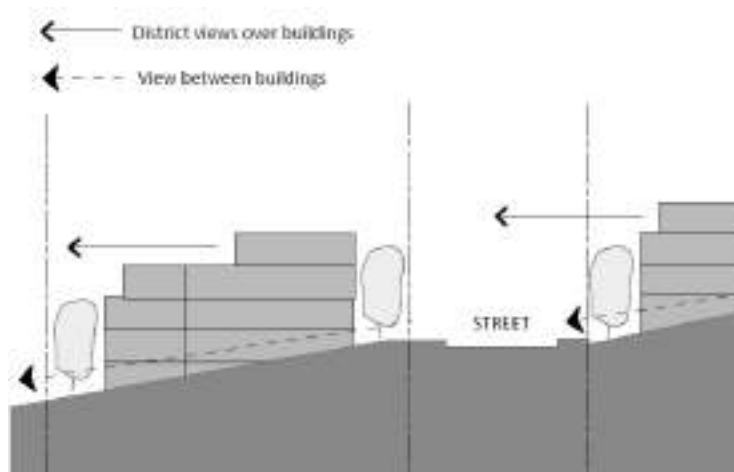
- (a) To ensure that views are shared, providing equitable access to views from dwellings.
- (b) To protect and enhance views from streets and other public spaces.
- (c) To ensure that the desire for view does not conflict with privacy.

### Controls

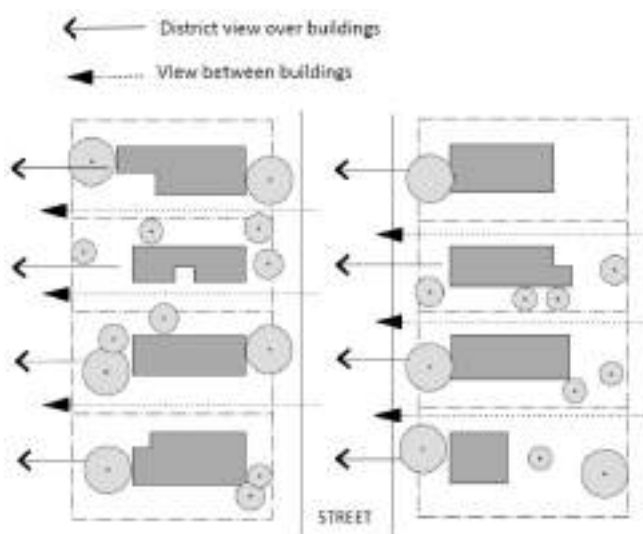
- (a) New development should be designed to minimise view loss to adjoining and adjacent properties while still providing opportunities for views from the development itself (refer to Figures 26 and 27).
- (b) Provide articulation, and minimise the bulk and scale of roof forms on the low side of streets allowing views to the landscape beyond.
- (c) Design the landscape to allow for views between buildings, particularly on the low side of streets.
- (d) Where the property is adjacent a Council park or reserve, private landscaping should be sympathetic to and complement the public domain landscaping in order to soften the public-private interface.
- (e) Existing significant public views and vistas available from the public domain, including but not limited to ocean, city and parks views are to be maintained where possible by the design of buildings.
- (f) In circumstances where development may impact upon existing views from private properties, the four step approach set out in the NSW Land and Environment Court Planning Principle for view sharing (in accordance with the case of *Tenacity Consulting vs. Warringah [2004] NSWLEC 140*) shall be applied. The four steps are as follows:
  - (i) identify the views to be affected;
  - (ii) consider from what part of the property the views are obtained;
  - (iii) assess the extent of the impact; and
  - (iv) assess the reasonableness of the proposal that is causing the impact.
- (g) In some instances a detailed view loss analysis may be required by Council. In addition to addressing the four step approach set out in (f) above, a detailed view analysis should include an accurate 'before' and 'after' photomontage or set of architectural drawings demonstrating the position of the proposed development

within the view or views to be impacted. The analysis should be prepared by an architect, draftsman or suitably qualified expert and should be to scale where possible.

- (h) Measures to be used to facilitate view sharing include buildings setbacks, gaps between buildings, floor heights, roof forms and use of open materials and balustrades on balconies and decks.



**Figure 26** Views over buildings



**Figure 27** Views between buildings

## 2.17 VISUAL PRIVACY AND SECURITY

Privacy is important for residential amenity. The enjoyment of a residential property by its occupants relies on achieving a reasonable level of acoustic and visual privacy.

Roof top terraces are discouraged in areas outside Dover Heights.

### Objectives

- (a) To have adequate visual privacy levels for residents and neighbours.
- (b) To maximise outlook and views from principal rooms and private open space without compromising visual privacy.
- (c) To ensure buildings are safe and secure for residents and visitors.

### Controls

- (a) Dwellings should be oriented towards the street with entrances and street numbering clearly visible.
- (b) Development should be designed to provide clear sightlines and lighting between public and private places.
- (c) Development comprising 50 or more dwellings must be designed having regard to Crime Prevention through Environmental Design (CPTED) principles. Council may also require consideration of these principles for other large scale development (refer to the NSW Governments *Crime Prevention and the Assessment of development Applications – Guidelines* under section 79C of the *EP&AA 1979* for details).
- (d) Above ground open spaces must not directly overlook rooms and private landscaped areas of adjoining properties unless screening can mitigate overlooking. This includes:
  - (i) offset windows of apartments in new development and adjacent development,
  - (ii) recess balconies and/or provide vertical fins between adjacent balconies; provide solid or semi-solid balustrades to balconies where necessary;
  - (iii) provide louvres or screens to windows/balconies where necessary;
  - (iv) use vegetation as a privacy screen between buildings;
  - (v) incorporate planter boxes into walls or balustrades to increase the visual separation between areas, and
  - (vi) utilise pergolas or shading devices to limit overlooking of lower apartments or private open space.
- (e) Windows and balconies of an upper level dwelling should be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below and within the same development. This includes:
  - (i) screen balconies from other balconies and ground level private open space, separate communal open space,
  - (ii) common areas and access routes through the site from the windows of habitable rooms,
  - (iii) change the level between ground floor private courtyards and adjacent communal/public areas.

- (f) Privacy needs to be considered in the context of density, separation, use and design and should consider the following principles from LEC decision *Meriton vs. City of Sydney Council (2004) NSWLEC 314*.
  - (i) The ease with which privacy can be protected is inversely proportional to the density of development.
  - (ii) Privacy can be achieved by separation. The required distance depends upon density and whether windows are at the same level and directly facing each other.
  - (iii) The use of a space determines the importance of its privacy. Within a dwelling, the privacy of living areas, including kitchens, is more important than that of bedrooms. Conversely, overlooking from a living area is more objectionable than overlooking from a bedroom where people tend to spend less waking time.
  - (iv) Overlooking of neighbours that arises out of poor design is not acceptable.
  - (v) Where the whole or most of a private open space cannot be protected from overlooking, the part adjoining the living area of a dwelling should be given the highest level of protection.
  - (vi) Apart from adequate separation, the most effective way to protect privacy is by the skewed arrangement of windows and the use of devices such as fixed louvres, high and/or deep sills and planter boxes.
  - (vii) Landscaping should not be relied on as the sole protection against overlooking.
  - (viii) In areas undergoing change, the impact on what is likely to be built on adjoining sites, as well as the existing development, should be considered.
- (g) Roof tops are to be non-trafficable and not capable of being used as roof terraces or as entertainment areas, except in the following circumstances:
  - (i) The predominant residential character in the vicinity of the site includes roof terraces;
  - (ii) They will not result in unreasonable amenity impacts such as overlooking and loss of privacy and acceptable noise;
  - (iii) They should not exceed 15m<sup>2</sup> in area; and
  - (iv) They satisfy the considerations of the LEC “Super Studio” Planning Principle.
  - (v) They are provided for casual and infrequent activity and not as an extension of private open space or entertaining areas.
  - (vi) Any access must be provided within the envelope of the main building and there are to be no access hoods or lift overruns proposed above the main roof level. Operable skylights and hydraulic lifts are acceptable where they finish generally flush with the roof level.

It is acknowledged that in some areas within Waverley there are a number of large roof top terraces. These large terraces (larger than 15m<sup>2</sup>) may impact upon the visual and acoustic privacy of adjoining properties. Control (g)(iii) above specifically aims to limit this development outcome continuing and the existence of larger roof top terraces in close proximity to the proposed roof terrace does not justify a variation from the maximum size control in (g)(iii) above.

**2.18 APARTMENT SIZE AND LAYOUT**

A mix of apartment size and layout provides housing choice and supports equitable housing access. By accommodating a range of household types, a mix of apartments can ensure apartment buildings support the needs of society now and in the future.

**Objective**

- (a) To provide a diversity of apartment sizes and layouts to cater for a range of household types.
- (b) To ensure that the internal arrangements of apartments is functional and satisfies occupants needs.
- (c) To ensure apartment sizes provide high standards of residential amenity.
- (d) To encourage adaptive re-use and flexibility in design.

**Controls**

- (a) Single aspect dwellings should be limited in depth to 8m from a window.
- (b) The back of a kitchen should be no more than 8m from a window.
- (c) The width of an apartment over 15m deep should be 4m wide or greater to avoid deep narrow apartment layouts.
- (d) Developments should provide a variety of dwellings types and sizes including 1, 2 and 3+ bedroom apartments to provide for housing choice and affordability. The following sizes are considered appropriate:
  - (i) Studio – 35m<sup>2</sup>
  - (ii) 1 bedroom – 50m<sup>2</sup>
  - (iii) 2 bedroom – 80m<sup>2</sup>
  - (iv) 3+ bedroom – 100m<sup>2</sup>
- (e) Consideration should be given to the internal design of apartments to encourage flexibility of uses over time.



### 2.19 CEILING HEIGHTS

Ceiling heights are measured from finished floor to finished ceiling level. Adequate ceiling heights ensure quality residential amenity and create spatial interest and hierarchy in apartments.

#### Objectives

- (a) To increase the sense of space in apartments and provide well proportioned rooms.
- (b) To promote penetration of daylight into all areas of each apartment.
- (c) To contribute to flexibility of use.

#### Controls

- (a) Ceiling heights of apartments must encourage the penetration of natural sunlight into all areas of the building. The following floor to ceiling heights are to be provided:
  - (i) 2.7m minimum for all residential floors; and
  - (ii) 2.4m minimum for attic levels.

**2.20 STORAGE**

Providing storage for items ancillary to peoples living needs is particularly important in residential developments where the size of dwellings and their configuration are constrained.

**Objectives**

- (a) To provide adequate storage for everyday household items within easy access of the apartment.
- (b) To provide storage for sporting, leisure, fitness and hobby equipment.

**Controls**

- (a) Suitable storage facilities are to be provided within the dwelling.
- (b) Storage located outside the apartment is to be secure for individual use.
- (c) In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities within the dwelling at the following rates:
  - (i) Studio & one bedroom apartments – 6m<sup>3</sup>
  - (ii) Two bedroom apartments – 8m<sup>3</sup>
  - (iii) Three plus bedroom apartments – 10m<sup>3</sup>

## 2.21 ATTIC AND ROOF DESIGN

Roof design is an important element of the overall design of a building and how it relates to the surrounding streetscape. This Part includes guidelines for attic and roof design in the R3 and R4 zones.

### Objectives

- (a) To ensure attic rooms achieve good residential amenity and environmental performance.
- (b) To minimise the impact of attic levels when viewed from the street.
- (c) To allow a variety of roof forms in response to the scale and character of the building and streetscape.

### Controls

- (a) Roof design should contribute to the overall design and performance of the development.
- (b) Roof design should contribute to the streetscape character of the area.
- (c) Attic rooms must have a minimum width of 3m and a minimum floor to ceiling height of 2.4m, for at least two thirds of the floor area (refer to Figure 28). Refer to Section 2.3 Height of this Part for further specific controls relating to attic space dimensions.
- (d) Alterations and additions in the roof of an existing building should occur within the main roof form. Variations of numerical controls will be considered on a merit basis.
- (e) Dormer windows and the like are to be less than 50% of the roof elevation.
- (f) Attics must be cross ventilated.
- (g) Attic spaces must not contain living and dining rooms, and must be attached to a unit on the floor below.
- (h) Attic rooms must not overlook adjacent dwellings or their private open spaces.
- (i) Pitched Roof Attics are to retain the pitched roof form as the major visual element of the roof and must respond to the context.
- (j) Where dormer windows are proposed they must be set down a minimum of 300mm from the main ridge line.

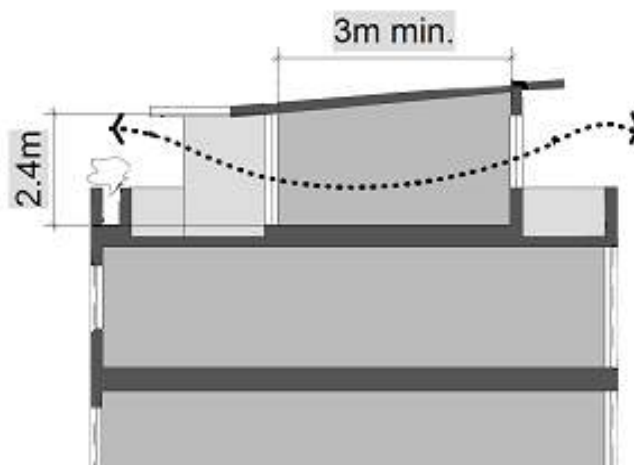


Figure 28 Minimum attic dimensions

**2.22 ACOUSTIC PRIVACY**

Acoustic privacy is a measure of sound insulation between apartments and between external and internal spaces. Designing for acoustic privacy relates to the location and separation of buildings within a development and the arrangement of apartments and internal spaces within apartments.

**Objective**

- (a) To ensure a high level of amenity for residents, by protecting the acoustic privacy of apartments and their private open spaces.
- (b) To effectively manage the interface between non-residential uses and residential accommodation.

**Controls**

- (a) Soundproofing of all dwelling units by such means as acoustic glazing is required to reduce noise impacts on residents.
- (b) Minimise noise transmission between apartments by:
  - (i) Locating noisy and quieter areas next to other noisy or quiet areas, e.g. living rooms adjacent to living rooms, and bedrooms adjacent to bedrooms.
  - (ii) Using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas and minimising the amount of party (shared) walls with other apartments.

**2.23 NATURAL VENTILATION**

Natural ventilation is the circulation of sufficient volumes of fresh air through an apartment to create a comfortable indoor environment and reduce the need for mechanical ventilation. To achieve natural ventilation the design of the building must address orientation, building envelope and each apartment's internal configuration.

**Objective**

- (a) To ensure apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- (b) To provide natural ventilation in non-habitable rooms, where possible.
- (c) To reduce energy consumption by minimising the use of mechanical ventilation, particularly air-conditioning.

**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:
  - (i) determining prevailing breezes and orienting buildings to maximise access to breezes, where possible;
  - (ii) locating vegetation to direct breezes and cool air as it flows across the site; and
  - (iii) 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:
  - (i) 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;
  - (ii) using higher level casement or sash windows, clerestory windows or operable fanlight windows to facilitate convective currents; and
  - (iii) 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 e.g. using stack-effect ventilation or solar chimneys.

## 2.24 BUILDING SERVICES

Developments must be adequately serviced while ensuring they are integrated into the design of the development.

### Objective

- (a) 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.

### Controls

- (a) Ensure that building services are integrated into the design of buildings. Building service elements include garbage rooms, mailboxes, fire hydrant boosters, electrical substations, downpipes, and plant rooms and satellite/communications structures.
- (b) Provide mailboxes adjacent to the main entrance and integrated into a wall of the building where possible, ensuring that they are secure and can accommodate large articles such as newspapers.
- (c) Coordinate and integrate building services within the overall façade and roof design. 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.
- (d) Building service elements occupying less than 20% of the roof area may project beyond the building envelope (refer to Figure 29).
- (e) 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 (refer to Figure 29).

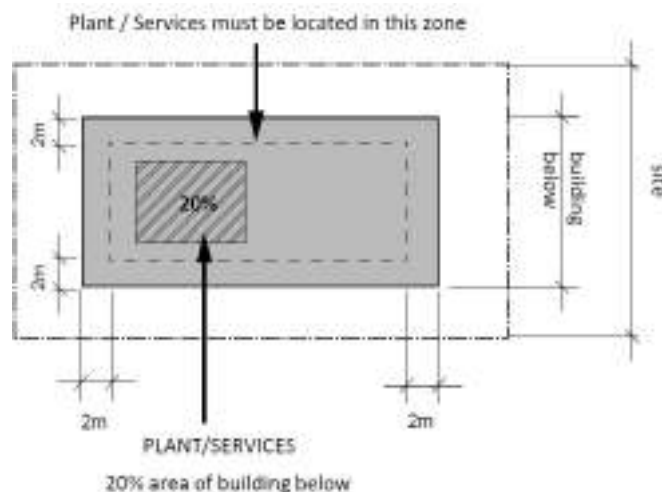


Figure 29 Plant and services zone

# PART D COMMERCIAL DEVELOPMENT

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**D1 COMMERCIAL AND RETAIL DEVELOPMENT**

This Part applies to commercial and retail uses throughout Waverley.

**1.1 DESIGN**

Council encourages a range of uses within its commercial and local centres. These centres provide for uses that service the local community as well as regionally. Commercial development is encouraged to be designed with a high visual amenity and interface between the private and public domain.

**Objectives**

- (a) To enhance the scenic quality and amenity of streetscapes and public places.
- (b) To ensure operations are compatible with adjoining residential uses and are in accordance with the amenity expectations of the subject site and locality's zoning(s).

**1.1.1 Frontages****Controls**

- (a) Front windows and openings shall be designed to be sympathetic with the overall proportion of the building.
- (b) Front windows shall be designed to promote an active street level frontage and have a display function.
- (c) The use of obscured glazing is generally not supported. Where privacy is required, obscured glazing could be provided at the rear of the premises. Window and door frames should reflect the character of the building and/or area.
- (d) Premises are required to display a street number. The height of the numbers will be no less than 300mm presented in a clear readable font, located above the entry door, where possible.
- (e) Premises should have an awning except where 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.
- (f) The installation of roller shutters is not permitted. Such devices detract from the visual presentation of individual premises.



## **1.1.2 Lighting**

- (a) Under awning lighting should be provided in accordance with the relevant Australian Standard.
- (b) Illumination is not to exceed a maximum horizontal luminance level of 200 lux (includes reflectivity of exterior finishes) as measured from the public domain. The intensity, colour, period of intermittency and hours of illumination of signage shall be varied if, at any time in the opinion of Council, an adverse impact is being caused to the amenity. 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, except where public street frontage and/or footpaths require it.
- (d) Lighting, including ceiling lighting must be included in a development application (DA) for establishing and/or operating retail or commercial premises.

## **1.1.3 Amenity**

- (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 premise (e.g. ducting, vents, air conditioners, refrigerator units, mechanical plant, etc). Plant rooms are to be acoustically treated.
- (b) Existing developments 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 cannot be achieved in an existing development, plant room/utilities are to be designed to cause negligible impact to neighbouring properties and streetscape.
- (c) Food shop premises are to be designed and constructed in accordance with the provisions of the *Food Act* 2003, Food Safety Standards Code and relevant Australian Standards. No goods shall be placed on the footpath without Council consent.
- (d) Premises shall be designed so that customers cannot be served directly from Council's footpath (i.e. a bar or servery).
- (e) All new development shall be designed to include an internal ventilation shaft to ensure future alterations do not place the shaft in an unsuitable location.
- (f) The design of use of the building is to take into consideration any impact on surrounding residential uses and include mitigation measures where necessary.

**1.2 NOISE**

Protection from unreasonable noise on neighbouring properties is an important issue to consider for new development. A well designed development can often avoid negative impacts associated with noise through orientation, siting and design of buildings.

**Objectives**

- (a) To ensure that the proposed use does not negatively impact on surrounding properties.
- (b) To effectively manage the interface between non-residential uses and residential accommodation.

**Controls**

- (a) An acoustic report prepared by a suitable qualified consultant may be required when submitting development applications for commercial and retail uses which may affect the acoustic privacy of the adjacent residential use.
- (b) The sound insulation of floors, ceilings and walls between different uses must be sufficient to ensure that occupants are safeguarded from loss of amenity as a result of undue sound being transmitted. Applicants must demonstrate to Council how acoustic privacy will be maintained between residential and non-residential uses in a building and between adjoining buildings.
- (c) Where a premise applies for an extension of trading hours, review of trial period is sought, is proposing live entertainment or is in the opinion of Council to have the potential to create an acoustic impact, a Plan of Management is to be submitted with the DA.
- (d) Air conditioning units and cool-room equipment must be located in a plant room or acoustic enclosure to remove the potential for any associated noise escaping from the subject property.
- (e) Spruikers or amplified music are prohibited.
- (f) Noise emanating from a mechanical ventilation system shall be in accordance with the relevant Australian Standards.
- (g) 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 DECC's "Noise Guide for Local Government".
- (h) 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 relevant Australian Standard. Details of the proposed mechanical exhaust ventilation system within a food preparation area are to be submitted to and approved prior to the issue of a Construction Certificate.

### 1.3 HOURS OF OPERATION

The trading hours of commercial premises in particular licensed premises can be linked to anti social behaviour. As a result there is a need for appropriate trading hours and trial period controls to ensure any potential impacts are mitigated against.

#### Objectives

- (a) To ensure trading does not impact on the amenity of the area or disrupt nearby residential properties.

#### Controls

- (a) Pre-works and clean up of the premises (**operational hours**) can exceed the maximum base **trading hours** in commercial zones (i.e. B1, B3 and B4) up to a maximum of one hour.
- (b) Where a DA is received for a refurbishment of existing licensed premises where its hours are not regulated by a condition of consent, a new condition of consent will be imposed in accordance with this Part to regulate trading hours of the premise.
- (c) Delivery and operation of loading docks shall be limited to the approved trading hours.
- (d) The prescribed hours of operation within Table 1 are subject to all other aspects of the development being satisfactory. Where residential uses are in close proximity, more restrictive trading hours may be applied.

Zone/ Use	Trading Hours
B3 Commercial Core	<ul style="list-style-type: none"> <li>(a) General base trading hours: <ul style="list-style-type: none"> <li>(i) Monday to Saturday: 7.00am to 11.00pm; and</li> <li>(ii) Sunday: 7.00am to 10.00pm.</li> </ul> </li> <li>(b) Extended trading hours on a 1 year trial basis will be considered up to: <ul style="list-style-type: none"> <li>(i) Sunday to Wednesday: 7.00am to midnight; and</li> <li>(ii) Thursday, Friday and Saturday: 7.00am to 1.00am.</li> </ul> </li> </ul>
B4 Mixed Use	<ul style="list-style-type: none"> <li>(a) General base trading hours: <ul style="list-style-type: none"> <li>(iii) Monday to Saturday: 7.00am to 11.00pm; and</li> <li>(iv) Sunday: 7.00am to 10.00pm.</li> </ul> </li> <li>(b) Extended trading hours on a 1 year trial basis will be considered up to: <ul style="list-style-type: none"> <li>(iii) Sunday to Wednesday: 7.00am to midnight; and</li> <li>(iv) Thursday, Friday and Saturday: 7.00am to 12.00am.</li> </ul> </li> </ul>
B1 – Neighbourhood Centre	<ul style="list-style-type: none"> <li>(a) General base trading hours: <ul style="list-style-type: none"> <li>(i) 7.00am to 10.00pm, 7 days a week.</li> </ul> </li> <li>(b) Extended trading hours on a 1 year trial basis will be considered up to 7.00am to 11.00pm on Thursdays, Fridays and Saturdays only.</li> </ul>

Zone/Use	Trading Hours
All Residential Zones	<p>(a) General base trading hours: (i) 7.00am to 10.00pm, 7 days a week</p> <p>(b) Extended trading hours on a 1 year trial basis will be considered up to 7.00am to 11.00pm, Fridays and Saturdays only.</p>

**Table 1** Hours of operation

## 1.3.1 Extended Trading Hours

- (a) Council recognises that a number of uses may require longer trading hours, particularly earlier opening times. In these instances, an application to extend or modify trading hours will undergo an additional merit assessment.
- (b) Approvals for late night trading premises will be limited in time to enable Council to assess the ongoing management performance of the premises and the impact on the neighbourhood amenity.
- (c) An extension of the core trading hours will be considered on a trial basis only.
- (d) Council's assessment of the extended trading hours proposal will consider the following:
  - (i) the location of the premises, including proximity to residential and other sensitive land uses;
  - (ii) the specific use of the premises, i.e. pub, nightclub, restaurant;
  - (iii) the existing hours of operation of surrounding business uses;
  - (iv) size and patron capacity of the premises;
  - (v) security and general management of the premises;
  - (vi) number and nature of substantiated complaints regarding the operation of the premises;
  - (vii) compliance with conditions of consent;
  - (viii) evidence that the applicant has taken a pro-active position in terms of industry best practice;
  - (ix) record of successful waste management on site and clean up and management of waste in adjacent public domain;
  - (x) availability of transport for patrons including taxis, buses and car parking areas; and
  - (xi) any other matters considered relevant to the environmental evaluation of the premise.

## 1.3.2 Review of Trial Periods

- (a) A continuation, renewal or extension of trading hours may only be permitted if Council is satisfied that the premise has demonstrated good management performance following the completion of a satisfactory trial period being:
  - (i) First trial – up to a maximum of 1 year
  - (ii) Second trial – up to a maximum of 2 years
  - (iii) Third and subsequent trials – up to a maximum of 5 years

Note: Trading hours outside of standard hours will not be granted on a permanent basis.

- (b) Applications to review trial periods are to be lodged prior to the expiration of any existing trial period.
- (c) Council will reassess the matters specified in 1.3.1(d) above when considering an application to review the trial period.
- (d) If Council determines no further extension period shall be granted the premises must revert to its pre-trial hours.

**1.4 RESTRICTED PREMISES**

Restricted premises and sex services premises are permitted within the B3 – Commercial Core Zone under WLEP 2012. The LEP includes specific controls relating to sex services premises.

This part provides additional controls relating to sex service premises and restricted premises to ensure their design and location does not negatively impact on the surrounding neighbourhood.

**Objectives**

- (a) To ensure land uses are compatible with the surrounding uses and character of the area.
- (b) To ensure the design, operation and location are considered and the cumulative impacts of commercial uses on the surrounding area are minimised.

**Controls**

- (a) Where a proposed development includes a restricted premises, sex services premises or licensed premises the following details must be taken into consideration in the assessment of the proposal:
  - (i) the nature and operation of the proposed uses;
  - (ii) measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding the premises;
  - (iii) proposed hours of operation;
  - (iv) the size and intensity of the proposed development having regard to the number of people who will work on the premises;
  - (v) proposed management;
  - (vi) whether the uses is proposed to be licensed;
  - (vii) whether live entrainment is proposed;
  - (viii) the proximity, location and impact of the proposed uses on schools, places of worship, community facilities, major transport, residential buildings and places frequented by children; and
  - (ix) the likely impact on the amenity and desired future character of the street and area.
- (b) No internal rooms or spaces of the sex services premises, other than an access corridor to the premises are to be visible from a public space or shopping arcade.
- (c) No merchandising display relating to the restricted premises is to be erected, or displayed in the access corridor so as to be viewed from a public open space.
- (d) Signage for sex service premises is to be limited to the address or street number.
- (e) No flashing or illuminated signage is permitted for restricted premises.

## D2 ADVERTISING AND SIGNAGE

This Part specifies objectives and requirements for the erection and display of advertising signs. The controls within this section should be read in conjunction with *State Environmental Planning Policy No.64 – Advertising and Signage, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and WLEP 2012, which define what can be carried out as exempt development and override these controls.

### 2.1 DESIGN AND LOCATION

Signage helps people find their way, as well as provide an opportunity for businesses to be easily identified. It is necessary for the design and location of signage to consider the existing character of an area to ensure the signage complements the area.

#### Objectives

- (a) 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.
- (b) To ensure advertising signs or structures do not intrude upon the use and enjoyment of any retail/commercial precinct by shoppers and adjoining residents
- (c) To maintain the architectural integrity and unity of building facades, roofscapes, streetscapes.
- (d) To ensure any sign has regard to the size and juxtaposition of other signs in the immediate vicinity.

#### Controls

- (a) Signage is to be integrated into the architectural design of the building, awning or shop front. The signage must complement the materials, fenestration, colours and architectural features of the relevant building, awning or shop front, without dominating or compromising the integrity of these components (refer to Figure 1).
- (b) 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.
- (c) The following types of advertising and signage are not permitted:
  - (i) Bunting;
  - (ii) Banners;
  - (iii) Inflatable signs; and
  - (iv) Sky or roof signs.
- (d) 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.
- (e) Flashing, moving or 3-D signs will only be considered where permitted in this Part and after practical demonstration and a detailed assessment of any adverse impact on the amenity and character of the neighbouring area.



**Figure 1** Types of signage

### 2.1.1 Siting

- (a) A flush wall sign should not span across window openings or a facade bay.
- (b) Signs should not extend over street boundaries, unless approved in conjunction with a shop which is built to the street alignment.
- (c) 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.
- (d) A-Board (sandwich boards) signage 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. 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.

### 2.1.2 Size and Proportion

- (a) Signs should not be of a size or proportion which significantly affects the existing façade.
- (b) Signs having an area in excess of 20m<sup>2</sup> will not be permitted.
- (c) Signs are to have a maximum total area of 1.1m<sup>2</sup> for each metre of frontage (up to a maximum of 20m<sup>2</sup>) of a building and part thereof to any public road. Where the site has a frontage to two streets the same factor shall apply to the second frontage.
- (d) For each frontage to a residential side street or to a lane, the permissible advertising area shall not exceed a factor of 0.5m<sup>2</sup> for each metre of frontage if any advertising is permitted at all.



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**2.1.3 Advertising**

- (a) Advertising on garbage bins, telegraph posts and other surfaces of a public nature is prohibited, except by prior contractual arrangement with Council.
- (b) Advertising signage on buildings and shop fronts must only relate to businesses operating within the same building or shop. Third party advertising is prohibited.
- (c) Where multiple occupancies exist within a single building or shop front, a coordinated scheme for all advertising and signage is required.

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**2.1.4 Number of signs**

- (a) The number of signs per building or site will be based on assessment of the following factors, the:
  - (i) number of existing signs;
  - (ii) proportion of solid (wall surface area) to void (window and door openings) available for signage;
  - (iii) length of frontage of the premises; and
  - (iv) extent of facade detail and dimensional relief on the building which should not be obscured by signage.

**2.2 SITE SPECIFIC CONTROLS**

It is important that signage considers the existing character of the area and provide signage that complements this character.

**Objectives**

- (a) To ensure advertising is compatible with the intensity of use in each land use zone and does not detrimentally affect the appearance of adjoining land.

**Controls****2.2.1 Residential Zones**

- (a) Any signage within a residential zone shall relate only to premises situated on the subject land and may specify any of the following:
  - (i) the purpose for which the land is used;
  - (ii) identification and description of a person carrying on an occupation or business on the premises; and
  - (iii) particulars of the goods or services dealt with on the premises.
- (b) Signs should be carefully designed to blend in with the established residential character and not unduly attract attention.
- (c) Illumination and electronic signs is not permitted.
- (d) A sign must not exceed 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.
- (e) In circumstances 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. Proportions of the sign shall not exceed 1m x 0.7m and not extend over the property boundary.

**2.2.2 Campbell Parade**

- (a) Projecting wall signs or flush wall signs above the awning of shops fronting Campbell Parade are prohibited with the exception 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.
- (b) Generally, neon signage is encouraged on window shop fronts and for under awning signs as an alternative to fluorescent illumination.

**2.2.3 Wairoa Avenue in the vicinity of Wallis Parade**

- (a) 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.
- (b) No illumination or electronic signs above the awning will be permitted.

**2.2.4 Neighbourhood shops**

- (a) In areas located within Part E3 - Local Village Centres 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;
  - (iv) One flush wall sign to each frontage or one top hamper sign having maximum dimensions 3m x 1.5m.
- (b) Flush wall signs shall not be permitted on side walls facing adjoining residences (refer to Figure 2).
- (c) Animated, flashing signs and lights are not permissible.
- (d) Illuminated signage is to have no direct adverse impact on the amenity of residential properties.
- (e) Electrical conduits to illuminated signs are to be concealed or integrated into the relevant sign.
- (f) Shops 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 not involve the promotion of sales or specials. Signage shall occupy a maximum of 60% of the surface area of the blind and not involve fluorescent or iridescent paints.



**Figure 2** Inappropriate location for flush wall signs

**2.2.5 Mixed development buildings**

- (a) Advertising signs and structures shall not be permitted above the awning on mixed development buildings unless they relate to activities conducted above ground floor level.

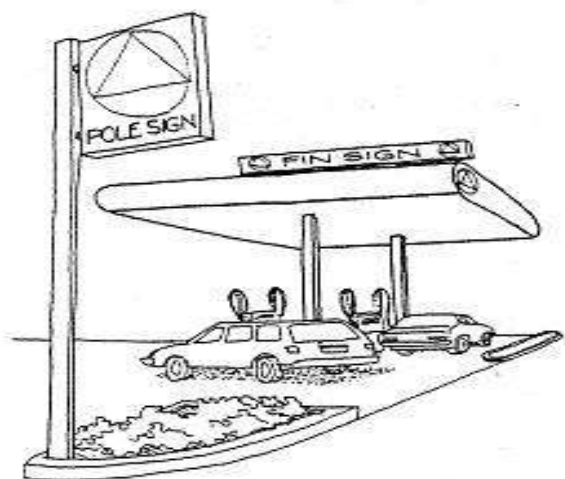
**2.2.6 Development in excess of 15 metres in height**

- (a) 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. The sign shall be designed and positioned in a manner sympathetic to the design criteria of the building. Where no principal tenant exists, a coordinated 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.

### 2.2.7 Automotive related activities

- (a) Freestanding pole signs shall have a maximum height of 6 metres above ground level, and the sign itself shall not exceed 3.4m<sup>2</sup> in area.
- (b) Pole signs shall not project more than 750mm beyond street alignment (refer to Figure 3).
- (c) A fin sign positioned as such shall have a maximum height of 1.5m above the roof structure (refer to Figure 3). No portion of the sign shall project over Council's footpath. Fin signs shall have a maximum area of 9m<sup>2</sup> referring only to the name of the establishment. Only one sign shall be permitted on the premises.



**Figure 3** Example of pole and fin signs

### 2.2.8 Heritage Significant Buildings

- (a) Council will give consideration to architectural qualities of building when addressing the suitability of any proposed signs.
- (b) Signs must not conceal or obscure architectural features.
- (c) Generally, signage will be restricted to under awning shop fronts, awning fascias and as suspended under awning signs.
- (d) 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.
- (e) Flashing, electronic, illuminated or animated signs will not be permitted.
- (f) Council encourages restoration of original painted signs, and construction of new signs using traditional designs.
- (g) 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.

**2.3 SIGN SPECIFIC CONTROLS**

There are a range of signage styles and sizes. Consideration needs to be given as to the appropriateness of the type of sign with the building in which the sign is proposed to be located as well as the surrounding character of the area.

**Objectives**

- (a) To ensure that proposed signage is compatible the buildings and surrounding character of the area.

**Controls****2.3.1 Under awning signs**

- (a) Under awning signs shall have a minimum clearance of 2.6m above the footpath and be centrally positioned under the awning.
- (b) Under awning signs shall not exceed 2.4m x 450mm.
- (c) Under awning signs shall not project beyond the width of the awning.
- (d) A minimum separation distance of an under awning sign to another under awning sign is to be 3m where practicable.

**2.3.2 Projecting Wall Signs**

- (a) Signs shall not extend above parapet height.
- (b) Horizontally oriented signs will only be considered where the sign matches the other appropriately designed and approved signs and has an appropriately designed bracket.
- (c) Where permitted signs shall:
  - (i) extend a maximum projection of 750mm from the face of the wall (refer to Figure 4);
  - (ii) have a minimum clearance of 2.6m above the footpath;
  - (iii) align with signs on adjacent buildings; and
  - (iv) the vertical dimension of the sign shall be equal to or greater than the horizontal dimension.
- (d) Council will consider variations to the maximum projection requirement 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 façade. In these instances square or circular signs may be considered, having a maximum projection of 1.5m from the facade. In such circumstances, buildings 3 storeys or greater are considered more appropriate to scale and proportion of such signs (refer to Figure 5).
- (e) Both panel and projecting signs should be attached to undecorated wall areas. Where projecting wall signs of vertical proportion are proposed, vertical engaged piers present on the facade of older buildings should be used.
- (f) Facade panels should align with the width dimensions of windows or doors and be centered on parapets (refer to Figure 6).

### 2.3.3 Awning fascia signs

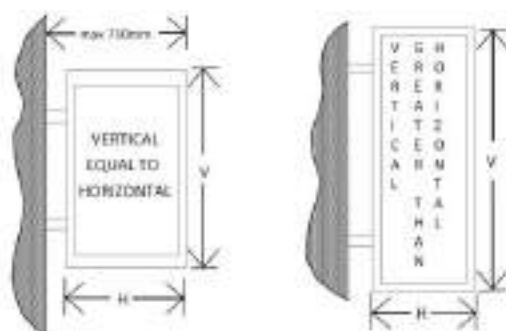
- (a) Fascia signs shall flush with the awning and not illuminated.
- (b) They shall not project above or below the awning fascia.
- (c) Sign writing shall be limited to the street number, name and general nature of the business. Product identification on awning fascias shall not be permitted.

### 2.3.4 Top hamper signs

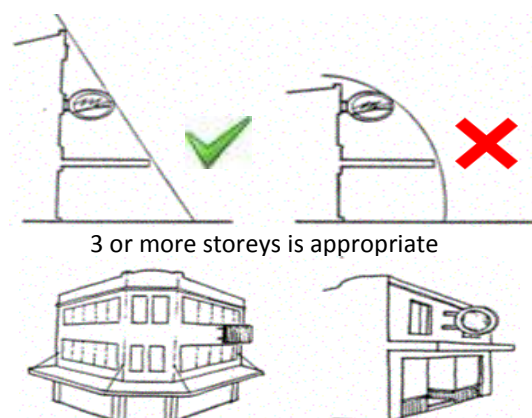
- (a) Signs shall not project more than 150mm beyond the face of the building.
- (b) Signs should not extend below the level of the head of doorway or window to which they are attached.
- (c) Signs are to be within the perimeter of the building walls.
- (d) Illumination is permitted.

### 2.3.5 Window signs

- (a) Painted signs on shop front windows, particularly those using fluorescent and iridescent paints, shall be temporary in nature, and not cover more than 60% of the window surface area (refer to Figure 7).
- (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.



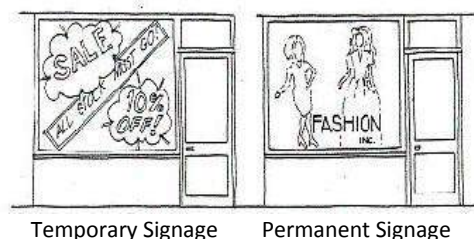
**Figure 4** Dimensions for vertical projecting wall signs



**Figure 6** Signage for buildings with 3 or more storeys



**Figure 5** Preferred alignment of façade panels



**Figure 7** Painted shop front window signs

## D3 FOOTPATH ACTIVITY AND SEATING

This Part guides applicants seeking approval to utilise footpath areas outside their café or restaurant for footpath seating.

Where proposals are partly or fully on public land within the Waverley LGA, development consent and approval under Section 125 of the *Roads Act 1993* is required. This part specifically addresses footpath seating only. The display of goods on the footpath and/or temporary advertising signs on the footpaths requires separate approval from Council. Please note that “A-Frame” advertising is not permitted in any location throughout Waverley.

Cafes and restaurants wishing to serve alcohol are required to apply for a separate license under the *Liquor Act 2007*.

### 3.1 LOCATION

Footpath seating can make a significant contribution to the quality of the public spaces by providing an active street frontage. However footpath seating may not be appropriate in all locations due to safety and amenity issues.

To be eligible for a footpath seating license the primary function of the premises must be a café or restaurant and must:

- provide sit down meals or snacks;
- utilise non disposable eating utensils;
- have washing up facilities for all cooking/eating utensils; and
- provide waiter service for all patrons.

#### Objectives

- (a) To ensure pedestrian movements are maintained, as well as the safety of patrons and staff.
- (b) To ensure footpath café and restaurant seating is not the primary dining area but an extension of indoor seating for use in fine weather.

#### Controls

- (a) When assessing applications consideration will be given to:
  - (i) the convenience and safety of pedestrian movement;
  - (ii) the safety of vehicular movement;
  - (iii) any impact on residential amenity;
  - (iv) whether the application contributes to and improves the local amenity and the public domain; and
  - (v) the impact on the existing natural environment including existing trees, significant views and items of heritage significance.
- (b) The standard location for the footpath café/restaurant seating is against the shop front.
- (c) 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. Owner's consent to use the area in front of an adjoining tenancy can be cancelled by that owner or Council with a minimum 4 weeks' notice.

- (d) Where the footpath seating is adjacent to the kerb a standard minimum setback of 1.5m from the kerb is required to allow access to parked cars and to ensure the safety of patrons.
- (e) Footpath seating and associated furniture must be kept clear of street corners to allow adequate visibility and sight lines for traffic safety. Allow a 45 degree splay from the corner of the building (refer to Figure 8).
- (f) Where a footpath is extended at a street corner or where there is a road closure there may be opportunities for different seating locations other than the standard footpath seating location.
- (g) Alternative footpath seating locations may be considered on their merits. Additional supporting information must be provided with the application including evidence illustrating how pedestrian and vehicular safety will be achieved.
- (h) The minimum dimensions of 600mm x 600mm per seat and 600mm x 600mm per table is required.
- (i) Adequate circulation space for patrons and staff within the footpath seating area must be provided.
- (j) The minimum width of a clear unobstructed pedestrian footpath is 2.5m. This distance is exclusive of street furniture, bus stops, disabled parking spaces, parking meters, telephone boxes or the like.
- (k) No furniture is to be located within 3m of a bus stop or taxi to allow for adequate pedestrian circulation.
- (l) Where footpaths do not have adequate width to accommodate the required minimum unobstructed pedestrian footpath and footpath seating widths, shops are encouraged to provide shop fronts capable of opening to the street.
- (m) All areas granted approval for outdoor seating must clearly mark the location of the space on the pavement with Council approved markers.
- (n) Exceptions are for the following designated footpath seating areas:
  - (i) Oxford Street Mall; Bondi Junction
  - (ii) Waverley Street Mall, Bondi Junction;
  - (iii) Campbell Parade, Bondi Beach, between Lamrock Avenue and Beach Road;
  - (iv) Roscoe Street, Bondi Beach; and
  - (v) Bronte Road, Bronte Beach.

\*Refer to Section 3.4 for area specific controls



**3.2 FURNITURE AND ACCESSORIES**

Outdoor footpath should make a positive contribution to the street environment and be of a style that is practical and that integrates into the surrounding area.

**Objectives**

- (a) To ensure all furniture and accessories are high quality and an appropriate design.

**Controls**

- (a) All furniture must be safe, strong, durable, waterproof, weather resistant and salt resistant. All furniture must be purpose built and designed for commercial outdoor use.
- (b) Elements of furniture (such as chairs, tables, barriers or umbrellas) must be uniform in style and design within each café or restaurant in order to maintain a cohesive pattern and legible groupings.
- (c) All furniture must be kept well maintained and clean at all times. Council reserves the right to require replacement of inappropriate and/ or hazardous furniture as a license requirement.
- (d) All furniture, accessories and umbrellas are temporary and must be stored away from footpath seating areas outside the approved hours of operation unless specific approval has been granted.
- (e) Milk crates and the like are not allowed.
- (f) Adequate toilet facilities are to be provided in commercial premises to comply with the BCA.

**3.2.1 Accessories**

- (a) Provide wind proof menus and sugar containers.
- (b) Pedestal menu boards and A-frame or sandwich board menus are to be transportable, kept within occupied areas at all times during use and not obstruct pedestrian thoroughfares.

**3.2.2 Umbrellas**

- (a) Umbrellas are to be commercial grade and suitable for outdoor use (UV resistant, provide rain and hail protection, fire resistant, wind rated and easily maintained) of a square canopy shape with no top hat, have a diameter of between 1.8m and up to 4.0m, have a centre post, be collapsible and be at least 2.2m above ground when open.
- (b) Umbrellas must be removed or closed in extreme windy conditions to avoid damage and ensure safety for patrons and pedestrians.
- (c) Umbrella bases must not damage the paving and should be secured to the umbrella.
- (d) Umbrellas are to be securely anchored by the applicant to the satisfaction of Council. The cost of the umbrellas and securing them will be borne by the applicant.
- (e) The umbrella base may be embedded in the footpath paving with Council approval.

- (f) Umbrellas may overhang a maximum of 300mm outside the approved footpath seating area.
- (g) Umbrellas may not be fitted with protection blinds unless specific approval has been granted.
- (h) Umbrellas must be cleaned at least once every 12 months at the cost of the applicant.

---

### **3.2.3 Barriers and landscape planters**

- (a) The maximum permitted dimensions of a barrier is 900mm high and 1.2m wide.
- (b) The maximum permitted dimensions of a planter is 750mm high, 1.2m wide and 900mm deep.
- (c) No barriers or landscape planters are permitted in Oxford Street Mall or Waverley Street Mall.
- (d) Barriers and landscape planters are not permitted in front of the seating area facing the pedestrian way.
- (e) Third party advertising is not permitted on barriers.

---

### **3.2.4 Heaters**

- (a) Only tall, free standing, portable radiant gas heaters are permitted.
- (b) Heaters used in footpath seating areas must be:
  - (i) Commercial grade only;
  - (ii) Well maintained for safety;
  - (iii) Able to turn off automatically if overturned;
  - (iv) Removed from the footpath seating area and stored on private property when not in use unless approval is granted; and
  - (v) Not attached to an umbrella.

---

### **3.2.5 Lighting**

- (a) Any footpath seating which will be operating outside daylight hours must provide adequate lighting to Council's satisfaction, to ensure the safety and amenity of patrons, staff and the general public.
- (b) Any additional lighting required must be temporary and must be stored away from footpath seating areas outside the approved hours of operation.
- (c) Wiring or cables that is above ground or that crosses the public domain is not permitted.
- (d) Lighting should not cause light to spill in to habitable living areas of adjacent residential buildings.

---

### **3.2.6 Advertising and Logos**

- (a) Only the name and/or logo of the tenant is permitted on furniture. No third party advertising is permitted.
- (b) The name and/or logo are to be presented on a maximum one third of an umbrella panel.
- (c) Third party advertising is not permitted on barriers.

### 3.3 MANAGEMENT

To ensure that footpath seating contributes positively to the urban environment it is necessary to ensure that the appropriate management issues are considered including noise, hours of operation, health and safety.

#### Objective

- (a) To ensure the operation of footpath seating does not have an adverse impact to the amenity of adjoining and nearby properties and residents.
- (b) To ensure that footpath furniture only occupies space within licensed areas.

#### Controls

- (a) Management is responsible for keeping public areas surrounding the approved seating area clear of prams and dogs associated with their customers. Where customers with prams are regular clientele, consider providing a 'pram' table with extra space around it for prams, or collapsible chairs which can easily be removed to give more space for prams within the seating area.
- (b) Provision is to be made for a waiter station when outdoor seating is for more than 30 persons.
- (c) The approved footpath seating area is to be delineated with corner markers in the footpath using Council approved pavement markers.
- (d) Seating areas must be kept clean and free of litter during operating hours.
- (e) Litter patrol documentation in the form of a cleanup roster must be kept on site at all times.
- (f) Seating areas must be clean and free of litter once furniture and accessories are removed from the public realm after hours.
- (g) Where a permit is suspended, relocated, amended and/or cancelled, neither the permit holder nor any other persons shall be entitled to any payments, compensation or damages of any kind from Waverley Council.
- (h) The proprietor is to ensure that the requirements of the Australia and New Zealand Food Standard Code are fully met.
- (i) No Smoking is permitted in footpath seating areas.

#### 3.3.1 Hours of operation and noise

- (a) Hours of operation must finish at least half an hour before the general operational hours of the establishment as determined by Council.
- (b) Footpath seating will not be approved if the proposal is of a scale that noise generated will have a significant adverse effect upon nearby residential properties.
- (c) Amplified sound emanating from public footpaths or projected onto public footpaths is prohibited.

---

### 3.3.2 Tenancy approvals

- (a) Generally, approval for footpath seating will be granted for 3 years inclusive of a 6 month trial period and checks made for compliance regularly throughout the approval period. Council may elect to approve for a lesser period of time, where it is of the opinion that the use of the footpath may cause detrimental impact to the amenity of the area.
- (b) A permit may be cancelled or amended if:
  - (i) the proprietor fails to comply with the permit conditions; and
  - (ii) there are changed conditions affecting the outdoor dining area in its particular location, such as increased risk to health and safety.
- (c) If payment of rent for outdoor seating is not received by Council on the first day of each month an approval is in place, the approval is considered to have lapsed until payment is received. In the interim, an infringement notice may be issued for obstructing the footpath without approval.
- (d) Tenants are required to keep their approved footpath seating layout plan in clear view so Waverley Council compliance officers can easily check for compliance with the approval at any time. Appropriate locations are in the front window or, if the front facade of the tenancy is fully openable, close to the front of the tenancy.
- (e) Tenants are required to pay a rental bond as determined in the agreement with Council.

---

### 3.3.3 Toilet and sanitary conveniences

- (a) Premises with seating capacity for 20 or more patrons must provide sanitary facilities in accordance with the requirements under the Building Code of Australia.

### 3.4 DESIGNATED FOOTPATH SEATING LOCATIONS

In addition to the general controls there are specific controls for the following designated footpath seating locations.

#### Objectives

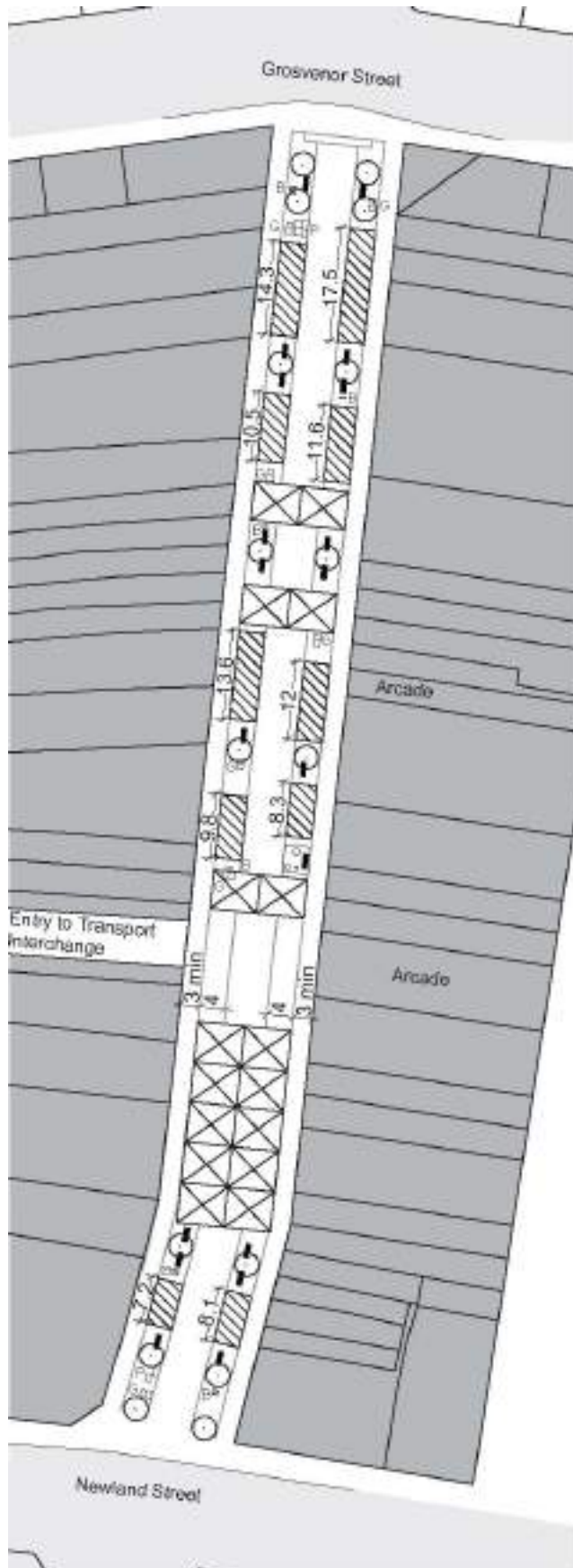
- (a) To ensure footpath seating contributes to and improves the local amenity and the public domain.
- (b) To ensure the existing natural environment including existing trees, significant views and items of heritage significance are maintained.

#### Controls

---

#### 3.4.1 Oxford Street Mall, Bondi Junction

- (a) Oxford Street Mall is to have a minimum clear unobstructed pedestrian footpath of 3m.
- (b) Footpath seating in Oxford Street Mall is required to be located away from the shop fronts.
- (c) The location of footpath seating is to be in accordance with Map 1.
- (d) Footpath seating must be a minimum of 1.2m away from site furniture-bicycle racks, garbage bins, public seating, public telephones.
- (e) Council discourage the use of barriers and accessories.



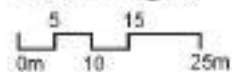
**Map 1.** Oxford Street Mall,  
Bondi Junction

-  Designated  
Footpath Seating Area
-  Existing Public Seating
-  Tree Canopy  
Approx.
-  Shade Structure
- B Bike Racks
- G Garbage Bins
- P Public Telephone

**Note**

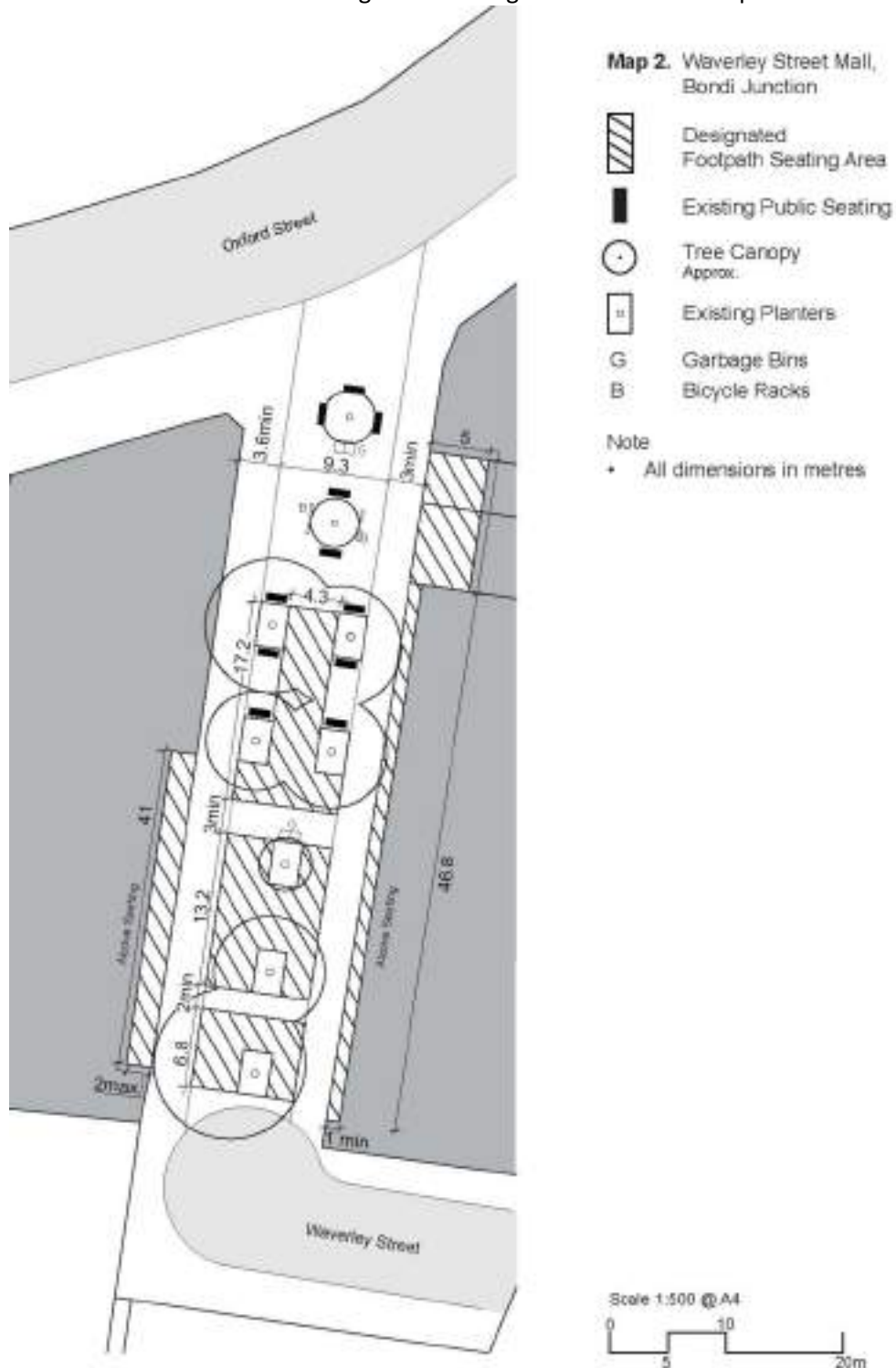
- All dimensions in metres
- Footpath seating must be a minimum of 1.2 metres away from site furniture-bicycle racks, garbage bins, public seating, public telephones

Scale 1:1000 @ A4



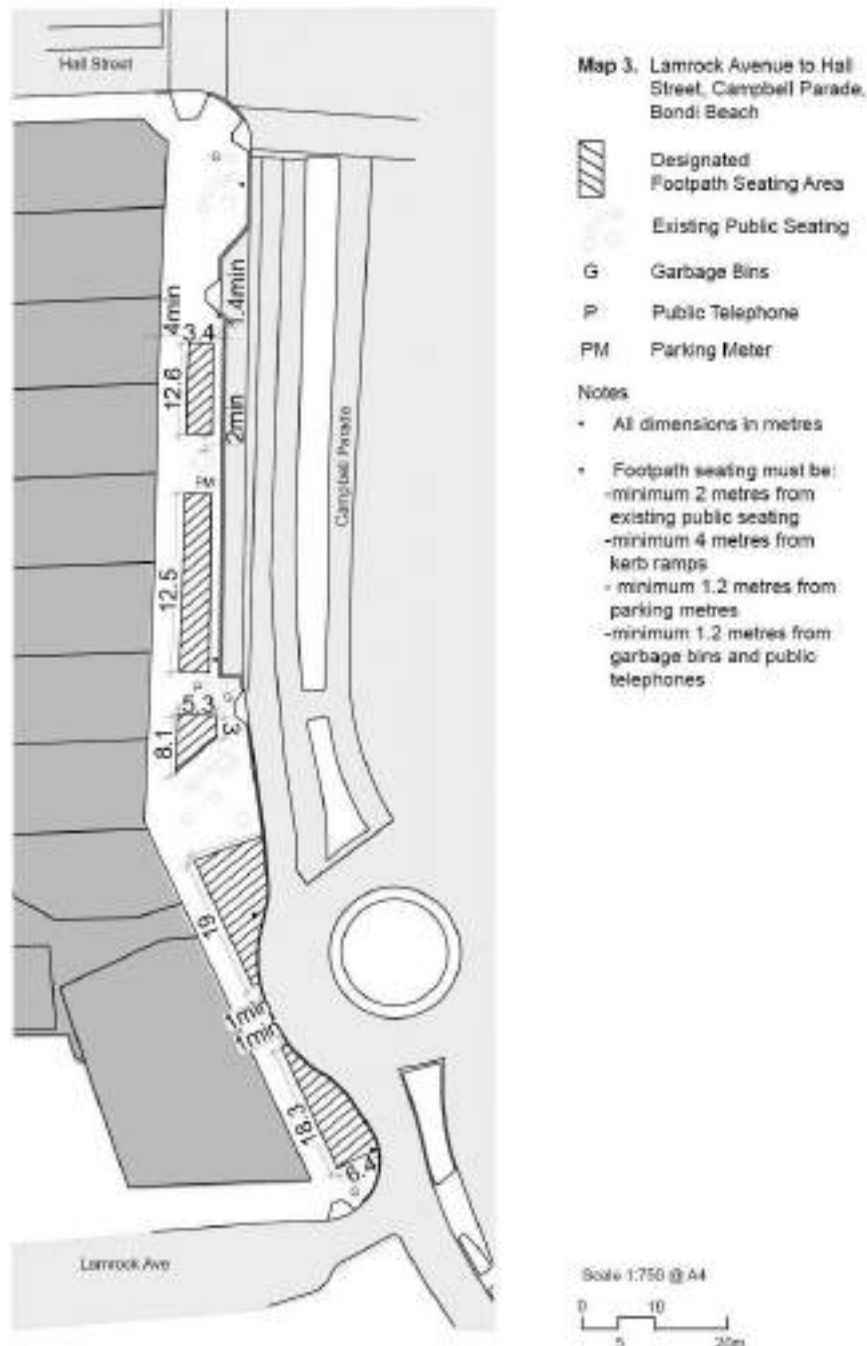
## 3.4.2 Waverley Street Mall, Bondi Junction

- (a) Waverley Street Mall is to have a minimum unobstructed pedestrian footpath of 2.0m, between the café/restaurant footpath seating against the shop front and the designated seating areas or planters.
- (b) Footpath seating is permitted against the shop fronts within alcove areas only and also in the designated seating areas located in Map 2.

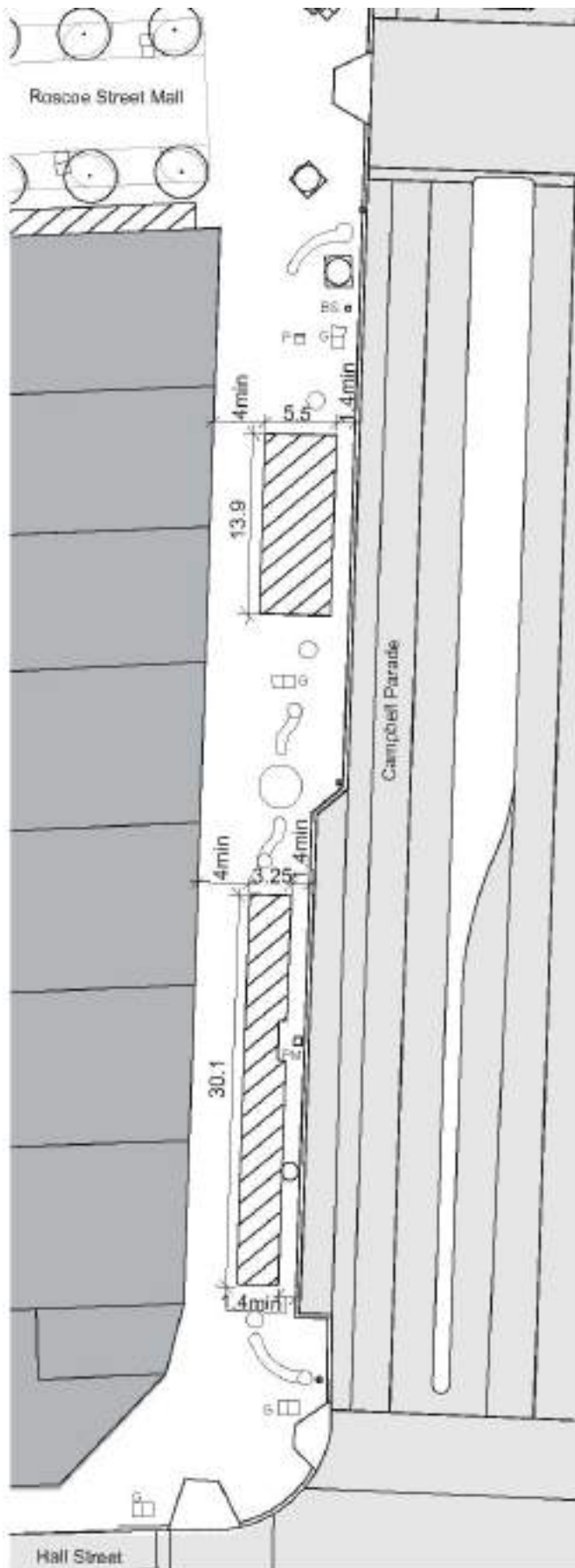


## 3.4.3 Campbell Parade between Lamrock Avenue and Beach Road, Bondi Beach

- Campbell Parade is to have a minimum 4m clear pedestrian footpath between Lamrock Avenue and Beach Road (and minimum 2m in all other areas) as indicated on the designated footpath seating maps in Map 3, 4, 5 and 6.
- Footpath seating must be a minimum 2 metres from existing public seating, a minimum of 1.2 metres from parking metres, a minimum of 1.2 metres from garbage bins and public telephones.
- Protective blinds are only permitted to a maximum of three sides of an umbrella. The blinds must not contain metal rods and must be rolled up when not in use.
- All umbrellas must be embedded in the footpath paving on Campbell Parade between Lamrock Avenue and Beach Street.







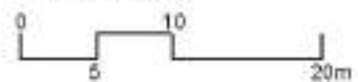
**Map 4.** Hall Street to Roscoe Street, Campbell Parade, Bondi Beach

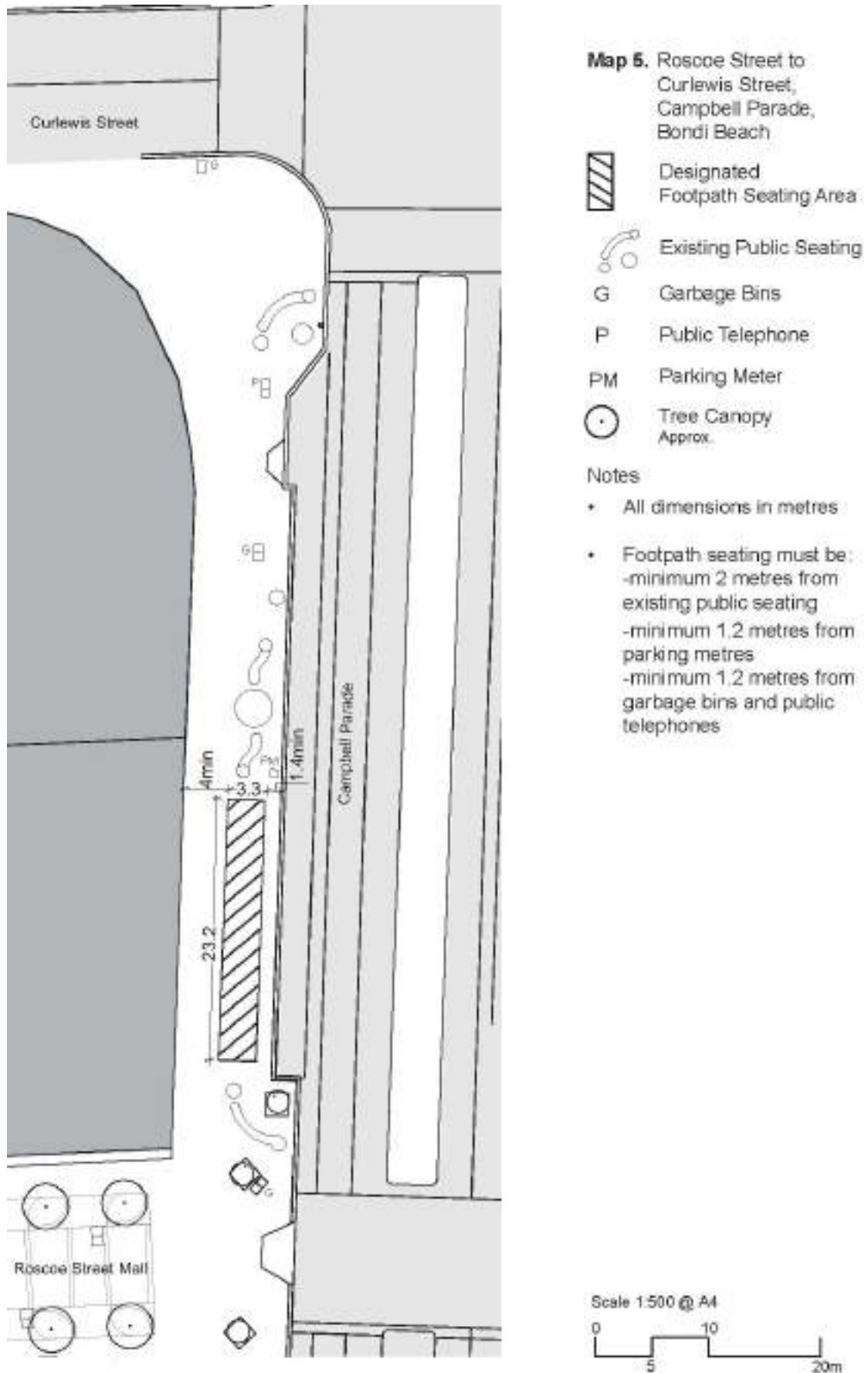
-  Designated Footpath Seating Area
-  Existing Public Seating
-  Garbage Bins
-  Public Telephone
-  Parking Meter
-  Bus Stop
-  Tree Canopy Approx.

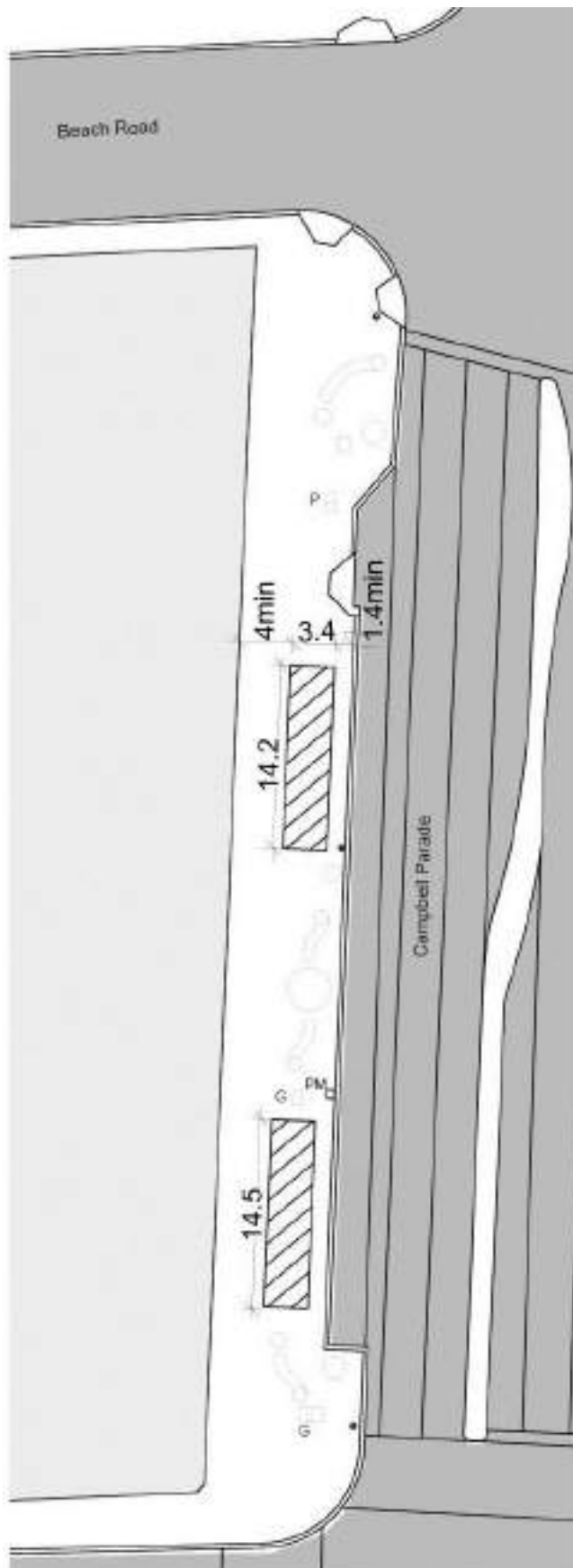
## Notes

- All dimensions in metres
- Footpath seating must be:
  - minimum 2 metres from existing public seating
  - minimum 1.2 metres from parking metres
  - minimum 1.2 metres from garbage bins and public telephones

Scale 1:500 @ A4







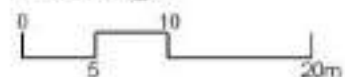
**Map 6.** Curlew Street to Beach Road, Campbell Parade, Bondi Beach

-  Designated Footpath Seating Area
-  Existing Public Seating
- G Garbage Bins
- P Public Telephone
- PM Parking Meter

**Notes**

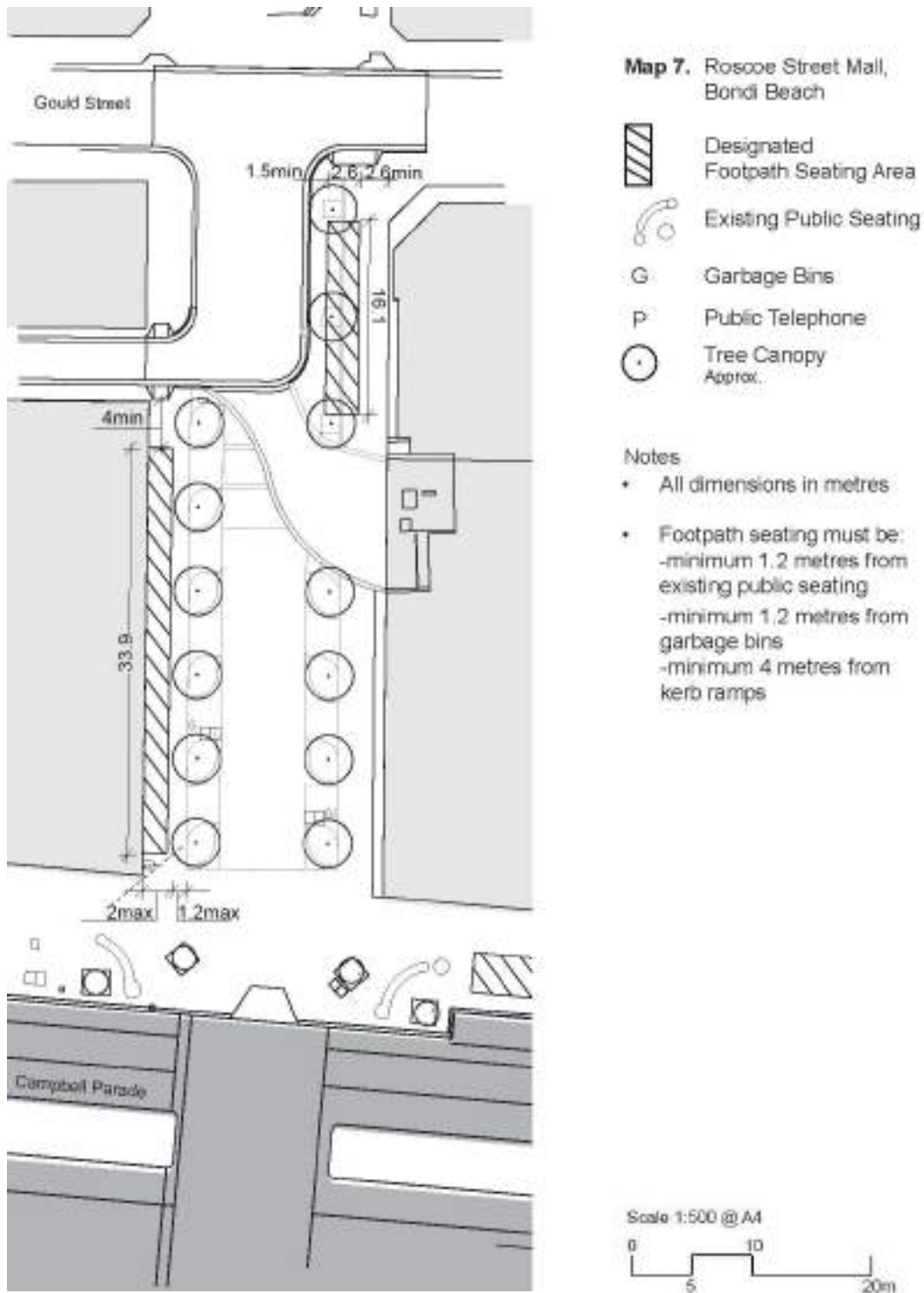
- All dimensions in metres
- Footpath seating must be:
  - minimum 2 metres from existing public seating
  - minimum 1.2 metres from parking metres
  - minimum 1.2 metres from garbage bins and public telephones

Scale 1:500 @ A4



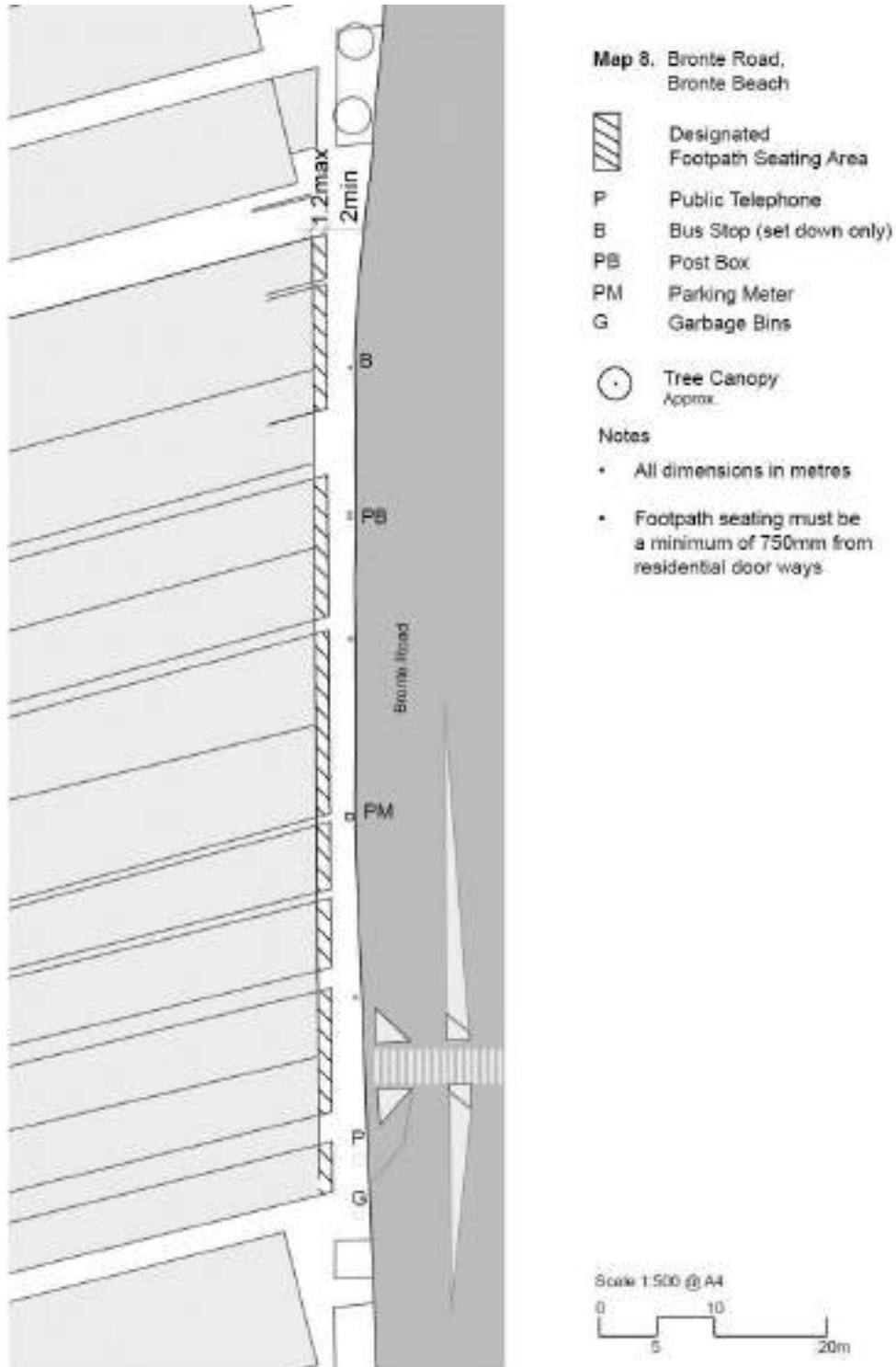
## 3.4.4 Roscoe Street Mall, Bondi Beach

- (a) Roscoe Street Mall is to have a minimum clear pedestrian footpath of 1.2 metres from existing public seating at the Campbell Parade end and 2.5 metres at the Gould Street end as indicated on the designated footpath seating map in Map 7.
- (b) Footpath seating must be a minimum of 4 metres from kerb ramps, minimum of 1.2 metres from garbage bins.



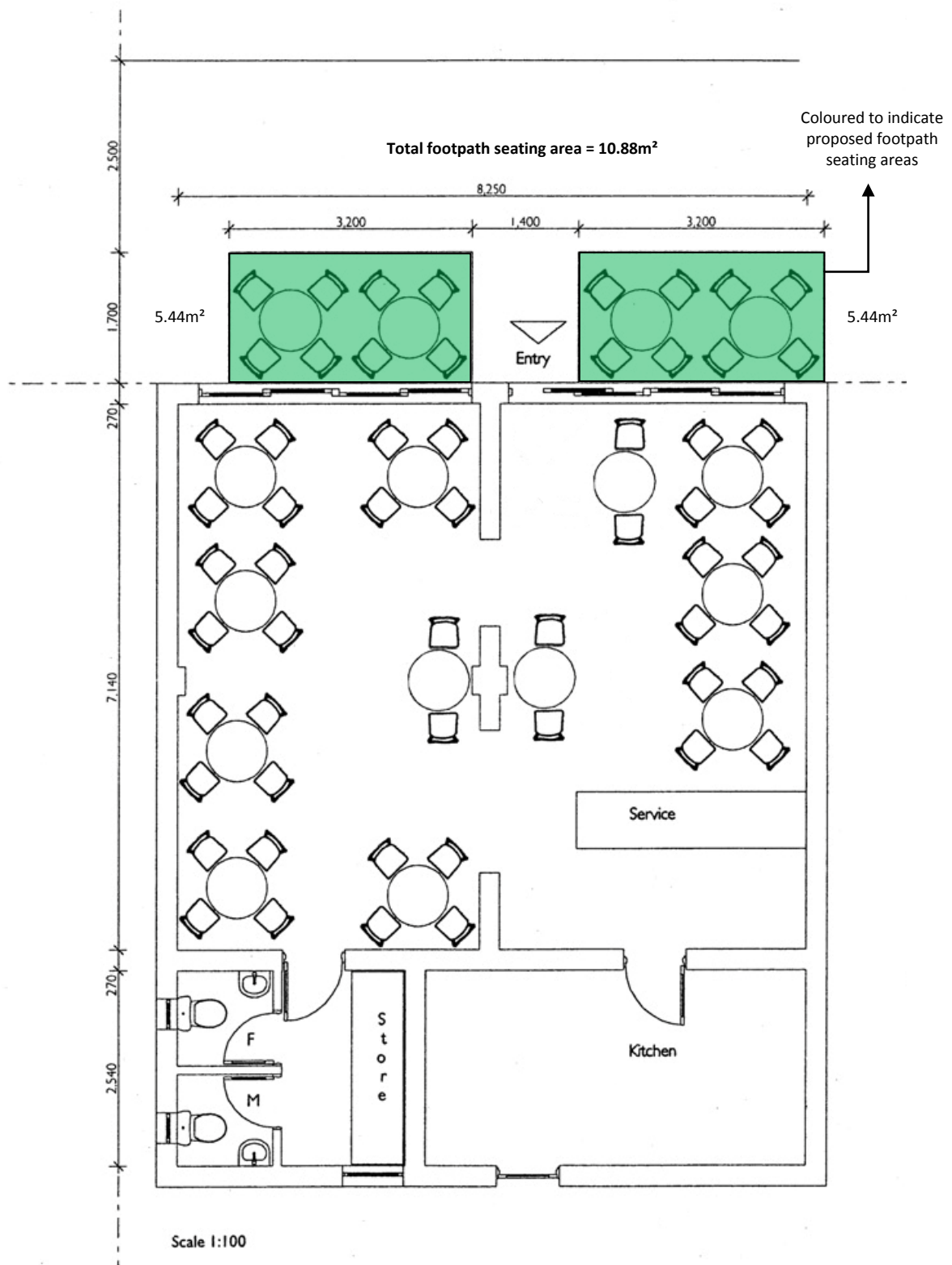
## 3.4.5 Bronte Road, Bronte Beach

- Bronte Road, Bronte Beach is to have minimum clear pedestrian footpath of 1.5 metres as indicated on the designated footpath seating map in Map 8.
- Footpath seating in Bronte Road, Bronte Beach must be located against the shop front.
- Footpath seating must be a minimum of 750mm either side of residential doorways.



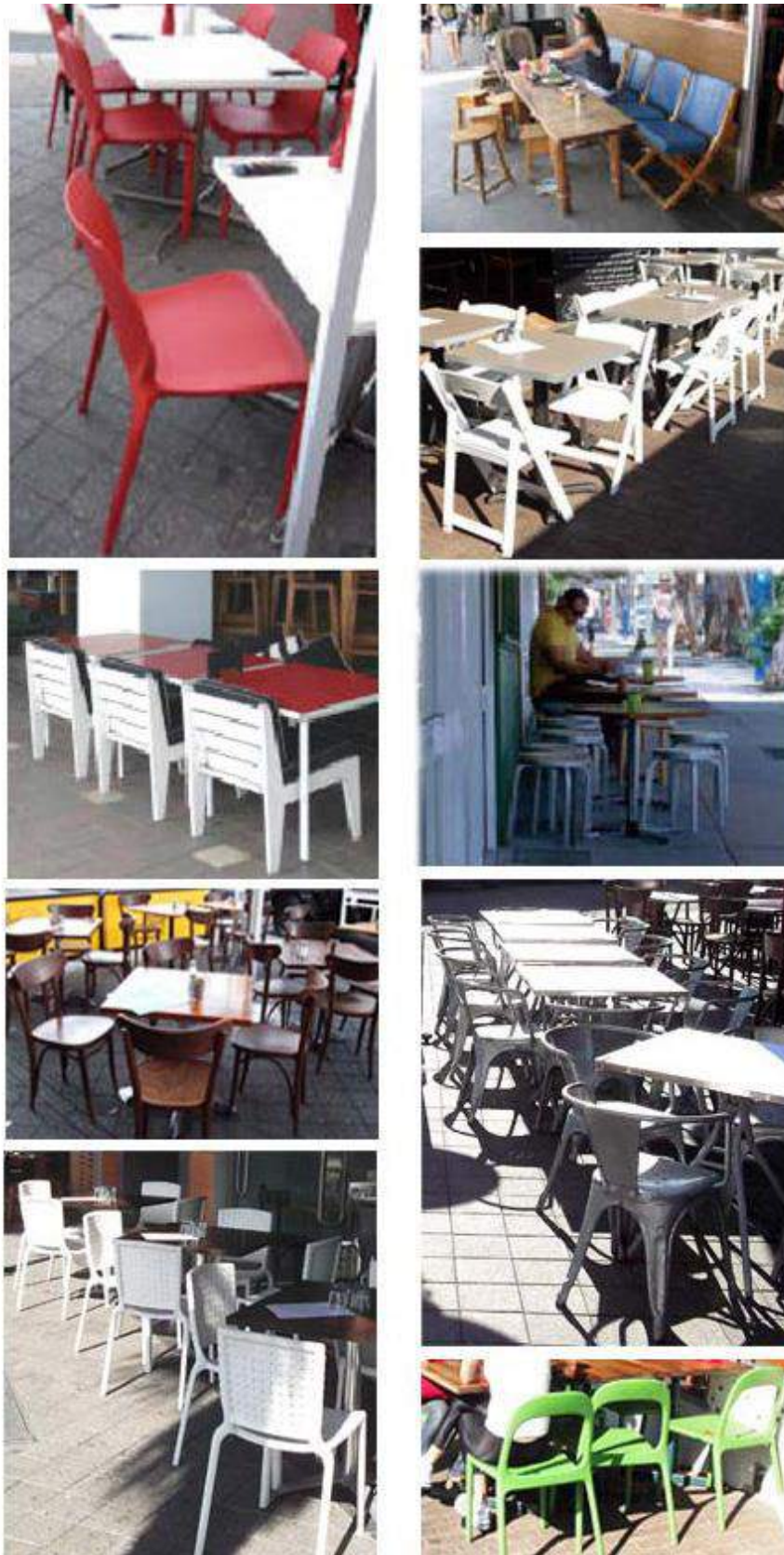
## Annexure D3-1

### Example of a Footpath Seating Application Plan





## Annexure D3-2 Examples of furniture styles







# PART E SITE SPECIFIC DEVELOPMENT

Part E is to be read in conjunction with SEPP 65 – Design Quality of Residential Flat Development and all Type Specific and General provisions in Part B to D of this DCP.

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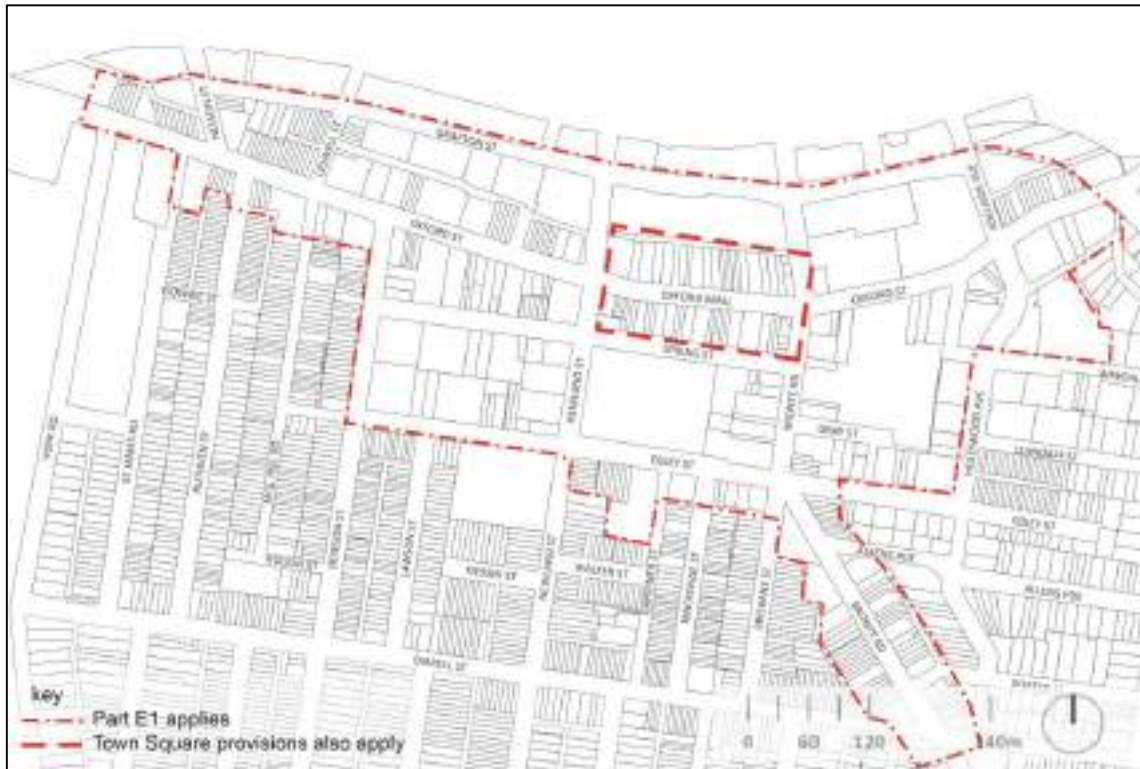
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## E1 BONDJ JUNCTION

### 1.1 INTRODUCTION

This Part applies to land as identified in Figure 1. This Part must be read in conjunction with the Public Domain Technical Manual – Bondi Junction Centre.

Additional provisions specified in Section 1.27 of this Part apply to the Town Square and its vicinity. The area is identified with a dashed line in Figure 1.



**Figure 1** Bondi Junction Centre

## 1.2 URBAN FORM CONTROLS

The built form controls define the way the three dimensional form of buildings is modelled to ensure a vibrant and attractive commercial area responsive to the subdivision pattern, existing built form and the Town Centre's streets.

The desired future urban form for Bondi Junction Centre is block edge building forms with tower buildings above. The block edge building form defines the street space, mitigates harsh wind effects and provides consistency in terms of height and alignment along streets throughout the BJC.

Tower building forms occur in the Bondi Junction commercial zones and are designed to provide higher density development commensurate with Bondi Junction's role as a Major Centre as identified in the Sydney Metro Strategy. Encouraging a small footprint tower building is one of the key determinants of sustainability to facilitate cross ventilation, daylight access and to create diversity within the Bondi Junction Centre skyline.

### Objectives

- (a) To coordinate building massing along streets and across blocks.
- (b) To ameliorate the effects of existing unevenly scaled and massed buildings.
- (c) To mitigate the visual effect of tall buildings on the street.
- (d) To mitigate environmental effects of tall buildings on existing surrounding low scale residential development.
- (e) To ensure the streetscape setting for heritage buildings and other noteworthy buildings are retained and enhanced.
- (f) To construct towers which facilitate cross ventilation, daylight access and to create diversity within the Bondi Junction Skyline.

### Controls

- (a) A lower 2 storey shop front façade is required along Oxford Street and Bronte Road and a 6 storey street wall is required on all other streets.
- (b) Above the block edge form a tower building form is required. This form is to be set back from the street edge and from the front, side and rear boundaries (refer to Figures 11 and 12).
- (c) Towers must be slender so as to:
  - (i) Facilitate cross ventilation;
  - (ii) Provide high quality amenity to occupants of the building;
  - (iii) Encourage view corridors;
  - (iv) Provide greater solar access to public spaces and other buildings;
  - (v) Clearly differentiate between the podium and tower elements.

### 1.3 BUILDING USE

The diversity in shop front activity along streets is an important aspect for creating a diverse and lively Centre. Large scale developments can result in significant lengths of blank facades along streets. Office space at street level can also contribute to a decline in street activity as the level of privacy required in offices can lead to obscured glass and blank facades. These situations are to be avoided. It is important that building use is controlled to ensure street level activity is encouraged and BJC is attractive and lively.

Bondi Junction's primary role is as a Commercial Centre so it is important that residential development enhances rather than replaces commercial space particularly on the lower levels of buildings. Although there is a role for residential development in the BJC, this must not be at the expense of commercial development and employment creation.

#### Objectives

- (a) To encourage high quality commercial development.
- (b) To retain lower levels of buildings for commercial and retail uses.
- (c) To increase the diversity and range of shopping and recreational opportunities for people who live, work and visit the Centre.
- (d) To enhance community safety by increasing activity in the public domain on week nights and on weekends.
- (e) To encourage a variety of mixed use development.
- (f) To minimise conflicts between commercial and residential uses.

#### Controls

- (a) Comply with Figure 2 for Control Drawing Building Use locations.

#### *Primary shopping streets*

- (a) The Ground Floor of buildings along primary shopping streets must be designed and used for retail purposes.
- (b) The First Floor of buildings must be designed and used for commercial purposes but not limited to retail.
- (c) On sites with wider frontages (over 10m) at least 85% of the building frontage is to be associated with retail uses such as entries, display area, café, restaurant and shop floor.
- (d) On sites with narrow frontages (under 10m) at least 70% of the building frontage is to be associated with retail uses such as entries, display area, café, restaurant and shop floor.
- (e) Entries to residential buildings cannot take up more than 15% of the buildings frontage at street level (for wider building frontages over 10m) and 30% of the building frontage at street level (for narrow frontages under 10m).

#### *Secondary shopping streets*

- (a) The Ground Floor of buildings located on secondary shopping streets must be designed and used for commercial purposes. Retail uses are preferred.
- (b) Entries to residential buildings cannot take up more than 30% of the buildings frontage at street level.

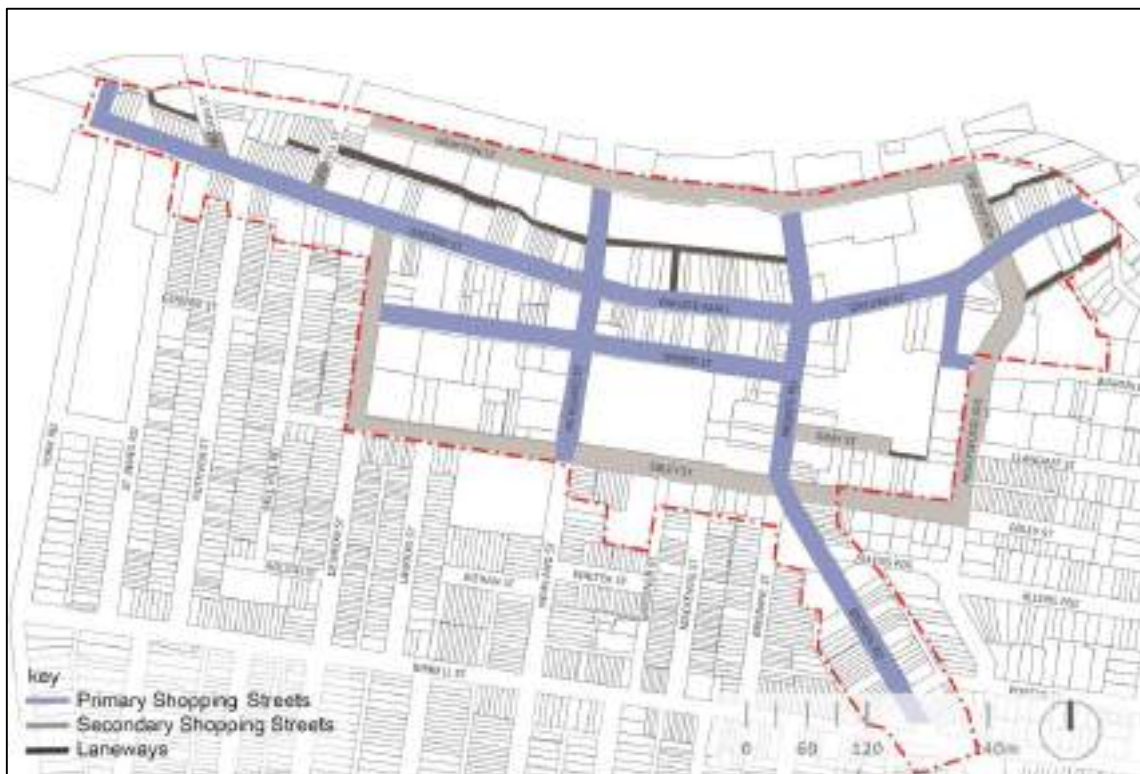
### *Laneways*

Retail and commercial frontages are encouraged along laneways where possible.

### Arcades, squares and through site links

- (a) The Ground Floor must be designed and used for retail purposes.
- (b) The First Floor must be designed and used for commercial purposes.
- (c) Residential entries cannot take up more than 15% of the frontage.

Arcades and through site links should be grand in scale and form with high visibility and direct connectivity to streets or lanes, rather than be dark single-storey connections with low ceiling heights. They should encourage better pedestrian access whilst supporting pedestrian desire lines (refer to Figure 2).



**Figure 2** Control Drawing Building Use

## 1.4 SUBDIVISION

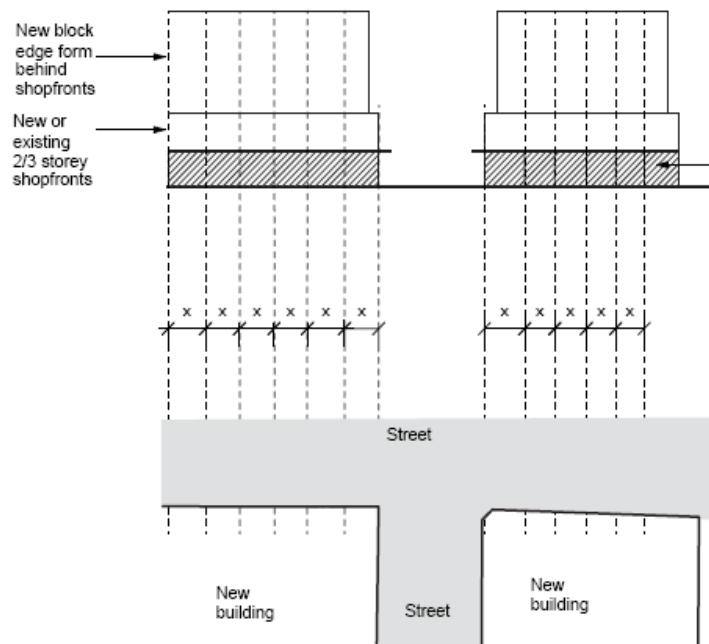
Subdivision and the associated building form that it generates determine the character of urban places. In Commercial Centres a mixture of small allotments and larger amalgamated sites help to create diversity within the centre. Subdivision helps define what is private and public, maintaining streets and laneways for access, connection and movement. Retaining or reinforcing the small allotment size is important to retaining human scale along the street.

### Objectives

- (a) To reinforce the expression of small lot subdivision pattern in building form.
- (b) To enrich the character and diversity within the centre.
- (c) To encourage a human scale in building design.
- (d) To encourage a diversity of shop fronts along streets.
- (e) To encourage the highest and best use of land along shopping streets.

### Controls

- (a) Retaining the small lot subdivision pattern which reflects the original shop fronts along streets in the Bondi Junction Centre is encouraged on lots
- (b) Where this cannot occur due to amalgamation, the design of building elevations is to interpret the small lot subdivision pattern along the street front on lots (refer to Figure 3).
- (c) The design of building elevations on lots is to generally use a 6m grid. This 6m grid can be varied by +/- 2m in order to match an existing grid of an existing building or lot.
- (d) Comply with Figure 4 for small lot subdivision locations.



**Figure 3** Interpretation of the patterns of small lot fronts





## 1.5 HERITAGE AND BUILDINGS OF HISTORIC CHARACTER

Heritage items can consist of diverse elements such as parks, beaches, headlands and trees. These, together with buildings and other manmade structures contribute to Waverley's distinctive character. In the commercial area there are; heritage items and heritage conservation areas; archaeological items and area; townscape items; landscape items and area; and urban area. All heritage items and heritage conservation areas are identified in WLEP 2012.

### Objectives

- (a) To ensure buildings of historic character and remaining original shop fronts are retained or reinterpreted.
- (b) To retain the streetscape setting of sites and buildings of historic, architectural and aesthetic significance.
- (c) To recognise the opportunities for heritage sites and contributory buildings to inform streetscape character.
- (d) To ensure developments in or adjacent to conservation areas retain and enhance the conservation values of that area.

### 1.5.1 Buildings of historic character

#### Controls

- (a) Lots identified with buildings of historic character are to retain as a minimum the facade (for a depth of 2m) of the building or preferably the whole building (refer to Figure 5).
- (b) Where a facade cannot be retained the new buildings are to interpret the scale, facade modelling including the location and percentage of glass to solid wall and the vertical and horizontal proportions of the existing building.
- (c) Where the building form, detailing or use of individual buildings of historic character have been inappropriately altered and changed, any application to upgrade or re-use the buildings must clearly demonstrate that the architectural and streetscape value of the building will be enhanced by the proposal.
- (d) Any application to demolish an identified building of historic character must clearly demonstrate that a replacement building will possess equal or higher quality contributory value regarding streetscape, character, architectural design and material quality.
- (e) New development adjacent to buildings of historic character must have facades sympathetic in vertical and horizontal proportions and alignments.
- (f) New buildings adjacent to buildings of historic character or heritage items should display proportions respectful of and build upon proportions similar to adjoining streetscape and forms.
- (g) New buildings adjacent to buildings of historic character or heritage items should draw on the predominant pattern of the streetscape. They are to be open & glazed at street level, have emphasis toward a singular enclosed building form at upper levels and be capped by a lighter more articulated element.





**Figure 5** Buildings of historic character

#### **Facades**

- (h) Original facade elements above awning level such as windows, parapets, balconies and ornamental detailing should be retained where possible.
- (i) Consistency should be achieved through; parapet height, string course both at parapet level, window proportions (sill and lintel height), awning height, fenestration and balcony elements, facade depth and modelling (refer to Figure 6).

#### **Height**

- (j) Match the streetscape proportions and scale of the heritage or contributory building facade.
- (k) The height of the building at the facade shall take into consideration existing parapets and other facade details of established surrounding development.
- (l) The height of awnings of heritage or contributory building should correspond to the surrounding area.

#### **Materials**

- (m) Ensure there is a positive integration of contemporary prefabricated building materials. Using materials similar to or compatible with the existing context (generally rendered or painted masonry).

#### **Windows**

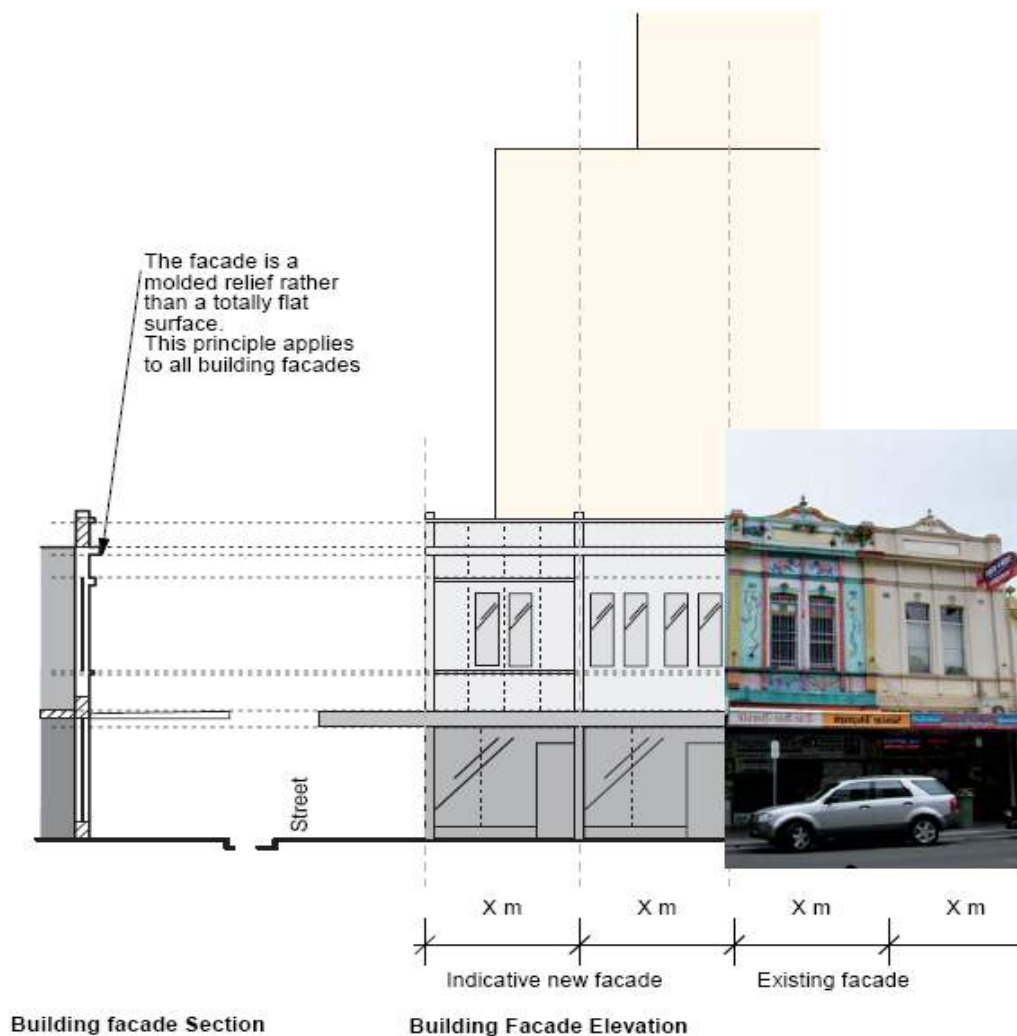
- (n) When restoring a facade that has been subject to substantial alterations over time, look to similar examples in the street to determine correct window proportion, style and materials.
- (o) Ensure the window area is proportionate to the wall mass.
- (p) Prefabricated aluminium windows will not be appropriate.

## Awnings

- (q) Existing box section awnings, cantilever, or suspended by tie rods, should be retained. New awnings should match the form of adjacent awnings and maintain the same alignment.
- (r) Pitched or domed awnings of plastic, glass or canvas construction are not permitted.

## Colour

- (s) Achieve a sympathetic juxtaposition of colour on adjacent building forms and ensure that a row of shops which are homogeneous or symmetrical in style adopt a uniform tonal distribution over the facade without limiting individual colour expression on each shop.



**Figure 6** Interpretation of buildings with historic character

### 1.5.2 Streets with Heritage and Buildings of Historic Character

#### Objectives

- (a) To ensure that the scale of existing height of original 2/3 storey shop fronts is retained along streets.
- (b) To enhance the streetscape setting adjacent to heritage sites.
- (c) To retain and reinforce a pedestrian scale to streets.
- (d) To encourage ongoing adaptive re-use of buildings of historic character.

#### Controls

- (a) New buildings on lots with frontages identified in Figure 7 are to have a 2/3 storey façade along the street and are to be built to the street alignment.
- (b) Balconies to the street facade are to be recessed behind the principle building facade.
- (c) Open spaces and external building forecourts at street level are discouraged on streets with heritage buildings.
- (d) New building on lots with frontages identified in Figure 7 should be designed in accordance with the subdivision controls in Part E1.4.



**Figure 7** Building elevation in streets with heritage

## 1.6 ACTIVE STREET FRONTAGES

The design of building frontages along the street is one of the most critical elements in ensuring the centre is an active and vibrant commercial area. Active frontages are at Ground Level (the first level building elevations are also desirable) and include internal building spaces that have direct pedestrian access to the street and provide Town Centre activities. These activities include civic, community or entertainment. Active frontages do not include residential although foyers or entries to residential buildings can make up a small proportion of active frontages.

Active frontages have a high level of connection both physically and visually. Active frontages are one or a combination of the following: shop fronts, cafe or restaurant if accompanied by an entry from the street, pedestrian entrances to retail premises, upper level uses, pedestrian entries or forecourts to buildings, commercial and residential lobbies.

### Objectives

- (a) To promote pedestrian activity and safety in the public domain
- (b) To provide a high degree of surveillance over the street.
- (c) To provide transparency and visual contact between the street and the building's interior.
- (d) To facilitate future adaptability and flexibility of uses.
- (e) To ensure that all streets have active commercial frontages.
- (f) To maximise the amount of active frontages throughout the BJC.
- (g) To create a 'public face' for buildings to enhance the character of streets.

### Controls

#### *General Controls*

- (a) Locate ground levels at grade with finished footpath levels.
- (b) Provide clear glazing to windows and doors from floor to ceiling at ground level. The sill height may not be more than 500mm above adjacent street paving. Obscured glazing is not acceptable.
- (c) Reinforce corner frontages on primary shopping streets with shop or office front windows. Splayed corners or entries on corners are discouraged.
- (d) Openable shop fronts for restaurants or cafes and the like are encouraged.
- (e) Outdoor restaurants, cafes and the like are encouraged.
- (f) First level active frontages are encouraged.
- (g) The installation of roller shutters is not permitted.

#### *Primary Shopping Street Frontages*

- (a) Active frontages are to occur at ground level along all primary shopping streets (refer to Figures 8 and 9).
- (b) Acceptable uses for primary shopping frontages include; retail or the entry area to an entertainment or civic building, the entry area of residential or commercial premises.
- (c) One door (into entertainment, civic, community, commercial or retail uses) per preferred 6m (max. 10m) length of street frontage must be provided.
- (d) Not more than 10% of the street frontage on a lot can have blank walls or service areas (excluding structure, columns and beams).

- (e) Commercial and residential lobbies if accompanied by an entry and occupying less than 10% (or the minimum requirements according to the National Construction Code) of the buildings street frontage can front the street.
- (f) No less than 90% of the building is to be aligned to the street boundary for ground and first level.
- (g) Active uses on levels that are setback are encouraged to look over the street, particularly on corner sites.
- (h) Retail uses are to have a minimum depth of 10m when measured from the street facade.
- (i) "Active Street Frontages and Address" for the development of the Town Square and its vicinity are additionally specified in Section 1.27.5 of this Part.

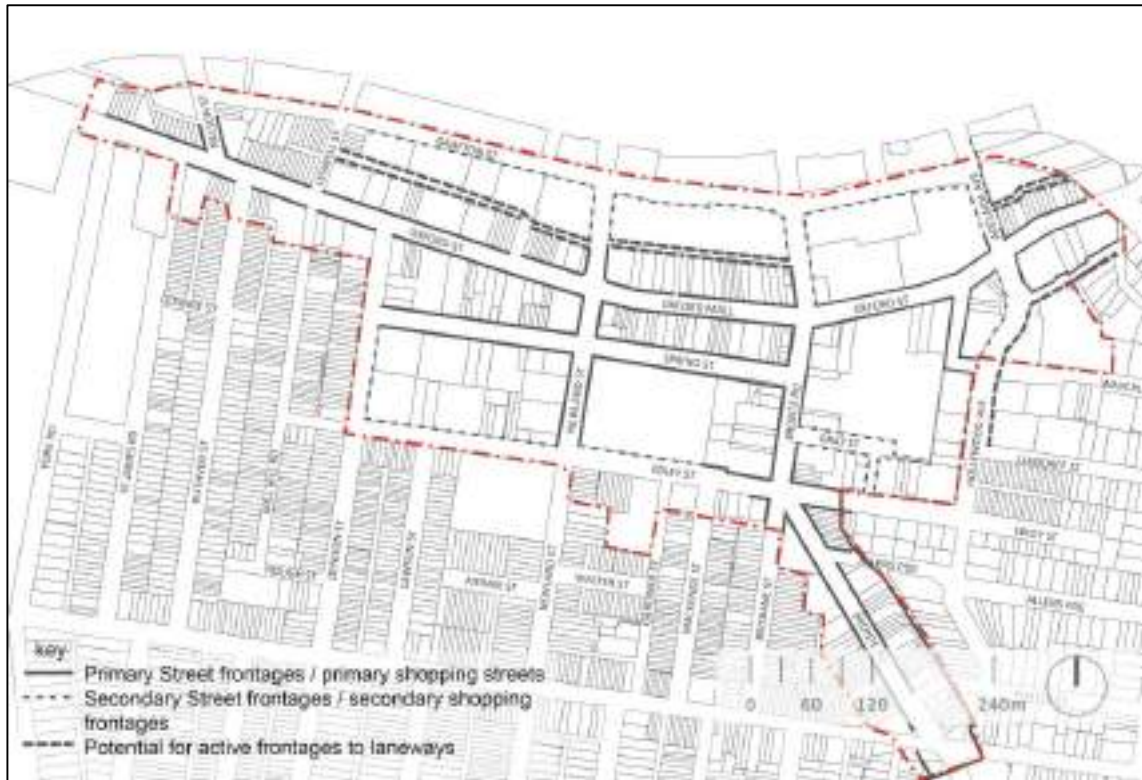
## *Secondary Shopping Street Frontages*

- (a) Secondary shopping street frontages are indicated in Figure 8.
- (b) One door (into entertainment, civic, community, commercial or retail uses) is preferred per 6m to 10m of street frontage (refer to Figure 9).
- (c) At least 50% of the frontage is to be associated with retail uses; access and display areas. The other 50% can be other types of commercial uses such as offices or cafes and restaurants.
- (d) Not more than 15% of the street frontage can have blank walls or service areas (excluding structure, columns and beams).
- (e) No less than 80% of the building is to be aligned to the street.
- (f) Active uses on levels that are setback are encouraged to have active uses looking over the street, particularly on corner sites.

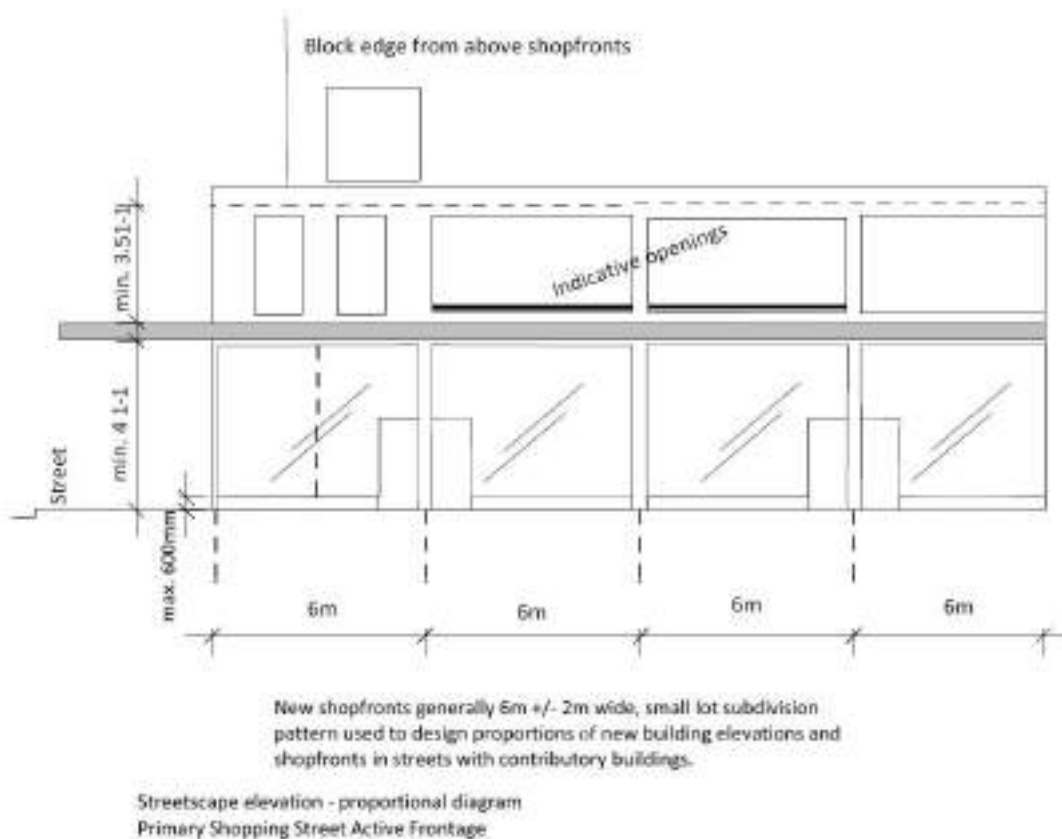
## *Arcades, squares and through site links*

- (a) The arcades, squares and through site links identified in Figures 8 and 30 must have active frontages.
- (b) Acceptable uses include; predominantly retail, entries to entertainment or civic buildings or commercial premises. Max 15% of the frontage can be the entry to a residential premise.
- (c) One door per preferred 4m (max. 8m) length of street frontage must be provided.
- (d) 95% of the frontage is to be associated with retail uses: access into the building, display area, café and restaurant areas.
- (e) Not more than 10% of the frontage can have blank walls or service areas (excluding structure, columns and beams).





**Figure 8** Location of active frontages



**Figure 9** Primary street

## 1.7 STREET ALIGNMENT AND FRONT SETBACKS

Streets with buildings aligned to one another and to the street edge is a key characteristic of commercial centres. This is an important ordering principle and results in:

- **Definition of the public domain and visual order:** Ensuring all buildings in a street align, provides unity of building forms to give greater emphasis to the public space of the street rather than to individual buildings;
- **Active spaces:** Building to the street alignment helps to bring the public uses inside the building and on the street closer together so that the spaces are accessible and visible for pedestrians;
- **Territory and security:** A consistent alignment helps reduce the occurrence of niches or small spaces which can be unsafe at night and ambiguous in terms of whether they are public or private; and
- **Create pedestrian scaled spaces:** Building to the street alignment provides enclosure to the street and a sense of intimacy between buildings and the public domain. The remaining original narrow lot shop fronts align to the street edge and have human scale.

### Objectives

- (a) To enhance streets as the commercial and civic space for the centre.
- (b) To provide easy and legible pedestrian access ways and entrances into buildings.
- (c) To create consistent and unified building elevations along streets.
- (d) To improve the quality of the public domain.
- (e) To ensure building facades create a human scale to the street.
- (f) To define the space of public streets and other public spaces such as squares and parks.
- (g) To maximise safety within public places.

### Controls

#### *General Controls*

- (a) Buildings are to have front elevations aligned to the street boundary with setbacks in accordance with Figures 10-12.
- (b) Situations where a variation to building in alignment with the street boundary may occur includes where the building is adjacent to a heritage building that may have a curtilage, setback or important building elevation facing the side boundary. In such cases site specific heritage information is consulted, or for a public building to create a forecourt.
- (c) Open spaces at the street front for private buildings are not permitted.
- (d) "Street Alignment, Street Setbacks and Street Frontage Heights" for the development of the Town Square and its vicinity are additionally specified in Sections 1.27.1 and 1.27.2 of this Part.

#### *Calculation rules*

- The front setback is measured from the lot boundary along the street to the outer most edge of the building elevation (not the garage or car parking area).

- Setbacks are measured at 90 degrees to the lot boundary and include any articulation to the building elevation as well as including roofed or external living areas.
- This setback is not a minimum or maximum distance but rather the building is to be built along the alignment of the front boundary setback.

*Two/three storey shop front facades*

- (a) Corner sites are to be built to both street alignments.

*Block edge Building Forms- Second floor to Ceiling of fifth floor*

- (a) Development in streets with heritage buildings are to include a minimum 6m setback to built form above the street wall (refer to Figure 12).
- (b) Developments on all other lots are to have front building elevations built to the street alignment to a maximum of 6 storeys block edge development built to the street boundary (refer to Figure 11).

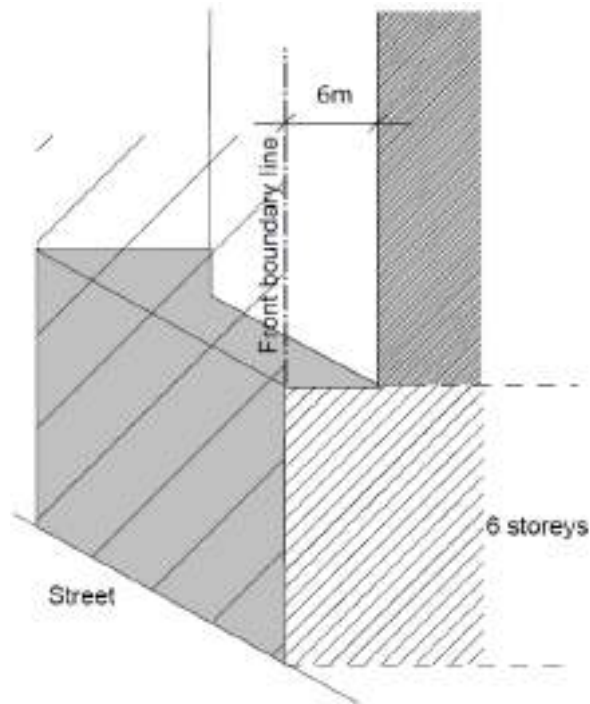
*Tower building forms – Sixth floor and above*

- (a) Tower building forms are to be set back a minimum of 6m from the street wall, are to be parallel to the street boundary and oriented to the front and the rear boundary.

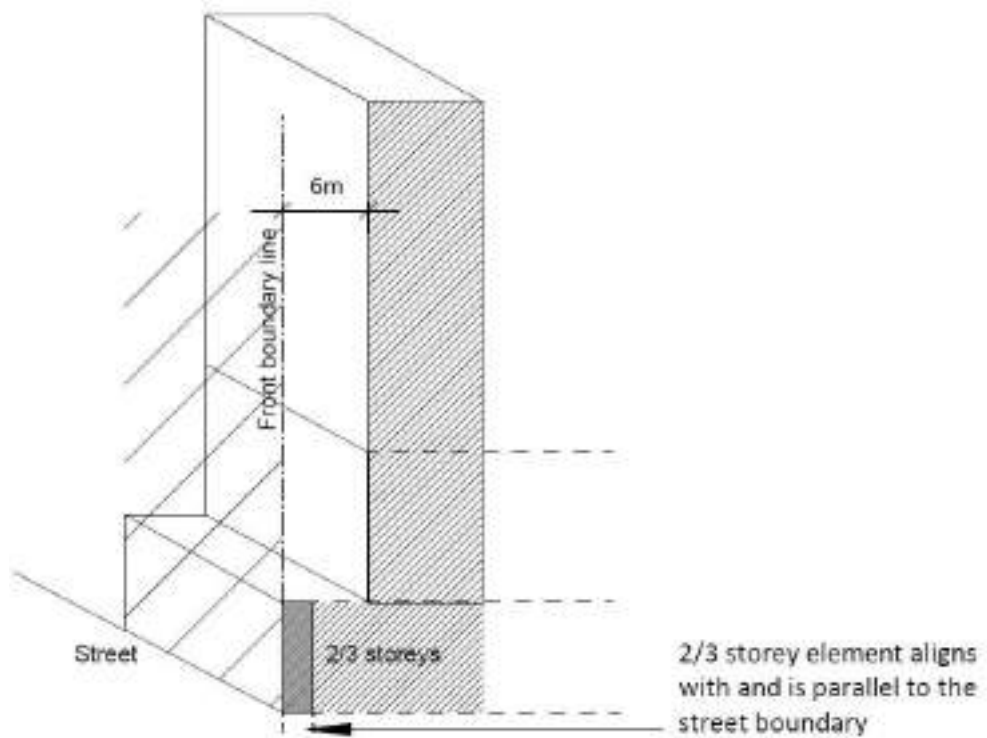


**Figure 10** Control Drawing Building to the street alignment.

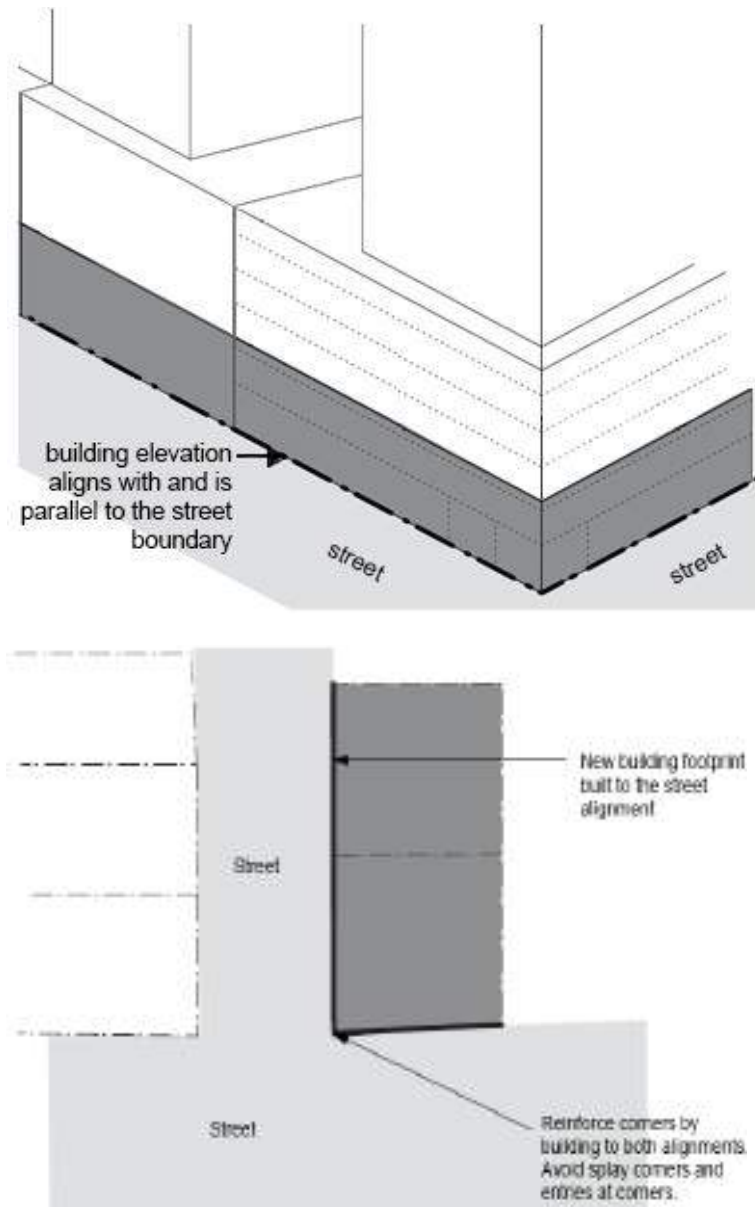




**Figure 11** Setbacks from the street: buildings in street without heritage



**Figure 12** Setbacks from the street – buildings in streets with heritage



**Figure 13** Control diagram: corner sites

## 1.8 SEPARATION

Achieving adequate separation distances between the windows of living areas of residential buildings and the windows of working areas of commercial buildings are important considerations when building in an existing and established area. Separation ensures that both existing and new residents can enjoy privacy both to internal and external spaces as well as access to sunlight and outlook.

### Objectives

- (a) To provide amenity and liveability for new buildings.
- (b) To protect the amenity of existing buildings.
- (c) To facilitate visual and acoustic privacy between buildings.
- (d) To facilitate light and air to buildings.

### Controls

#### *General Controls*

- (a) Generally buildings are to be oriented (refer to Calculation Rules - Separation) to the front and rear boundaries.
- (b) Where neighbouring sites have no buildings or have not been redeveloped side setback controls are to be used.

#### *Ground floor to fifth floor*

- (a) Avoid orienting buildings to the side boundaries.
- (b) Windows cannot be located or oriented to the side boundary for a distance of 8m from the front boundary to ensure that there is a continuous building frontage along the street.
- (c) Where existing buildings occur separation distance may be used instead of boundary setbacks in order to ensure distances for privacy and amenity for existing buildings are retained.
- (d) Zero side setbacks can occur when no windows exist.
- (e) Separation between residential and residential (refer to Figure 14).
- (f) Separation between mixed use and commercial (refer to Figure 15).
- (g) Separation between commercial (refer to Figure 16).

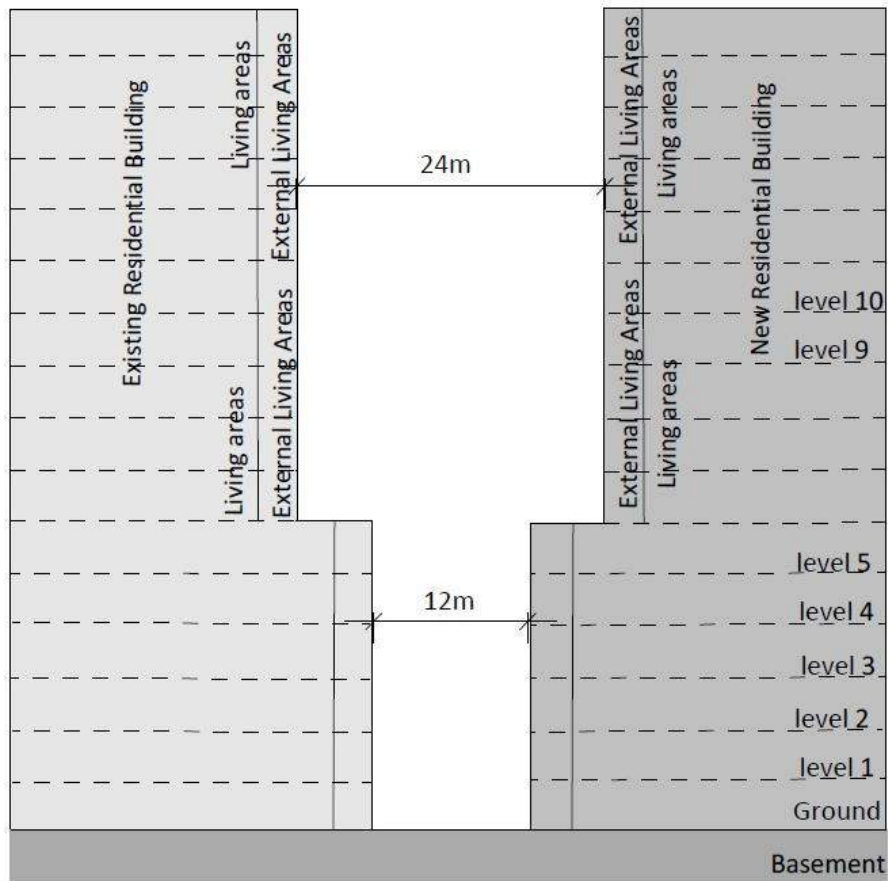
#### **Calculation Rules - Separation**

**Building orientation** refers to the direction of the external face of the building that provides the primary source of light, air and outlook to both residential uses (living room windows/doors and external living areas) and commercial uses (office or shop windows).

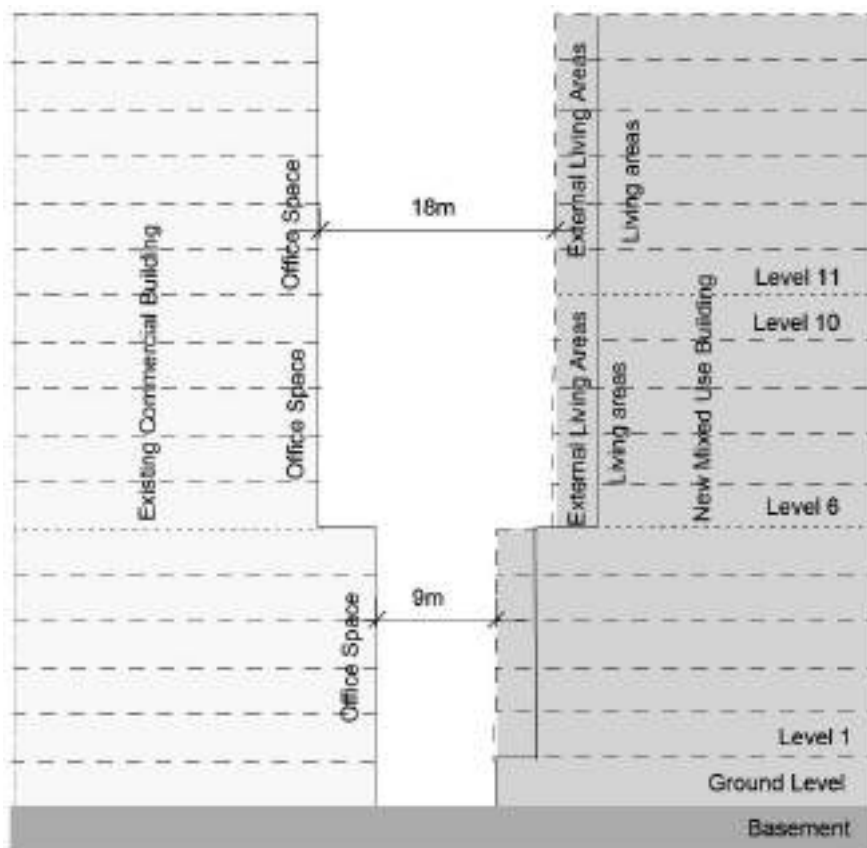
The measurement is to be taken from the windows/doors of the living room that give the rooms its primary source of outlook, light and air. Living areas include living rooms and external living areas such as balconies and terraces. For an external living area the measurement is taken from the outermost point of the balustrade.

**Primary windows:** For living rooms that have more than one orientation, the orientation that provides the primary source of light, air and outlook is only required to be used and is described in the controls as primary windows.

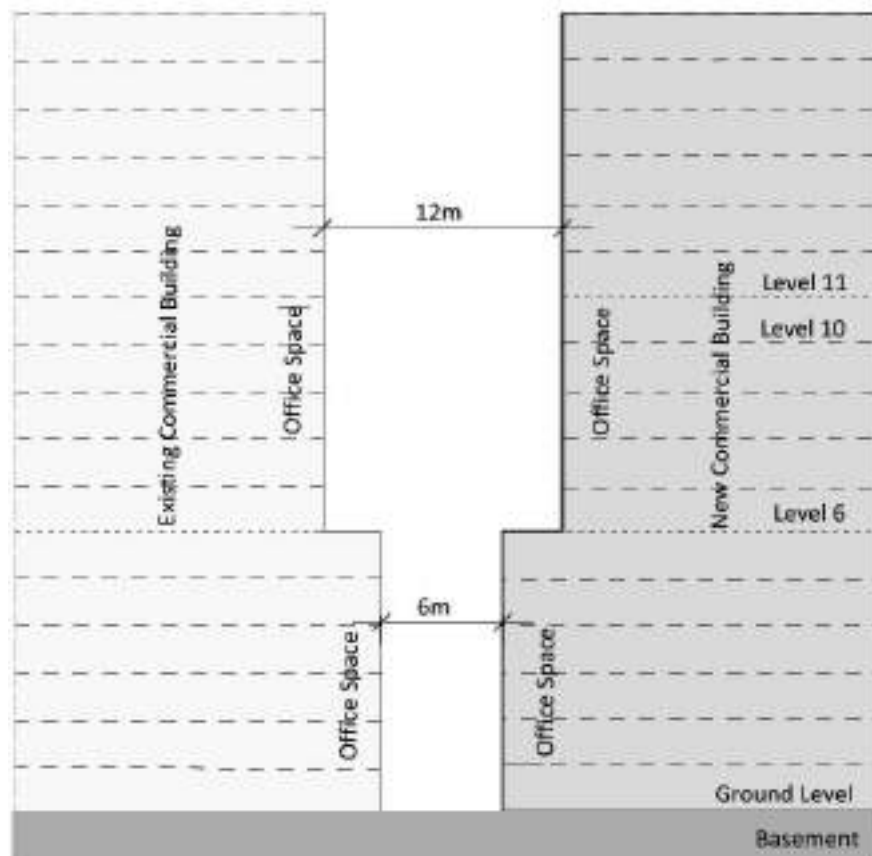
**All other windows:** includes bedroom windows and windows to non-habitable rooms. Living rooms that have a second orientation can also provide outlook, light and air to the room but in the case that greater privacy is required these windows/doors can be of opaque material, fixed, shaded or smaller in size.



**Figure 14** Minimum distances between residential living areas



**Figure 15** Separation distances between residential living areas and commercial uses



**Figure 16** Separation distances between commercial uses

## 1.9 SIDE AND REAR BOUNDARY SETBACKS

Side setback controls are to be used when a site does not have neighbouring buildings with windows facing the side boundaries. Developments will need to consider the position of existing windows and use separation distances to ensure that the orientation of neighbouring buildings are taken into account.

### Objectives

- (a) To define the street space.
- (b) To facilitate visual and acoustic privacy between buildings.
- (c) To facilitate light and outlook.

### Controls

#### *Side Boundary Setbacks*

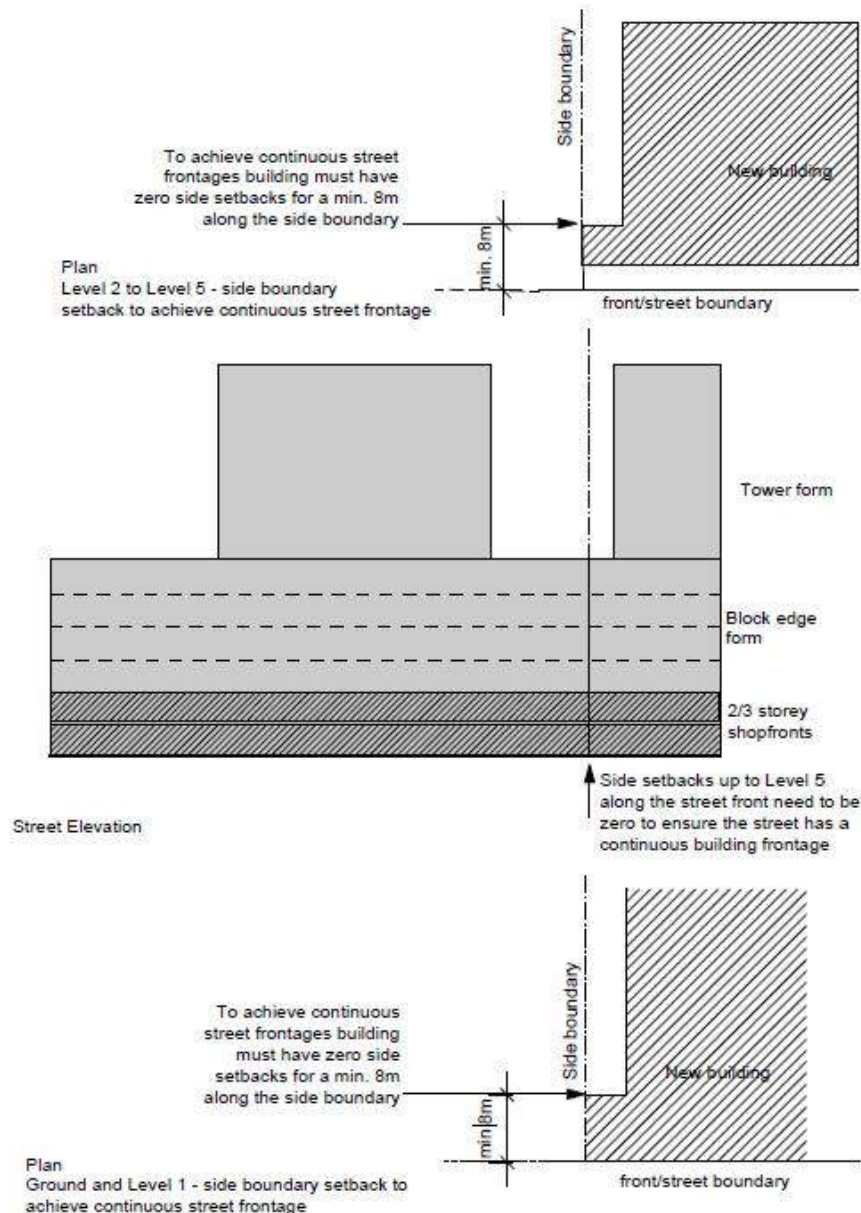
- (a) In new developments where internal and external living areas face the side boundaries setback distances must be met. Where a new development is located next to an existing building that has internal and external living areas facing the side boundaries separation distances must be achieved by the new development (refer to Figure 17).
- (b) Avoid orienting living areas to the side boundaries where possible.

#### *Block edge building forms - Ground floor to ceiling of fifth floor*

- (a) The block edge building form is to be orientated generally to the front and the rear boundaries however where windows face the side boundaries the following setback distances apply:

<b>9m min.</b>	Primary windows of living areas/balconies
<b>4.5m min.</b>	All other windows
<b>3m min.</b>	All other windows on small sites (24m wide or smaller)

- (b) Sites that do not have windows of neighbouring buildings looking onto the site can have zero side boundary setbacks for a distance from the front boundary of min. 8m to achieve a continuous frontage along the street.
- (c) Sites adjacent to buildings that have windows looking onto the side boundaries are to ensure that separation distances are met.

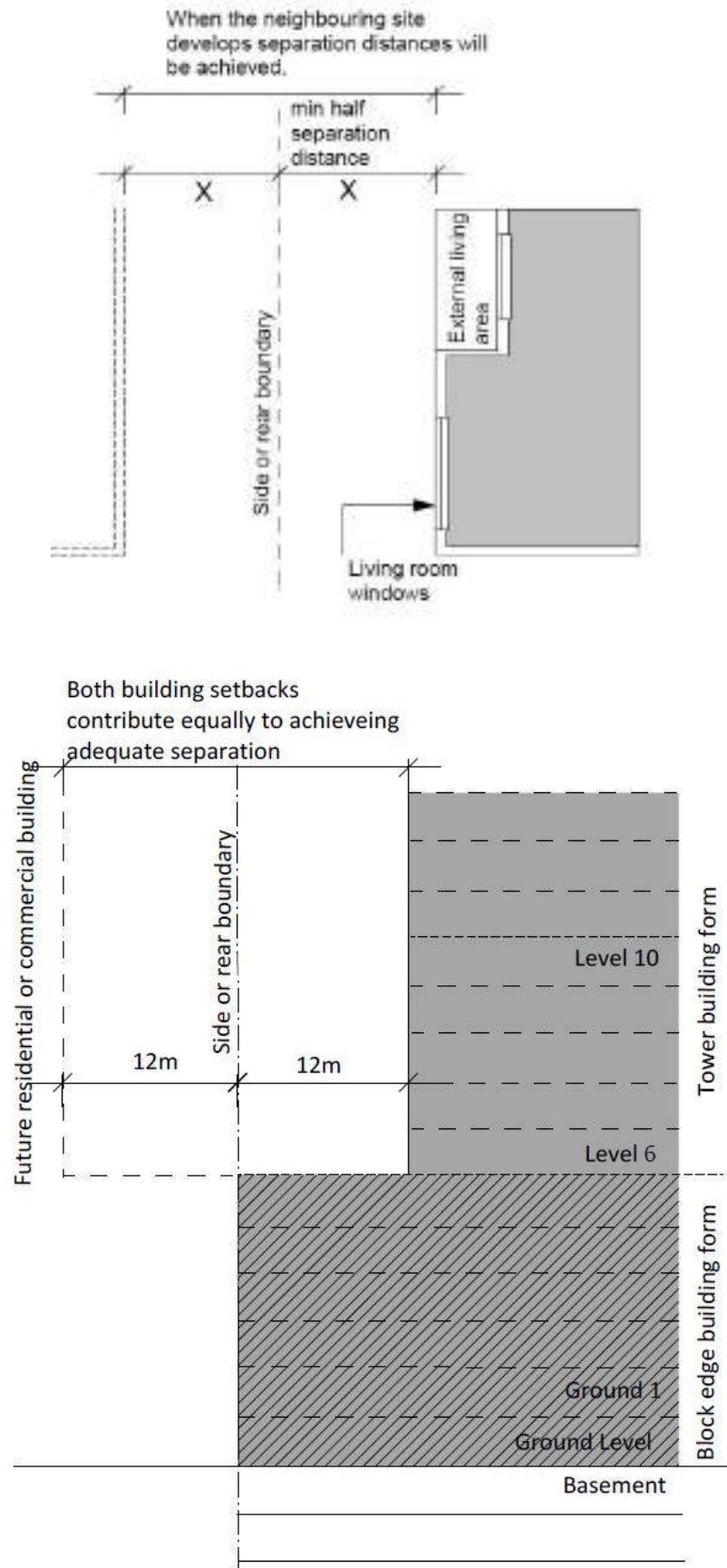


**Figure 17** Side boundary setbacks close to the street front

*Tower building forms – Sixth to ninth floor and above*

- (a) Sites adjacent to buildings that have windows looking onto the side boundaries are to ensure that separation distances are met (refer to Figure 18).
- (b) In all other instances the side setback is to ensure separation distances can be achieved in expectation that the neighbouring site will be developed in the future. This is to be achieved by providing setback distances half that of separation distances.





**Figure 18** Side and rear boundary setbacks without overlooking by neighbouring buildings



*Block edge building forms- Ground Floor to ceiling of fifth floor*

- (a) On lots with rear laneways the rear boundary setback can be zero if separation distances are met. The laneway can be included in the separation distance (refer to Figure 19).
- (b) Sites that have the windows of neighbouring buildings looking onto the site are to ensure that the separation distances are met.
- (c) Sites that do not have existing building windows looking onto the site are to achieve setback distances half that of separation distances required. This can include a rear laneway.

*Tower building forms – Sixth floor upwards*

- (a) Sites that have existing building windows looking onto the site are to ensure that the separation distances are met (refer to Figure 19).
- (b) Sites that do not have existing building windows looking onto the site are to achieve setback distances half that of separation distances required, this can include a rear laneway.

**Calculation rules**

- *Side setbacks are measured from the lot's side boundary to the outside edge of the building elevation. Setbacks are measured at 90 degrees to the lot boundary and are measured to the outer most edge of the building elevation including balconies, terraces and porches.*
- *Rear boundaries may be either on a laneway or where two lots back onto one another.*
- *Lots that extend from street to street do not have rear boundaries but rather have two street frontages.*
- *Side and rear setbacks are measured to the outermost part of the buildings elevation i.e. edge of balconies rather than the glass line.*

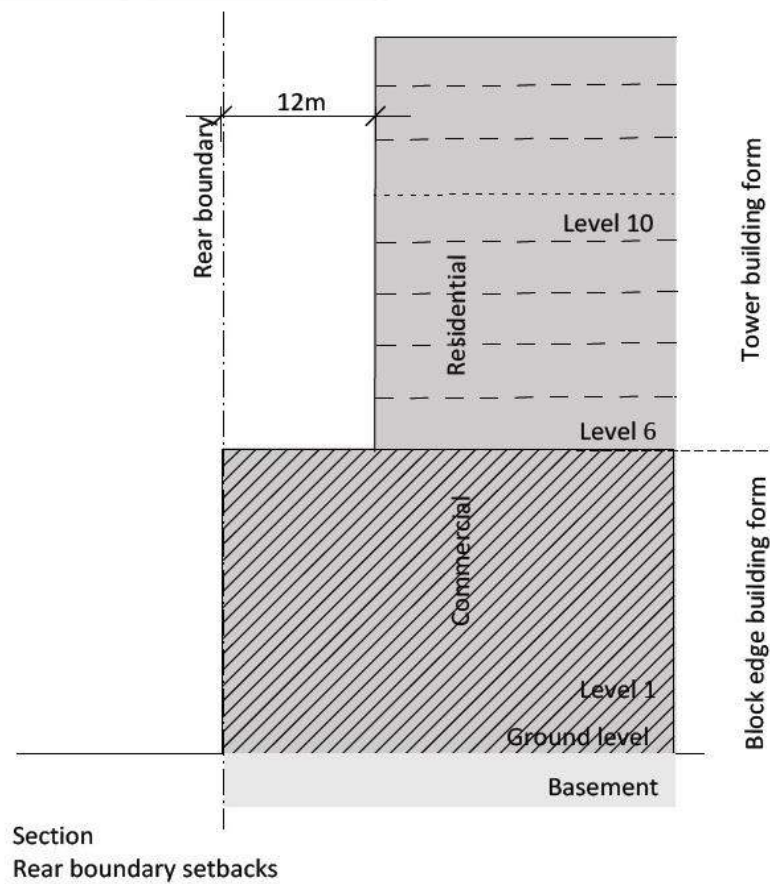
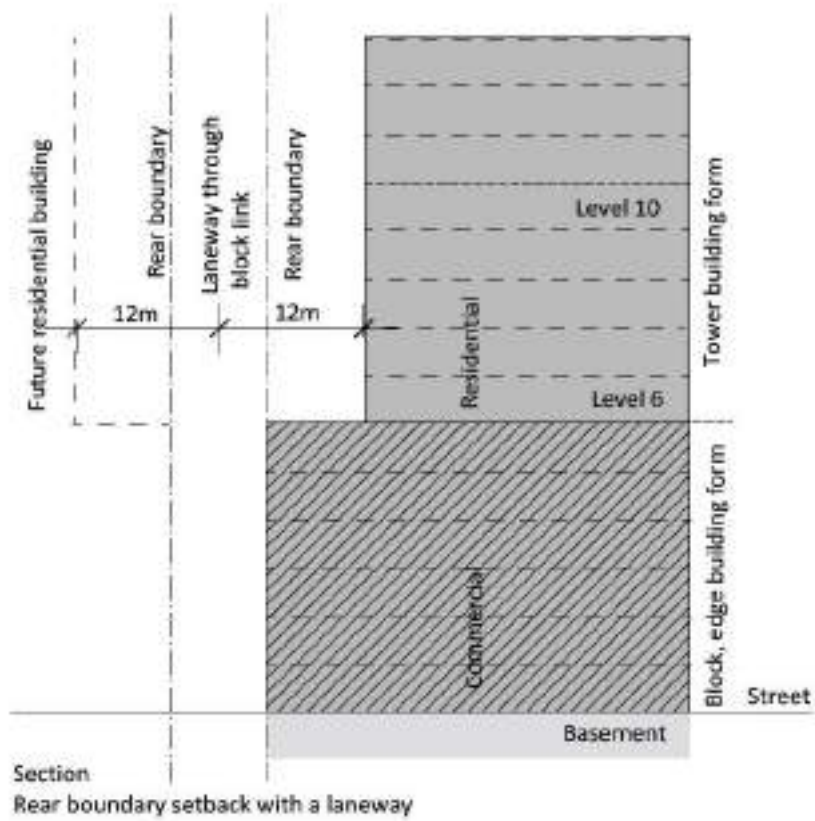


Figure 19 Rear setbacks

## 1.10 BUILDING FOOTPRINT

A building footprint is a two dimensional area designed to provide useable floor areas and to set the extent of a building in relation to the site boundaries. It defines the width and depth of the overall buildable area within which a future building is to be located.

Building footprint provides the appropriate location and alignment of future development in relation to the street layout, block and lot size in a particular location. Building footprint is used to control building amenity in terms of light, ventilation, privacy, outlook and security required for the intended uses as well as setting the relationship between the building and the street.

### Objectives

- (a) To reinforce the street edge.
- (b) To provide amenity in terms of solar access and natural ventilation.
- (c) To promote sustainable design less reliant on artificial heating, cooling and lighting by encouraging thin cross section buildings.
- (d) To provide ground and first floor plates which cater for commercial uses and to encourage commercial from Ground to fifth floor.
- (e) To provide for flexible commercial or residential uses in the tower components of buildings.
- (f) To ensure that shop fronts line commercial shopping streets.

### Controls

#### *General Controls*

- (a) To achieve narrow cross section buildings consider using atria, light wells and courtyards open to the sky to achieve additional daylight and or stack and cross ventilation.
- (b) The use of skylights to provide the primary source of daylight and ventilation to habitable rooms is not permitted.
- (c) Where possible provide commercial and residential spaces with at least two external walls.
- (d) Where possible ensure that common areas such as corridors and entrances have natural light and cross ventilation i.e. openable windows.
- (e) Where possible, achieve natural cross ventilation to dwellings by having window openings in walls facing two different directions, and opposite directions where possible.
- (f) Maximise daylight to all areas such as lobbies, corridors, kitchens and bathrooms by limiting the depth of buildings.
- (g) Avoid or minimise the reliance on mechanical ventilation or air conditioning to these areas.
- (h) "Building Depth and Bulk" for the development of the Town Square and its vicinity are additionally specified in Section 1.27.3 of this Part.

*Block edge building form*

- (a) Commercial:
  - (i) For commercial floor plates a maximum 100% site coverage is allowed from Ground to fifth floor as long as setback and separation controls are met (refer to Figure 20).
  - (ii) For commercial buildings that only have daylight access to two and opposite sides of the building the maximum building footprint depth is a maximum of 20m.

*Tower building forms*

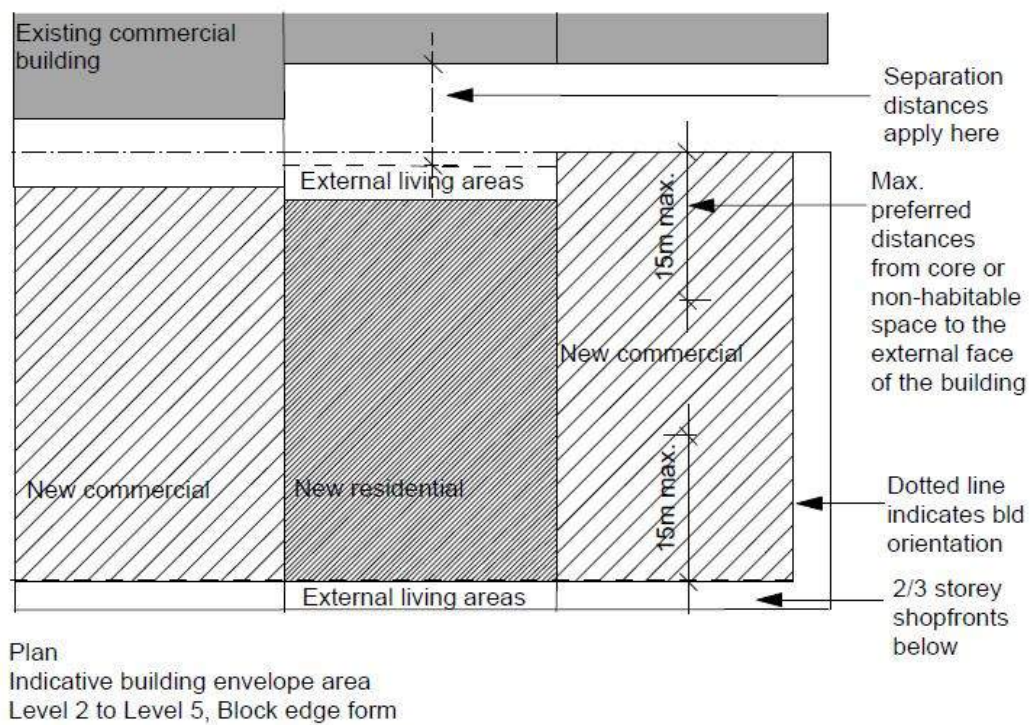
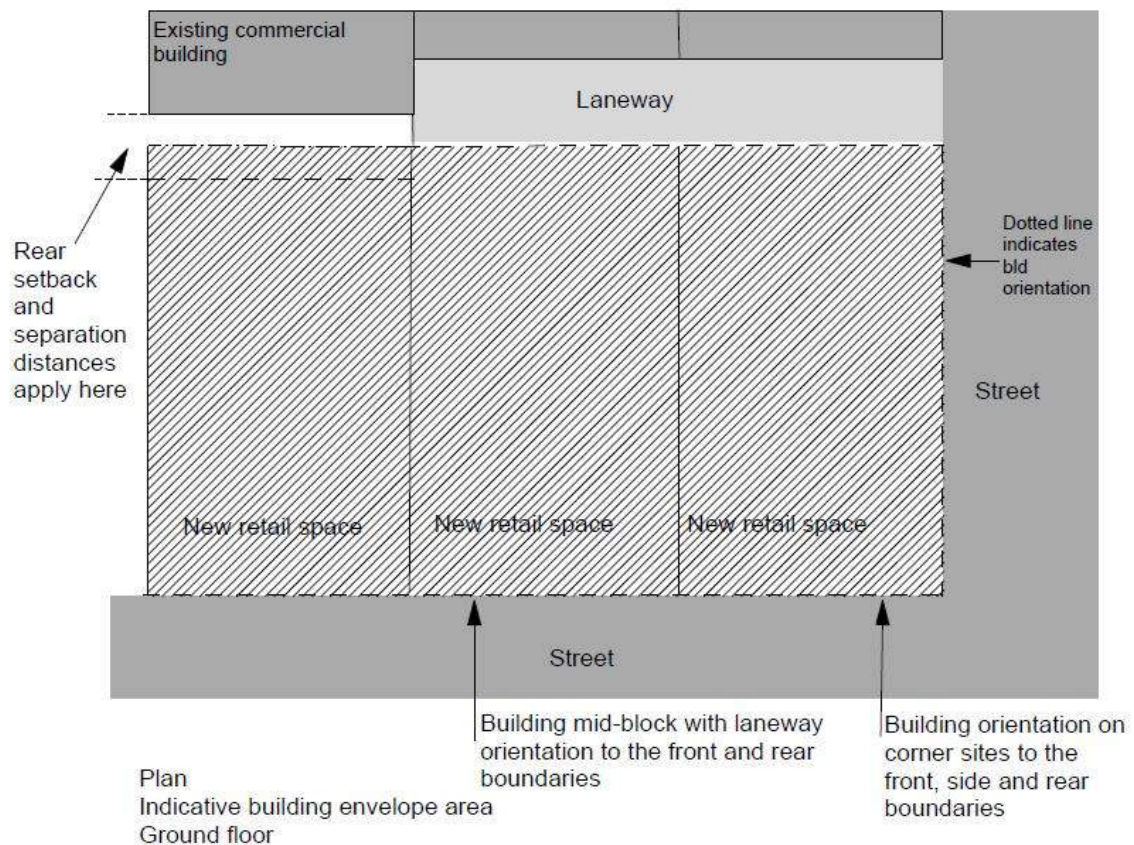
- (a) Commercial:
  - (i) Tower building forms are to be designed so that no commercial habitable space is preferably more than 15m from a source of daylight (refer to Figure 21).
- (b) Residential:
  - (i) Residential tower buildings are to have dwelling depth no greater than 8m from a source of sunlight (not including service areas and non-habitable rooms).

**Calculation rules**

*Building footprint depth refers to the dimension measured from the buildings front or street elevation to the back elevation (rear of the site). Building depth includes the internal plan depth of the dwelling; it does not include external living areas. Building footprint width is measured from side building elevation to side elevation. Building width is set by the width of the site minus the required side setback.*

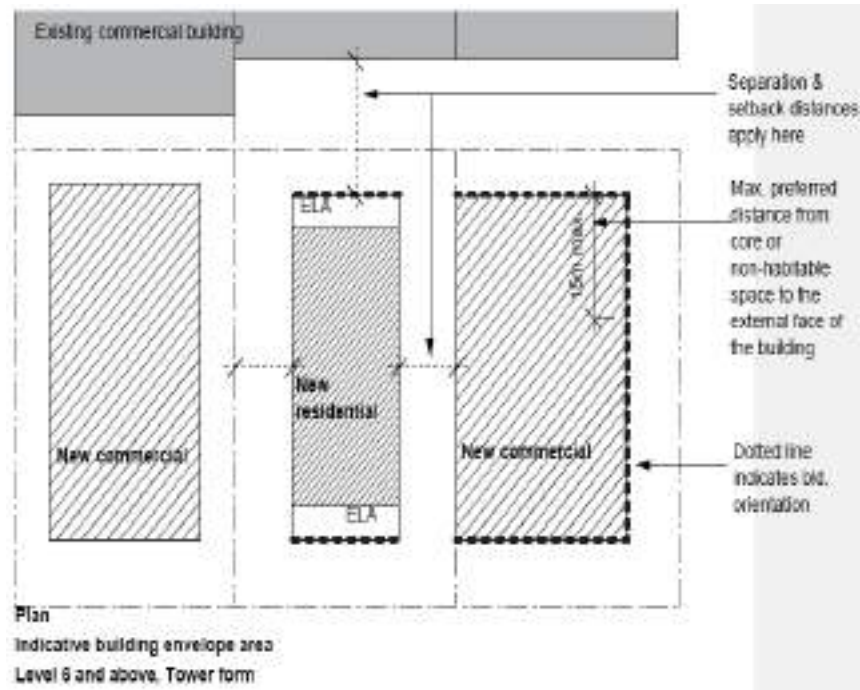
*Where buildings are not oriented to the street and the rear boundary then the footprint depth will be the dimension of the shorter axis. Mixed-use buildings may have a deeper ground level footprint to accommodate commercial uses with a narrower residential footprint above.*

*Some sites may have irregular site conditions such as topography or site shape. Such sites may require particular footprint design solutions that address such irregularities. For example buildings on narrow sites may require slender footprints to protect the amenity of neighbouring sites and to achieve the required setbacks. Sites on steep topography may require detached building footprints to account for the differences in grade.*

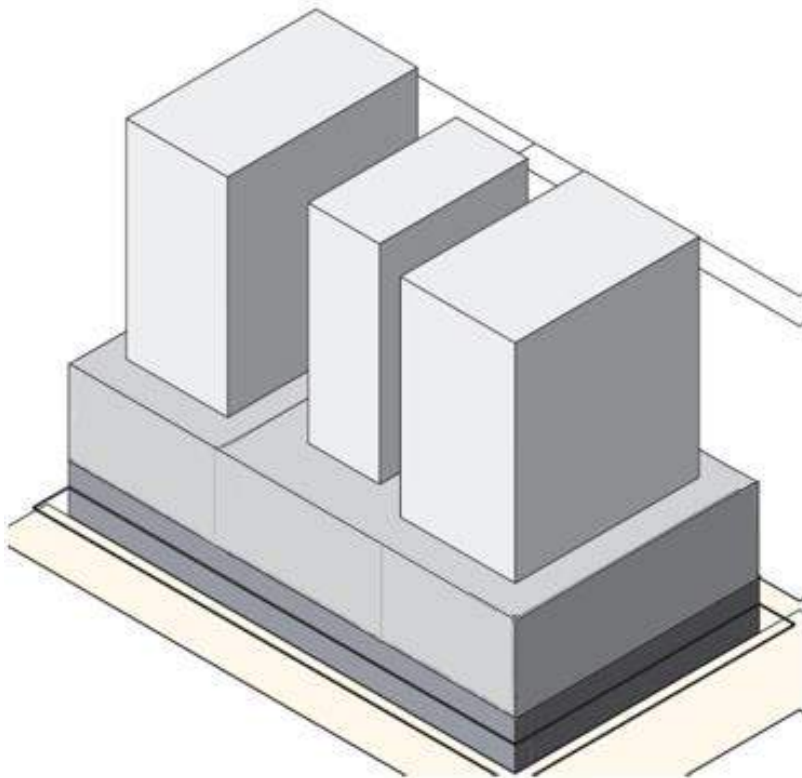


**Figure 20** Indicative building footprints on a small site: ground level block edge form





**Figure 21** Indicative building footprint on a small site: tower building form



**Figure 22** Indicative block 3D modelling of three footprint components

## 1.11 BUILDING ORIENTATION

Building orientation is a term used to describe the primary aspect of the buildings elevation containing the windows of the living areas of a dwelling and external living areas. The buildings orientation is defined in relation to the site boundaries.

Building orientation is essential in ensuring privacy and outlook for new buildings and to protect the amenity of neighbouring buildings particularly those with residential uses. Orientation is a key aspect in ensuring that new development adds to the streetscape in a positive way.

### Objectives

- (a) To easily achieve setback distances for privacy and outlook.
- (b) To provide a frontage and clear entry facing the street.
- (c) To avoid overlooking neighbouring dwellings.
- (d) To prevent development from impacting on neighbouring lots for privacy, sunlight access or outlook.

### Controls

- (a) Block edge building forms are to be oriented to and address the street(s).
- (b) Orient tower forms to the front and the rear of lots where possible.
- (c) Blank walls are not to front public streets.
- (d) Where possible orient bathroom, laundry and other ancillary room windows to the side boundaries.

### Calculation rules

*Building orientation refers to the direction that the primary windows of living rooms and external living areas face.*

*Orientation to the front means that the primary windows of living rooms and external living areas face the street and are generally parallel to the front boundary.*

*Orientation to the rear means that the primary windows of living rooms and external living areas are generally parallel to the rear boundary.*

## 1.12 NUMBER OF STOREYS

The number of storeys (levels) correlates with the desired future urban form for the centre as set out in the Introduction to the Urban Form Controls. Setting the number of storeys is important as it ensures that floor to ceiling heights are not minimised to fit the maximum number of levels into the overall building height as prescribed in the WLEP 2012.

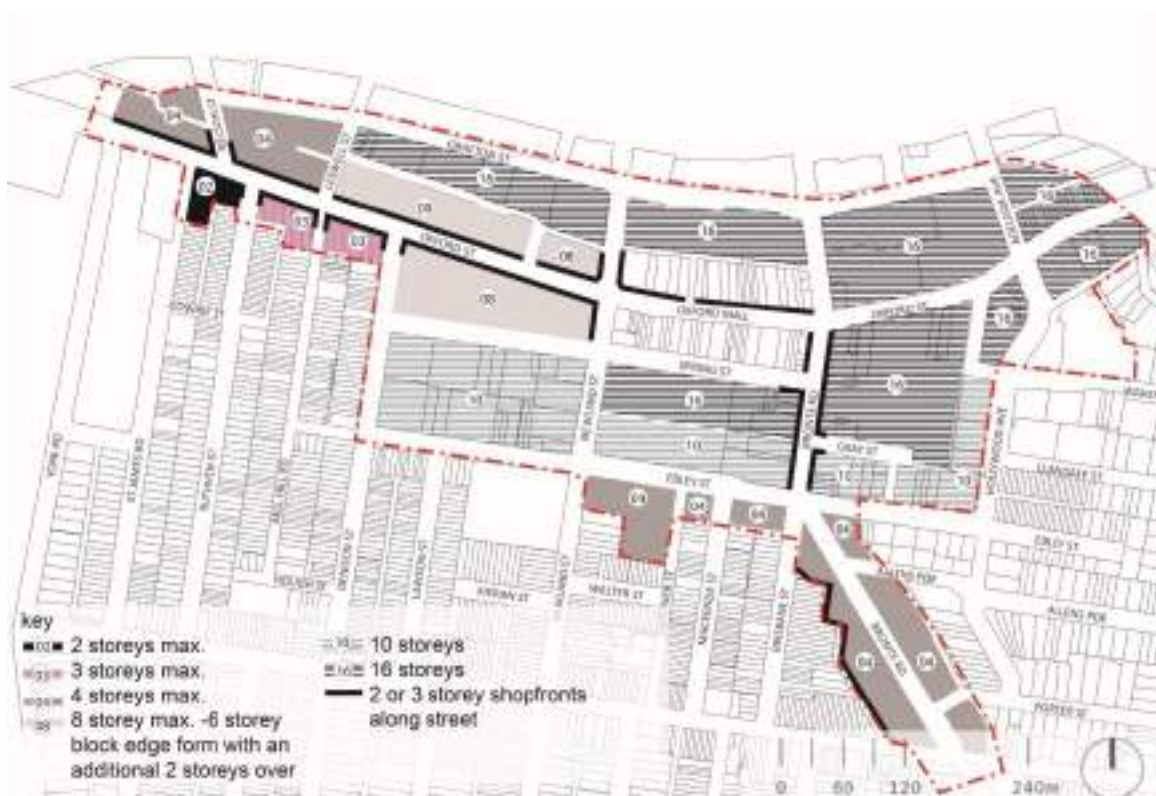
Adequate ceiling heights are important for light penetration, internal air movement and cross ventilation as well as to allow for innovative environmental approaches to heating, cooling and ventilation.

## Objectives

- (a) To ensure buildings create a human scale to the street.
- (b) To encourage development and redevelopment potential.
- (c) To reduce the incidence of high winds at street level.
- (d) To provide a transitional scale between commercial and residential.
- (e) To strengthen the Town Centre form with consistent heights along streets.

## Controls

- (a) Refer to the WLEP 2012 for numeric heights. Proposals on some sites may result in less than the maximum numeric heights due to topography or other site conditions however proposals cannot have any more storeys than specified on Figure 23.



**Figure 23** Control drawing: number of storeys



*Block edge building form*

- (a) Streets with heritage and buildings of historic character are to have 2 / 3 storey street walls (refer to Figure 10 under Section 1.7 Street Alignment and Front Setbacks).
- (b) Block edge building forms are to be 6 storeys in all other locations (refer to Figure 10 under Section 1.7 Street Alignment and Front Setbacks).

*Tower building forms*

- (a) Tower buildings can be up to either 8, 10 or 16 storeys (inclusive of the 6 storey block edge form).
- (b) Tower forms are to be set back from the street wall.

*Lots adjacent to surrounding residential lots*

- (a) Lots are to ensure they do not overshadow neighbouring or adjacent residential lots so as to preserve solar access to private open space.
- (b) Lots to the southern side of Ebley Street and Bronte Road are to drop to 2 storeys at the rear to achieve solar access.

### 1.13 VIEWS, VISTAS AND TREE PRESERVATION

Views from public spaces are an important aspect of the character of a place. Bondi Junction is located on a ridge which provides Bondi Junction with vistas of the Woollahra ridge slopes and Harbour Foreshore glimpses to the north down Newland Street and Bronte Road. To the south, there are vistas of the suburbs of Queens Park, Randwick and Clovelly.

The most important views occur within Bondi Junction along its streets. These views are short to mid-range urban or town centre views and are contained by buildings and extend from one end of the street to the other. These views down streets give the overall visual quality of the centre and help to define and differentiate different places within the centre. As such they are intrinsic to the quality of the urban environment and are to be retained and enhanced in the future.

#### Objectives

- (a) To retain significant vistas.
- (b) To recognise the importance of Town Centre or street views.
- (c) To enhance views and vistas throughout the centre.
- (d) To retain significant trees and vegetation.

#### Controls

- (a) Retain vistas down Newland Street, Bronte Road and Grosvenor Street both to the south and the north.
- (b) No building or structure is to build into or on a street view corridor.
- (c) Development proposals that open up significant vistas from the public domain are encouraged, particularly north-south vistas.
- (d) Comply with Figure 24 for locations of views and vistas referred within this section.



### 1.14 OPEN SPACES AT THE STREET FRONT

The built form within the centre is to be built to, align with and reinforce the street edge. This is to ensure that BJC streets are lined with shop windows, doors to create vibrant and busy street frontages. Buildings that are setback from the street alignment can reduce the appearance and activity on the street therefore generally open spaces at the street front are not allowed.

However a new open space as a forecourt to a public building such as a library, a performance space or a community hall may be considered if carefully designed to ensure the space is pedestrian friendly, adds to the quality of the public domain and is strategically located to enhance pedestrian connections within the centre. Generally open spaces that do not receive good solar access will be more useable if enclosed but with a high level of visual connection i.e. by using glass.

#### Objectives

- (a) To retain a consistent alignment along streets.
- (b) To retain and increase activity on the street front.

#### Controls

- (a) New open spaces on the street front for private buildings are not suitable for Bondi Junction.
- (b) New open spaces on the street front for public buildings may be considered if they meet the following controls:
  - (i) New open spaces require active frontages along all the built sides of the space.
  - (ii) Logical and functional pedestrian connections through and beyond the space are to be provided.
  - (iii) Clear sight lines into and throughout the space.
  - (iv) The space must be accessible and useable to the public.
  - (v) Public open spaces must not be located on block and street corners, and must be a min. of 10m from a corner.

## 1.15 DESIGN EXCELLENCE

### Objectives

- (a) To improve the design quality of buildings within the Bondi Junction Centre.

### Controls

- (a) Development consent must not be granted for development to which this Section applies unless the consent authority considers that the development exhibits design excellence.
- (b) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
- (i) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (ii) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (iii) whether the proposed development detrimentally impacts on view corridors,
  - (iv) whether the proposed development detrimentally restricts solar access to the Oxford Street Mall, the Waverley Street Mall, other public plazas and public open spaces,
  - (v) how the development addresses the following matters:
    - the suitability of the land for development,
    - existing and proposed uses and use mix,
    - heritage issues and streetscape constraints,
    - the relationship of the development to other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity, and urban form,
    - bulk, massing and modulation of buildings,
    - street frontage heights,
    - environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
    - the achievement of the principles of ecologically sustainable development,
    - pedestrian, cycle, vehicular and service access, circulation requirements, and
    - the impact on, and any proposed improvements to, the public domain.
- (c) "Building Exteriors" for the development of the Town Square and its vicinity are additionally specified in Section 1.27.8 of this Part.

## 1.16 BUILDING ELEVATIONS

Building elevation design refers to the three dimensional modelling and detailing of the external wall surfaces of a building. Well designed building elevations establish the building's identity in the street and contribute to the centre as a whole. It is important that the elevations are designed to respond to the internal layout of the building and address environmental conditions and the relationship between internal and external spaces as well as to create memorable and beautiful streets.

### Objectives

- (a) To promote high architectural quality in buildings.
- (b) To create buildings which respond to environmental conditions.
- (c) To reduce reliance on mechanical heating and cooling.
- (d) To improve visual quality of communal spaces and public places.

### Controls

- (a) All elevations must be architecturally designed and contribute to the street in which they are located.
- (b) Design building elevations which incorporate the principles of passive design and the properties of thermal mass, glazing and insulation, to reduce the need to artificially heat or cool. Provide openable windows to living and working environments.
- (c) Facades are not to be totally flat but rather to have relief modelling.
- (d) Refer to Figures 26 and 27 for indicative elevations and facades.
- (e) "Building Exteriors" for the development of the Town Square and its vicinity are additionally specified in Section 1.27.8 of this Part.

#### *Ground Floor Building Elevations*

- (a) The ground floor building elevation may not vary more than 300mm deep from the alignment to the front boundary. Where this variation occurs it is to be used to express the access into the premises and the relief modelling of the facade.

#### *First Floor*

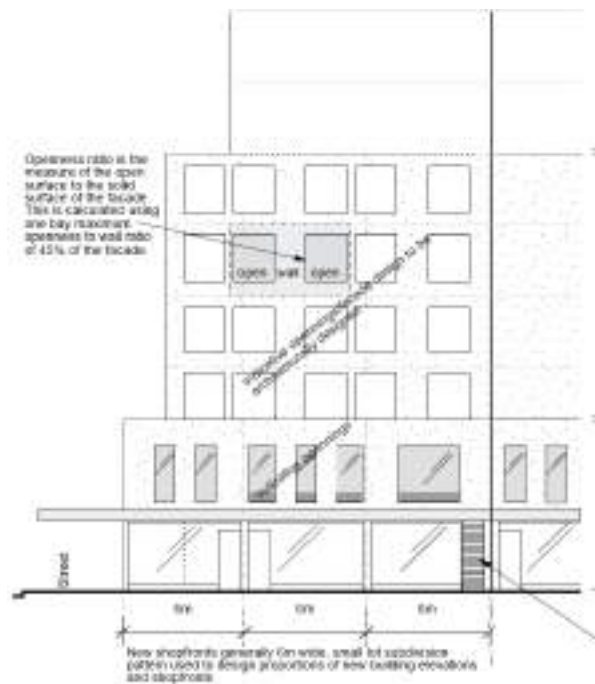
- (a) Elevations are to be composed of a solid wall with punched openings. The solid wall is to have relief modelling.
- (b) The horizontal proportions of the facade must relate to the ground level shop fronts.
- (c) Facades can have an openness ratio of up to 35% of one bay of a facade, the remaining 65% must be solid.

## *Second to fifth floor*

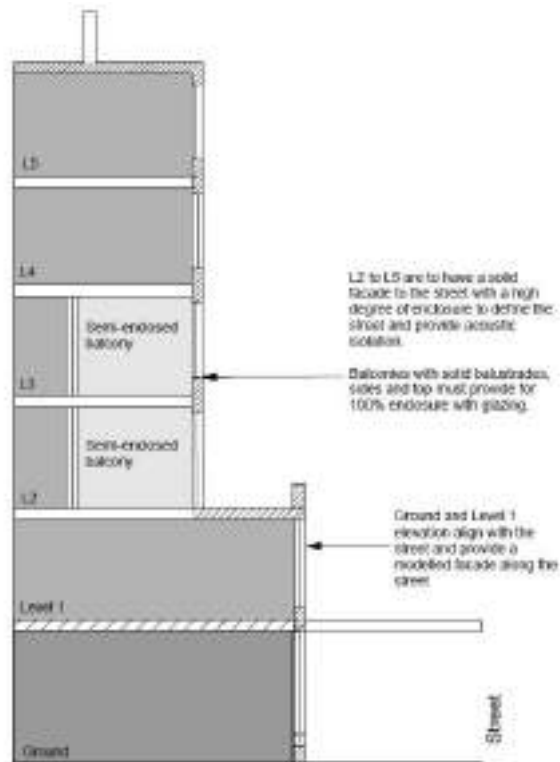
- (a) Elevations are to be composed of a solid wall with punched openings.
- (b) The horizontal proportions of the facade must relate to the ground level shop fronts.
- (c) Building facades can have an openness of up to 45% of one bay of a façade with the remaining 55% solid.
- (d) Elevations cannot have open balconies. As a minimum the balustrade, side and top of the balcony opening must be part of the solid façade.
- (e) The tower component of buildings can be highly individual in character.

## *Above fifth floor*

- (a) The maximum unarticulated wall length is 25m<sup>2</sup>.
- (b) Use solar protection elements appropriate to north facing facades such as awnings, deep reveals, roof overhangs.
- (c) Use solar protection elements appropriate to east or west facing facades such as external louvers, shutters, screens. These may be used in conjunction with awnings, deep reveals, roof overhangs.



**Figure 25 Elevations**



**Figure 26** Façade section



### 1.17 AWNINGS AND COLONNADES

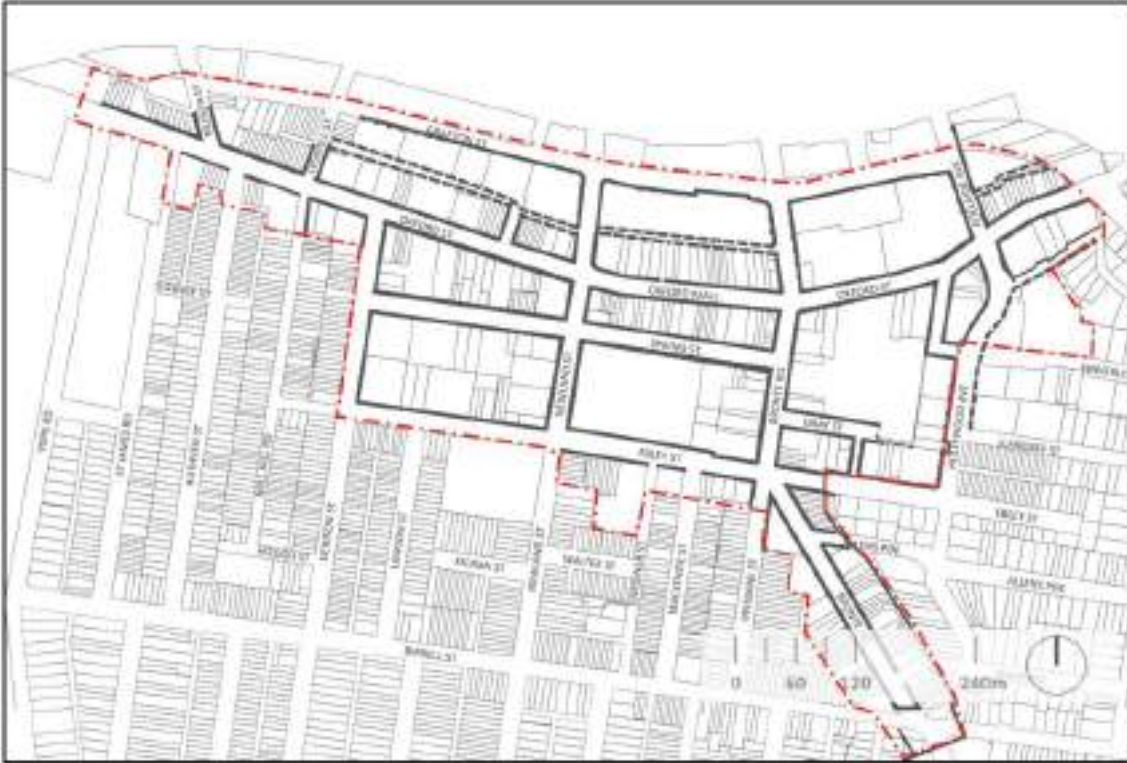
Awnings increase the usability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity along streets and, in conjunction with active edges such as retail frontages, support and enhance the vitality of the local area. Awnings can provide an interface within the public domain contributing to the identity of a development. Awnings are encouraged in order to define the edge of the footpath and reduce the apparent visual bulk of the building. Awnings may not be appropriate for heritage sites. Colonnades are not appropriate in BJC as they do not fit with the existing character of the centre.

#### Objectives

- (a) To provide shelter for public streets thus minimising the adverse effects of rain, strong winds, summer sunlight and reflectivity.

#### Controls

- (a) Colonnades are not permitted.
- (b) Provide awnings on buildings as indicated in Figure 27 including around corners.
- (c) Awnings should have consistent heights above the footpath with a minimum height between the footpath level and underside of awning of 3.1m. Extend across the width of the footpath to within 0.6m of the kerb line. Awning height is to be in the range 3.2m - 4.2m (clear soffit height), the face is to be horizontal.
- (d) Complement the height, depth and form of existing awning where they occur in the street.
- (e) Awnings are required to step with topography. Sloping awnings are discouraged.
- (f) Locate awnings over building entries.
- (g) Provide under-awning lighting.
- (h) The colour of awning fascias is to be consistent along the street.
- (i) "Awnings" for the development of the Town Square and its vicinity are additionally specified in Section 1.27.6 of this Part.



**Figure 27** Awnings

**1.18 PUBLIC ART IN THE PRIVATE DOMAIN**

Council encourages applicants to incorporate public art in the private domain where an application is submitted within the B3 Commercial Core Zone and B4 Mixed Use Zone for major alterations and additions or a new development.

**Objectives**

- (a) To encourage high quality artworks and the integration of art into development;
- (b) To increase visual and other sensory experiences within development for the communities sense of place;
- (c) To increase identifiable textures, character and designs appropriate to the area within private domain spaces through the introduction of public art and architectural design within development; and
- (d) To increase public art in the area for greater community cohesion and understanding of the history, culture and place.

**Controls**

- (a) Provide high quality artworks and the integration of art into development in publicly accessible locations, particularly main entrances, street frontages and lobby areas.
- (b) Ensure art is sensitive, reflective and demonstrative of the community to provide creative expression and character in development.
- (c) Ensure public art is integrated into the architectural integrity of a development.
- (d) Applications are to be in accordance with Council's Public Art in the Private Domain Guidelines.

**1.19 DESIGNING BUILDINGS FOR FLEXIBILITY**

Flexible buildings are designed for durability and are capable of serving a variety of uses. Buildings, particularly on the lower levels can be designed to be equally capable of accommodating residential or commercial uses. This allows the Centre to retain its capacity to expand its commercial floor space easily as demand increases in the future.

**Objectives**

- (a) To improve the quality of the built environment and apply sustainable practices.
- (b) To encourage the design of low energy consumption, durable, flexible, adaptable buildings.
- (c) To promote the design robust buildings to allow flexibility over time, for conversion between residential and commercial uses.

**Controls**

- (a) Design the block edge component of buildings (third to fifth floor) to permit adaptation for other future uses, with minimal structural and service alteration by:
  - (i) Concentrating service elements such as fire stairs, air conditioning units, service risers, toilets, kitchens and the like located together to allow larger free floor plate areas; and
  - (ii) Designing service areas and risers generously to make them readily accessible and capable of additional capacity.

**1.20 CEILING HEIGHTS**

Higher ceilings can create better proportioned internal spaces, better air movement and greater sunlight penetration. Generous ceiling heights are particularly important in buildings with small, deep rooms or in rooms that have little sun penetration such as those facing south, this can help reduce the need for mechanical heating and cooling. On commercial levels; particularly the ground floor, higher ceiling are required to allow room for services such as air-conditioning as well as to help light penetrate further into the buildings.

On residential levels the floor to floor ceiling height has to be according to the NSW Residential Flat Design Code and the National Construction Code (NCC) respectively.

**Objectives**

- (a) To maximise heights in habitable rooms by stacking wet areas from floor to floor.
- (b) To encourage use of taller, highlight windows and fan lights.
- (c) To coordinate internal ceiling heights and slab levels with external height datum lines, e.g., datum and parapet lines set by surrounding existing buildings.
- (d) To increase the sense of space in rooms and provide well proportioned rooms.
- (e) To promote solar access into all buildings.

**Controls**

- (a) Ground Floor: 4.0m minimum floor to floor.
- (b) First floor: 3.5m minimum floor to floor.
- (c) Above first floor, commercial use: minimum 3.5m floor to floor.

## 1.21 EXTERNAL LIVING AREAS

External living area is space that extends the internal space of the building, particularly living areas. An external living area is part of the private outdoor recreational and relaxation space for a dwelling. External living areas can take the form of terraces, decks and the like and can be located either on ground or above ground. Small balconies and similar structures from bedrooms are not considered external living areas.

External living areas should not adversely impact on the amenity of neighbours. The location of the external living area needs to be carefully considered with regard to achieving privacy. The location of external living areas can assist in controlling sun access by promoting daylight access in winter and shade in summer.

### Objectives

- (a) To provide an external living area for each dwelling.
- (b) To enhance the amenity of internal living spaces.

### Controls

- (a) External living areas are to be provided for each dwelling and located adjacent to the internal living area so that they extend the internal ground level living spaces.
- (b) External living areas are to have a minimum size of 12m<sup>2</sup> and a minimum dimension of 2.5m.
- (c) External living area is to be screened to achieve visual privacy if located less than 4m from a side boundary.
- (d) The roof of developments can be used to extend external living areas.
- (e) External living areas are to be:
  - (i) located adjacent to the main living areas, such as living room, dining room, kitchen to extend the dwelling living space; and
  - (ii) sufficiently large and well proportioned to be functional and promote indoor/outdoor living to fit a dining table and four chairs.
- (f) Detail and design balconies or terraces in response to the local climate and context, thereby increasing their usefulness. This may be achieved by:
  - (i) locating balconies and terraces facing predominantly north or east, utilising sun screens, shutters and operable walls to control light and wind;
  - (ii) providing balconies or terraces with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade may be preferable in special locations where noise or high winds prohibit other solutions;
  - (iii) choosing cantilever balconies, partially cantilever balconies and/or recessed balconies in response to daylight, wind, acoustic & visual privacy;
  - (iv) design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy;
  - (v) detail balustrades using a proportion of solid to transparent materials to address sight lines from the street, public domain or adjacent development

## 1.22 WIND MITIGATION

Bondi Junction Centre experiences a high frequency of natural wind currents, mainly as a consequence of its location and landform being located on a ridgeline and 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.

In the morning the prevailing winds come from the west and north-west. This is with the exception of the warmer months of the year, October to March, when the prevailing winds come from north-east through to the south directions. In the afternoon, the wind's direction is somewhat reversed, as the prevailing winds come from north-east through to the south directions, with the exception of the winter months, when the prevailing winds come mainly from the south and west directions.

### Objectives

- (a) To mitigate the effects of strong wind at street level.
- (b) To ensure wind does not preclude the functioning of the Town Centre's key uses.

### Controls

- (a) Buildings shall not create uncomfortable or unsafe wind conditions in the public domain which exceeds the Acceptable Criteria for Environmental Wind Conditions.
- (b) Locate or design outdoor areas to ensure places with high wind level are avoided.
- (c) All applications for buildings over 5 storeys in height shall be accompanied with a wind environment statement, unless a wind tunnel study is required. For buildings over 9 storeys and for any other building which may be considered an exposed building, applications shall be accompanied by a wind tunnel study report (refer to Annexure E1-1).
- (d) Acceptable Criteria for Environmental Wind Conditions:

Area Classification	Limiting Weekly Maximum Gust-Equivalent Mean	Limiting Annual Maximum Gust
Outdoor dining areas, amphitheatres etc	3.5m/s	10 to 13m/s
Main retail centres such as Oxford St Mall, parks, communal recreational areas such as common swimming pool on the podium	5.5m/s	13m/s
Footpaths and other pedestrian access ways	7.5m/s	16m/s
Infrequently used laneways, easements, private balconies	10m/s	23m/s

Note: Gust-Equivalent Mean is defined as the maximum 3 second gust divided by a local Gust Factor for the local wind speed. It is recommended that the local gust factor be derived from the measured local turbulence intensity. If the mean wind speed happens to be greater than the Gust-Equivalent Mean then the Mean wind speed is to be adopted in place of the Gust-Equivalent Mean.

The Annual Maximum Gust wind speed criteria can be used as an alternative to the Gust-Equivalent Mean Criteria. If the Gust-Equivalent Mean criteria are being used then a check should also be made to ensure that all areas studied are within the Annual Maximum Gust wind speed of 23m/s.

When assessing the impact of a proposed development, no increase over the existing wind conditions is acceptable unless the increase over the existing conditions is such that the relevant criterion for that type of space is still satisfied.

**Calculation rules**

*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 half or more of its height rises above surrounding buildings and/or the building lies on the perimeter of a built up area.*

*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.*

*In addition the areas within the exposed buildings that could potentially experience adverse wind effects are the areas on the podium, terraces on the roof or on setbacks in the tower as well as projecting or corner balconies.*



### 1.23 REFLECTIVITY

Reflection of light from the sun off the external surface of buildings can create uncomfortable and unsafe glare for pedestrians, drivers and occupants of other buildings, and reduce the amenity of streets, parks and other public or private spaces. For a building where all the reflecting surfaces are vertical, this effect is most pronounced when the sun is at low altitudes.

#### Objectives

- (a) To mitigate adverse glare from reflective surfaces on street level.
- (b) To ensure reflectivity does not preclude the functioning of the Town Centre's key uses.

#### Controls

- (a) Development shall be designed and sited to minimise adverse solar reflection. Limit the use of large areas of glass in facades to a maximum of 60% of the façade surface area above ground level.
- (b) Introduce as much diffused reflective or matt surfaces into facades as possible.
- (c) Shade glass areas with horizontal, vertical or diagonal shading devices. Avoid the use of reflective glass.
- (d) Façade treatments containing large areas of glazing, even of quite low reflectivity, are to be avoided.
- (e) Reflected solar glare on drivers should not exceed 500 candelas / m<sup>2</sup>. A candela is the base unit for measuring the intensity of luminance under the International System of Units (SI).
- (f) Mirrored glass and other highly reflective materials should not be used on building exteriors. To minimise potential impact on pedestrians and occupants of neighbouring buildings all panels and elements on vertical façades are to have a maximum specular reflectivity of visible light from normal angles of incidence of 20%. Any surface inclined by more than 20 degrees to the vertical (inclined glass awnings or cladding on inclined roofs) are to have a maximum specular reflectivity of visible light from normal angles of incidence of 10%.
- (g) The above mentioned limits may need to be further reduced depending on the outcome of the analysis by the Reflectivity consultant of the impact on drivers' visibility.

**1.24 ROLLER SHUTTERS**

Roller shutters are sometimes introduced as a precautionary measure, to protect glass shop fronts 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.

Window shopping, and hence the legitimate presence of people on the street after hours, is discouraged when window display shop fronts are replaced with roller shutters. A well lit shop front 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.

**Controls**

- (a) Roller shutters on shop fronts are prohibited.
- (b) Roller grilles on standard shop fronts are discouraged.
- (c) Applications involving a change of use of retail premises shall be required to retain or reinstate the window shop front.
- (d) Where the nature of the proposed retail activity does not warrant a window shop front 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.

## 1.25 OUTDOOR ADVERTISING SIGNS AND STRUCTURES

### Objectives

- (a) To enhance the general character and attractiveness of the streetscape.
- (b) To maintain the architectural integrity of the subject building and adjacent buildings.
- (c) To ensure the amenity of any adjacent non-commercial or residential uses.
- (d) Safety of pedestrians and traffic.
- (e) To ensure the harmony with other features, having particular regard to the size and juxtaposition of other signs in the immediate vicinity.

### Controls

- (a) Signage: should relate to the use of the building on which it appears and be designed to complement the established streetscape character, views and vistas identified in this Part.
- (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.
- (g) 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.
- (h) Top Hamper Signs:
  - (i) May project up to 100mm from the building façade;
  - (ii) 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.
- (i) Window Shop Front Signs – Window shop front 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.
- (j) 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.
- (k) 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 4.5m<sup>2</sup>; and
  - (iii) The number of such signs is limited to one only.
- (l) 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.
- (m) 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.

- (n) 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, motorists or obstruct their vision.
  - (ix) Third party advertising.
  - (x) A-Board (sandwich boards).
  - (xi) Advertising on canvas shade blinds.
- (o) Council may give consideration to temporary advertising in the form of bunting, banners, inflatable or canvas signs for special events provided that the temporary display period does not exceed four weeks.
- (p) Council does not favour and will not approve third party advertising. In accordance with control (a) of this section, signage must relate to the use of the building or land it is on. Council has always held the position to prohibit third party advertising and will continue to do so.

## 1.26 ACCESS AND MOVEMENT

Access to and movement through the centre is a key determinant of a busy and vibrant place. The centre is well located on a train stop which generates a significant amount of pedestrian traffic into the centre. Car access is also important to the centre with some parts of the centre being more easy to access and gain parking in than others, therefore making them for a convenient shopping experience.

This Part provides direction on the location and type of new links that are to be provided mid-way through large blocks to provide a fine grain pedestrian network linking between streets and where possible new mid-block laneways to encourage more continuous active street frontages free from car park entries, loading bays and ramps. This part ensure that private developments do not diminish the streets and laneways at ground level as the primary civic, commercial and retail space of the centre by ensuring that pedestrians are not redirected into underground tunnels or overhead walkways.

### 1.26.1 Arcades, Through Site Links and Squares

#### Objectives

- (a) To develop a comprehensive, compact, easy to follow, safe and accessible pedestrian network.
- (b) To provide alternative and convenient ways of moving through the centre on foot.
- (c) To ensure that arcades are safe.
- (d) To expand and enhance the public domain.
- (e) To promotes pedestrian activity throughout the centre.
- (f) To increase active street frontages throughout the centre.

#### Controls

- (a) Retain all arcades and through site links as shown in Figure 30.
- (b) Provide new through site links in the general locations shown on Figure 30. Variations to these locations may be considered on the following.
  - (i) connect to a public street on both ends;
  - (ii) be in a straight alignment, bends or dog legs are not allowed;
  - (iii) have visual connection from street to street;
  - (iv) have active frontages on the ground level and ideally have active frontages also on the first and second floor;
  - (v) be either open to the sky or with a glazed roof.
  - (vi) continue 6m wide shop fronts along the arcade;
  - (vii) provide clear glazing for windows and doors from floor to ceiling at ground level. Sill heights must not be more than 500mm above the adjacent paving; and
  - (viii) be open for public use for at least between the hours of 7:00am and 7:00pm daily.

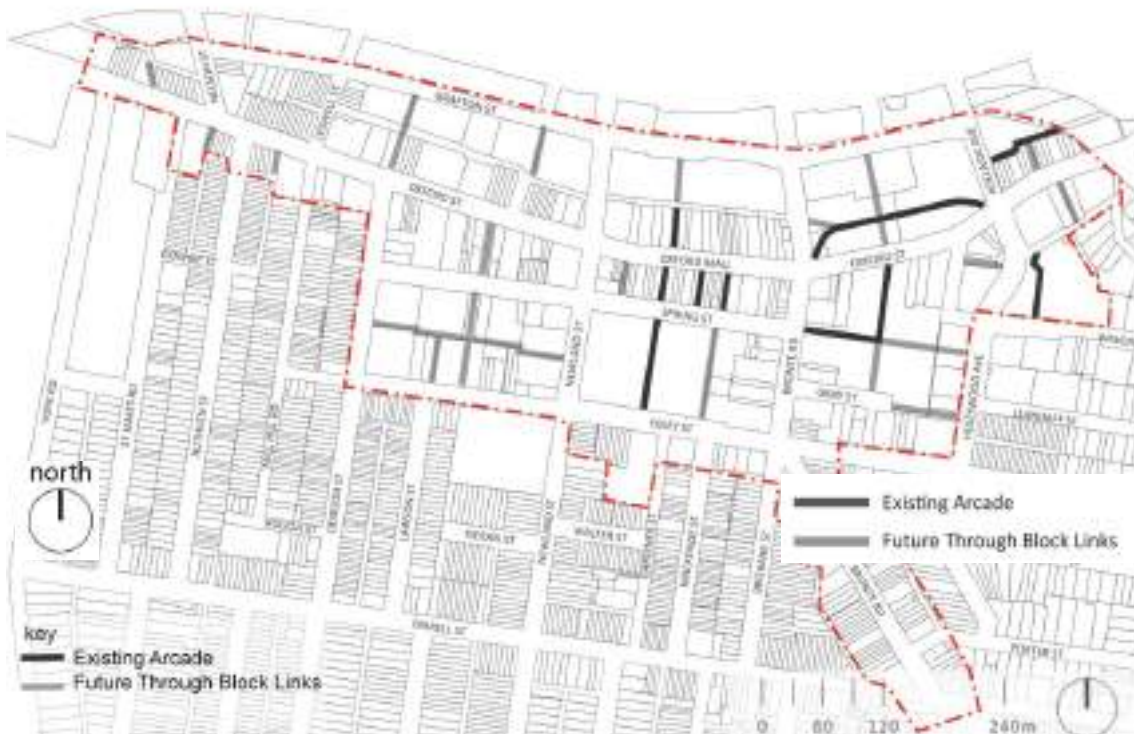
\*Refer to Figure 29 for example of compliant pedestrian link.
- (c) New arcades in addition to the through site links are encouraged. They must:



- (i) either connect to a public street or extend the axis of an existing street, laneway, arcade or through site link; and
  - (ii) have active frontages on the ground level and ideally have active frontages also on the first and second floor.
- (d) "Pedestrian Amenity" for the development of the Town Square and its vicinity is additionally specified in Section 1.27.4 of this Part;



**Figure 28** Example of through site pedestrian link which is compliant with objectives and controls



**Figure 29** Active frontages – through site links, arcades and squares

## 1.26.2 Vehicular and Service Access to Lots

### Objectives

- (a) To promote active frontages, pedestrian safety and undisturbed pedestrian movement in the location and design of vehicle and service entrances.
- (b) To ensure that car parking is not visible from the street.
- (c) To ensure that the building facade and active frontages are the dominant streetscape element on all streets.
- (d) To limit the number of car park entry points to a development.
- (e) To minimise the size and quantity of vehicle and service crossings.

### Controls

- (a) Comply with Figure 30 for locations for vehicular and service access.
- (b) Car park entries and exits cannot occur along primary shopping streets.
- (c) All car park entries onto streets and laneways are to be enclosed by entry gates, roller doors or the like are located in alignment with the street boundary.
- (d) Vehicle entries to buildings are to cross the footpath at 90 degrees and be a maximum width of 6m.
- (e) Properties which have two street frontages are only permitted to have one vehicular crossing.
- (f) Separate and clearly differentiate pedestrian and vehicle access and locate vehicle access a minimum of 3m from pedestrian entrances.
- (g) Provide no more than one 2-way vehicular access point per individual development.
- (h) Minimise the size, quantity and visual intrusion of vehicle access ways. The preferred width of driveway crossings and car park and service entries is 3m.
- (i) Applicants may only achieve greater widths if they demonstrate that the greater width is necessitated by compliance with Australian Standards related to Off-Street Parking and that pedestrian safety is ensured.
- (j) "Vehicle Footpath Crossings" and "Vehicle Access" for the development of the Town Square and its vicinity are additionally specified in Sections 1.27.7 and 1.27.9 of this Part.





Figure 30 Vehicular and service access

### 1.26.3 Pedestrian Overpasses and Underpasses

#### Objectives

- (a) To protect and enliven streets by ensuring people circulate at street level.
- (b) To protect street level as the primary retail and commercial space of the town centre.
- (c) To retain the character of street and laneways spaces.
- (d) To protect view corridors along streets.
- (e) To protect the street as the primary frontage for light and air to buildings.
- (f) To avoid overshadowing on streets.
- (g) To avoid pedestrian overpasses and underpasses.

#### Controls

- (a) Underpasses under public streets and laneways are not permitted unless linking directly into the public transport interchange.
- (b) Overpasses over public streets and laneways are not permitted.

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**1.26.4 On-Site Parking****Objectives**

- (a) To avoid compromising street character, building quality, pedestrian amenity and safety through car parking.
- (b) To provide adequate space for parking and maneuvering of vehicles (including service vehicles and bicycles).
- (c) To recognise the complementary use and benefit of public transport and non-motorised modes of transport such as cycling and walking.

**Controls**

- (a) Car parks, car parking structures, vehicular manoeuvring areas, private parking bays, loading docks and the like are generally to be located under street level. Where this cannot be achieved due to topographic constraints, a maximum protrusion of 1.2m is permissible.
- (b) Consolidate basement car parking areas under building footprints to maximise the area available for soft landscaping.
- (c) Design parking structures, which minimise reliance on artificial lighting and car exhaust ventilation.
- (d) Provide 1–2% readily accessible parking spaces, designed and appropriately signed for use by people with disabilities.
- (e) Provide marked pedestrian pathways with clear lines of sight and safe lighting especially at night.

## 1.27 TOWN SQUARE PROVISIONS

Building form and character refers to the individual elements of building design that collectively contribute to the character and appearance of the built environment. The development provisions in this section are intended to encourage high quality design for new buildings, balancing the character of Bondi Junction Centre with innovation and creativity. The resulting built form and character of new development should contribute to an attractive public domain in Bondi Junction Centre and produce a desirable setting for its intended uses.

### 1.27.1 Building to street alignment and street setbacks

#### Objectives

- (a) To provide street edges which reinforce, improve or support the hierarchy and character of specific streets.
- (b) To establish desirable spatial proportions within the street and definition of street edge.
- (c) To create a clear transition between public and private space.
- (d) To locate active uses, such as shop fronts, closer to pedestrian activity areas.
- (e) To assist in achieving visual privacy to apartments from the street.
- (f) To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.
- (g) To allow an outlook to, and surveillance of, the street.
- (h) To maintain sun access to the public domain.

#### Controls

- (a) Comply with the street building alignment and front setbacks specified in Figure 32.
- (b) Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible.



Figure 31 Street alignment and setbacks

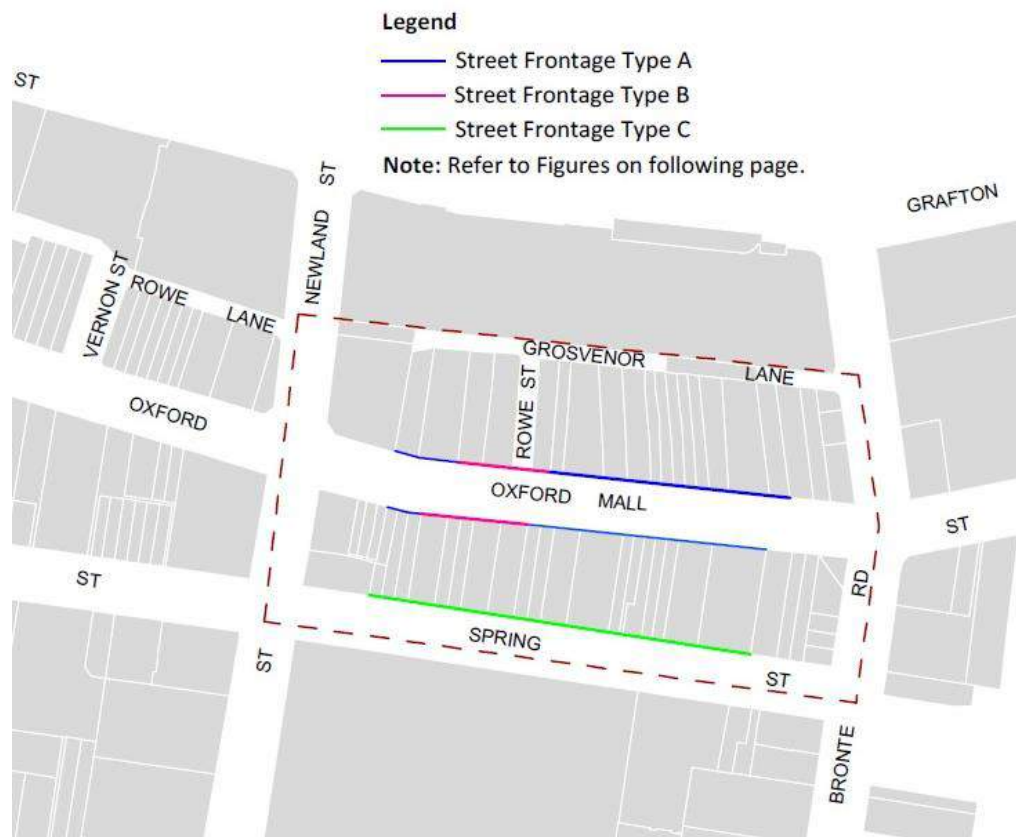
### 1.27.2 Street Frontage Heights

#### Objectives

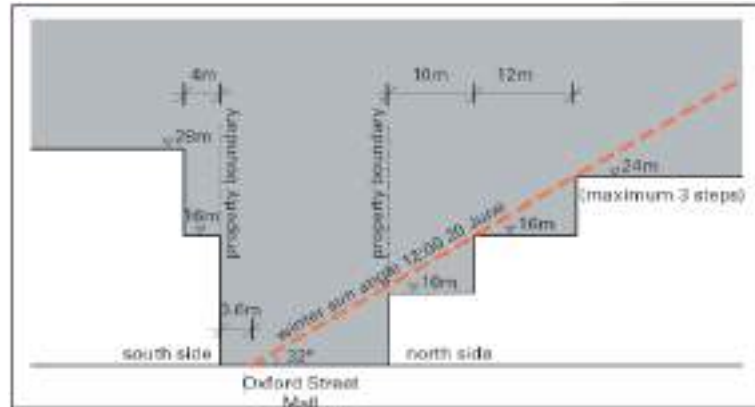
- (a) To strengthen the urban form of the Town Square with consistent street wall heights.
- (b) To achieve comfortable street environments for pedestrians in terms of daylight, scale, sense of enclosure and wind mitigation as well as a healthy environment for street trees.
- (c) To enhance the distinctive character of streets within Bondi Junction Centre.
- (d) To protect solar access to key streets and public spaces.

#### Controls

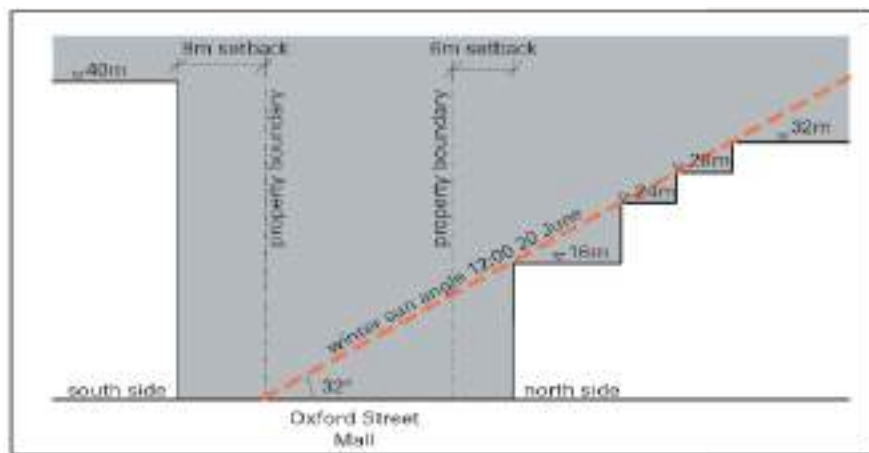
- (a) Buildings must comply with the relevant street frontage heights as shown in Figure 32, 33, 34 and 35.
- (b) All new buildings and additions or alterations to existing buildings on the north side of Oxford Street Mall must comply with the sun access plane illustrated in Figures 33 and 34, irrespective of the existing height of nearby buildings.
- (c) The erection of a building so that any part of the building is above the envelope specified in the relevant sun access diagram is prohibited, unless that part of the building is a minor architectural roof feature.



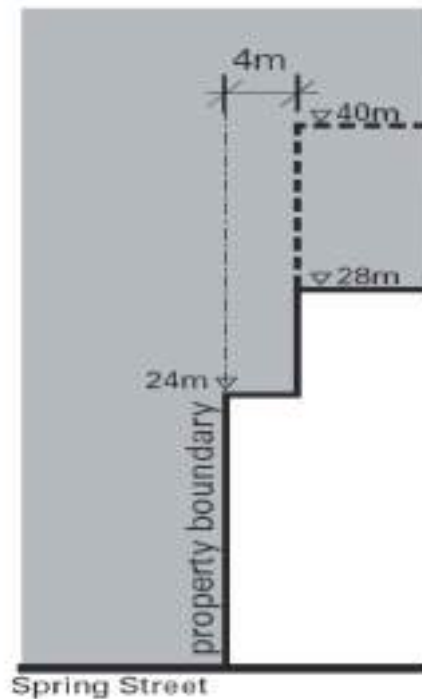
**Figure 32** Street frontage heights



**Figure 33** Street frontage Type A – Oxford Street Mall



**Figure 34** Street frontage Type B – Bondi Junction Town Square



**Figure 35** Street frontage Type C – Street frontage

### 1.27.3 Building Depth and Bulk

#### Objectives

- (a) To promote the design and development of sustainable buildings.
- (b) To achieve the development of living and working environments with good internal amenity and minimise the need for artificial heating, cooling and lighting.
- (c) To provide viable and useable commercial floor space.
- (d) To achieve usable and pleasant streets and public domain at ground level by controlling the size of upper level floor plates of buildings.
- (e) To allow for view sharing and view corridors.
- (f) To reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with modulation of form and articulation of facades.

#### Controls

- (a) On land zoned B3 Commercial Core, above street frontage height: preferred max. floor plate area of a building is 1000m<sup>2</sup> GFA.
- (b) All points on an office floor should be no more than 10m from a source of daylight (e.g. window, atria, or light wells). The preferred depth for office floors with openings on one side is 10m. The preferred depth for office floors with openings on two opposite sides is 20m.
- (c) Use atria, light wells and courtyards to improve internal building amenity and achieve cross ventilation and/or stack effect ventilation.

### 1.27.4 Pedestrian Amenity

#### Objectives

- (a) To improve access in the Town Square area by providing new through site links and enhancing existing links as redevelopment occurs.
- (b) To ensure through site links have active frontages along their length where possible.
- (c) To provide for pedestrian amenity and safety.
- (d) To encourage removal of vehicular entries from primary street frontages.
- (e) To retain and further develop laneways and small spaces as useful and interesting pedestrian connections as well as for service access.

#### Controls

##### *General Controls*

- (a) Through site links, arcades, shared ways and laneways are to be provided as shown in Figure 37.
- (b) Retain existing or replace all arcade connections and walkways.
- (c) Where possible, existing dead end lanes are to be extended through to the next street as redevelopment occurs and should provide clear sightlines from one end to the other.
- (d) New through site links should be connected with existing and proposed through site lanes, shared zones, arcades and pedestrian ways and opposite other through site links to enhance legibility to the whole laneway system.

- (e) Existing publicly and privately owned lanes are to be retained.
- (f) The design and finish of new through site links need to be provided in accordance with Council's Public Domain Technical Manual for Bondi Junction Centre 2008.

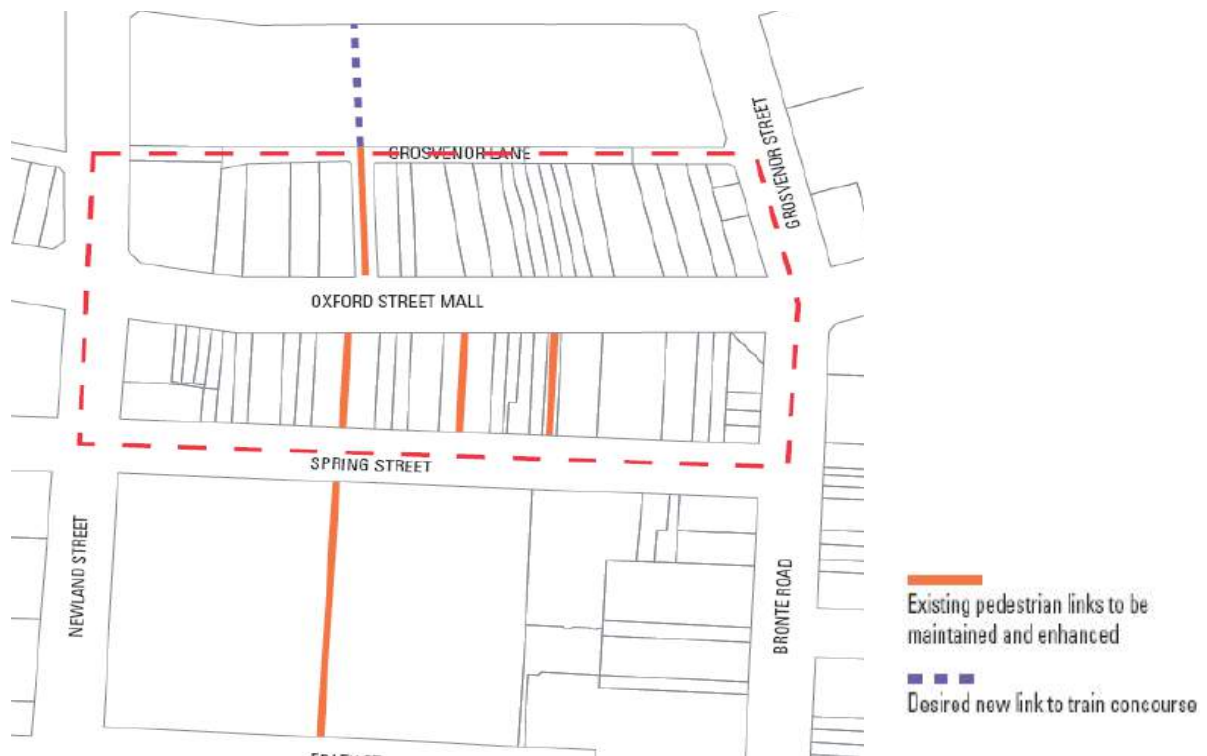
#### *Pedestrian links*

- (a) Through site links for pedestrians are to be provided as shown in Figure 36 and: have active ground floor frontages; be legible and direct throughways for pedestrians; provide public access at all business trading times or as otherwise stipulated by Council's conditions of approval; have a minimum width of 3m non-leasable space clear of all obstructions (including columns, stairs and escalators); where practicable, have access to natural light for at least 30% of their length; where air conditioned, have clear glazed entry doors comprising at least 50% of the entrance; have signage at street entries indicating public accessibility and the street to which the through site link connects; and maximise opportunities for integration of public art installations.
- (b) Internal arcades will not be approved in preference to activation of an existing or required lane. Where developments front a lane that is also a pedestrian route, provide an active frontage and design details that create visual interest such as landscaping, awnings, paved finishes and good lighting.
- (c) When a publicly accessible pedestrian connection is proposed to link directly to the railway line, Transport for NSW must approve connections to railway stations and approve designs. In addition, the developer will be required to enter into an agreement with Transport for NSW defining the controls to be implemented in managing access.

#### *Lanes*

- (a) New through site laneways for pedestrians and vehicles are to be provided as indicated in Figure 36; and have active ground floor frontages; be clear and direct throughways for pedestrians; provide public access at all times or as otherwise stipulated by Council's conditions of approval; have a minimum width of 6m clear of all obstructions; and have signage indicating public accessibility and the street to which the lane connects.
- (b) Provide interest in these spaces, public art installations are encouraged in laneways, particularly where there may be terminating views. Potential street to street connections involving sites in separate ownership should consider liaising to develop compatible proposals and submitting concurrent applications to create new through site links.





### 1.27.5 Active Street Frontages and Address

#### Objectives

- (a) To promote pedestrian activity and safety in the public domain.
- (b) To maximise active street fronts in Bondi Junction.
- (c) To define areas where active streets are required or are desirable.
- (d) To encourage an address to the street outside of areas where active street frontages are required.

#### Controls

##### *Active Street Frontages*

- (a) Active frontage uses are defined as one, or a combination of the following at street level: Entrance to retail; Shop front; Glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12m frontage; Café or restaurant if accompanied by an entry from the street; Active office uses, such as reception, if visible from the street. Public building if accompanied by an entry.
- (b) Active street fronts in the form of non-residential uses on ground level are required along streets, lanes and through site links.
- (c) Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.
- (d) For all commercial ground floor frontages outside the streets, provide clear glazing where ever possible to promote passive surveillance and contribute to street activity.
- (e) Restaurants, cafes and the like are to consider providing openable shop fronts.



- (f) Provide multiple entrances for large developments including an entrance on each street frontage.

*Active frontage above Ground Floor*

- (a) Extend active frontages above ground floor level with uses and building design, which provide transparency, and visual contact with the street. Orient buildings to address streets. Build street frontages along or parallel to the street alignment.
- (b) Integrate landscaping above ground floor levels to provide interest in design and amenity for uses of these spaces.

*Street Address*

- (a) Street address is defined as entries, lobbies, and habitable rooms with clear glazing to the street not more than 1.2m above street level and excluding car parking areas. Street address is required on Ground Level of all areas identified in Figure 37.
- (b) Provide multiple entrances for large developments including an entrance on each street frontage.

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#### **1.27.6 Awnings**

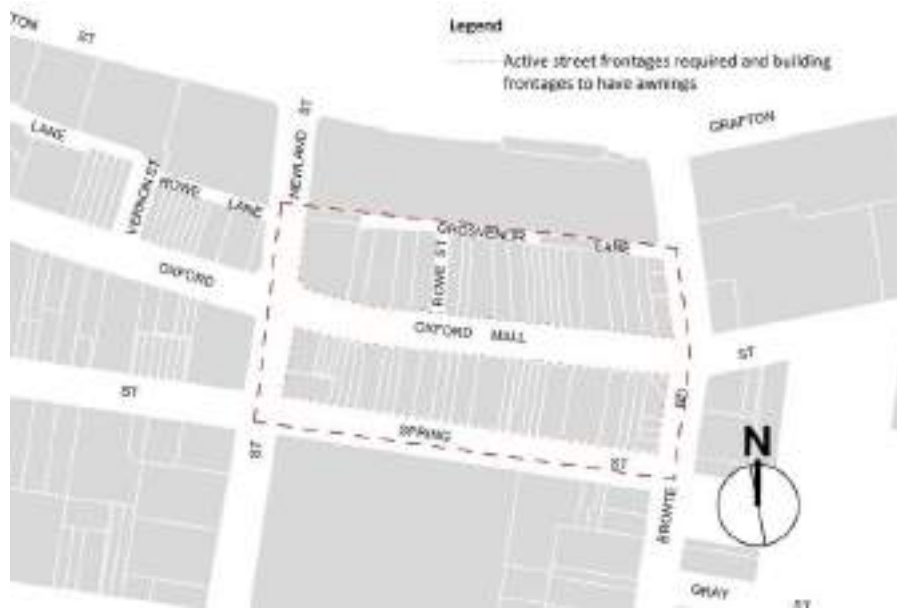
##### **Objectives**

- (a) To increase pedestrian amenity by providing protection from wet weather and sunlight with awnings and colonnades.
- (b) To create a protected transition area between internal and external spaces for public and commercial buildings.
- (c) To improve pedestrian amenity by extending the footpath at ground floor level, and providing shelter and opportunities for outdoor dining.

##### **Controls**

- (a) Continuous street frontage awnings are to be provided for all new developments as indicated in Figure 37.
- (b) Awning design must match building facades and be complementary to those of adjoining buildings.
- (c) Wrap awnings around corners for a minimum 6m from where a building is sited on a street corner.
- (d) Awnings dimensions should generally be:
  - (i) Minimum soffit height of 3.3m.
  - (ii) Low profile, with slim vertical fascias or eaves (generally not to exceed 300mm height).
  - (iii) Setback a minimum of 600mm from the kerb.
  - (iv) 3.0m deep.
- (e) Where street trees are required the entire length of the awning is to be set back from the kerb by 1.2m. Cut outs for trees and light poles in awnings are not acceptable.
- (f) To control sun access/protection, canvas blinds along the street edge may be permitted, subject to design merit and assessment.
- (g) Signage on blinds is not permitted.

- (h) Provide under awning lighting to facilitate night use and public safety.



**Figure 37** Active street frontages required and front facade of buildings are to have awnings

### 1.27.7 Vehicle Footpath Crossings

#### Objectives

- (a) To make vehicle access to buildings more compatible with pedestrian movements and the public domain.
- (b) To ensure vehicle entry points are integrated into building design and contribute to high quality architecture.

#### Controls

##### *Location of Vehicle Access*

- (a) No additional vehicle entry points will be permitted into the parking or service areas of development along those streets identified as significant circulation routes in Figure 38.
- (b) In all other areas, one vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.
- (c) Where practicable, vehicle access is to be from lanes and minor streets rather than primary street fronts or streets with major pedestrian activity.
- (d) Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on-site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicle access points so that these are capable of shared access at a later date.
- (e) Vehicle access may not be required or may be denied to some heritage buildings.

##### *Design of Vehicle Access*

- (a) Wherever practicable, vehicle access is to be a single lane crossing with a maximum width of 2.7m over the footpath, and perpendicular to the kerb

alignment. In exceptional circumstances, a double lane crossing with a maximum width of 5.4m may be permitted for safety reasons.

- (b) Vehicle access ramps parallel to the street frontage will not be permitted. Doors to vehicle access points are to be tilting doors fitted behind the building façade and to be of materials that integrate with the design of the building and contribute to a positive public domain.
- (c) Vehicle entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.



**Figure 38** Vehicle access restrictions

### 1.27.8 Building Exteriors

#### Objectives

- (a) To contribute positively to the streetscape and public domain by means of high quality architecture and robust selection of materials and finishes;
- (b) To provide richness of detail and architectural interest especially at visually prominent parts of buildings such as lower levels and roof tops;
- (c) To present appropriate design responses to nearby development that complement the streetscape,
- (d) To clearly define the adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security; and
- (e) To maintain a pedestrian scale in the articulation and detailing of the lower levels of the building.

**Controls**

- (a) Adjoining buildings (particularly heritage buildings) are to be considered in the design of new buildings in terms of: appropriate alignment and street frontage heights; setbacks above street frontage heights; appropriate materials and finishes selection; facade proportions including horizontal or vertical emphasis; and the provision of enclosed corners at street intersections.
- (b) Articulate façades so that these address the street and add visual interest.
- (c) External walls should be constructed of high quality and durable materials and finishes with 'self-cleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.
- (d) Finishes with high maintenance costs, those susceptible to degradation or corrosion that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.
- (e) To assist articulation and visual interest, avoid expanses of any single material.
- (f) Limit opaque or blank walls for ground floor uses to 30% of the street frontage.
- (g) Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass.
- (h) Highly reflective finishes and curtain wall glazing are not permitted above ground floor level.
- (i) A materials sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge.
- (j) The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.

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**1.27.9 Vehicle Access**
**Objectives**

- (a) To minimise the impact of vehicle access points and driveway crossovers on streetscape amenity, pedestrian safety and the quality of the public domain by:
- (b) To design vehicle access to required safety and traffic management standards,
- (c) To integrate vehicle access with site planning, streetscape requirements, traffic patterns and to minimise potential conflict with pedestrians.
- (d) To minimise the size and quantity of vehicle and service crossings to retain streetscape continuity and reinforce a high quality public domain.

**Controls**

- (a) Driveways should be: Provided from lanes and secondary streets rather than the primary street, wherever practical. Located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees. Located a minimum of 10m from the perpendicular of any intersection of any two roads. If adjacent to a residential development, setback a minimum of 1.5m from the relevant side property boundary.
- (b) Vehicle access is to be designed to minimise the impact on the street, site layout and the building façade design, and if located off a primary street frontage, integrated into the building design.

- (c) Where practicable, buildings are to share, amalgamate, or provide a rear lane for vehicle access points.
- (d) All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn.
- (e) Separate and clearly differentiate pedestrian and vehicle access. Locate vehicle access a minimum of 3m from pedestrian entrances.
- (f) Minimise the size and quantity and visual intrusion of vehicle access points. The preferred width of driveway crossings and car park and service entries is 2.7m.
- (g) Vehicular access may not ramp along boundary alignments edging the public domain, streets, lanes parks, water frontages and the like.
- (h) Driveway widths must comply with the relevant Australian Standards.
- (i) Car space dimension, driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standards. Vehicular ramps less than 20m long within developments and parking stations must have a maximum grade of 1 in 5 (20%).
- (j) Access ways to underground parking should not be located adjacent to doors or windows of the habitable rooms of any residential development.

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## 1.27.10 Site Facilities and Services

### Objectives

- (a) To ensure that site facilities are effectively integrated into the development and are unobtrusive.
- (b) To establish appropriate access and location requirements for servicing.
- (c) To ensure service requirements do not have adverse amenity impacts.

### Controls

- (a) All site facilities are to be integrated into the design of the building.
- (b) For developments where a fire brigade vehicle is required to enter the site, vehicular access, egress and maneuvering must be provided to, from and on the site in accordance with the NSW Fire Brigades Code of Practice – Building Construction – NSWFB Vehicle Requirements. Generally, provision must be made for NSW Fire Brigade vehicles to enter and leave the site in a forward direction where: NSW Fire Brigade cannot park their vehicles within the road reserve due to the distance of hydrants from the building or restricted vehicular access to hydrants; or the site has an access driveway longer than 15m.

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## 1.27.11 Special Areas

### Objectives

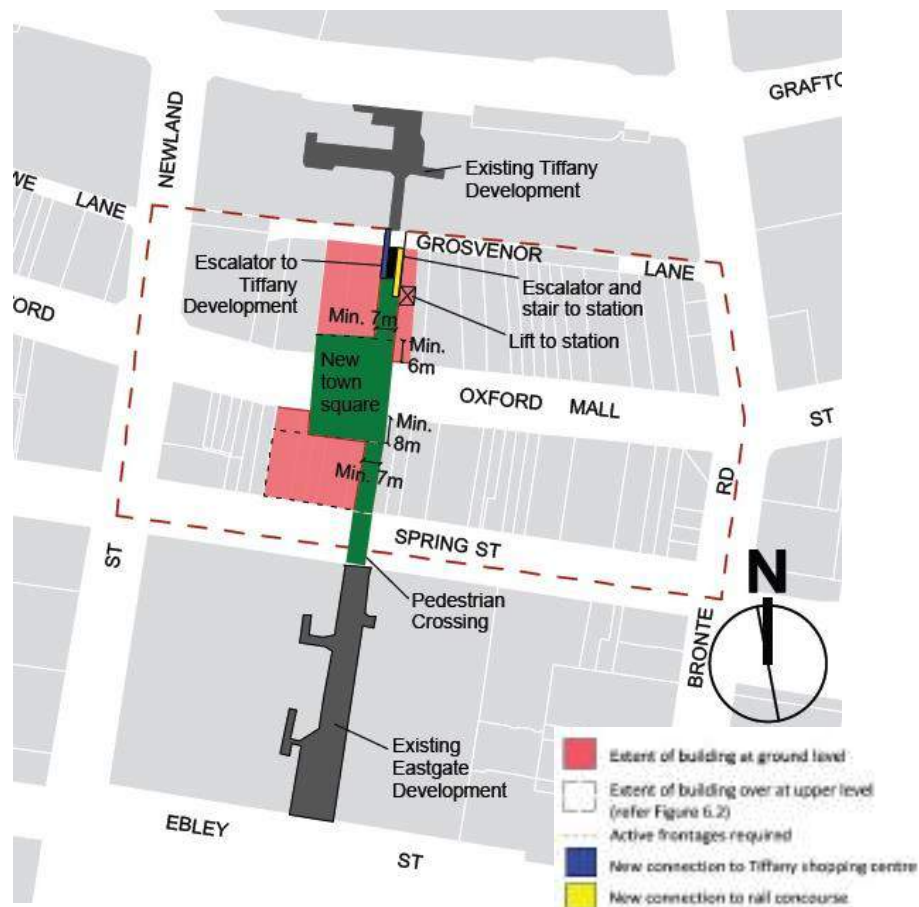
- (a) The Rowe Street and Bronka Arcade sites, on the north and south sides of Oxford Street Mall, lie at the crossing of important pedestrian routes through Bondi Junction. These sites offer an opportunity to enliven the centre of the Bondi Junction Centre area by creating a new public Town Square which frames the mall on both sides, as illustrated in Figure 40.

- (b) On the Rowe Street site, a major new link is to be created between Oxford Street Mall and the railway interchange. This connection should consist of a staircase, lift and escalator. This link will encourage greater pedestrian traffic on the Mall, improving the desirability of retail floor space in the Bondi Junction Centre.
- (c) On the Bronka Arcade site, existing connections are to be maintained and enhanced by the new, north facing Town Square and a more generous, double height arcade connection to Spring Street.

## Controls

### Public Space

- (a) The public square is to frame the Oxford Street mall on both sides. On the Bronka Arcade site a setback of at least 9m will create a north facing outdoor space. On the Rowe Street site, a setback of at least 6m will help accommodate pedestrian traffic, while providing an area for outdoor café seating. This space will lead into an arcade which accommodates the new connection to the rail interchange and Tiffany Plaza development. Minimum dimensions for public space are illustrated in Figure 40.
- (b) The new square should be a coherent and legible urban space, with a consistent palette of paving and materials.



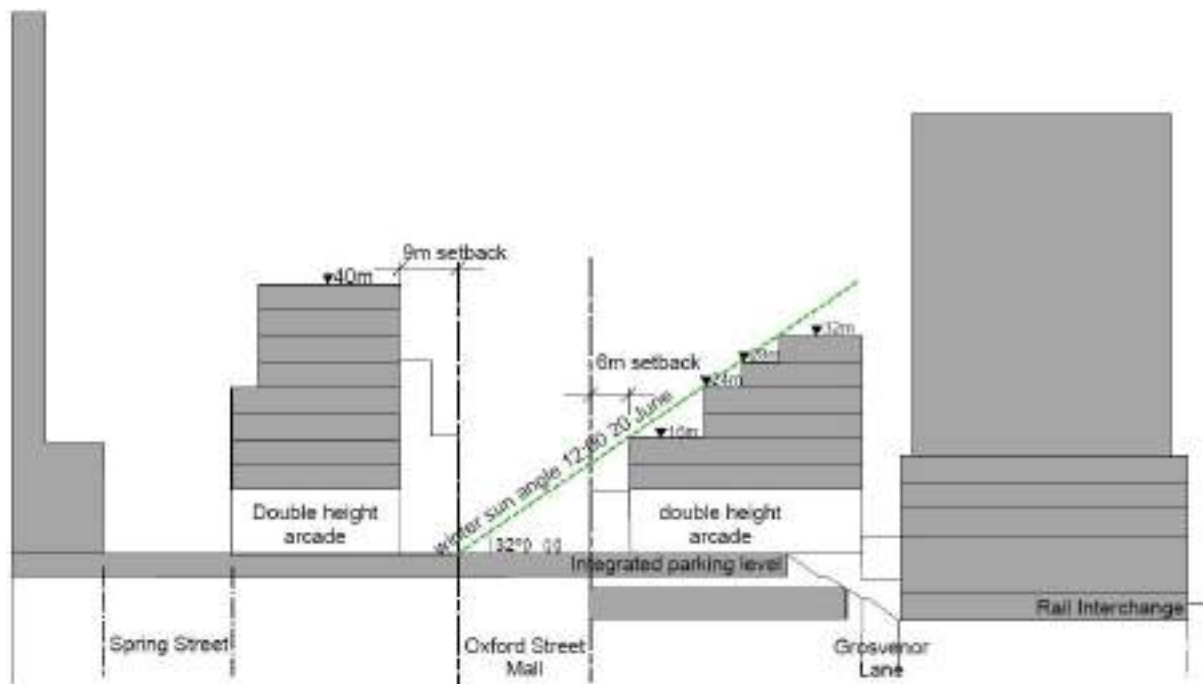
**Figure 39** Special Area Plan: Bondi Junction Town Square

*Built Form*

- (a) On the Rowe Street site, new development must comply with the solar access plane illustrated in Figure 40, which ensures that new development on this site does not overshadow the town square in winter. On the Bronka Arcade site, new development is permitted to rise to 40m from the 9m setback to the Oxford Street Mall.

*Public Domain Interface*

- (a) As the new public square lies at the crossing of two important pedestrian routes, active uses are to be encouraged along all frontages at ground level. In order to encourage oversight of the space, active uses should also be provided at first floor level along the town square facade.
- (b) In order to ensure a high quality interface with the retail frontage along its length, the covered arcade connecting Oxford Street Mall and the railway concourse/Tiffany Plaza development should have the same finished floor level as the mall, and should be level along its entire length. The connection down to the railway station and up to the Tiffany Plaza development should consist of escalators, stairs and a lift. Development on the Rowe Street site is to be serviced from Grosvenor Lane.
- (c) In order to encourage the activation of Spring Street, development on the Bronka Arcade site is to be serviced below ground, or on a limited hours basis from Spring Street.
- (d) Because of limited opportunities for vehicle access, new developments are encouraged to consolidate parking.



**Figure 40** Section through Bondi Junction Town Square



## Wind Tunnel Study

Wind Tunnel Study is to be prepared for all building over 9 storeys in height or is considered exposed. This is the most definitive method of modelling wind effects. Wind effects are modelled in a wind tunnel facility and local speeds are measured at the various critical outdoor areas within and around the site and compared directly against the relevant comfort criteria. Any recommendations for treatments such as altering the building form, the implementation of awnings, canopies, strategically placed screens or dense planting to protect entrances or podium areas should be modelled in the wind tunnel and tested.

### Requirements for the preparation of a wind tunnel report

1. The Wind Tunnel Study required under this plan should
  - (a) Assess the likely wind effects of the development;
  - (b) If the wind conditions in any of the areas surrounding the site exceed the relevant criteria then model the existing wind conditions to accurately quantify the impact; and
  - (c) Recommend measures required to improve adverse wind conditions created by the proposal and demonstrate that the recommended measures will be effective in mitigating the adverse wind effects.
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 500m. 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 at 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 must be considered are the integral scale of turbulence of the wind, the effect of scale on the Jensen and Reynolds numbers and a zero longitudinal pressure gradient. The Jensen and Reynolds numbers are dimensionless numbers used to predict full scale results from tests performed using reduced scale models. Note that the mean wind speed and turbulent intensity boundary layer profiles must be modelled to within 10% of the target values. It is recommended that the target values be based on the Deaves and Harris (1978). Bondi Junction Centre Waverley Development Control Plan 2010. The integral scale of turbulence must be matched to within a factor of 3. The maximum permissible blockage is 10% (maximum sectional area of the model divided by the sectional area of the wind tunnel test section). The maximum height of the model must not exceed half the height of the wind tunnel test section. The minimum permissible Reynolds Number is  $5 \times 10^4$ .
  - (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). If the gust-equivalent mean criteria are used then the mean and local turbulence intensity should also be measured.
  - (d) Analysis of the wind effects must be based on measurements 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



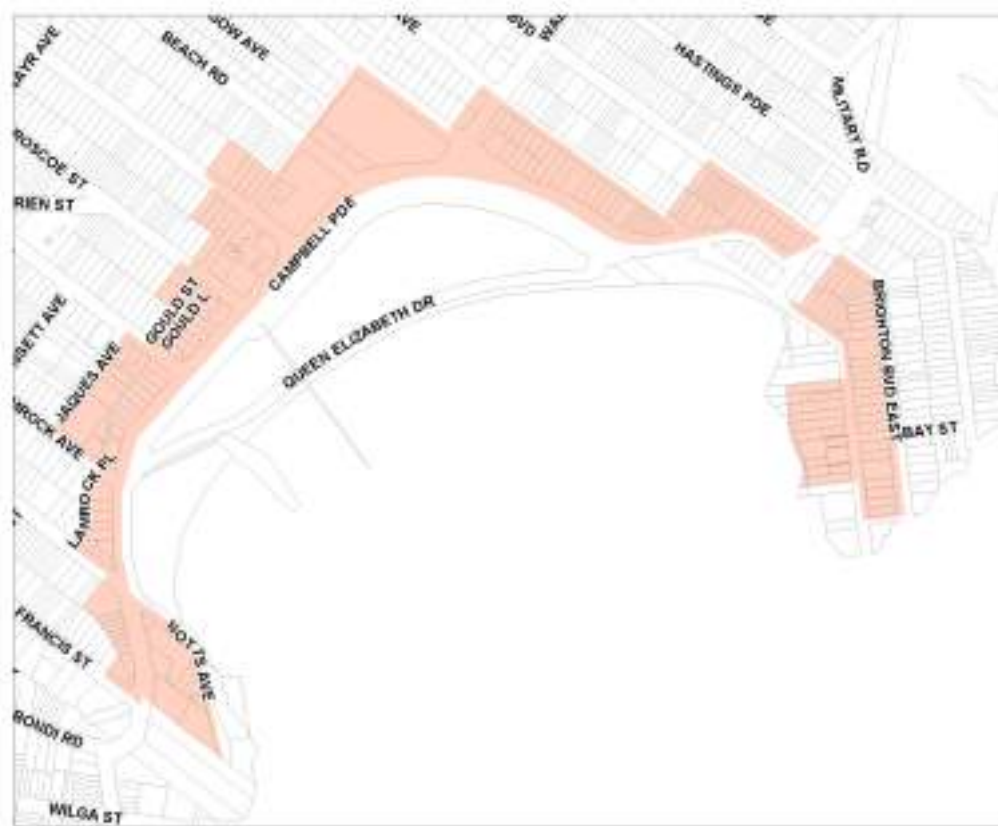
- minimum of 16 wind directions. Initial tests to be performed without the effect of the proposed trees or other wind mitigation devices.
- (e) Analysis of results must be based on reliable meteorological data for Sydney (preferably from the Sydney Airport Observation office), taken over a minimum of 30 years of continuous data. In the case where treatments are required, their effectiveness must be confirmed with further wind tunnel measurements.

## E2 BOND BEACHFRONT AREA

Bondi Beach is an iconic location, including one of Australia's most famous beaches. Bondi Beach has local, state and national heritage significance and is a major tourist attractor as well as a popular spot for locals due to its eclectic character and services.

This Part plays an integral role in maintaining the areas unique qualities while providing urban design controls for residential and commercial development including controls relating to building height, parking, setbacks and building appearance.

This Part applies to the land commonly known as the Bondi Beachfront Area shaded in Figure 41.



**Figure 41** Bondi Beachfront Area

This Part contains general objectives and controls for development within the Bondi Beachfront Area as well as specific objectives and built form controls for five (5) Character Areas. A development is required to meet the general objectives and controls as well as the specific objectives and built form controls for the specific area in which the development is located.

## 2.1 GENERAL CONTROLS

This section outlines the general objectives and urban design controls that apply to the Bondi Beachfront Area. These controls must be read in conjunction with the 'Specific Character Area Controls'.

The controls complement other relevant parts of this document. Where there are conflicts these controls take precedence.

The controls should also be read in conjunction with the design guidelines included in Annexure E2-1 which provide examples of building elements. These are derived from an analysis of the existing buildings. These guidelines are intended to guide owners to develop in a way that contributes to, and enhances, the individual character of the Bondi Beachfront Area.

### 2.1.1 Public Domain Interface

#### Objectives

- (a) To ensure priority is given to pedestrian movement.
- (b) To encourage retail trading and appropriate commercial uses at street level.
- (c) To encourage development with a strong street address and well-defined residential entries.
- (d) To ensure ground level building frontages are active, open, inviting and that shop fronts are maximised.
- (e) To provide continuous awnings for pedestrians in B4 – Mixed Use Zones.
- (f) To maintain the small shop character at ground floor in B4 – Mixed Use Zones.
- (g) To encourage publicly accessible through-site pedestrian access ways within B4 – Mixed Use Zones.
- (h) To provide safe pedestrian environments through reduced vehicular crossings on primary commercial streets.

#### Controls

- (a) Buildings must have a clear street address with well defined entries that are visible from the street.
- (b) Commercial and residential entries must be reasonably separated.
- (c) Access to residential dwellings above ground level should not occupy more than 20% of the principal street frontage.
- (d) New shop fronts must have proportions and characteristics that are consistent with other shop fronts in the Bondi Beachfront Area.
- (e) Recessed entries are permitted to shop fronts.
- (f) Shop fronts must consist primarily of clear glazing that is capable of opening to the public domain.
- (g) Opaque facades at ground level are prohibited in B4 – Mixed Use Zones.
- (h) Primary commercial street frontages must provide an entry to a retail premises every 5 - 6.5m
- (i) All primary commercial street frontages and shop fronts must have continuous awnings that relate in height, style and alignment to adjacent awnings. Awnings are to be:

- (i) located between the ground and first floors;
- (ii) 3.1 to 4.2 metres above the footpath height, with the final height determined to ensure continuity in appearance and weather protection with adjoining awnings;
- (iii) step to reflect the topography with a maximum step of 700mm (at each step) for design articulation;
- (iv) have horizontal undersides;
- (v) be minimum 3 metres wide;
- (vi) non-trafficable;
- (vii) wrapped around the corner on corner buildings;
- (viii) lighting fixtures are to be recessed into and integral with the awning structure and form; and
- (ix) gutters are not to be visible from the footpath.
- (j) New awnings must be consistent with the width of other predominant awnings in this area.
- (k) Vehicular entries are prohibited along Campbell Parade and primary commercial street frontages.
- (l) Pedestrian through-site access links are encouraged. Where provided they must be
  - (i) 3 to 6 metres wide;
  - (ii) have a minimum clear height of 1.5 times the width or 6m, whichever is the greater; and
  - (iii) have clear sight lines between entry and exit.
- (m) Ground floor uses are to be at the same level as the footpath.
- (n) Roller shutters are not to be used on shopfronts.

### 2.1.2 Building use

#### Objectives

- (a) To recognise the local role of the Bondi Beachfront Area.
- (b) To ensure that the Bondi Beachfront Area is not dominated by commercial and retail activity.
- (c) To ensure that the Bondi Beachfront Area maintains a high level of vibrancy.
- (d) To ensure that the Bondi Beachfront Area is afforded a high level of passive surveillance at all times.
- (e) To ensure continuous and active street frontages.

#### Controls

- (a) Consent must not be granted for development in relation to the use of a building erected or proposed to be erected on land in the Bondi Beachfront Area, if the Council is of the opinion that any part of a floor above the first floor will be used for the purpose of a Business Premises or Office Premises.
- (b) The ground floor and first floor of any development that is a building on land zoned B4 Mixed Use in the Bondi Beachfront Area as identified on the Area Map must have active street frontages and be used for retail premises, business premises, tourist and visitor accommodation or a combination of those uses.

- (c) The ground floor of any development that is a building on land zoned B4 Mixed Use in the Hall Street or Curlewis Street must have active street frontages and be used for retail premises, business premises, or a combination of both.

### 2.1.3 Built Form

#### Objectives

- (a) To ensure new and refurbished buildings are sympathetic to the scale and height of existing buildings.
- (b) To reinforce the prevailing street pattern of rectilinear building forms as well as predominantly vertical proportions of bays openings and windows.
- (c) To maintain the existing building line abutting the street alignment along Campbell Parade.
- (d) To ensure built form does not negatively impact on the access to sunlight in public open spaces.
- (e) To ensure buildings provide high quality internal environments for occupants and users of the building, both residential and non-residential uses.
- (f) To maintain the scale and alignment of the existing predominant street wall

#### Controls

- (a) The built form of new and refurbished buildings must complement the height and scale of the prevalent built form within the Bondi Beachfront Area.
- (b) Where a building façade adjoins a heritage item or a contributory building, it must have a façade that complements the form and proportion of the building.
- (c) Buildings along Campbell Parade must be built to the street alignment and predominant surrounding street wall height.
- (d) Attic levels should be setback minimum three metres from the principal façade and not encroach into the setback line.
- (e) External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade.
- (f) For non-residential uses, no point on the floor should be more than 10m from a window.
- (g) Buildings in the B4 – Mixed Use zone must provide a minimum of 3.3m clear ceiling heights on ground level and level 1.
- (h) Corner sites require architectural treatment which emphasizes the prominent role filled by these sites. Measures include the deletion of upper floor setbacks with construction to external site boundaries, design measures to emphasize the corner and improvement to the public domain.
- (i) Openings to new balconies in existing facades should not exceed the width of existing openings and make use of existing openings where possible.
- (j) Voids or gaps in the street wall should be avoided.
- (k) For sites adjoining residential zoned land, the building is to be setback a minimum of 1.5m from the common boundary.
- (l) Commercial and retail buildings are to have a minimum floor to ceiling height of 3.6m.

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**2.1.4 Roofs****Objectives**

- (a) To maintain the established roofscape along Campbell Parade.
- (b) To ensure rooftop elements are cohesive with the existing streetscape and their roof mounted services are concealed from and do not dominate roof scapes viewed from Campbell Parade, Bondi Beach or the public domain.
- (c) Encourage solar collectors and photovoltaic cells to be integrated into the overall design of roof terraces.
- (d) To ensure that balconies and balcony or roof top additions do not substantially alter heritage items or contributory buildings.

**Controls**

- (a) The existing pattern of roof forms and roof elements along Campbell Parade must be retained.
- (b) Rooftop elements and buildings services located on the roof of a building must not be visible at eye level, 1.5m above the existing finished ground level, when viewed from the property boundary opposite the site.

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**2.1.5 Views****Objectives**

- (a) To protect and enhance views from the public domain.
- (b) To minimise view loss from existing developments by proposed development.
- (c) To promote the concept of view sharing as a means of ensuring equitable access to views.

**Controls**

- (a) Proposed development must respect existing view corridors from the public domain.
- (b) Proposed development should avoid impacting on existing views where possible.
- (c) Trees are prohibited from being planted where they would take away an existing view from the habitable room or balcony of an existing building when mature.

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**2.1.6 Heritage Conservation**

"Part B9 - Heritage" applies for the Bondi Beachfront Area.

**Objectives**

- (a) To protect and enhance heritage items, contributory buildings and the established character of the heritage urban conservation area.
- (b) To enable ongoing adaptive reuse of heritage items and contributory buildings where existing usage is no longer viable.

- (c) To ensure retention and restoration of detailing to heritage items and contributory buildings including street level shopfronts and entry lobbies to residential flat buildings.
- (d) To ensure heritage items and contributory buildings are retained and remain legible as individual buildings in new developments.

#### **Controls**

- (a) Heritage items and contributory buildings are nominated on the Heritage Items and Contributory Buildings Maps provided for each Character Area in Part E2 Section 2.2.
- (b) Heritage items and contributory buildings are to be retained and to remain legible as individual buildings in any related development.
- (c) Heritage items and contributory buildings may be adaptively reused where existing usage is no longer viable.
- (d) Adaptive reuse of heritage items and contributory buildings is to maintain the form, detail and finishes of the existing buildings as the dominant aspect of the site with new works having limited impact upon the significance and contribution of the building to the conservation area.
- (e) Any works adjacent to or in the context of heritage items and contributory buildings must clearly demonstrate cohesion with the existing historic character of the streetscape and the form, alignment, detailing, articulation and materials of heritage items and contributory buildings defining the conservation area.
- (f) Where upper storey additions are proposed to heritage items or contributory buildings that have pitched roofs, attic additions are to be utilised in lieu of additional expressed floors.

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#### **2.1.7 Infill Buildings**

"Part B9 - Heritage" applies for the Bondi Beachfront Area

#### **Objectives**

- (a) To encourage infill buildings sympathetic in style to heritage items and contributory buildings in the Bondi Beachfront Area.
- (b) To discourage infill buildings from imitating characteristics of heritage items and contributory buildings.

#### **Controls**

- (a) Infill buildings must not imitate decorative details or features of heritage item and contributory buildings.
- (b) Fenestrations must have similar proportions to heritage items and contributory buildings within the Bondi Beachfront Area.
- (c) Where a new building is located adjacent to heritage items or contributory buildings, its design must be sympathetic in scale, alignment, detailing and materials to these existing buildings.
- (d) Infill buildings must build to the prevailing street wall height then setback min. 3m to any upper floors.

## 2.2 CHARACTER AREAS

The Bondi Beachfront Area contains a number of areas that contain similar characteristics and development potential and are known as Character Areas as shown in Figure 43 and includes:

- A - Notts Avenue;
- B - Campbell Parade South;
- C - Campbell Parade Centre;
- D - Campbell Parade North; and
- E - Ramsgate Avenue East.



Figure 42 Character Areas



### 2.2.1 Notts Avenue

#### Existing Character and Built Form

Notts Avenue is a residential area comprising a variety of housing forms including street defining residential flat buildings along Notts Avenue and a tower on top of the headland along Campbell Parade (refer to Figure 43). Buildings are generally oriented to the north to take advantage of the aspect and elevated views over Bondi Beach. It has an irregular subdivision pattern.

Existing buildings in this area are predominantly rendered masonry with flat and pitched roofs. Buildings have a variety of expressions from the strongly horizontal emphasis of the building at the corner of Notts Avenue and Campbell Parade to vertical flat buildings.

Notts Avenue is characterised by blank street walls and a raised pedestrian footway at ground level with some garage openings and buildings located on top of a sloping topography. The Campbell Parade frontage is not street defining and contains residential uses at ground level.

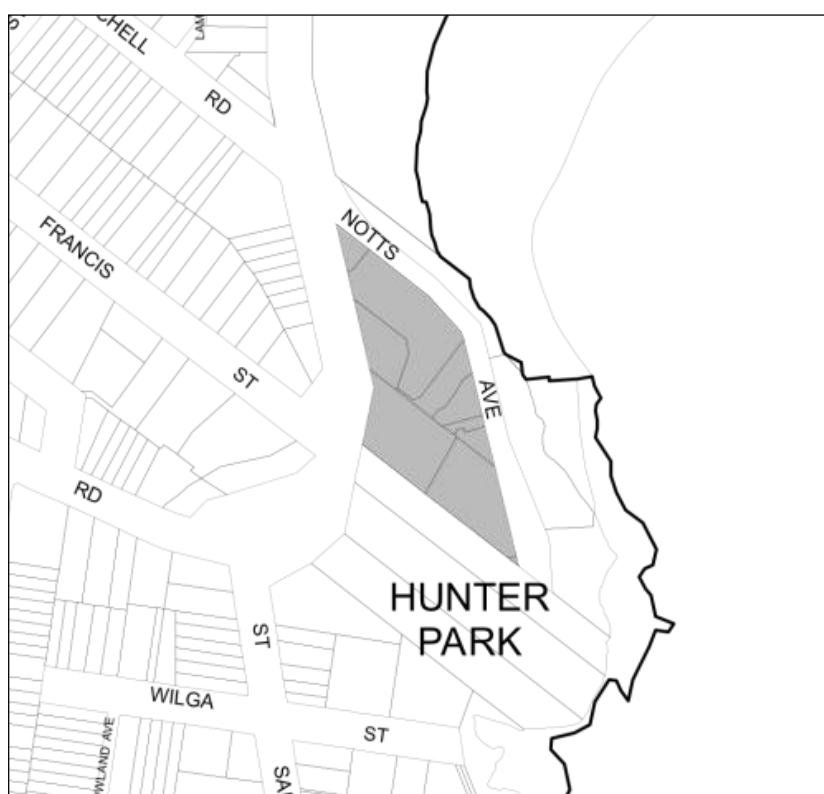


Figure 43 Notts Avenue Character Area

**Desired Future Character Objectives**

- (a) To maintain a residential character and support a diversity of residential accommodation in the area.
- (b) To ensure that vehicular entries do not dominate Notts Avenue.
- (c) To retain established building levels along Notts Avenue.
- (d) To encourage buildings along Campbell Parade and Notts Avenue to be built to the street edge with no setbacks.

**Controls**

- (a) Land use
  - (i) Developments are to retain the predominantly residential character of the area.
  - (ii) Developments fronting Campbell Parade are encouraged to have active ground floor frontages with retail.
- (b) Height and Bulk
  - (i) A maximum of 3 storeys is permitted.
  - (ii) A maximum external wall height of 10m is permitted.
- (c) Setbacks
  - (i) Buildings fronting Campbell Parade are to be built to the street edge with no setbacks.
  - (ii) Buildings are to provide sufficient rear setbacks to provide courtyards.
  - (iii) Buildings fronting Campbell Parade must have zero side setbacks for min. 10m from the Campbell Parade street wall for the height of the street wall.
- (d) Façade Materials and Finishes
  - (i) Blank, flat and unarticulated facades are prohibited.
  - (ii) Buildings must not use materials that are highly reflective.
  - (iii) Windows must be composed as part of the overall form of the building.
  - (iv) Dark or tinted glazing is prohibited.
- (e) Balconies and Balustrades
  - (i) Balconies along Campbell Parade must be recessed into the building envelope and should not project forward of the principal façade.
  - (ii) Balconies along Campbell Parade must be screened.
  - (iii) Balconies adjacent to a public open space or on side boundaries must be screened.
  - (v) Balconies must be designed as part of the overall form of the building.
  - (vi) All balustrades, except those along Campbell Parade, must be predominantly constructed of clear, semi-frameless glazing.

- (f) External Sun Shading
  - (i) External sun shading must be constructed of materials that are suitable to the environmental conditions of the site.
  - (ii) External sun shading must be consistent with the style and articulation of the building.
- (g) Roofs and Parapets
  - (i) Roofs must be flat and edged by parapets along Campbell Parade and at the corners with Notts Avenue and Hunter Park for 10 metres back from the corner.
- (h) Façade Colours
  - (i) Light to mid colours must be used.
  - (ii) Dark colours are prohibited.
- (i) Awnings
  - (i) Awnings are required along Campbell Parade.
- (j) Parking
  - (i) Car parking should be located below ground level and should not be visible from the street.
  - (ii) Car parking access via Campbell Parade is prohibited.
  - (iii) Car parking at or above ground level is discouraged. If there is no alternative - it should be screened behind habitable uses to a minimum depth of 8 metres. Car parking must not be visible from the street or from a public place

### 2.2.2 Campbell Parade South

#### Existing Character and Built Form

Campbell Parade is the principal street that follows the curve of Bondi Beach and is an integral element of the tourist image, providing retail, food and other services for the transient day/night time population, short-term residents and local community (refer to Figure 44). A regular pattern of secondary streets run perpendicular to Bondi Beach, creating visually prominent corners at Francis Street, Sir Thomas Mitchell Road and Lamrock Avenue. The land slopes steeply from Sir Thomas Mitchell Road to the top of the southern headland at Hunter Park.

Existing buildings have narrow frontages built to the street alignment, with notable facades that contribute to its inter-war heritage. Buildings are predominantly rendered masonry with parapets and a vertical expression through the use of bay or vertically proportioned windows, pilasters and a few balconies, typically enclosed. Existing buildings generally have a north-eastern orientation that takes advantage of the aspect and views over Bondi Beach.

Many sites contain heritage items and a large proportion of the area is located within the heritage urban conservation area. Many sites contain contributory buildings worthy of retention as they contribute to the overall character of the Area. These buildings are generally intact and consistent with other 1920s/30s precincts in Sydney.



**Figure 44** Campbell Parade South Character Area

#### **Desired Future Character Objectives**

- (a) To support and maintain the iconic role and unique character of the Campbell Parade retail strip as a separate area within the wider Bondi Beach Town Centre in providing local shops, services and residential accommodation for day visitors and the local community.
- (b) To maintain the mixed-use character of the centre by locating small shops and services at ground level and level one with a diversity of residential accommodation above.
- (c) To encourage outdoor seating on top of awnings along Campbell Parade.
- (d) To ensure new development and major renovations are consistent with the existing character of the area.
- (e) To encourage development that addresses the street and is built to the street alignment along Lamrock Place.

#### **Controls**

- (a) Land use
  - (i) Developments are to retain the mixed use character of the area by locating commercial at ground and level 1 and residential above.
- (b) Height and Bulk
  - (i) A maximum of 4 storeys is permitted.
  - (ii) A maximum external wall height of 12.5m is permitted.

- (c) Setbacks
- (i) Buildings are to be built to the street edge with no setbacks.
  - (ii) Buildings are to be built to the side boundaries for minimum 10m from the front street wall.
  - (iii) Balcones and terraces may extend over the ground floor awning where commercial is proposed.
  - (iv) Where a building is to be extended by the construction of additional floors, the new section is to be setback from the existing façade line by a minimum distance of 3m.
  - (v) Attic levels or part additional floors must be setback minimum 3 metres from the street wall.
- (d) Heritage and contributory buildings (refer to Figure 45)
- (i) Maintain the existing character of the area including narrow frontages and vertical expression.
  - (ii) Where a building is to be constructed in conjunction with a retained façade, the new construction is to be setback and integrated with the preserved section of the building.
  - (iii) Corner sites require architectural treatment which emphasises the prominent role filled by these sites in the urban context.



**Figure 45** Heritage Items and Contributory Buildings

- (e) Façade Materials and Finishes
- (i) New facades must be predominately rendered masonry with parapets and have a vertical expression.
  - (ii) Blank, flat and unarticulated facades are prohibited.

- (iii) Access to residential dwellings above ground level should not occupy more than 20% of the principal street frontage of any development.
  - (iv) Developments on corner sites are to be designed to accentuate the corner and provide a transition between one streetscape and the next.
  - (v) Windows above ground level must have vertical proportions.
  - (vi) Windows should be integral with the façade and not applied decoration.
  - (vii) Dark or tinted glazing is prohibited.
- (f) Balconies and Balustrades
  - (i) Balconies along Campbell Parade must be recessed into the building envelope and should not project forward of a principal façade.
  - (ii) Balustrades along Campbell Parade, must be predominantly solid with no or minimal glazing.
  - (iii) Balconies must be composed as part of the overall form of the building.
  - (iv) All balustrades, except those along Campbell Parade, must be predominantly constructed of clear, semi-frameless glazing.
- (g) External Sun Shading
  - (i) External sun shading must be constructed of materials that are suitable to the environmental conditions of the site.
  - (ii) External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade.
- (h) Roofs and Parapets
  - (ii) Parapets must be predominantly rendered masonry.
  - (iii) Roofs must be flat with parapets.
  - (iv) Roofs must not be visible from Campbell Parade, unless there is a contextual reason for providing a pitched roof to relate to an adjacent heritage item or contributory building.
  - (v) The roofline of buildings, predominately comprising lift motor rooms and plant rooms shall be designed as an integral part of the buildings architectural form.
- (i) Façade Colours
  - (i) Colours should be consistent with, retained or reinstated on heritage items and contributory buildings (refer to Annexure E2-1).
  - (ii) Light to mid colours must be used on all other buildings.
  - (iii) Dark colours are prohibited.
- (j) Parking
  - (i) Vehicle entries are prohibited along Campbell Parade.
  - (ii) Where parking is permitted, it should be located below ground level and should not be visible from the street.

### 2.2.3 Campbell Parade Centre

#### Existing Character and Built Form

Campbell Parade is the principal street that runs parallel to Bondi Beach. Gould Street and Jacques Avenue are secondary streets that run parallel to Campbell Parade (refer to Figure 46). A regular pattern of secondary streets run perpendicular to Campbell Parade, creating visually prominent corners at Lamrock Avenue, Hall Street, Curlew Street and Beach Road.

Campbell Parade is an integral element of the tourist image, providing retail, food and other services for the transient day/night time population and local community. Gould Street is an increasingly vibrant secondary street, providing specialist retail for visitors and the surrounding neighbourhood.

Buildings between Roscoe Street and Lamrock Avenue have narrow frontages and are built to the street alignment, with notable facades that contribute to its inter-war heritage. These buildings are predominantly rendered masonry with parapets with a vertical expression through the use of bay or vertically proportioned windows, pilasters and few balconies, typically enclosed. Existing buildings generally have a south-eastern orientation that takes advantage of the views over Bondi Beach, generally without balconies.

Many sites contain heritage items or contributory buildings and a large proportion of the area is located within the heritage urban conservation area. These buildings are generally intact and consistent with other 1920s/30s precincts in Sydney.



Figure 46 Campbell Parade Centre Character Area

**Desired Future Character Objectives**

- (a) To support and maintain the iconic role and unique character of the Campbell Parade retail strip as a separate area within the wider Bondi Beach Town Centre in providing local shops, services and residential accommodation for day visitors and the local community.
- (b) To increase access links between Campbell Parade and Gould Street to encourage pedestrian movement that supports local shops and increase the retail frontage.
- (c) To maintain the mixed-use character in the centre by locating small shops and services at ground level and level one with a diversity of residential accommodation over above.
- (d) To ensure new development and major renovations are consistent with the existing character of the area.
- (e) To minimise heritage impacts on identified heritage items and conservation areas within this and adjoining areas.

**Controls**

- (a) Land use
  - (i) Developments are to retain the mixed use character of the area by locating commercial at ground and 1<sup>st</sup> floor level and residential above.
  - (ii) New developments should provide pedestrian through site access links between Campbell Parade and Gould Street.
- (b) Height and Bulk
  - (i) A maximum of 4 storeys is permitted except for buildings fronting Curlewis Street, Beach Road or the western side of Gould Street where a maximum of 3 storeys is permitted.
  - (ii) A maximum external wall height of 12.5m is permitted except for buildings fronting Curlewis Street, Beach Road or the western side of Gould Street where a maximum of 10m is permitted.
  - (iii) An attic level or part additional floor may be permitted.
- (c) Setbacks
  - (i) Buildings within the B4 – Mixed Use zone are to be built to the street edge with no setbacks.
  - (ii) Buildings are to be built to the side boundaries for minimum 10m from the front street wall
  - (iii) Where a building is to be extended by the construction of additional floors, the new section is to be setback from the existing façade line by a minimum distance of 3m.
  - (iv) Attic levels or part additional floors must be setback minimum 3 metres from the street wall.
- (d) Heritage and contributory buildings
 

Heritage items and contributory buildings are identified in Figure 47. These items are to conform to the following controls:

  - (i) Maintain the existing character of the area including narrow frontages and vertical front facade expression.



- (ii) Where a building is to be constructed in conjunction with a retained façade, the new construction is to be similarly setback and integrated with the preserved section of the building.
- (iii) Corner sites require architectural treatment which emphasises the prominent role filled by these sites in the urban context.



Figure 47 Heritage Items and Contributory Buildings

- (e) Façade Materials and Finishes
  - (i) New facades must be predominately rendered masonry with solid parapets and have a vertical expression.
  - (ii) Blank, flat and unarticulated facades are prohibited.
  - (iii) Access to residential dwellings above ground level should not occupy more than 20% of the principal street frontage of any development.
  - (iv) Developments on corner sites are to be designed to accentuate the corner and provide a transition between one streetscape and the next.
  - (v) Fenestrations above ground level must have a vertical proportion, unless the existing character is otherwise.
  - (vi) Dark or tinted glazing is prohibited.

- (f) Balconies and Balustrades
  - (i) Balconies along Campbell Parade must be recessed into the building envelope and should not project forward of a principal façade.
  - (ii) Balustrades along Campbell Parade, must be predominantly solid with no or minimal glazing.
  - (iii) Balconies adjacent to a public open space or on side boundaries must be screened.
  - (iv) Balconies must be composed as part of the overall form of the building.
  - (v) All balustrades, except those along Campbell Parade, must be predominantly constructed of clear, semi-frameless glazing.
- (g) External Sun Shading
  - (i) External sun shading must be constructed of materials to suit the environmental conditions of the site.
  - (ii) External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade.
- (h) Roofs and Parapets
  - (i) Parapets must be predominantly rendered masonry.
  - (ii) Roofs must be flat with parapets.
  - (iii) Roofs must not be visible from Campbell Parade, unless there is a contextual reason for providing a pitched roof to relate to an adjacent heritage item or contributory building.
  - (iv) The roofline of buildings, predominately comprising lift motor rooms and plant rooms shall be designed as an integral part of the buildings architectural form.
- (i) Façade Colours
  - (i) Colours should be consistent with, retained or reinstated on heritage items and contributory buildings (refer to Annexure E2-1)
  - (ii) Light to mid colours must be used on all other buildings.
  - (iii) Dark colours are prohibited.
- (j) Awnings
  - (i) New awnings must step to reflect the topography.
- (k) Parking
  - (i) Vehicle entries are prohibited along Campbell Parade.
  - (ii) Parking should be located below ground level and should not be visible from the street.

#### 2.2.4 Campbell Parade North

## Existing Character and Built Form

Campbell Parade is the principal street that follows the gentle curve of Bondi Beach. A regular pattern of secondary streets runs perpendicular with the Campbell Parade retail strip. The land is steeply sloping towards Dover Heights and the secondary streets generally run along the contours (refer to Figure 48).

This area has a variety of building types including dwelling-houses, townhouses and residential flat buildings. Shop-top housing is generally located towards the corners.

Existing buildings along Campbell Parade have narrow frontages and are built to the street alignment, with notable facades that contribute to its inter-war heritage. Many sites contain contributory buildings which contribute to the overall character of the Area. These buildings are generally intact and consistent with other 1920s/30s precincts in Sydney.

Existing buildings are predominantly rendered masonry with parapets with a vertical expression through the use of bay or vertically proportioned windows, pilasters and few balconies, typically enclosed.

Buildings are generally oriented to the south to take advantage of the view over Bondi Beach, with some balconies. The orientation and narrow frontages limit solar access and cross ventilation.



**Figure 48** Campbell Parade North

**Desired Future Character Objectives**

- (a) To support the unique mixed use character of this section of Campbell Parade.
- (b) To discourage residential accommodation at street level along Campbell Parade.
- (c) To ensure new development and major renovations are consistent with the existing character of the area.
- (d) To ensure development is built to the street with no setbacks along Campbell Parade.

**Built Form Controls**

- (a) Land use
  - (i) Developments are to retain the predominantly residential character of the area with retail at street level encourages with properties fronting Campbell Parade.
- (b) Height and Bulk
  - (i) A maximum of 4 storeys is permitted.
  - (ii) A maximum external wall height of 12.5m is permitted.
  - (iii) An attic level or part additional floor may be permitted.
  - (iv) New buildings must address the character of adjoining buildings and generally reproduce the side setbacks, bulk and scale of adjoining built form.
- (c) Setbacks
  - (i) Buildings with frontages to Campbell Parade are to be built to the street edge with no setbacks.
  - (ii) Buildings with frontages to Ramsgate Avenue and Brighton Boulevard are to have a front setback of 3m.
  - (iii) Buildings are to provide front and rear setback back for floors above street level to provide balconies.
  - (iv) Balconies and terraces may extend over the ground floor awning where commercial is proposed.
  - (v) Where a building is to be extended by the construction of additional floors, the new section is to be setback from the existing façade line by a minimum distance of 3m.
- (d) Façade Materials and Finishes
  - (i) New facades must be predominately rendered masonry with parapets and have a vertical expression.
  - (ii) Blank, flat and unarticulated facades are prohibited.

- (i) Maintain the existing character of the area including narrow frontages and vertical front facade expression.
- (ii) Where a building is to be constructed in conjunction with a retained façade, the new construction is to be similarly setback and integrated with the preserved section of the building.
- (iii) Existing face brick building exteriors should be retained and not painted or rendered.



### Figure 49 Heritage Items and Contributory Buildings

- (i) New facades must be predominately rendered masonry with parapets and have a vertical expression.
  - (ii) Blank, flat and unarticulated facades are prohibited.
  - (iii) Buildings within the visual catchment of Bondi Beach must not use materials that are highly reflective.
  - (iv) Windows above ground level must have a vertical proportion.
  - (v) Dark or tinted glazing is prohibited.
- nies and Balustrades
- (i) Balconies along Campbell Parade must be recessed into the building envelope and should not project in front of a principal façade.
  - (ii) Balustrades along Campbell Parade, must be predominantly solid with no or minimal glazing.
  - (iii) Balconies adjacent to a public open space or on side boundaries must be screened.
  - (iv) Balconies must be composed as part of the overall form of the building.

- (h) External Sun Shading
  - (i) External sun shading must be suitable to the environmental conditions of the site.
  - (ii) External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade.
- (i) Roofs and Parapets
  - (i) Parapets must be predominantly rendered masonry.
  - (ii) Roofs must be flat with parapets.
  - (iii) Roofs must not be visible from Campbell Parade, unless providing a pitched roof relates to an adjacent heritage item or contributory building.
  - (iv) The roofline of buildings, predominately comprising lift motor rooms and plant rooms shall be designed as an integral part of the buildings architectural form.
- (j) Façade Colours
  - (i) Colours must be consistent with, retained or reinstated on heritage items and contributory buildings (refer to Annexure E2-1).
  - (ii) Light to mid colours must be used on all other buildings.
  - (iii) Dark colours are prohibited.
- (k) Awnings
  - (i) Awnings must be provided where there are retail uses at ground floor.
- (l) Parking
  - (i) Vehicle entries are prohibited along Campbell Parade.
  - (ii) Parking should be located below ground level and should not be visible from the street.
  - (iii) Car parking should not take the place of shop fronts at street level.

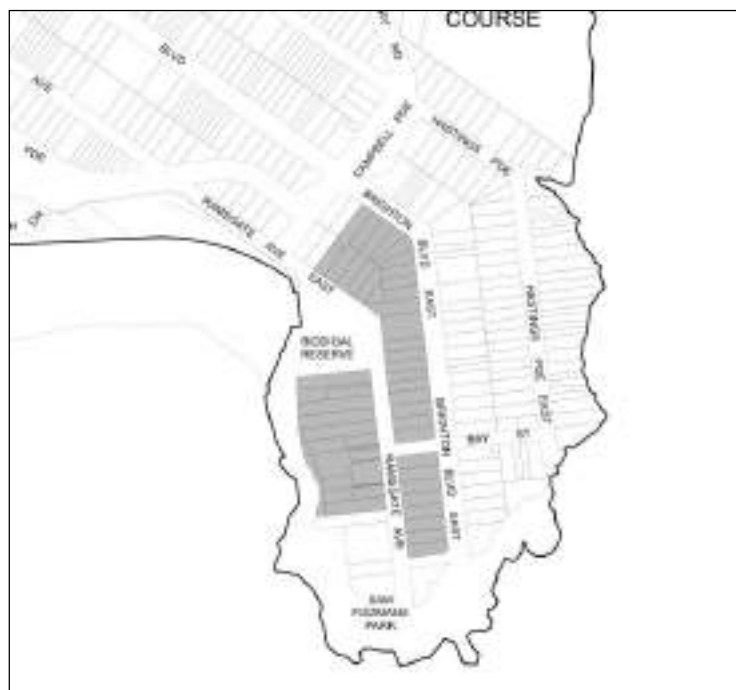
### 2.2.5 Ramsgate Avenue East

#### Existing Character and Built Form

The area generally has a regular subdivision pattern with narrow frontages to the street. It is a residential area comprising a variety of housing including dwelling-houses, two to three storey townhouses and residential flat developments. Buildings are generally oriented towards the west to take advantage of the elevated views over Bondi Beach. There is some shop-top housing at the western Ramsgate Avenue East, opposite Biddigal Reserve.

Existing buildings in this area are predominantly masonry, rendered and face brick, with pitched roofs but there are some flat and curved roofs. They have a variety of expressions with large fenestrations to the west and balconies are common. There are no heritage items in the area and it is located outside the heritage urban conservation area. Many sites contain buildings that are worthy of retention as they contribute to the overall character of the Area.

Brighton Avenue East has wide landscape strip with street trees with buildings setback from the street (refer to Figure 50).



**Figure 50** Ramsgate Avenue East Character Area

**Desired Future Character Objectives**

- (a) To maintain the residential character of the area and support a diversity of residential accommodation, with some shops at ground level opposite Biddigal Reserve.
- (b) To encourage development to address the street on the low-side of Ramsgate Avenue East.
- (c) To encourage built form with a vertical expression, constructed primarily of masonry with a consistent street wall height and attic levels setback from the street with balconies.
- (d) To discourage uncovered car parking and carports within the front setback.
- (e) To ensure that balconies and bay windows on side boundaries maintain visual and acoustic privacy between buildings.
- (f) To encourage balconies and operable screens that are integrated into the overall design of the building and that are constructed of materials appropriate to the exposed site conditions.
- (g) To maintain existing building setbacks.
- (h) To maintain and enhance existing view corridors.

**Built Form Controls**

- (a) Land use
  - (i) Developments are to retain the residential character of the area.
- (b) Height and Bulk
  - (i) A maximum of 3 storeys is permitted for buildings fronting Ramsgate Avenue and Brighton Boulevard.
  - (ii) Additional storeys are permitted where properties have dual frontage to Ramsgate Avenue East and the Coastline or where the topography permits.
  - (iii) An attic level or part additional floor may be permitted.
- (c) Setbacks
  - (i) Buildings are to have a minimum front setback equal to the average setback of the adjoining two houses on each side and 3m for properties fronting Ramsgate Avenue East.
  - (ii) Buildings are to provide rear setbacks for floors above street level to provide balconies. Where a building is to be extended by the construction of additional floors, the new section is to be setback from the existing façade line by a minimum distance of 3m.
- (d) Façade Materials and Finishes
  - (i) New facades must be predominately rendered masonry with a vertical expression.
  - (ii) Blank, flat and unarticulated facades are prohibited.
  - (iii) Buildings within the visual catchment of Bondi Beach must not use materials that are highly reflective.
- (e) Heritage items and contributory buildings
 

Heritage items and contributory buildings are identified in Figure 51. These items are to conform to the following controls:



- (i) Maintain the existing character of the area including narrow frontages and vertical expression.
- (ii) Where a building is to be constructed in conjunction with a retained façade, the new construction is to be similarly setback and integrated with the preserved section of the building.
- (iii) Existing face brick building exteriors should be retained and not painted or rendered.



**Figure 51** Heritage Items and Contributory Buildings

- (f) Fenestrations
  - (i) Fenestrations must have a vertical proportion.
  - (ii) Dark or tinted glazing is prohibited.
  - (iii) Fenestrations along a side boundary must ensure visual and acoustic privacy is maintained between buildings.
- (g) Balconies and Balustrades
  - (i) Balustrades fronting the coastline must be predominantly solid with no or minimal glazing.
  - (ii) Balconies must be composed as part of the overall form of the building.
  - (iii) Multiple balconies must be arranged with a vertical expression.
  - (iv) Balconies along the coastline must be recessed into the building envelope and should not project in front of the principal façade.
  - (v) Balconies adjacent to a public open space or on side boundaries must be screened.

- (h) External Sun Shading
  - (i) External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade.
- (i) Roofs and Parapets
  - (i) The roofline of buildings, predominately comprising lift motor rooms and plant rooms shall be designed as an integral part of the buildings architectural form.
- (j) Façade Colours
  - (i) Colours should be consistent with, retained or reinstated on heritage items and contributory buildings (refer to Annexure E2-1).
  - (ii) Light to mid colours should be used on all other buildings.
  - (iii) Dark colours should be avoided.
- (k) Awnings
  - (i) Awnings are prohibited.
- (l) Parking
  - (i) Car parking at ground level is discouraged. If there is no alternative, it should be screened behind habitable uses to a minimum depth of 8 metres. Car parking must not be visible from the street or from a public place.

## Annexure E2-1

### Design Guidelines

The elements shown in each group are drawn from buildings in the Bondi Beachfront Area and represent a selection of representative types and building scale for reference purposes. In all cases, site specific requirements and physical parameters will affect the design solution. As well, the vitality of individual choice extends and enriches the design process.

The guidelines are provided as diagrams rather than being prescriptive based. This allows interpretation with the wide range of materials and styles while at the same time, providing variety and flexibility, thereby uniting the street in urban design terms and providing a high degree of continuity.

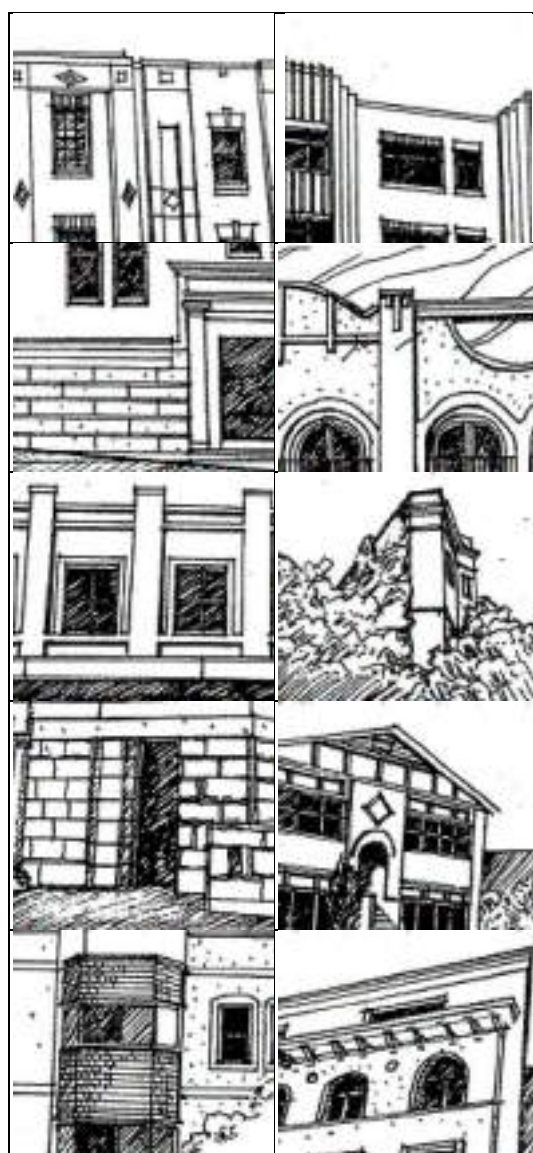
#### WALLS

The Bondi Beachfront Area includes buildings with almost every type of masonry wall finish, with timber used as panelling in gables, balconies, bay windows and other secondary uses.

The embellishment of walls, roofs and parapets exemplifies the stylistic differences of each succeeding period. Walls and their concluding parapets are visually important and the development of wall surfaces with a multiplicity of textures and patterns also provides interest and character to otherwise bleak buildings. New buildings should continue this tradition and avoid the bland unornamented brick surfaces of recent unit development.

Materials include:

- Brick
- Render
- Stone
- Roughcast
- Fibre Cement Sheet
- Shingles
- Timber



**ROOFS**

No one type of roof type predominates with most forms of roof represented in the Bondi Beachfront Area. The resultant architectural variety provides constant visual interest and is to be encouraged. Junctions of roof and wall also vary, with a wide range of eaves and parapet types used singly and often in combination.

Continuation of this character is to be encouraged and flat roofs without parapets are generally to be avoided

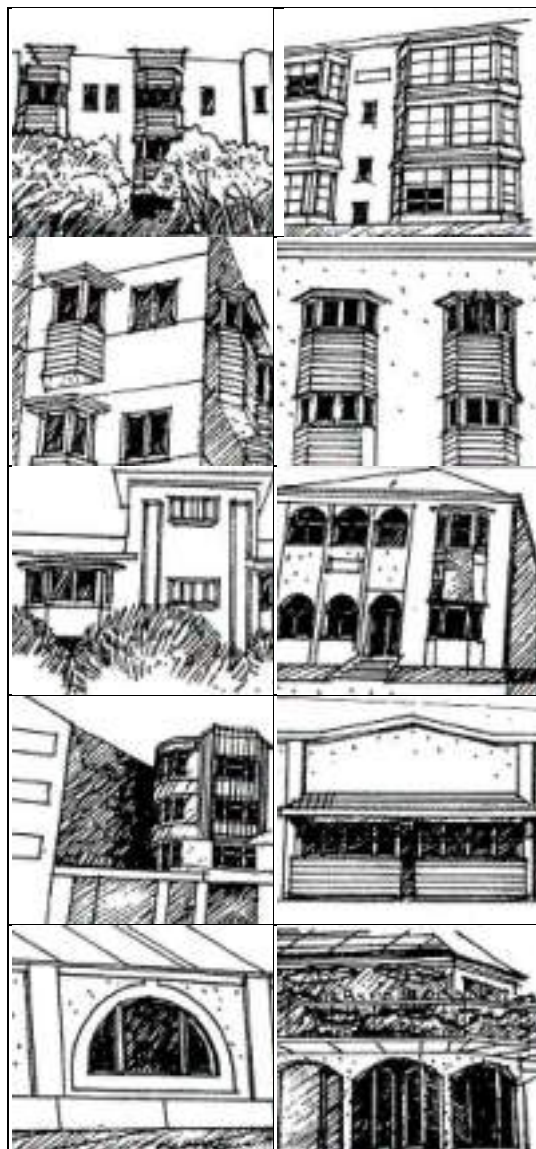


## WINDOWS

Buildings in the Bondi Beachfront Area have a rich variety of window types, which reflects the resort character of the area.

Much building in the area is at an urban scale with use of details appropriate to the larger scale. Externally, the architecture of the area and the corresponding window type varies from Victorian, through various inter-war styles including Art Deco and Spanish Mission to the faceless expression of four storey walk-ups and developer modern.

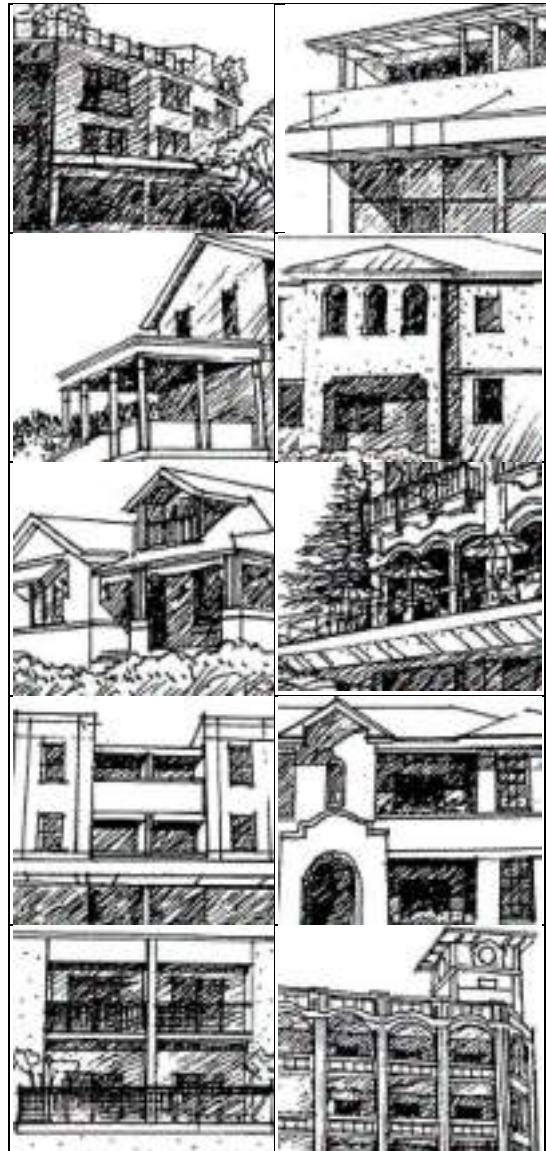
Windows reveal extraordinary inventiveness and variation of size, shape and detail. In addition to the variety of types and styles of standard windows, there are numerous types of bay windows, which provide greater access to views and sunlight. The continued use of windows that enrich and enliven the facades of buildings in the core area is desirable. It should be noted that the range of windows illustrated is by no means exhaustive.





**BALCONIES AND VERANDAHS**

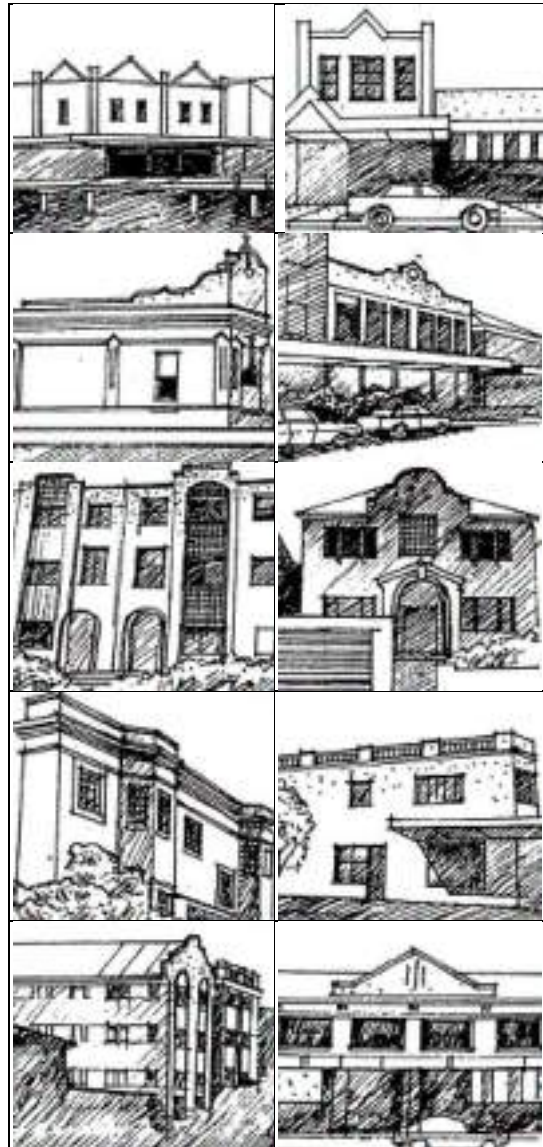
Balconies and verandahs are evident throughout the Bondi Beachfront Area in all types and scales. Widely used in the area are large covered balconies or verandahs in flat buildings. These spaces function effectively as outdoor rooms for recreational use in summer, giving views, light and air to flats which would be otherwise small and without immediate access to external open space. In addition to the “traditional” verandah room evident on much flat development, terraces in first floor awning locations and at top floor levels set back behind balustrades are to be encouraged.



**PARAPETS**

Parapets form a distinct and characteristic element in commercial and larger scale residential buildings. Styles in the Bondi Beachfront Area include Classical, Victorian, Art Deco, Spanish Mission and other hybrid types. The various styles are used to effect on both linear and corner elevations, enlivening buildings of utilitarian character that would otherwise be commonplace.

The use of all types of parapets in new development is to be encouraged to continue to develop the building traditions in the Bondi Beachfront Area.



## COLOUR

Colour in the Bondi Beachfront Area reflects both periodic change in community taste and the availability of building materials over time. In terms of natural materials, the use of sandstone as a plinth with the characteristic brown dry pressed or the clinker burnt purple brick above provides a traditional colour palette.

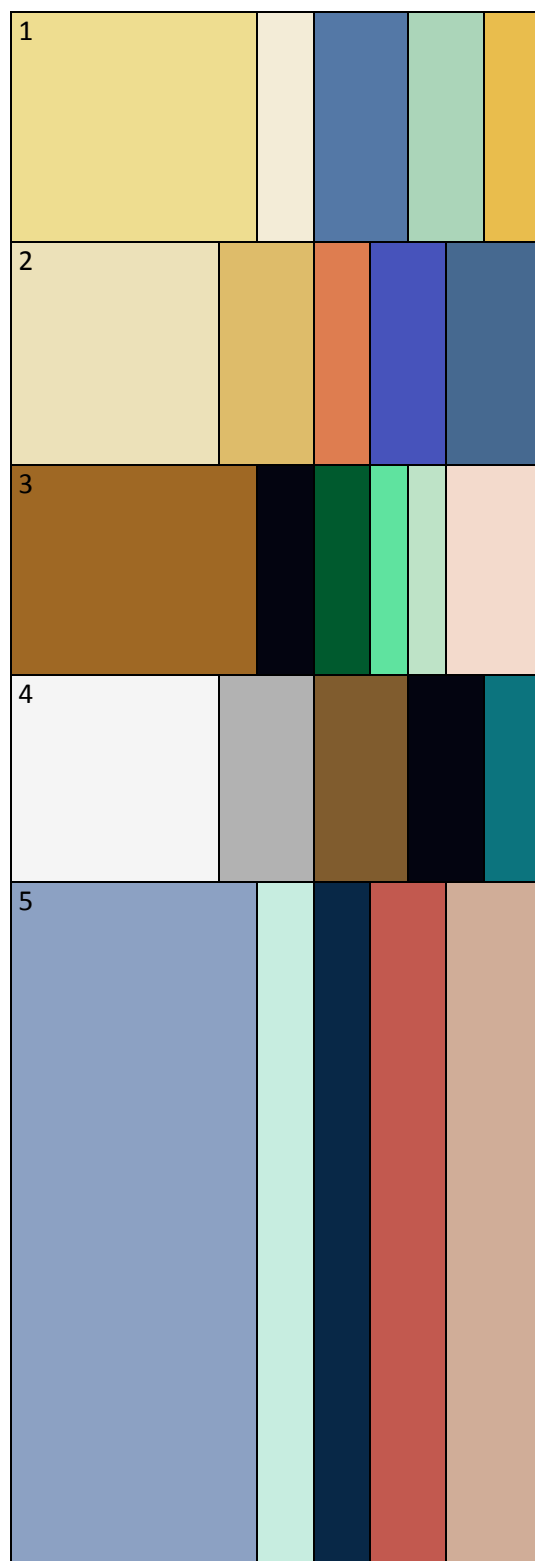
Colours shown at the top right (1) are typical of the colour palette for Campbell Parade adopted by Council in 1988. This scheme reflected in the beachside character of the area with complementary sand and sea colours in the high to mid tone range.

Four alternative schemes are shown (2 - 5). These stay within the sand and sea: range but strengthen tonal contrast and include richer, more saturated hues. Whilst embracing a broader range of colours, the proposals avoid the purple/red segment of the spectrum, and mud/olive colourings.

Sample colours taken from the Taubmans range are (left to right):

1 Sambu (T22-3W) Cameo Lace (T2-3W) Mariner Blue (T74-7A) Portolina (T79-4W) Golden Globe (T22-6A)	4 Portland Stone (T122-2W) Woolooware (T122-5W) Mascari (T116-7A) Mojo (T172-8B1) Deep Splendor (T79-7A)
2 Seersucker (T106-3W) Warm Ochre (T22-5A) Russet Ridge (T130-7A) Saxon Blue (T62-8N) Blue Masque (T71-8A)	5 Dragonfly (T151-5W) Shy Green (T152-3W) Sea Deep (T149-8N) Earth Tone (T34-7A) Baked Dough (T27-4W)
3 Plaza Buff (T115-80) Mojo (T172-8B1) Emerald Turp (T82-8N) Fantasy Green (T81-7A) Oceanic Forest (T83-2W) Lambs Tail (T116-1W)	

*Please note the sample colours shown are indicative only.*



The colour ranges are provided for guidance in the development of colour schemes appropriate for each building, with reference to size, location, style and other specific conditions. They are therefore not definitive colour schemes but should be regarded as an indication of the scope of colour suitable for the preparation of schemes for individual properties.



Some general principles apply:

- (a) Upper storeys which are set back should be the same colour or preferably a darker colour, as the lower floors of the building as light or strong colours visually come forward.
- (b) Strong elements of the façade should be visually balanced, e.g. in general terms, vertical elements such as columns and pilasters look best linked with horizontal elements painted the same colour.
- (c) Under awning and colonnades, high tones should be used to reflect both artificial and natural light.
- (d) When economy dictates a limited palette, select a lighter tone to emphasise the modelling of desirable architectural detail. Darker tones will reduce the visibility of poorly detailed facades.

## E3 LOCAL VILLAGE CENTRES

Throughout Waverley there are a number of local village centres. These are smaller centres serving the local community, separate to the regional role of Bondi Junction and Campbell Parade at Bondi Beach.

The centres enjoy unique position and character. Some of these centres are small, but all provide valuable services and facilities to local residents and users.

The purpose of this part is to strike a balance between upgrading and improving the public and private domain in village centres, while maintaining their character and affordability. The typical built form in the Local Village Centres ranges from 2 to 4 storeys. Please refer to Table 1 below for a list of all Local Village Centres and relevant built form controls. The control diagrams in each annexure must be read in conjunction with the relevant Desired Future Character Objectives in Part 3.1 – Specific Controls.

CENTRE TYPE AND NAME	BUILT FORM CONTROLS
<b>Town Centre</b>	
Hall Street	Refer to Annexure E3-3
<b>Village</b>	
Bondi Road	Refer to Annexure E3-2 & E3-3
<b>Small Village</b>	
Charing Cross	Refer to Annexure E3-2
Rose Bay (North & South)	Refer to Annexure E3-2
<b>Neighbourhood Centre</b>	
Glenayr Avenue	Refer to Annexure E3-2
North Bondi	Refer to Annexure E3-2
Blake Street	Refer to Annexure E3-2
Murriverie Road	Refer to Annexure E3-1
Murray Street	Refer to Annexure E3-1
Bronte Beach	Refer to Annexure E3-2
Bronte (Macpherson St)	Refer to Annexure E3-1 & E3-2
Old South Head Road	Refer to Annexure E3-2

**Table 1** Local Village Centres and relevant control diagrams

**Please Note:** Planning controls and objectives for the Bronte RSL site at 113 Macpherson Street, Bronte are in Part E4 of this DCP.

### 3.1 SPECIFIC CONTROLS

This section provides an outline of the 12 identified local village centres including each centre's existing character and built form and the desired future character of the areas. This is to be taken into consideration when designing the built form of the proposed development.

#### 3.1.1 Bronte Beach Neighbourhood Centre



Figure 52 Bronte Beach Neighbourhood Centre

##### Existing Character & Built Form

The Bronte Beach Neighbourhood Centre is typified by a single stretch of two (2) to three (3) storey mixed-use, largely Interwar, buildings with retail frontage at ground level under continuous awnings. Upper storeys (that is, storeys above ground level) are used for residential purposes.

Whilst there are street awnings, those to the western end of the strip are less consistent and successful than those to the eastern end. At the western end both glass and canvas awnings exist which vary from the overall uniform character of the pedestrian experience established at the eastern end.

All buildings of historical character are of brick construction, with painted, rendered, and/or face brick finishes.

Significant views (some partly screened by trees along the bus terminus) of Bronte Beach, Bronte Park and the ocean are possible from all points along this section of Bronte Road.

**Desired Future Character Objectives**

- (a) To maintain the built form arising from the historical subdivision pattern and the small shop character at street level.
- (b) To maintain the built character of small shops originally built to supply the local residents, together with shop-top housing.
- (c) To ensure the fabric and character of the interwar buildings and shop-fronts are maintained.

**3.1.2 Bronte (Macpherson Street) Neighbourhood Centre****Figure 53** Macpherson Street Neighbourhood Centre**Existing Character & Built Form**

The Macpherson Street local village centre provides approximately 60 small commercial premises spread out along the length of the street, stretching from Leichhardt Street in the West to St Thomas Street in the East. The range of shops provide for the daily needs of the local community. To the East, near St Thomas Street, the building stock along the ridge-top road is characterised by three (3) storey, mixed-use masonry buildings of diverse styles, both pre-War (c1900) and Interwar. Characteristic buildings have ground floor shops under continuous awnings, residential upper storeys, and some possess intact shop-fronts, or some original elements.

A number of buildings at the west end are higher density residential buildings, while other buildings retain original shop-fronts. Intrusive buildings along Macpherson Street include multi- storey residential and large non-residential buildings. To the West, near Lugal Street, the area is characterised by two (2) storey Interwar commercial buildings of masonry construction, with both decorative face brick and rendered and painted finishes.

Significant views of the ocean exist east along Macpherson Street and to Clovelly looking south from the junction of Macpherson and St Thomas Streets.

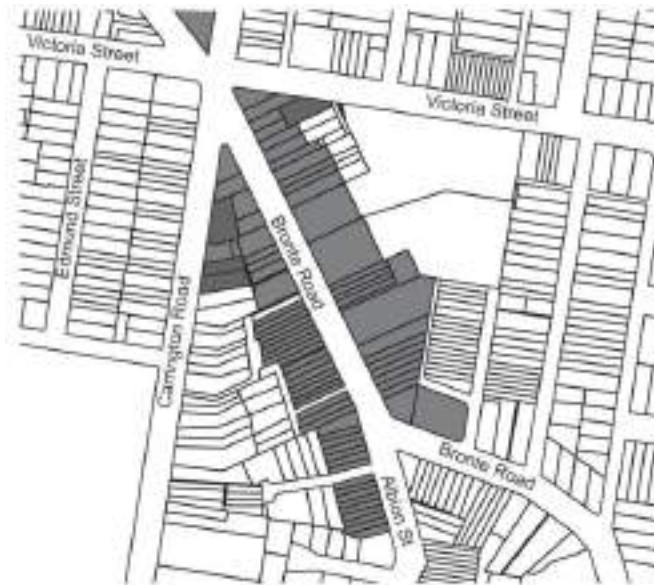
Simpson and Macpherson parks are located at the junctions of Macpherson Street with Firth and Carlton streets. These contribute significantly to the character of the

centre, allowing clear southern vistas and valued open space. The existing buildings are of two (2) to three (3) storeys in height.

### **Desired Future Character Objectives**

- (a) To maintain the built form arising from the historical subdivision pattern and the small shop character at street level.
- (b) Maintain the public views and outlook at the eastern end of the centre, as well as outlook over open space at western end of the centre.

### **3.1.3 Charing Cross Small Village**



**Figure 54** Charing Cross Small Village

The Charing Cross local village centre is located along a strip of Bronte Road connecting the eastern beaches, Bondi Junction, Centennial Park and the City.

### **Existing Character & Built Form**

The centre has a diverse range of local shops and services that support the daily needs of local residents and also workers and visitors who frequent the area. The centre has a "high street" character, supporting the local commercial strip as well a major public transport route to and from the City.

The centre continues to fulfill a valuable social role and meeting place for local residents and for the children attending and travelling to the surrounding schools. The diverse local population also includes aged housing within the centre.

The centre is contained within an existing Heritage Conservation Area, reflecting the high heritage significance of the centre. The area maintains a two (2) storey character, with near- complete rows of highly intact Federation terraces (with continuous lateral pitched roofs) and Victorian terraces (with ornate parapet), interspersed with some examples of two storey Interwar and Art Deco apartments.

These buildings of historic character are all of masonry construction, many with painted plaster render with highly decorative finishes. The buildings are mixed-use and maintain a consistent retail ground floor with residential upper storeys and also support awnings over the entire pavement width.

Narrow passages between terraced groups give access to the rear of properties and laneways. Buildings address Bronte Road and do not address the laneways, although some newer buildings have not maintained this approach to the detriment of the Bronte Road streetscape. Numerous buildings within this area possess elements of, or largely intact, original shop fronts. Many others preserve the original entry configuration (i.e. with inset doorway to one side) reconstructed with contemporary materials.

Important views of historic buildings, available from the public domain, include those of the St Mary's Immaculate Catholic Church and associated buildings (a listed State Heritage group), viewed across the community centre at 280-282 Bronte Road.

Appreciation of the high heritage quality of the building stock of this area is compromised by intrusive suspended power lines and the placement above the line of awnings of other built elements such as advertising structures and air conditioning units.

Buildings are of different colour in this area which positively contributes to the character of the area. Where a number of adjoining buildings have been painted the same colour the scale and rhythm of the street has been diminished.

The Eastern Suburbs Legion Club is an important community based use in the centre, although the building is an intrusive element in the existing Conservation Area.

At present the public domain is not particularly well defined, blurring into the adjacent residential areas, particularly at the northern and southern ends of the high street.

#### **Desired Future Character Objectives**

- (a) To limit the scale of redevelopment and infill development at the street edge to match the height of the existing heritage parapet façades and roof lines, with setbacks to further levels where appropriate.
- (b) To ensure that the design of infill development remains consistent with the regular division of frontages, where regular divisions occur.
- (c) To ensure an integrated approach and consistent treatment to the conservation of terrace groups of buildings of historic character.
- (d) To minimise 'visual clutter' through control of peripheral building elements.
- (e) To encourage the conservation of historic architectural details and reconstruction of missing or degraded elements.
- (f) To maintain the continuity of awnings where present.
- (g) To maintain Bronte Road as the primary streetscape in the centre with lanes and side passages as secondary frontages.

### 3.1.4 Murray Street Neighbourhood Centre



**Figure 55** Murray Street Neighbourhood Centre

This centre is made up of a collection of four (4) shops located at the intersection of Belgrave and Murray Streets (refer to Figure 55). This area has a modern, post-war suburban character, with few clear historical elements and varied building typology.

#### Existing Character and Built Form

The centre is surrounded by predominantly small lot and medium density residential housing. Though the centre is small, it serves the local residential catchment and passing trade from the Bronte Public School (located towards the south).

45 Belgrave Street is a two storey mixed-use, red brick corner shop, while 47-49 Belgrave Street are Federation shops and housing. 'Pocket' parks exist on opposite corners to these buildings providing a landscape feature to the area. The 'shop house' buildings of 47-49 Belgrave Street are of a scale and detail appropriate to the location providing a degree of character to the area.

#### Desired Future Character Objectives

- (a) To maintain the existing scale of the small centre.
- (b) To maintain mixed use developments in the centre, with ground floor local shops and services and upper level residential use.
- (c) To maintain, and where possible in the future, enhance, the range of local shops and services to meet the day to day needs of local residents.



### 3.1.5 Bondi Road Village



Figure 56 Bondi Road Village

#### Existing Character & Built Form

Bondi Road is an important and busy transport corridor that runs along the 'spine' connecting Bondi Beach to Bondi Junction and the City. The existence of numerous bus stops draw people to Bondi Road, increasing pedestrian presence. A strength of the village is good pedestrian accessibility to the retail shops from a relatively large residential catchment.

The strip is composed of smaller 'shop house' buildings of a scale which are reflective of the historical small scale lot subdivision pattern. Buildings are generally two (2) storeys to the street edge, having an effective height, due to the existence of parapets and roof forms, of three (3) levels.

A number of contradictions exist in the form of larger high rise 1960's and 1970's residential and hotel towers. These buildings are inconsistent with the overall scale of the street fabric. Lower podium levels of the building (lower two (2) to three (3) levels) tend to have front and side setbacks inconsistent with adjoining development and the rhythm of the streetscape. All existing buildings of historic character are mixed use, with commercial ground floor and residential upper storey(s).

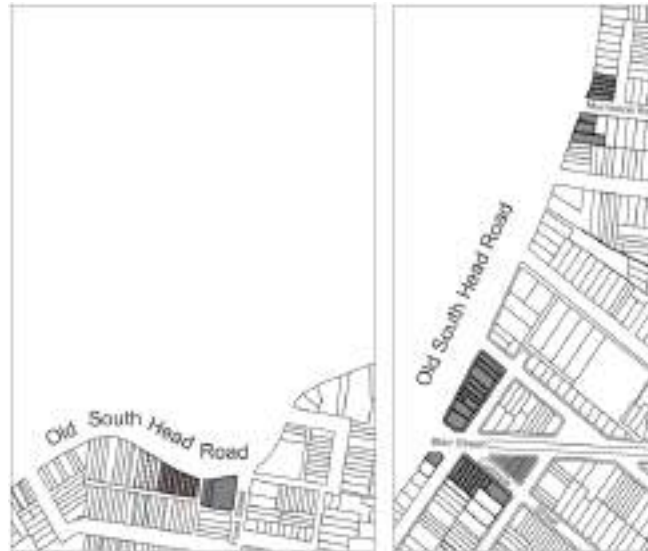
Numerous buildings within this area possess elements of, or largely intact, original shop-fronts. Many other buildings preserve the original entry configuration (i.e. with inset doorway to one side) reconstructed with contemporary materials.

#### Desired Future Character Objectives

- (a) To maintain the role and character of Bondi Road in providing local shops, services and residential accommodation for the local community.
- (b) To limit the scale of redevelopment and infill development at the street edge to match the parapet façade height of buildings of historic character, with setbacks to further levels where appropriate.
- (c) In the case of future works and improvements to the 1960s and 1970s residential and hotel towers that exist along Bondi Road, to encourage the street and podium levels to better knit the street fabric together through the introduction of shop fronts at ground level.



### 3.1.6 Old South Head Road Neighbourhood Centre



**Figure 57** Old South Heath Road Neighbourhood Centre

Old South Head Road signifies the local government boundary between Waverley and Woollahra Councils. It contains five separate clusters of retail and commercial activity along the length of the road.

#### **Existing Character & Built Form**

The five commercial clusters found along the road accommodate approximately 110 shop front premises of which approximately 70 are in Waverley.

The two clusters forming the Rose Bay Small Village (north and south) are at the northern end of the road. They contain a variety of uses that when combined with the retail strips within the Woollahra local government area, provide the day to day needs of the local community.

The three clusters forming the Old South Head Road Neighbourhood Centre are located at the southern end of the road and are considerably smaller compared to the Rose Bay centres, in terms of the number of commercial premises and scale of development.

#### **Intersection of Old South Head Road and Flood Street**

The buildings in this local village centre occupy a bend in the corner of Old South Head Road. They are of mixed architectural fabric. The immediate environment is dominated by traffic and the commercial/retail use of some of the buildings provides a buffer between the road and the residential buildings that sit behind these uses.

The centre has a number of late Victorian, Federation, and Interwar style dwellings with commercial uses being housed within modern structures.

Height varies between one and three storeys, with buildings located to the front of the property boundaries. Buildings are typically of masonry construction, with residential buildings possessing decorative face and painted brick work.

### **Intersection of Old South Head Road and Blair Street**

This intersection is a prominent marker along the length of Old South Head Road, dominated by traffic and providing little pedestrian amenity.

The buildings are mixed architecturally with no predominant style or built form. The relative importance and scale of the intersection is not reflected in the scale of development.

Buildings are of varied height, yet most contain a retail/commercial ground floor and residential upper storeys, and possess some historic character.

### **Intersection of Old South Head Road and Murrivier Road**

This section of the centre provides a break in the residential streetscape and contains a set of retail/commercial shops with residential uses above. The scale is predominantly two storeys.

The area is also dominated by traffic movement and the commercial strip consists of trade shops and outlets, with no local convenience shops.

This section of the centre contains no heritage items, or heritage conservation area listings. With a varied building typology, including some pre-war items, this area does not possess a uniform or identifiable character.

### **Desired Future Character Objectives**

#### ***Flood Street Intersection***

- (a) To maintain the mixed-use character of the centre by way of shops and services at ground level and residential units above.

#### ***Blair Street Intersection***

- (a) To accommodate a potential increase in the general scale of development in this section of the centre, subject to appropriate site consolidation and satisfying amenity considerations and impacts on adjoining sites.
- (b) To maintain and expand on the current range of land uses, including automotive repairs and service station.
- (c) The site 14-28 Curlewis Street is considered key to the long term objectives of this Part and public domain environment of this precinct. The development of this site to address each of the three (3) street boundaries by building to each property boundary is considered key. The resultant building form will anchor the built form of the intersection while ensuring that each street, Blair and Curlewis streets, is given an improved urban form and scale.

#### ***Murrivier Road Intersection***

- (a) To maintain the predominantly two storey scale, with any additional levels (if appropriate) being set back from the street edge.
- (b) To maintain and remediate original shop fronts as part of any future development.
- (c) To maintain the mixed-use character of the centre by way of shops and services at ground level and residential units above.

### 3.1.7 Hall Street Town Centre



**Figure 58** Hall Street Town Centre

While Hall Street is located in the vicinity of Bondi Beach and is physically linked to Campbell Parade, it has its own character and local identity. The Hall Street local village centre extends into Glenayr Avenue as far as Roscoe Street. It has a separate function to Campbell Parade, catering more to the daily needs of the local community, yet nonetheless influenced by the existence of visitors and tourists.

#### **Existing Character & Built Form**

Hall Street and the southern end of Glenayr Avenue contain predominantly mixed use development, with retail shops at ground floor level and residential uses on the upper floors. The retail strip is also adjoined by residential streets along its length, resulting in a vibrant mixed use area. Challenges exist however in terms of managing the interface between the non-residential and residential uses.

Due to the popularity of Bondi Beach and Hall Street, the extent of regional and local traffic and car parking has a strong influence on the character and use of the area, particularly the public domain.

The area contains a consistent pattern of retail buildings located to the front edge of the street boundaries, although some have substantial setbacks from street boundaries. Buildings are typically of masonry construction, with face (decorative) brick and/or painted brick.

In terms of building footprint, regular side passages tend to emphasise separated, regular lots of narrow frontage.

Within the Hall Street precinct are two Key Sites, namely the Bondi Post Office on the corner of Hall Street and Jacques Avenue, and the intersection of Hall Street, O'Brien Street and Glenayr Avenue.

### **Desired Future Character Objectives**

- (a) To maintain Hall Street and the southern end of Glenayr Avenue as a separate and discrete precinct within the wider Bondi Beach town centre, with the role and character of providing local shops, services and residential accommodation for the local community.
- (b) To effectively manage the retail/commercial and residential interface in the centre.
- (c) To maintain and enhance accessibility to public open space.

### **3.1.8 Glenayr Avenue Neighbourhood Centre**



**Figure 59** Glenayr Avenue Neighbourhood Centre

### **Existing Character & Built Form**

The centre comprises two areas. The first is a small group of buildings located at the corner of Curlew Street characterised by two (2) storey Interwar mixed-use buildings. The second area is centred around the 'Seven Ways' intersection which is largely comprised of two (2) to three (3) storey Interwar apartment buildings and also notable for its mixed use buildings with ground floor shops and residential storeys above.

In addition to the two distinct centres, Glenayr Avenue includes a series of small scale nodes, interspersed with residential development.

The 'Seven Ways' commercial centre has good quality local shops and cafes. Three of the buildings addressing the 'Seven Ways' and 83-85 Glenayr Avenue possess intact original shop-fronts.

Several mixed-use corner sites were (commercial ground floor and residential upper floors) assessed as being buildings of historic character. They represent examples of successful transition in form and function between the commercial uses of Glenayr Avenue and the residential character of the side streets. These corner buildings enable a transition by a reduction in height, and the incorporation of a setback, in those (northern) facades while addressing the residential side street.

**Desired Future Character Objectives**

- (a) To maintain the role and character of the discrete sections that make up the Glenayr Avenue centre, including the provision of local shops, services and residential accommodation for the local community.
- (b) To effectively manage the retail/commercial and residential interface in the centre, and in particular maintain the strong residential character where it currently exists along Glenayr Avenue.
- (c) To ensure an appropriate architectural design and scale for corner site development.
- (d) The 'Seven Ways' intersection of Blair Street and Glenayr Avenue should stand as the focus of the Glenayr Avenue precinct. This intersection has the potential to be an even more vibrant and active public space.

**3.1.9 North Bondi Neighbourhood Centre****Figure 60** North Bondi Neighbourhood Centre

North Bondi Neighbourhood Centre contains a cluster of shops adjacent to the bus terminus. It exists at the northern end of Campbell Parade where it meets Scarborough Crescent, at the intersection with Brighton Boulevard.

**Existing Character & Built Form**

The Campbell Parade/Terminus local shopping strip offers a range of retail and other services, providing for the daily needs of the local residents.

This area has a varied building typology, although building styles are all of the Interwar period and built to the street property boundaries. Construction does not exceed three (3) storeys (generally two (2) storeys with a pitched roof) and the majority of buildings of historic character are of brick construction with decorative face brickwork.

All of the buildings of historic character are mixed use, with commercial ground floor and residential upper storeys.

Most buildings in this part of the centre address the terminus/junction area along Campbell Parade and this space is considered to have historic character for the area, given its socially important role as a transport interchange.



**Desired Future Character Objectives**

- (a) To maintain North Bondi as a separate and discrete precinct to the larger Bondi Beach precinct, with the role and character of providing local shops, services and residential accommodation for the local community.
- (b) Where redevelopment in the neighbourhood centre occurs, to ensure the scale of new development protects the residential amenity of adjoining and surrounding properties.
- (c) To maintain the predominantly two - three storey scale of development, at the same time as protecting the existing amenity of properties adjoining the centre.
- (d) The North Bondi RSL is an important community building and considered to be a key site in the centre. It is unlikely that this building marked \*, will ever be developed to conform with the planning controls.
- (e) The bus interchange is a key community site and future development at this site is addressed in the Local Village Centres Public Domain Improvement Plan.

**3.1.10 Murriverie Road Neighbourhood Centre****Figure 61** Murriverie Road Neighbourhood Centre

The Murriverie Road local village centre is comprised of approximately nine shops which are used for commercial and retail purposes with some residential uses above ground floor.

**Existing Character & Built Form**

The shops are spread over three sections of the street, providing a range of goods and services to assist in meeting the daily needs of the local residents. The area maintains a strong two (2) storey character.

The mixed use buildings are of a range of typologies, built to the street edge with awnings. The buildings of historic character at No.1 Mitchell Street have had some alterations, although the original shop front exists.

The strongest historic character of the centre is provided by the substation, located east of the pocket park on Murriverie Road.

No. 2 Mitchell Street is a good example of a successful transitional building in terms of height (from one (1) to two (2) storeys) and function (from mixed-use to residential).

The centre accommodates a small pocket park at the south east intersection of Murriverie Road and Glenayr Avenue.

### Desired Future Character Objectives

- (a) To ensure appropriate architectural design and scale for corner site development.
- (b) To maintain and enhance accessibility to public open space.

### 3.1.11 Rose Bay Small Villages (North and South)



**Figure 62** Rose Bay (north and south), Small Villages

Old South Head Road is the local government boundary between the Waverley and Woollahra Councils. Two clusters located along Old South Head Road between Onslow Street and Strickland Street and in the vicinity of Oceanview Avenue have been combined and are known as the Rose Bay Small Villages.

The three smaller commercial clusters located further south make up Old South Head Road Neighbourhood Centre. These include the intersections of Flood Street and Old South Head Road, Blair Street and Old South Head Road, and Murriverie Road and Old South Head Road.

### Existing Character & Built Form

The five retail and commercial clusters found along Old South Head Road accommodate approximately 110 shop front premises of which approximately 70 are within Waverley. The two clusters forming the Rose Bay Small Village contain a variety of uses that, when combined with the retail strips on the Woollahra side of the road, provide the daily needs of the local community.

Shop top housing is an important feature of Old South Head Road and provides housing diversity and affordability. This increases pedestrian activity and presence within the village.

### Desired Future Character Objectives

- (a) To ensure an integrated approach and consistent treatment to the conservation of buildings of historic character.
- (b) To maintain and improve the continuity of awnings over the footpath.

- (c) To maintain Old South Head Road as the primary streetscape in the village with side streets as secondary frontages.
- (d) Maintain a good distinction between the mixed use sections of Old South Head Rd and residential side streets.

### 3.1.12 Blake Street Neighbourhood Centre



**Figure 63** Blake Street Neighbourhood Centre

#### **Existing Character & Built Form**

This local village centre has several small shops and commercial uses, servicing the local resident community. The centre does not possess a distinctive historical or neighbourhood character. Modern buildings and renovations having occurred over time creating a varied building typology and street edge definition. While the scale of buildings varies, it is generally two (2) storeys in character. Some buildings in the centre possess street awnings over the footpath.

Due to its elevated location the centre enjoys prominent views west along Blake Street to the inner Harbour and City skyline.

#### **Desired Future Character Objectives**

- (a) To establish and support a centre characterised by mixed use development incorporating small local shops and services for the local resident community.
- (b) To encourage new mixed use development with ground level local shops and services and upper level residential use.
- (c) Where redevelopment in the neighbourhood centre occurs, to ensure the scale of new development protects the residential amenity of adjoining and surrounding properties.



**3.2 GENERIC CONTROLS**

This section outlines the general planning controls that apply to all centres.

Note: Compliance with a control does not guarantee that the objectives are satisfied.

In some instances the design solutions may not be appropriate for the particular site or situation and Council may require an alternative design solution.

In order to ensure the physical characteristics of the site and the nature and proximity of adjoining and nearby development has been considered, a site plan analysis is required to be submitted with all development applications which includes the existing built form within the surrounding local village area.

Annexures are provided to illustrate examples of typical built form envelopes for 2, 3 and 4 storey local village centres as follows:

- Annexure E3-1 – 2 storeys
- Annexure E3-2 – 3 storeys
- Annexure E3-3 – 4 storeys

**3.2.1 Land Uses****Objectives**

- (a) To provide for a range of predominately small shops and services to meet the daily needs of the local resident community.
- (b) To ensure the ground floor small shop character of each centre prevails and is protected.
- (c) To limit and manage potentially disruptive uses, such as cafes and restaurants in order that they do not dominate a centre or limit the provision of a broad range of local shops that are needed to meet the needs of the local resident community.
- (d) To promote mixed-use development incorporating high quality residential use above ground level.
- (e) To improve the quality of the built and pedestrian environment, particularly the interface between properties and land uses.

**Controls**

- (a) The ground floor component of a mixed use building is to be used for a permitted non-residential use, with the exception of:
  - (i) Access areas for residential dwellings on upper levels.
  - (ii) Existing purpose built approved and occupied residential dwellings occupying the ground floor of a building.
  - (iii) Where a site addresses is a rear lane, the residential dwellings may address the rear lane at ground level but only where all other specific Local Village Centre planning controls have been satisfied.
- (b) Cafes and restaurants located in corner buildings, with side street frontage to residential streets are to orient the trade area, including any outdoor dining, to the commercial street.
- (c) Seating for cafes and restaurants is to be limited to the enclosed ground floor and, where considered appropriate, the footpath frontage of buildings.

- (d) Building floors above ground and first floor are to be designed for permanent residential use only.
- (e) Car parking is to be located at basement level with vehicular access from side streets or rear lanes rather than the primary street frontage.
- (f) Residential and low scale commercial office uses are acceptable at first floor level.
- (g) Commercial office uses may only take place where the building has been specifically designed, or acceptably adapted, for this use, including adequate separation from residential uses elsewhere in the building.
- (h) Clearly separate and distinguish commercial and residential entries and vertical separation.

### 3.2.2 Public Domain Interface

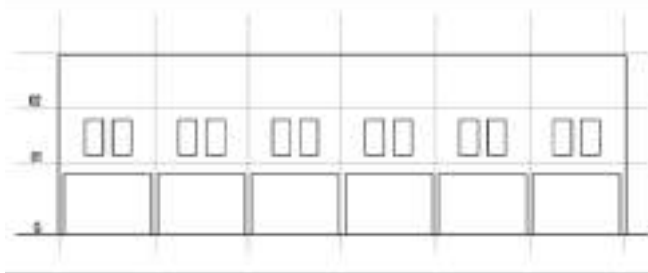
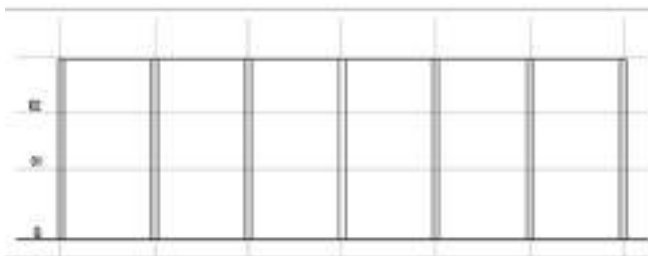
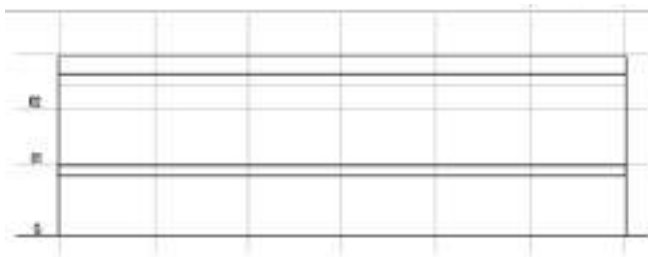
#### Objectives

- (a) To create well defined Local Village Centres, designed for retail trading, appropriate commercial uses and community activity at street level.
- (b) To ensure ground level retail frontage to the street edge.
- (c) To ensure interest and vitality by maintaining and encouraging a mix of predominately small scale individual retail outlets.
- (d) To ensure original shop fronts, where they exist, are retained and restored.

#### Controls

- (a) Buildings are to be located to the front street alignment, with the exception of recommended upper level setbacks, nominated in the controls for each of the individual centres.
- (b) Where existing buildings are setback from the street and are to be refurbished, they are to be extended to the street edge at ground level, except listed heritage items and buildings of historic character.
- (c) Individual buildings are to have a clear street address where entries to upper levels are well defined at the ground floor address.
- (d) New shop fronts are to be consistent in width and height with the predominant and historical character of the street.
- (e) Shop fronts may include recessed entries and display windows, where these are included to provide useable display space and achieve the desired future character of the centre.
- (f) Shop fronts are to be made up predominantly of clear glazing with sill heights to be a maximum of 700mm above finished footpath level along street frontages.
- (g) Access to residential dwellings above ground level should not occupy more than 20% of the principal street frontage of any development.
- (h) There are to be no solid facades along the primary street frontage at ground level.
- (i) Vehicular entries into buildings are not permitted along the primary commercial street frontage of sites, except where contemplated in the planning controls for individual centres.

## Local Village Centres E3



(i) The design of a development proposal is to have regard to the existing streetscape pattern by applying (ii) to (vi) below.

(ii) Existing streetscapes are to be analysed to understand the existing streetscape pattern. The pattern can be quantified simply by a height to width ratio. New buildings inserted into an existing streetscape should display similar aspect ratios. This ensures the overall pattern and rhythm of the strip is not negatively impacted by new infill development.

(iii) Horizontal datum points should be established.

(iv) The vertical divisions suggestive of lot subdivision should be referenced even if the development site is larger than the traditional lot sizes.

(v) Older buildings display a solid to void ratio consistent with a glazed ground level and a more enclosed upper level. The upper levels of these buildings present as a single form with 'punched' openings generally in a masonry background. While a strict replication of this building form is not necessary any new buildings should display similar characteristics in regards to proportions and ratios.



- (vi) The application of (i) to (v) above means that a pattern indicating an understanding of the existing streetscape building form can be quickly established so as to guide the direction of new infill development.

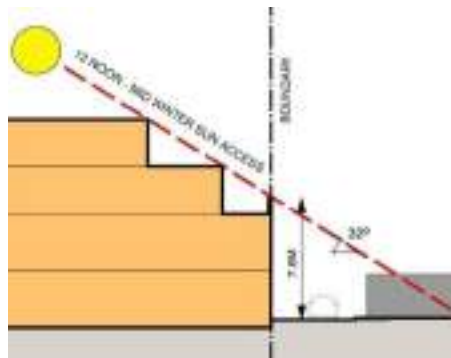
### 3.2.3 Built Form

#### Objectives

- (a) To ensure new and refurbished buildings are of an appropriate scale and design quality, achieving the desired future character of each of the centres.
- (b) To ensure development conserves and enhances buildings and locations of historic character.
- (c) To allow, in some locations identified as appropriate in individual centres, some increase in the height and scale of new development, in order to achieve the desired future character for the individual centre.
- (d) To ensure that buildings provide high quality internal environments for the occupants and users of the buildings.
- (e) In the case of development adjacent to buildings of historic character, to promote a complementary scale and form that enhances the character of the centre.
- (f) In the case of corner buildings, to encourage massing and articulation in order to achieve the desired future character of individual centres.
- (g) To ensure good solar access and amenity to the public domain within the individual centres.
- (h) To support excellence in contemporary design.
- (i) To maintain reasonable solar access to residential properties backing onto rear lanes across from village centres.

### Controls

- (a) Development is to be consistent with the planning controls relating to overall height, floor to ceiling heights and setbacks, outlined for each of the centres In Annexures E3-1 to E3-3.
- (b) Ground floor retail depth must allow for adequate display and sales area as well as essential back-of-house storage and loading facilities. In total this must be a minimum of 8 - 10m in depth.
- (c) The preferred building depth for floors above ground level is 10-14m. The maximum building depth for floors above ground level, glazing line to glazing line is 18m. Refer to the control diagrams for each individual centre.
- (d) Sites in local village centres that adjoin residential development at the rear are to provide deep soil zones within the rear setback area with a minimum depth of 2 metres from the boundary.
- (e) The maximum street wall height of buildings fronting rear lanes is 7.8m or two storeys, whichever is the lesser (refer to Figure 64).
- (f) Floors fronting lanes which are located 7.8m above the level of the lane or higher (except those on the south side of the lane) and have residential properties backing onto the rear lane opposite must be setback at an angle of 32 degrees (refer to Figure 64).



**Figure 64** Setbacks at rear lanes to ensure solar access to neighbours

**3.2.4 Building Façade Articulation****Objectives**

- (a) To ensure that buildings are designed and detailed to provide a strong street address, enhance the streetscape and achieve the desired future character of the relevant centre.
- (b) To reinforce the prevailing street pattern and rectilinear building forms as well as predominantly vertical proportion of bays, openings and windows.
- (c) To maintain and promote the vertical emphasis of the narrow built forms.
- (d) To actively support excellence in contemporary design, respecting buildings of historic character with contemporary infill development which does not mimic but builds on the principles of the structure of the streetscape pattern.
- (e) To ensure ground level building frontages are active, open and inviting.
- (f) To reinforce the historic street and subdivision pattern and building articulation to ensure that the rhythm of older street patterns is maintained and enhanced.
- (g) To ensure that, where the amalgamation of sites occurs to achieve a singular larger development area, the rhythmic pedestrian street experience is not lost.

**Controls**

- (a) New buildings should display proportions which respect and build upon proportions similar to the adjoining streetscape and building forms.
- (b) New buildings should draw on the predominant pattern of the existing streetscape. They are to be open and glazed at the street level, have an emphasis toward a singular more enclosed building form at the upper levels and be capped by a lighter more articulated element.
- (c) Balconies to the street facade are to be recessed behind the principal building facade.
- (d) Balustrades to balconies fronting the street are to be predominantly solid with minimal or no glass.
- (e) Development directly adjoining buildings of historic character are to be designed so as to respect the hierarchy of the adjoining facade articulation.

**3.2.5 Buildings of Historic Character****Objectives**

- (a) To protect and maintain the historical identity of each of the individual local centres.
- (b) To protect individual buildings that are considered to be of historic character in each of the centres.
- (c) To encourage the ongoing and adaptive re-use of buildings of historic character.
- (d) To allow for new development in the individual centres that complements the character and scale of buildings of historic character.

**Controls**

- (a) Identified buildings of historic character, as detailed in the planning controls for each of the individual local centres, are encouraged to be retained.
- (b) Where the building form, detailing or use of individual buildings of historic character have been inappropriately altered and changed, any application to

upgrade or re-use the buildings must clearly demonstrate that the architectural and streetscape value of the building will be enhanced by the proposal.

- (c) Any application to demolish an identified building of historic character must clearly demonstrate that a replacement building will possess equal or higher quality contributory value with respect to streetscape, character, architectural design, material quality and construction.
- (d) New development adjacent to buildings of historic character must be sympathetic in scale, alignment, detailing and materials.

### **3.2.6 Building Services and Site Facilities**

Building services and site facilities for the purposes of this Part relate to:

- Garbage and recycling collection and storage areas;
- Basement storage areas;
- Mail boxes;
- Laundry facilities; and
- Clothes drying areas.

#### **Objectives**

- (a) To ensure that adequate provision is made for essential building services and facilities on site, integrated into the overall design and planning of the building.
- (b) To ensure that the services and facilities are unobtrusive and do not detrimentally impact on the appearance of the buildings or the view of the buildings from the public domain or adjoining residential properties.
- (c) To ensure that the use and operation of the building services and facilities does not unacceptably impact on the residential amenity of adjoining residential properties.

#### **Controls**

- (a) Garbage and recycling storage and collection areas, and the structures in which they are contained, are not to be visible from the public domain.
- (b) Setbacks on ground level at the rear are not to be used at all for any purposes associated with storage of waste or recycling material, such as garbage rooms or bottle storage. Buildings are to be designed and used in a manner that ensures that these activities are wholly contained within the building proper. The only exception is for the regular collection of waste and recycling from the rear, in the event of rear lane access. Where a setback at the rear at ground level is provided, it is to be designed and maintained as a landscaped buffer between the subject site and the adjoining properties to the rear.
- (c) The rear of buildings, at ground level, where they back directly on to residential properties or uses, are to be designed to be effectively 'sealed' at the rear, in order that noise and odour transmission from the rear of these premises does not occur in any form that detracts from the amenity of the adjoining residential properties.
- (d) New and refurbished buildings must incorporate venting from ground floor premises in a way that does not result in the transfer of cooking odours impacting on residential properties within the same site/building or neighbouring and adjacent residential properties.
- (e) Air-conditioning units, exhaust fluing, mechanical ventilation ducting, including venting and exhaust structures and equipment associated with ground floor food premises such as cafes and restaurants and the like, are not to be located

in front of the front building line or in places clearly visible to the main street frontage or any adjoining or nearby residential properties should be integrated into the building.

- (f) Mixed use buildings are to be provided with sound proof materials between the commercial and residential level.
- (g) Mixed use buildings are to be provided with one only common television antenna and/ or satellite dish, which is to be unobtrusive in appearance when viewed from the public domain.
- (h) Residential units within mixed use developments are to be provided with laundry facilities and at least one external clothes drying area, not visible from the public domain.



# ANNEXURE E3-1 2 STOREYS

## ANNEXURE E3-1 TYPICAL BUILT FORM FOR TWO STOREY CENTRES

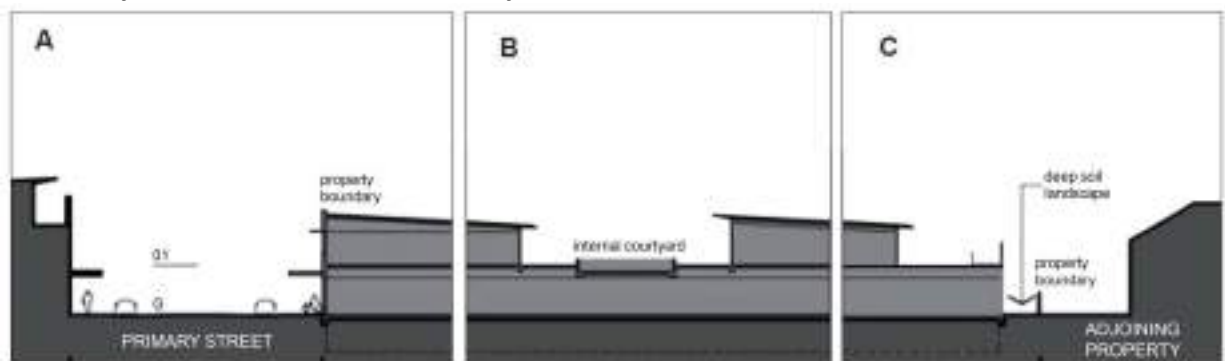
Annexure E3-1 applies to the following centres:

1. Murrivier Road Neighbourhood Centre.
2. Murray Street Neighbourhood Centre.
3. Bronte Street (Macpherson) Neighbourhood Centre:
  - o All properties shaded lighter grey on Figure 55.

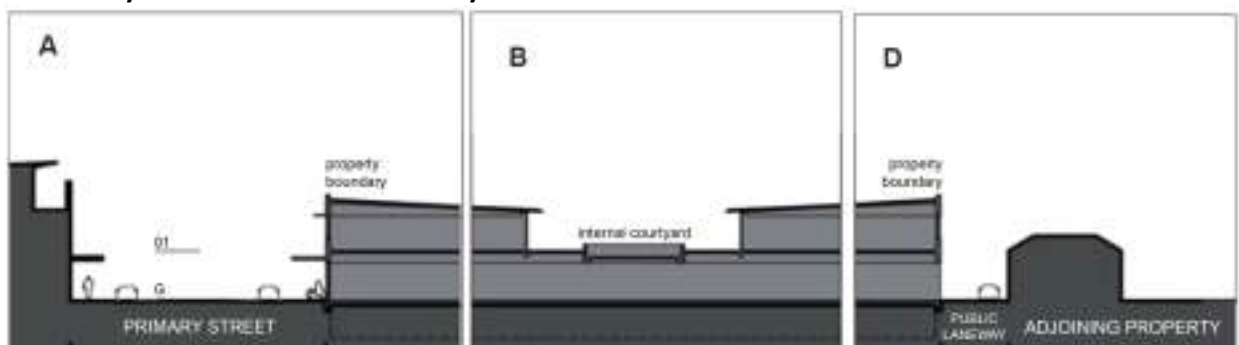
There are two typical built forms for two storey Local Village Centres which are dependent on whether the property has access to a rear lane.

- a) Properties without rear laneway: Control Diagram A, B and C.
- b) Properties with rear laneway access: Control Diagrams A, B and D.

### Two storey section – without rear laneway

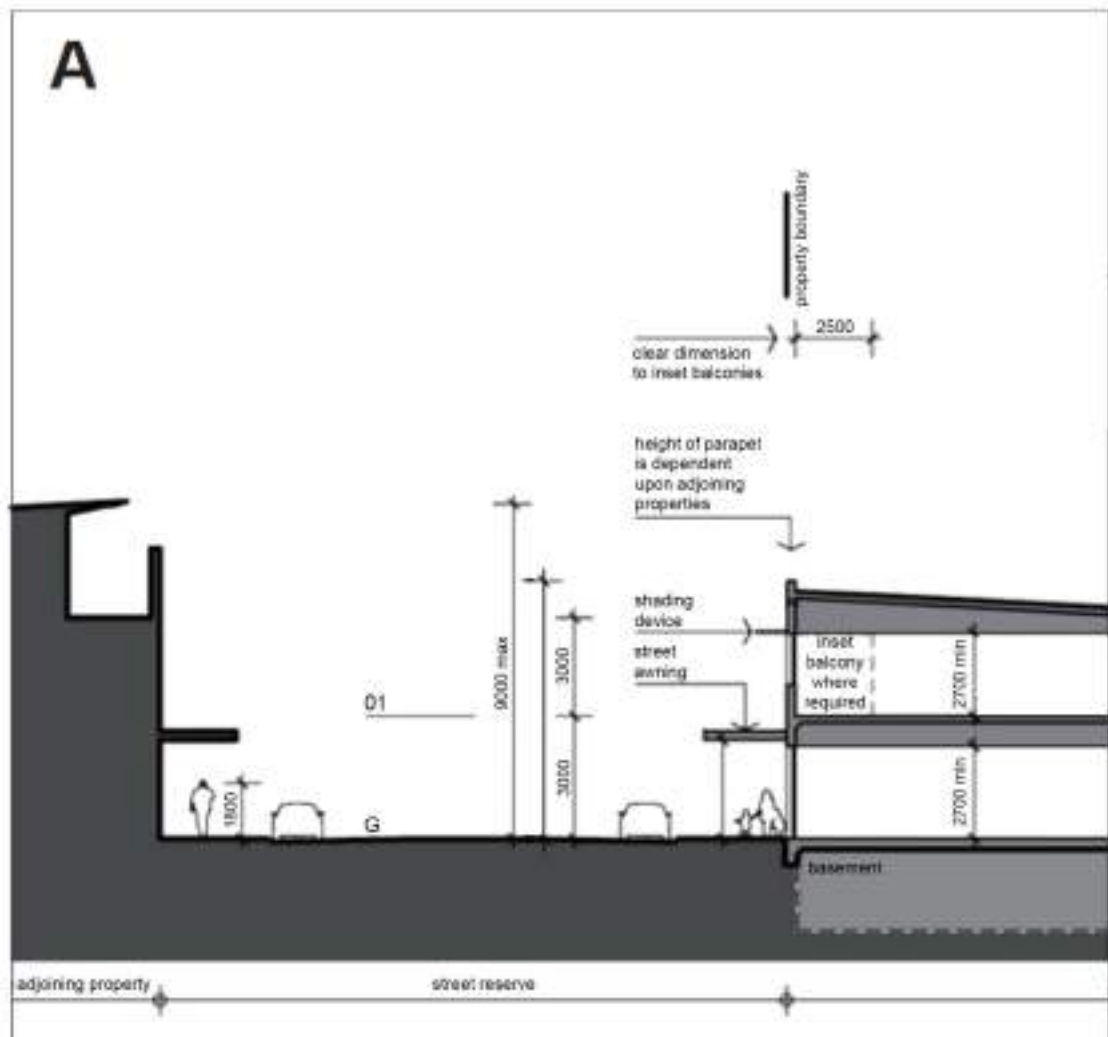


### Two storey section – with rear laneway



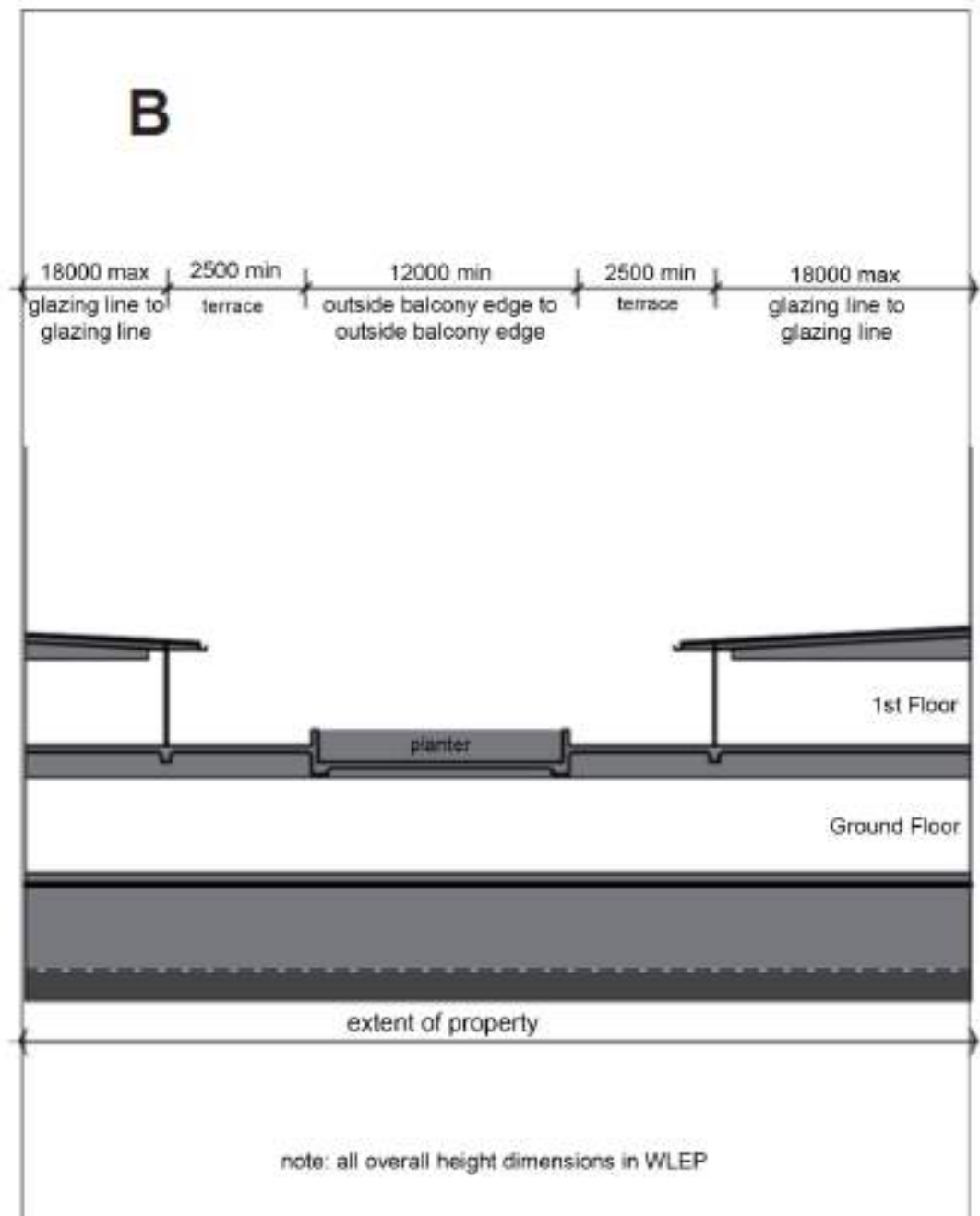
## ANNEXURE E3-1 2 STOREYS

Two (2) storey detailed street frontage and internal floor to ceiling heights



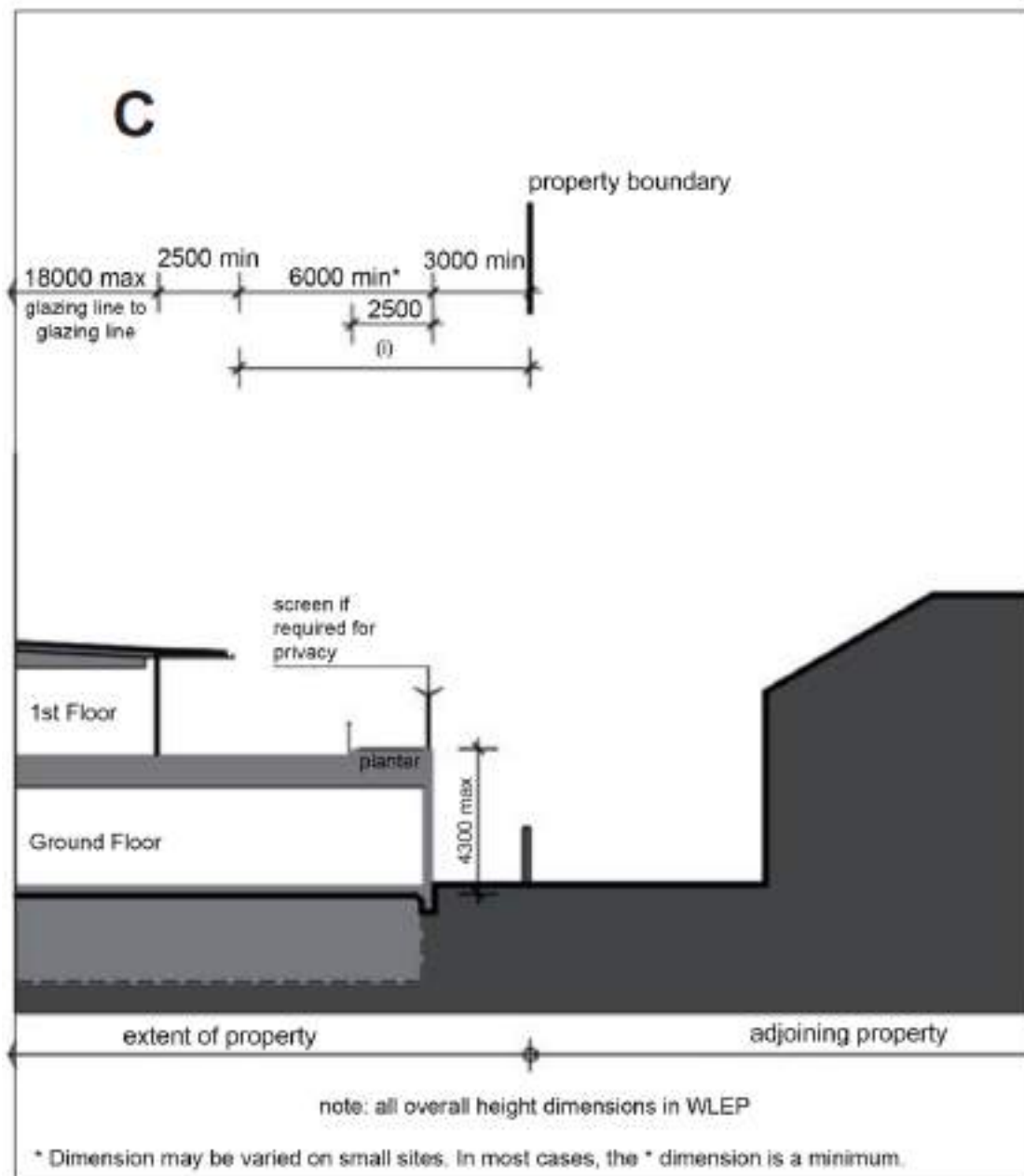
## ANNEXURE E3-1 2 STOREYS

### Two (2) storey detailed internal courtyard



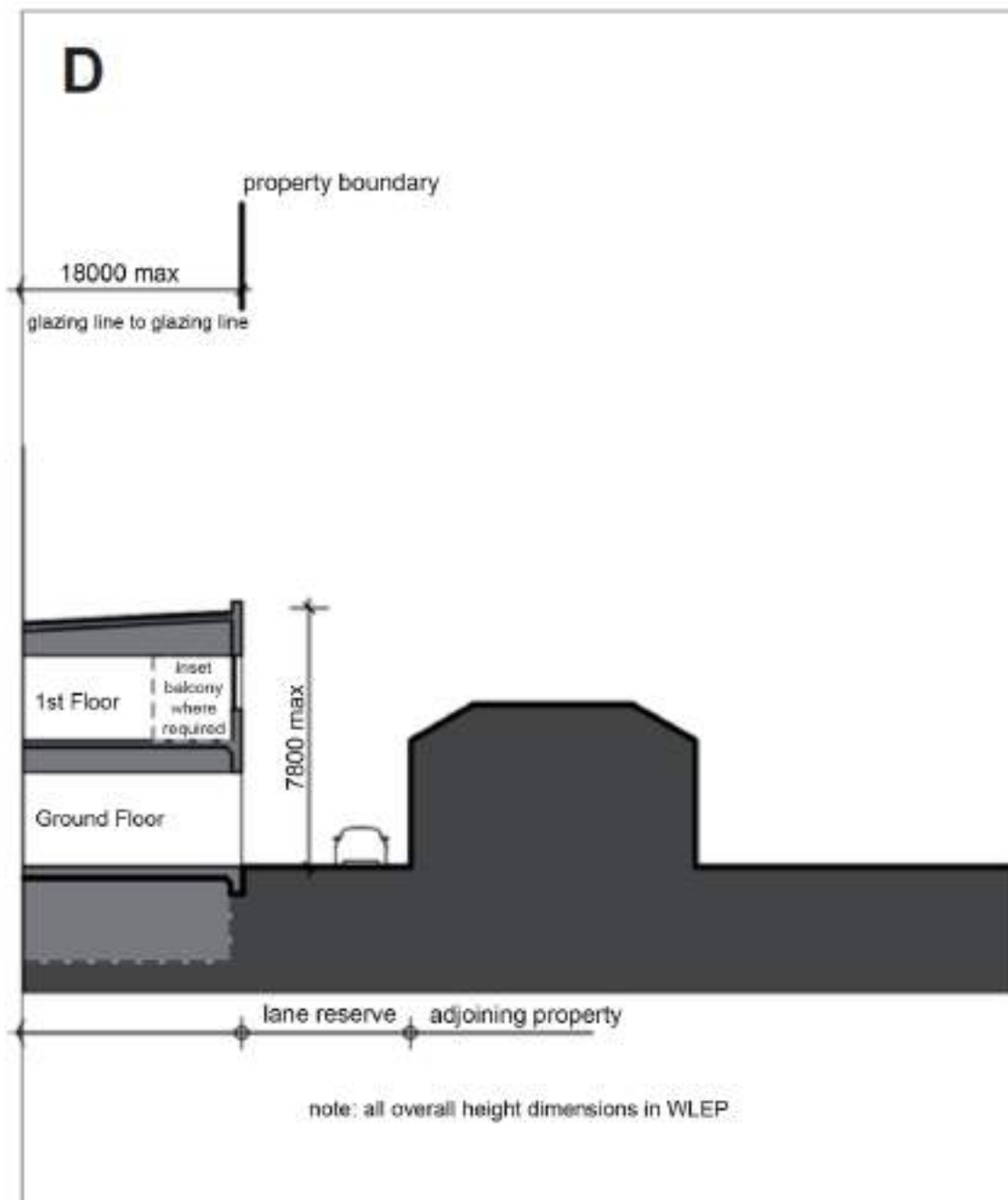
## ANNEXURE E3-1 2 STOREYS

### Two (2) storey detailed rear setback without rear laneway



## ANNEXURE E3-1 2 STOREYS

Two (2) storey detailed section with rear laneway



## ANNEXURE E3-2 3 STOREYS

### ANNEXURE E3-2 TYPICAL BUILT FORM FOR THREE STOREY CENTRES

Annexure E3-2 applies to the following Local Village Centres:

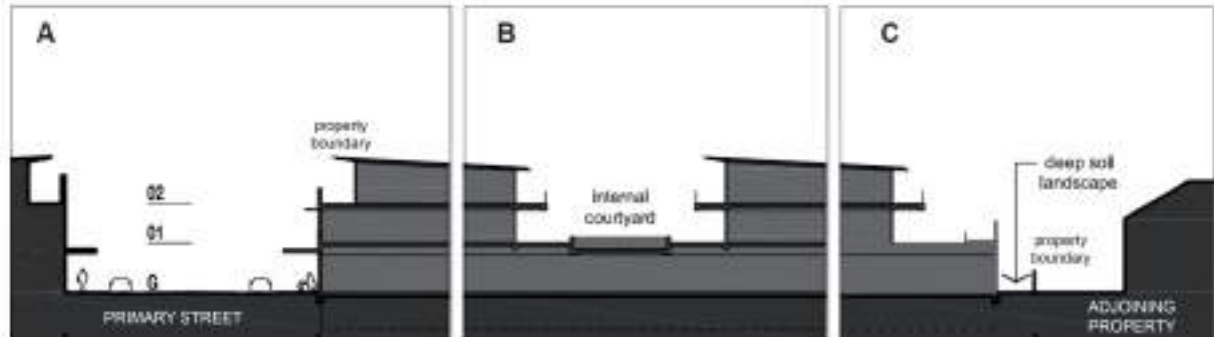
1. Bondi Road Village:
  - Properties shaded darker grey (eastern section) on Figure 58.
2. Charing Cross Small Village.
3. Rose Bay Small Village (North & South).
4. Glenayr Avenue Neighbourhood Centre.
5. North Bondi Neighbourhood Centre.
6. Blake Street Neighbourhood Centre.
7. Bronte Beach Neighbourhood Centre.
8. Bronte (Macpherson Street) Neighbourhood Centre:
  - Properties shaded darker grey (western section) on Figure 55.
9. Old South Head Road Neighbourhood Centre.

There are two typical built forms for three storey Local Village Centres which are dependent on whether the property has access to a rear lane.

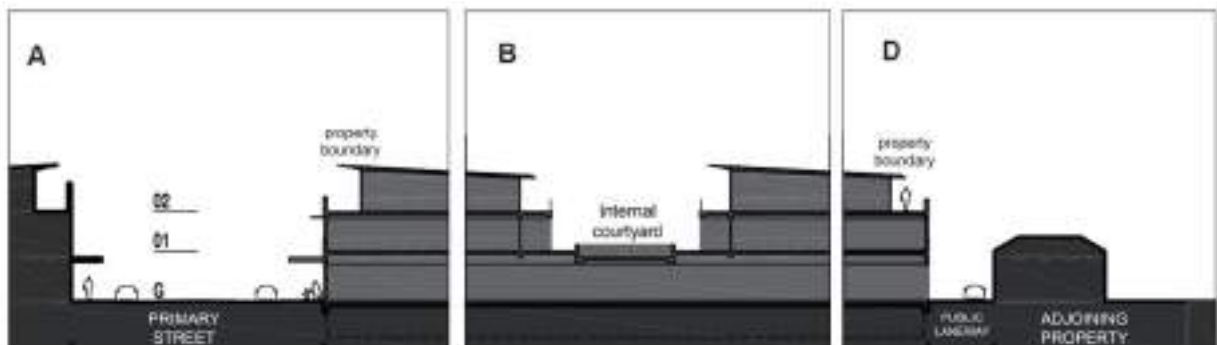
- (a) Properties without rear laneway: Control Diagram A, B and C.
- (b) Properties with rear laneway access: Control Diagrams A, B and D.

For applicable properties refer to the associated maps in Section 3.1 – Specific Controls.

#### Three (3) storey section without rear laneway

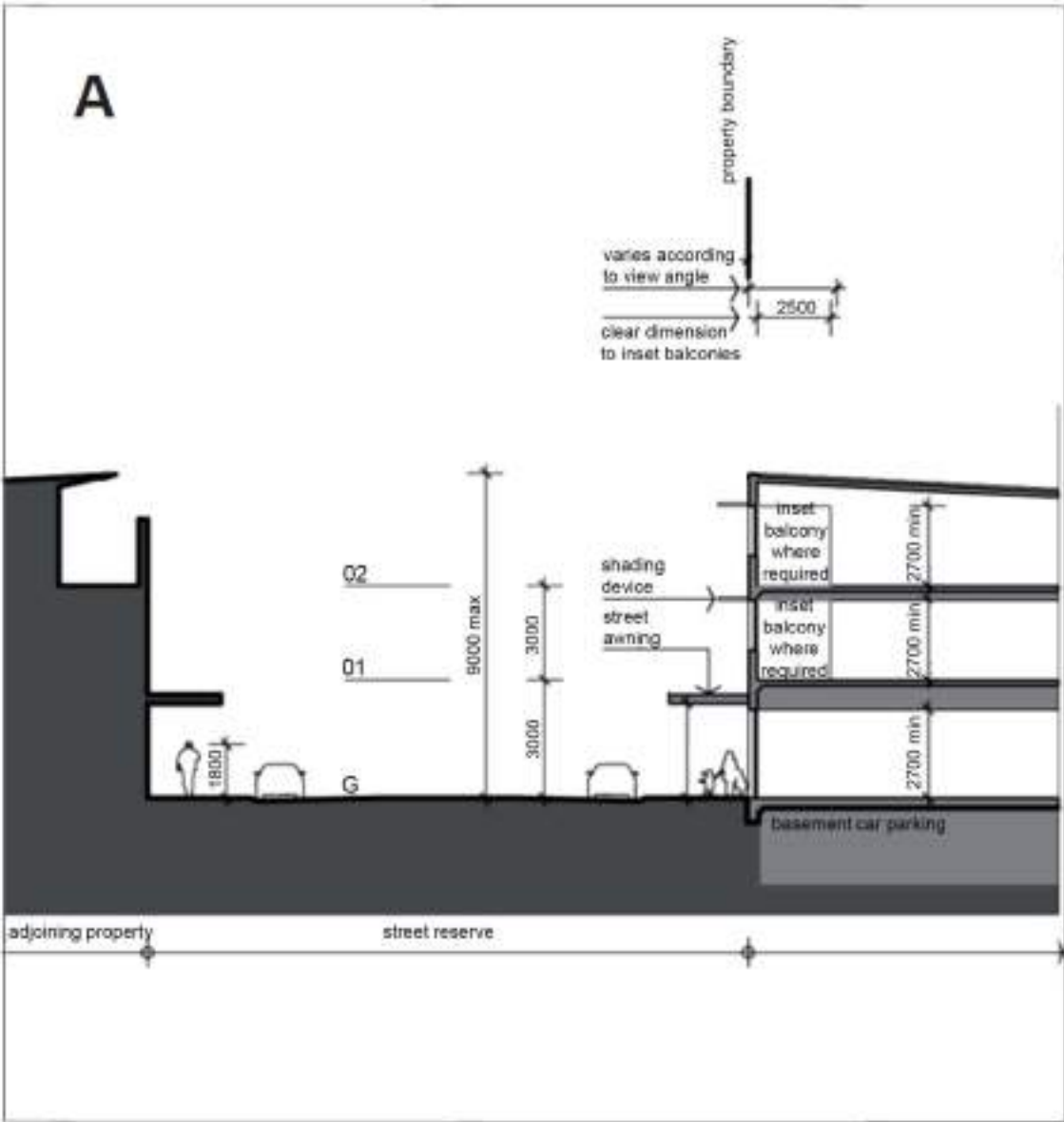


#### Three (3) storey section with rear laneway



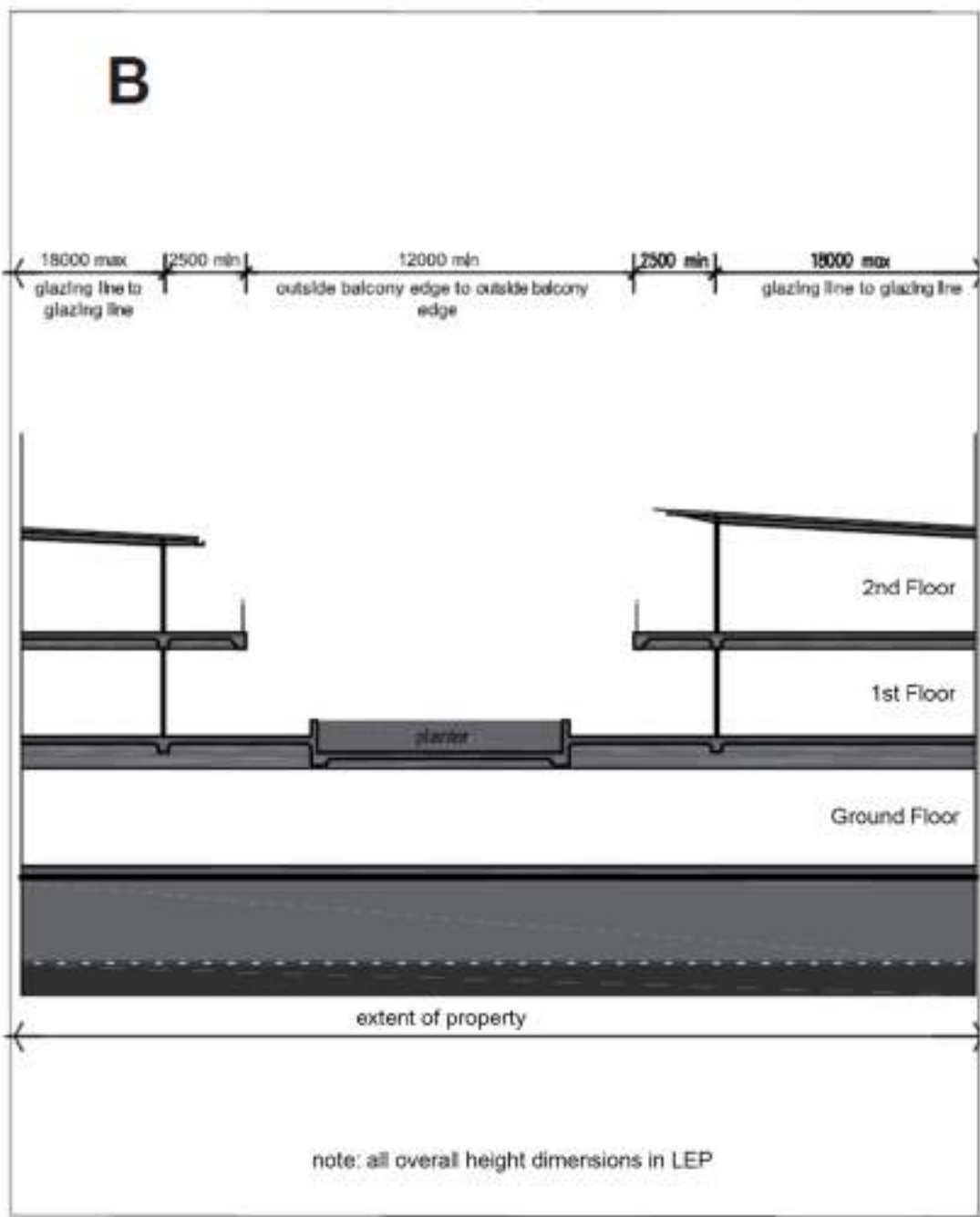
#### Three (3) storey detailed street interface and internal dimensions

ANNEXURE E3-2  
3 STOREYS



ANNEXURE E3-2  
3 STOREYS

Three (3) storey detailed internal courtyard

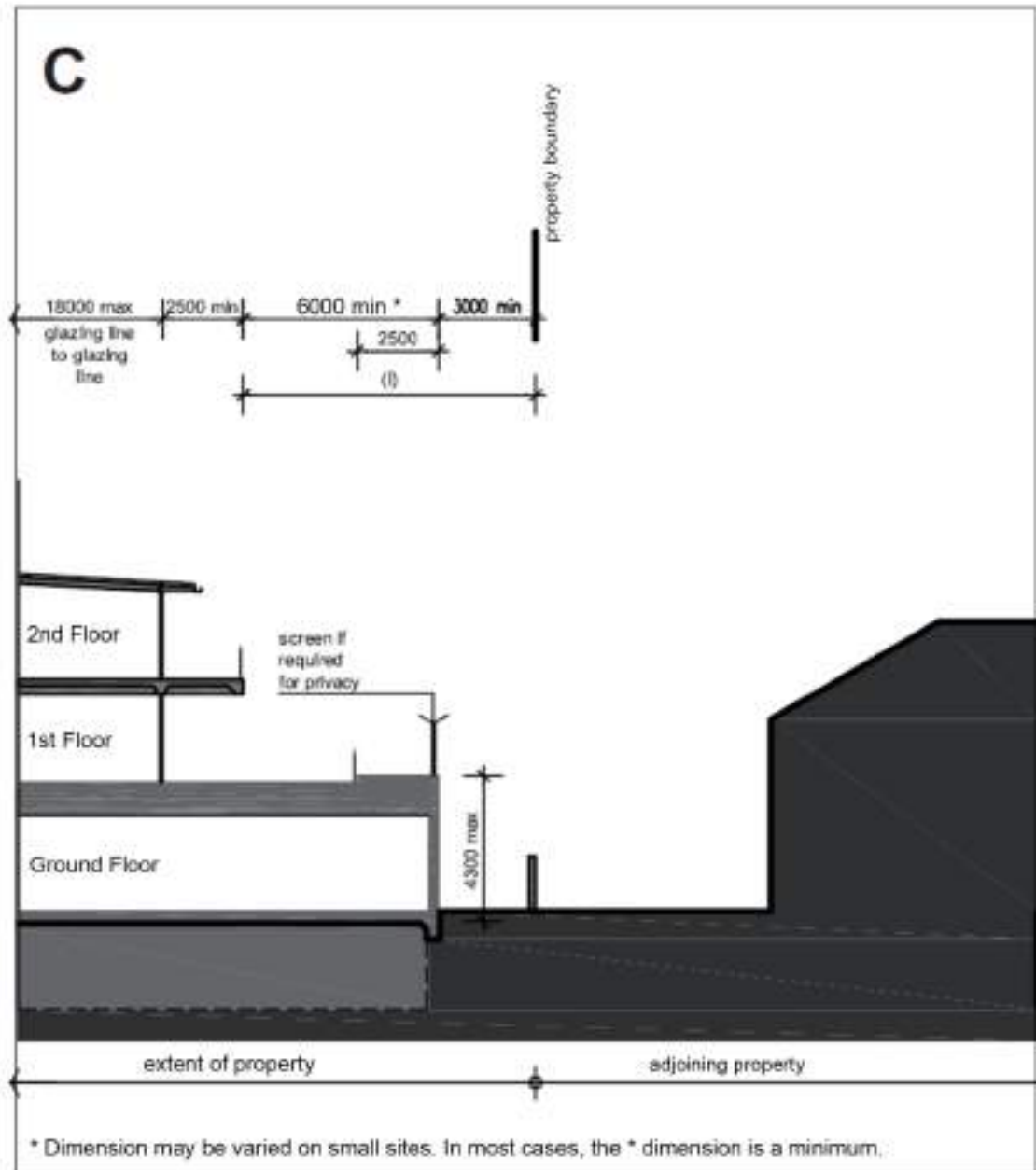




## ANNEXURE E3-2

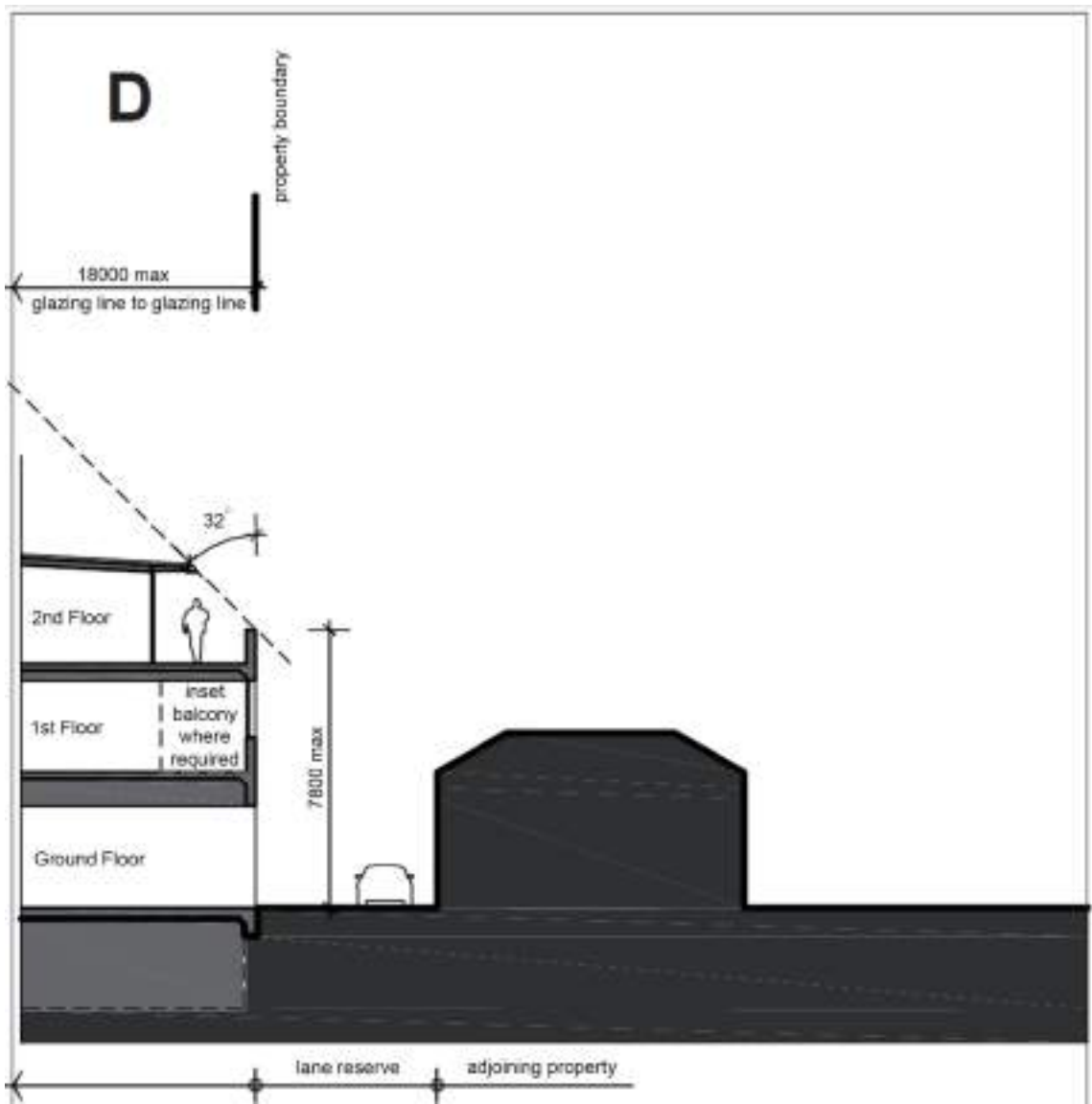
### 3 STOREYS

### Three (3) storey rear setback details without rear laneway



ANNEXURE E3-2  
3 STOREYS

Three (3) storey rear setback details with rear laneway



## ANNEXURE E3-3 4 STOREYS

### ANNEXURE E3-3 TYPICAL BUILT FORM FOR FOUR STOREY CENTRES

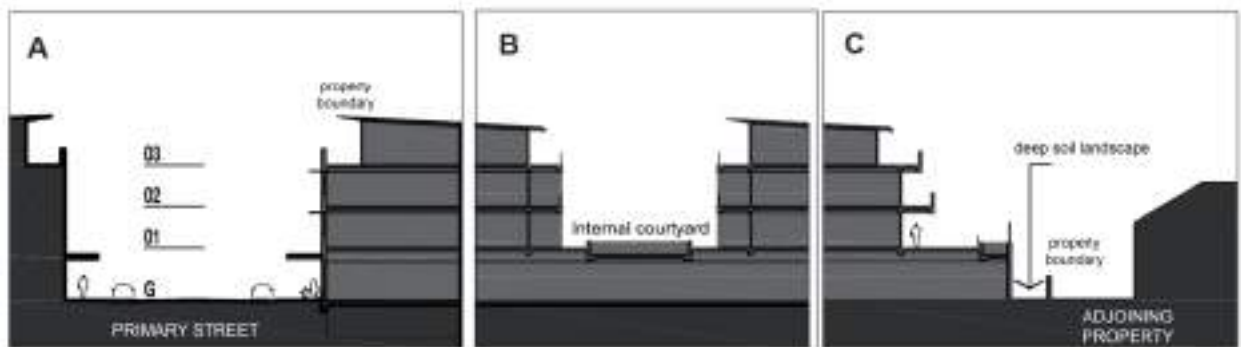
Annexure E3-3 applies to the following centres:

1. Hall Street Town Centre.
2. Bondi Road Village:
  - Properties shaded lighter grey (western section) in Figure 58.

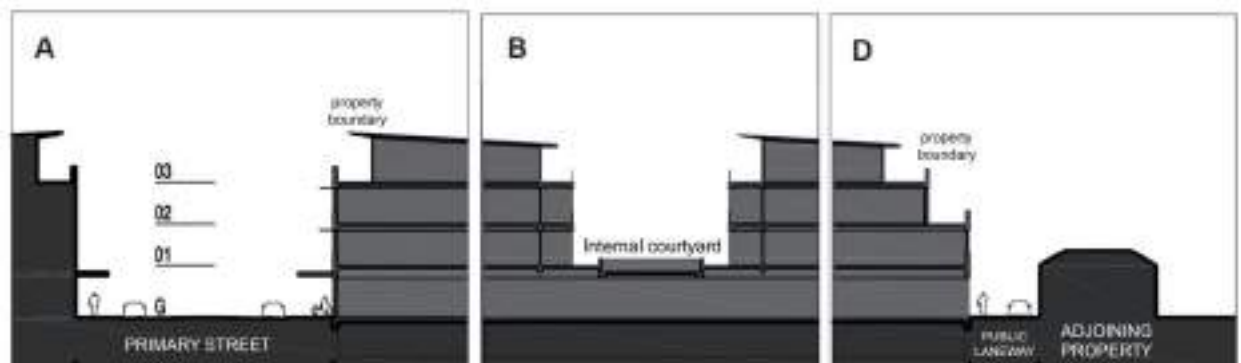
There are two typical built forms for four storey Local Village Centres which are dependent on whether a property has access to a rear lane.

1. Properties without rear laneway: Control Diagram A, B and C.
2. Properties with rear laneway access: Control Diagrams A, B and D.

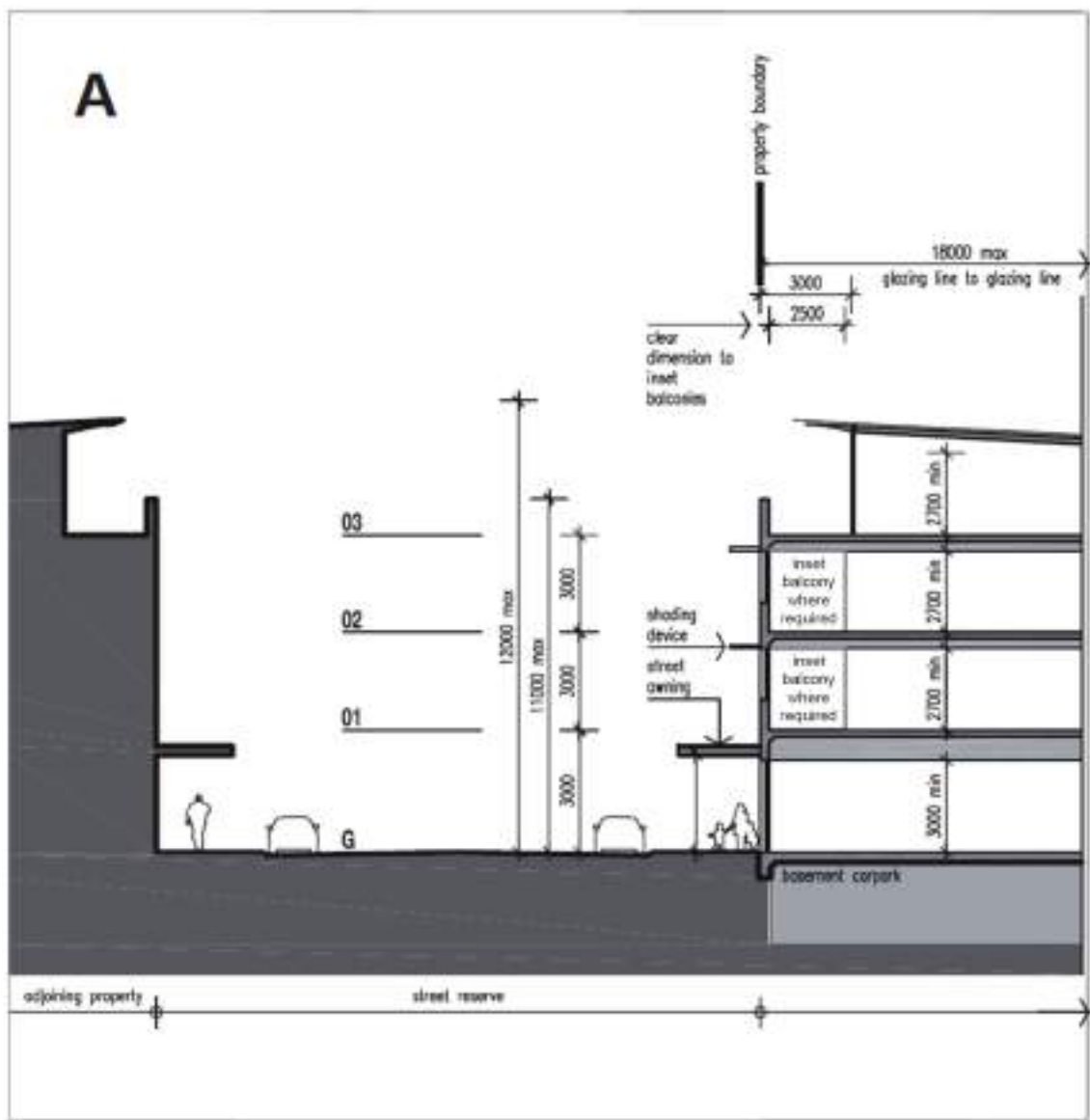
#### Four (4) storey section without rear laneway



#### Four (4) storey section with rear laneway

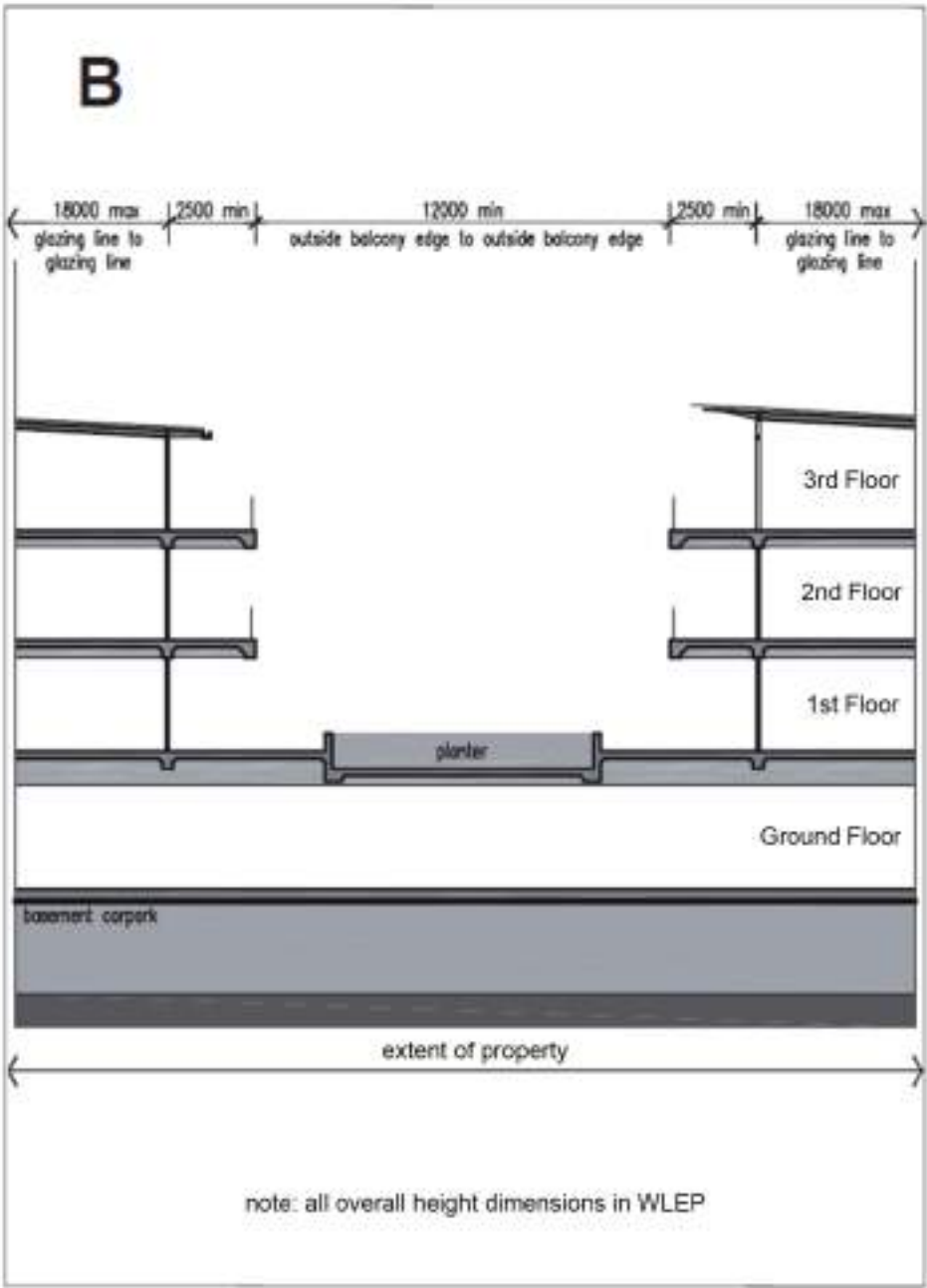


Four (4) storey street interface details and internal dimensions



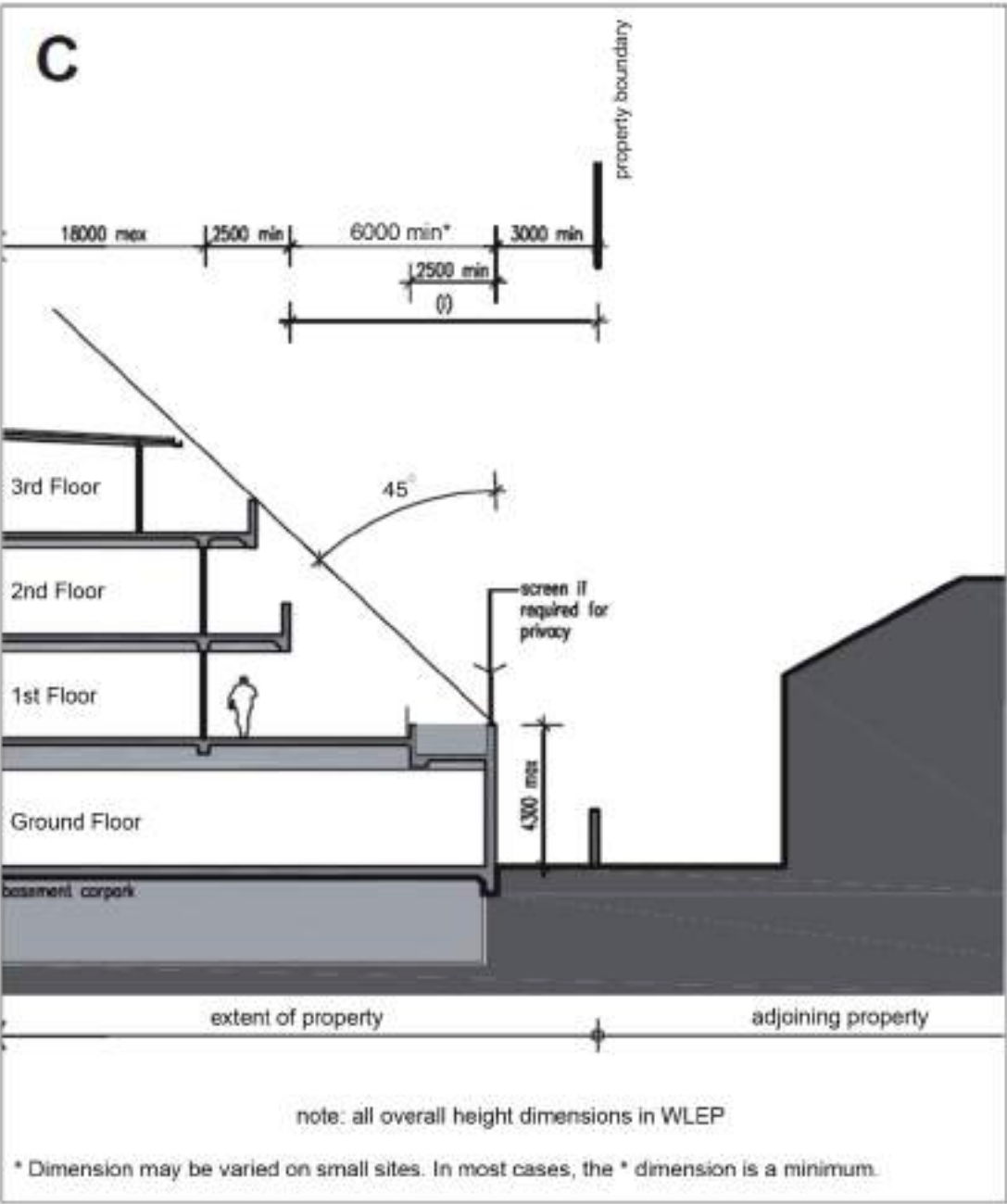
ANNEXURE E3-3  
4 STOREYS

Four (4) storey internal courtyard details



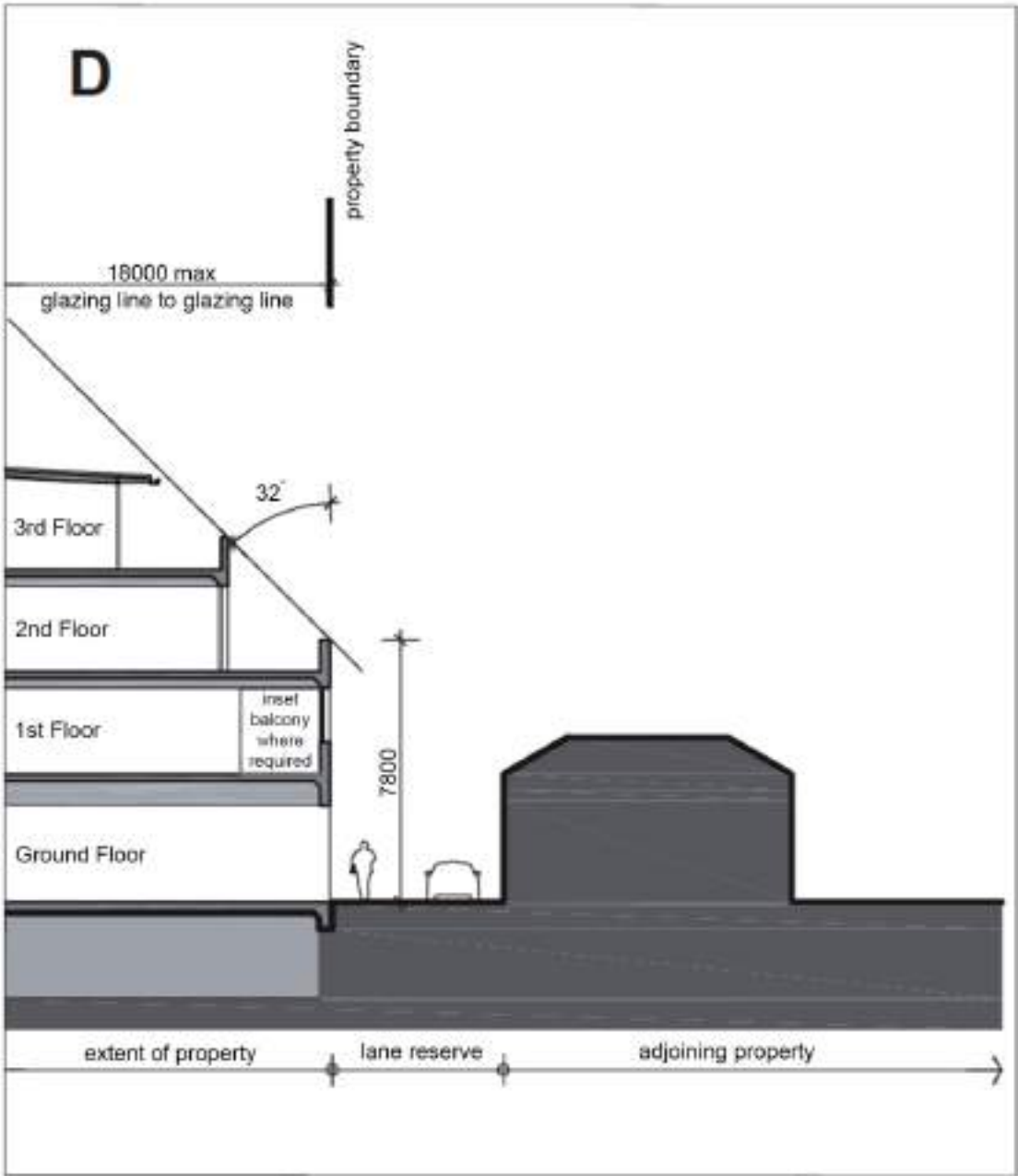
ANNEXURE E3-3  
4 STOREYS

Four (4) storey rear setback details without rear laneway



ANNEXURE E3-3  
4 STOREYS

Four (4) storey rear setback details with rear laneway



**E4 113 MACPHERSON STREET, BRONTE**

Where there are discrepancies between these controls and others within this DCP the following controls take precedence.

The following objectives and provisions apply to 113 Macpherson Street, Bronte described as Lot 19, Lot 20 and Lot 21 of DP 192094 and Lot 22 of DP 72912, also known as the Bronte RSL site (refer to Figure 65).



**Figure 65** 113 Macpherson Street Site Plan



#### 4.1 PUBLIC DOMAIN

##### Objectives

- (a) Ensure public domain benefits are provided to a high quality and in keeping with Council's vision for the neighbourhood centre.

##### Controls

- (a) Macpherson Street and Chesterfield Lane are to be landscaped to Council's requirements.
- (b) Street furniture and renewal of paving is to be provided to Macpherson Street and Chesterfield Lane to Council's requirements.

## 4.2 BUILT FORM

### Objectives

- (a) Facilitate the redevelopment of the site to achieve a high quality urban form.
- (b) To ensure that redevelopment does not result in adverse impacts on the amenity, privacy and solar access of existing and future residential premises within the precinct.
- (c) To facilitate built form that accounts for the change in level between Macpherson Street and Chesterfield Lane.
- (d) To set building heights and frontage alignments to respect the existing character and desired future character of the Bronte's Macpherson Street and St. Thomas Street Neighbourhood Centre.
- (e) Ensure that development has high architectural quality and diversity, and strongly defined streets.
- (f) To ensure that new development reflects the historical subdivision pattern and established rhythm of the main street retail buildings located east of the site.

### Controls

- (a) The development of 113 Macpherson Street is to be in accordance with the development control envelope illustrated in Figures 66 and 67.
- (b) Provide awnings to the entire Macpherson Street frontage between the ground and first floor, except over the driveway. Awnings must be:
  - (i) minimum 3m wide;
  - (ii) minimum 3.1m between the underside of awning of 3.1m and the footpath level; and
  - (iii) include under awning lighting.
- (c) Buildings are to be built to the street and lane alignments.
- (d) No less than 90% of the building is to be aligned to the street boundary for the ground and first floor fronting Macpherson Street.
- (e) Provide setbacks above the street-wall in accordance with Figures 66 and 67.
- (f) Provide side setbacks in accordance with Figures 66 and 67.
- (g) Each retail unit must present to Macpherson Street with a frontage no greater than 6m wide.
- (h) The Macpherson Street facade must be articulated to reflect the established 6m / 12m rhythm of the existing main street retail buildings located east of the site.



Figure 66 Development Control Envelope

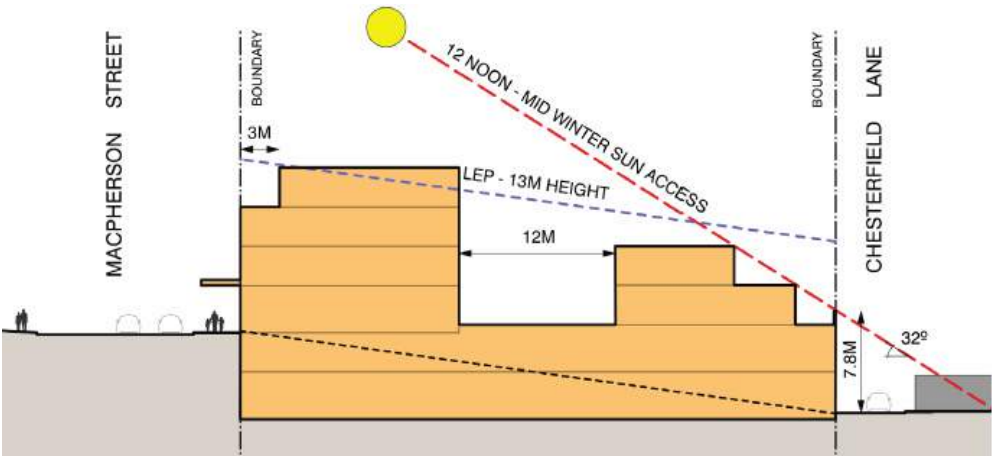


Figure 67 Development Control Envelope section

**4.3 ACTIVE STREET FRONTAGES****Objectives**

- (a) To promote pedestrian activity and safety in the public domain.
- (b) To provide a high degree of surveillance over Macpherson Street and Chesterfield Lane
- (c) To provide transparency and visual contact between the public domain and the building interior.
- (d) To ensure that retail premises present a “public face” to enhance the character and vitality of the neighbourhood centre.

**Controls**

- (a) Active street frontages are required at footpath level along Macpherson Street.
- (b) Not more than 10% of the Macpherson Street frontage can be blank walls or service areas.
- (c) The installation of roller shutters is not permitted.
- (d) Uses providing passive surveillance of Chesterfield Lane must be provided for the majority of the width of the ground and first storey fronting Chesterfield Lane. Car parking must be sleeved by a commercial or residential use.

## 4.4 TRANSPORT

### 4.4.1 Loading Facilities

#### Objectives

- (a) To ensure that non-residential uses do not result in adverse impacts on the amenity of existing and future residential premises, schools, childcare centres and community facilities.

#### Controls

- (a) Driveway entry and exit to commercial loading docks is restricted to Macpherson Street;
- (b) The driveway access to loading facilities and parking must be combined.
- (c) Loading facilities must be located internally on the site. They must not front Macpherson Street.

### 4.4.2 Driveways and Car Parking Access

#### Objectives

- (a) To ensure that non-residential uses do not result in adverse impacts on the amenity of existing and future residential premises, schools, childcare centres and community facilities.
- (b) To ensure main streets are not dominated by driveways.
- (c) To encourage continuous main streets.
- (d) To ensure safety for pedestrians on heavily used footpaths.

#### Controls

- (a) The width of the driveway on Macpherson Street must be no greater than 9m wide.
- (b) The driveway off Macpherson Street must be located at the western end of the front boundary as shown on the development control envelope (refer to Figure 15).
- (c) Access to residential parking is permitted from Chesterfield Lane.
- (d) Access to commercial, retail and RSL club parking is not permitted from Chesterfield Lane.
- (e) Provide a maximum gradient of 1 in 20 (5%) for the car park access driveway for the first six metres within the site.
- (f) The driveway access must be fully enclosed where located more than six metres from the Macpherson Street site boundary in order to provide acoustic attenuation for the residential apartments to the west of the site.

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#### **4.4.3 Non – Residential Parking Rates**

##### **Objectives**

- (a) To provide dedicated car parking for those working at the development.

##### **Controls**

- (a) Of the total number of non – residential parking spaces provided, 80% is to be allocated for visitors / short-stay parking, and 20% is to be allocated for employee / long-stay parking.

---

#### **4.4.4 Bicycle Parking**

##### **Objectives**

- (a) To provide accessible secure and safe bicycle parking close to major pedestrian entries.

##### **Controls**

- (a) Provide minimum 50% of the required bicycle parking for non-residential premises at an accessible on grade location near the main pedestrian Macpherson Street entries.

# PART F DEVELOPMENT SPECIFIC

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## F1 SHARED RESIDENTIAL ACCOMMODATION

This Part contains guidelines for boarding houses, group homes and hostels throughout Waverley.

### 1.1 BUILT FORM AND AMENITY

*State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP)* provides the following provisions relating to boarding houses:

- Density;
- Height;
- Landscaping and Private Open Space;
- Solar Access and Energy efficiency;
- Car Parking; and
- Accommodation size and characteristics.

It is noted that Council cannot refuse an application for a boarding house based on specific controls within the SEPP, however all applications must comply with the following development controls.

#### Additional submission documents/information

- A Management Plan is required to be submitted with the DA (refer to Part A2).
- Management Plans are unable to be altered without the approval of Council.
- Places of shared residential accommodation are to be registered annually with Council and be inspected at least once a year by Council.

#### Objectives

- (a) To provide a level of amenity to ensure acceptable living standards.
- (b) To ensure rooms have sufficient kitchen and bathroom appliances in order to be completely self-contained.
- (c) To provide ample space for cooking and dining whilst maintaining health and safety.
- (d) To ensure all types of shared residential accommodation are adequately managed and maintained.

#### Controls

- (a) Development is to be designed in accordance with the controls outlined for Part C1 - Dwelling House and Dual Occupancy Development or Part C2 - Multi Unit Housing Development as relevant.
- (b) Every bedroom must have a minimum gross floor area of 12m<sup>2</sup>.
- (c) Indoor communal living areas are to have a minimum area of 12.5m<sup>2</sup> or 1.25m<sup>2</sup>/ resident (whichever is greater). The communal area is not to include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking or the like.
- (d) Each room should contain adequate storage facilities to provide storage space for clothes, linen and other items.
- (e) Balconies should be provided for each individual room where site and locality conditions permit.



- (f) Clothes drying facilities are to be provided for occupants, including an outdoor clothes line.
- (g) Laundry facilities are to be provided at the rate of one washing machine and laundry basin for every 12 residents
- (h) A room with a kitchenette should contain a stove, sink, oven, refrigerator and a bench top with a minimum area of 1m<sup>2</sup>.
- (i) Bathrooms should have a minimum area of 5m<sup>2</sup>.
- (j) Rooms should be well ventilated to ensure acceptable levels of health and safety.
- (k) Cleaning and cooking items are to be provided for the use of occupants.
- (l) Boarding houses are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbours by locating:
  - (i) The main entry point at the front of the site, away from side boundary areas near adjoining properties;
  - (ii) Communal areas away from the main living area or bedroom windows of any adjacent buildings;
  - (iii) Screen fencing, plantings and acoustic barriers in appropriate locations; and
  - (iv) Double glaze windows or glass blocks where noise transmission could affect neighbour properties.

## F2 TOURIST ACCOMMODATION

This Part contains provisions that apply to alterations and additions, change of use to or new visitor accommodation. Visitor accommodation includes hotels, motels, guest houses, backpacker accommodation, bed and breakfast accommodation and serviced apartments.

### 2.1 BACKPACKER ACCOMMODATION

Backpacker accommodation is defined in WLEP 2012 and provides for tourist and visitor accommodation with shared facilities.

Waverley is a popular tourist destination due to its proximity to the Sydney CBD and eastern beaches. As a result, backpacker accommodation is a common development type in the area. The following controls encourage the design, development and management of backpacker accommodation in a manner which respects the amenity of the surrounding area whilst ensuring a high standard of amenity for guests.

#### Additional submission documents/information

- A Management Plan is required to be submitted with the DA (refer to Part A2).
- Management Plans are unable to be altered without the approval of Council.
- An acoustic assessment prepared by an appropriately qualified consultant including recommended noise attenuation measures is to be submitted with a development application.
- Visitor accommodation is to be registered annually with Council and be inspected at least once a year by Council.

#### Objectives

- (a) To protect existing residents from the impacts of backpacker accommodation.
- (b) To ensure the design, development and management of backpacker accommodation provides a high standard of amenity for guests.

#### Controls

- (a) Development is to be designed in accordance with the controls outlined for Part C1 - Dwelling House and Dual Occupancy Development or Part C2 - Multi Unit Housing Development as relevant.
- (b) Backpacker accommodation is to be located within 400m of public transport and within easy access to facilities and services.
- (c) The number of people in shared or dormitory style accommodation will be determined by allocating a minimum of 3.25m<sup>2</sup> of floor area per person up to a maximum of 8 guests.
- (d) The maximum length of stay for guests is 28 consecutive days.
- (e) The floor area of the combined kitchen/living area is determined on a basis of 1m<sup>2</sup> per occupant.
- (f) Toilet facilities must be provided in a separate compartment from the shower/bathroom.
- (g) Communal recreation areas are to be provided at the rate of 0.75m<sup>2</sup> per person based on the maximum number of guests.

- (h) One communal area of at least 20m<sup>2</sup> with a minimum dimension of 3 metres is to be provided.
- (i) Rooftop terraces are not permitted.
- (j) Developments are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbours by locating:
  - (i) The main entry point at the front of the site, away from side boundary areas near adjoining properties;
  - (ii) Communal areas away from the main living area or bedroom windows of any adjacent buildings;
  - (iii) Screen fencing, plantings and acoustic barriers in appropriate locations; and
  - (iv) Double glazed windows or glass blocks where noise transmission could affect neighbouring properties.
- (k) Provide adequate space and secure storage facilities to allow occupants to store clothes and travel gear.
- (l) Toilet and shower facilities must be designed in accordance with the BCA.

## 2.2 HOTELS, MOTELS AND SERVICED APARTMENTS

Hotels, motels and serviced apartments are defined in WLEP 2012. Hotel and motel accommodation provide tourist and visitor accommodation in the form of rooms or self contained suites. Serviced apartments provide self contained tourist or visitor accommodation that is regularly serviced or cleaned.

Due to the number of tourists Waverley receives each year, hotels, motels and serviced apartments are in high demand. These controls encourage the design, development and management of hotels, motels and serviced apartments in a manner which respects the amenity of the surrounding area whilst ensuring a high standard of amenity for guests.

### Additional submission documents/information

- A Management Plan is required to be submitted with the DA
- Management Plans are unable to be altered without the approval of Council.
- Visitor accommodation is to be registered annually with Council and be inspected at least once a year by Council.

### Objectives

- (a) To ensure the design, development and management of hotel and motel accommodation provides a high standard of amenity for guests, whilst not impacting on the amenity of the surrounding area.
- (b) To ensure that serviced apartment developments provide a level of amenity for residents that is comparable with residential development.

### Controls

- (a) The maximum permitted length of stay is 3 months for motels and hotels.
- (b) Sleeping rooms are to provide a minimum of 5.5m<sup>2</sup> per occupant staying more than 28 consecutive days; or 3.25m<sup>2</sup> per occupant staying 28 or less consecutive days.
- (c) Serviced apartments are to be designed so that the level of residential amenity within each apartment is equivalent to that required to be provided for residential flats.
- (d) Where serviced apartments are located within a building that includes residential flats, separate ground floor lobbies for each use are required for serviced apartments and residential flats are not to share the same access corridor.
- (e) A wash tub, washing machine and clothes drying facilities is to be provided within each apartment.
- (f) Each bedroom is not to accommodate more than two persons.
- (g) Development must be designed in accordance with the built form controls outlined in Part C2 - Multi Unit Housing Development as appropriate.
- (h) Provide adequate space and secure storage facilities to allow occupants to store clothes and travel gear.
- (i) Toilet and shower facilities must be designed in accordance with the BCA.
- (j) Buildings must be oriented and designed to minimise potential impacts on the residential amenity surrounding residential amenity.

## F3 CHILD CARE CENTRES

This Part relates to the construction, establishment and operation of child care centres throughout Waverley.

*State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (SEPP) allows home-based child care to be conducted without the need for approval. To operate without development consent any proposed home-based child care must operate in line the LEP definition as follows:

***“Home-based child care*** - a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

- (a) *the service is licensed within the meaning of the Children and Young Persons (Care and Protection) Act 1998;*
- (b) *the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 4 who do not ordinarily attend school.”*

### **Children and Young Persons (Care and Protection) Act 1998 and Education and Care Services Regulations 2011**

Child Care Services are managed under the *Children and Young Persons (Care and Protection) Act 1998* and the *Education and Care Services Regulations 2011*. The Regulation covers areas such as the staff who work in services and their level of qualification, the size of a service and the ratio of staff to children, physical requirements of building spaces and equipment, health and safety and administrative requirements. An application for a license cannot be made until development consent has been granted.

For more information go to: <http://www.dec.nsw.gov.au/>

### 3.1 LOCATION AND SITING

Council recognises the demand for child care places in Waverley and encourages the provision of child care centres. Careful consideration as to the suitability of a site for a child care centre is required and should take into consideration proximity to public transport, vehicular access and provision of open space.

#### Objectives

- (a) To ensure child care centres are located in areas of high environmental quality, without exposure to undesirable health and safety risks.
- (b) To ensure the location and design of child care centres minimise adverse environmental and amenity impacts to adjacent residential properties.
- (c) To encourage ease of access to child care centres by sustainable transport forms.
- (d) To ensure the design of a child care centre is of an appropriate scale, bulk and size sympathetic and consistent with development in the surrounding area.

#### Controls

- (a) Sites that are considered to be best suited for child care centres are:
  - (i) located on a corner site;
  - (ii) adjacent to existing open space;
  - (iii) form part of an established church or community facility;
  - (iv) detached dwellings rather than semi-detached dwellings, dual occupancies or units within residential flat buildings;
  - (v) where on-site setting down facilities for children are available; and/or
  - (vi) 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) The design and siting of child care centres shall consider:
  - (i) site orientation and solar access;
  - (ii) existing vegetation and topography;
  - (iii) access (vehicular and pedestrian) to, and from the site;
  - (iv) location and uses of surrounding buildings and the predominant built form and streetscape character; and
  - (v) minimising disturbance to adjacent residential properties.

### 3.2 BUILT FORM

The overall built form and appearance of a child care centre will be determined by the provisions of WLEP 2012 and relevant part of this DCP relating to the building type. Consideration of the surrounding built form will assist in ensuring development are consistent with the streetscape character of the surrounding area and of an appropriate scale and design.

#### Objectives

- (a) To ensure generous and well designed indoor and outdoor play areas that caters for the children's needs.
- (b) To provide indoor and outdoor spaces which are safe, secure and functional and enable supervision.
- (c) To ensure that the visual and acoustic amenity of the neighbouring area is not unduly impacted by the child care centre.

#### 3.2.1 Outdoor Spaces

##### Controls

- (a) A minimum of 7m<sup>2</sup> useable outdoor play space per child is to be provided.
- (b) Outdoor play spaces are to be:
  - (i) directly related to the main indoor play area;
  - (ii) located to have direct access to toilets;
  - (iii) located to allow for constant supervision of the children;
  - (iv) easily accessible and preferably on grade, with indoor areas;
  - (v) located with a northern orientation, where possible, for maximum solar access;
  - (vi) secured away from the main entrance of the facility, car parking, vehicular circulation or public areas outside the child care centre;
  - (vii) Designed to provide separate areas for different age groups that suit their needs and abilities;
  - (viii) designed to provide at least half the outdoor area is to be unencumbered and available for play on a variety of surfaces;
  - (ix) provided with surfaces that are to be non-slip, safe, durable, attractive and enjoyable to use by children;
  - (x) adequately fenced with self-closing and child proof fencing on all sides of the area;
  - (xi) designed so that fixed play items are located to the edge of the open area. Fixed play items are to be designed for flexibility, safety and include recognised impact absorbing under-surfacing; and
  - (xii) designed to provide an area for the adequate storage of garbage and recycling bins and is to be located on site so as to minimise exposure to noise and odour to adjoining properties.
- (c) Landscaping is to:
  - (i) provide shade and screening to outdoor areas;
  - (ii) include native trees and shrubs which contribute to biodiversity; and

- (iii) include vegetation which has been assessed to ensure they are free of toxins.
- (d) Rainwater tanks should be installed to collect roof runoff for garden watering.

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### **3.2.2 Indoor Space**

- (a) A minimum of 3.25m<sup>2</sup> of unencumbered space per child that is used exclusively for children is to be provided.
- (b) Toilets should be easily accessible from playrooms.
- (c) Children should not have to cross another group's playroom to access the toilets or outdoor areas.
- (d) Flooring is to 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.
- (e) Adequate and suitable space is to be 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.
- (f) Indoor areas are to have access to sunlight, natural ventilation and views to the outdoors.
- (g) Fluorescent lighting is discouraged. If incandescent lights are used a shade should be provided.

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### **3.2.3 Visual and Acoustic Amenity**

- (a) Buildings must be oriented and designed to minimize potential impacts on the residential amenity of adjoining properties with regard to visual and acoustic privacy.
- (b) Adequate screening should be provided where balconies and decks cause privacy concerns for adjoining residences.



### 3.3 TRAFFIC, CAR PARKING AND PEDESTRIAN SAFETY

Traffic, parking and pedestrian safety is a key consideration in the location and design of a child care centre. Child care centres should be located close to public transport as well as having adequate on-site parking and manoeuvring to ensure the surrounding traffic and residential amenity is not adversely affected.

#### Objectives

- (a) To ensure that adequate parking is available for the dropping off/ picking up of children so that it does not affect the traffic movements and availability of parking of the surrounding area.
- (b) To ensure adequate parking is provided on site for staff and parents.
- (c) To ensure a safe environment for pedestrians, particularly children.

#### Controls

- (a) 1 on-site parking space is required per 4 employees plus 1 per 8 children.
- (b) Council may consider a reduction in parking requirements where a study undertaken by a suitably qualified consultant justifies the assumptions that staff and users of the centre will use alternative forms of transport to access the centre or is necessary as a result of the individual sites merits.
- (c) Provision should be made for one way drive through arrangements which has separate ingress and egress with adequate drop-off/pick-up areas.
- (d) All parking and manoeuvring areas are to be clearly sign posted and line marked.
- (e) On-site car parking should be designed so that vehicles may be driven in a forward direction when entering and leaving the centre.
- (f) A Traffic Management Plan must be submitted with the development application by a suitably qualified consultant which considers:
  - (i) current on street parking restrictions and availability;
  - (ii) current traffic conditions;
  - (iii) the likely impact of the proposed development on existing traffic flows and the surrounding street system;
  - (iv) safety of pedestrian and vehicular movements in and around the centre; and
  - (v) how impacts of drop-off and pick up will be addressed.

### 3.4 MANAGEMENT

Council has the responsibility for assessing child care centre applications and the NSW Department of Education and Communities (DEC) 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 *Education and Care Services Regulations 2011*.

An applicant must obtain a licence from DEC to provide centre-based child care once a development application (DA) has been approved or for a home-based child care centre. Before submitting a DA, the applicant should contact DEC to address licensing issues. Contact details are available at the following link:

<http://www.dec.nsw.gov.au/contact-us>

#### Objectives

- (a) To ensure that centre-based child care services operate in times where they will have least impact on the community and the environment.

#### Controls

- (a) Council will not permit a centre located in a residential zone to operate outside the hours of 7.00am to 7.00pm unless written justification is submitted seeking otherwise.
- (b) Consideration may be given to a variation in the hours of operation within residential areas if the proposed centre is adjoining or adjacent to a commercial or another non residential land use.
- (c) Within mixed use areas or predominantly commercial areas, the hours of operation will be assessed on its merits in terms of compatibility with adjoining or upper level land uses.

**Note:** Terms used in this Plan are defined in Waverley LEP 2012 and the Act and override any identical definition in this dictionary. The definitions below refer to terms that are not defined by either the LEP or the Act.

## A

**A-Board** (or sandwich board) - means a two sided structure generally located on the footpath outside a shop or arcade to advertise a particular shop or product.

**Accessible Housing** - Housing that is designed and built to accommodate the needs of occupants with mobility impairment (Australian Standard 1428: Design for Access and Mobility Services).

**Active Frontage** - Street frontages where there is an active visual engagement between those in the street and those of the ground floors of buildings. Frequent building entries that face and open towards the street, transparent street frontages, quality materials and refined details, and mixed landuse help to provide active frontages.

**Active Solar Energy Systems** - Systems which combine the sun's energy with local climatic conditions to achieve thermal comfort inside buildings with the use of mechanical devices.

**Adaptable housing** - Dwellings designed in accordance with the requirements under Australian Standard AS4299 – 1995 Adaptable Housing.

**Adjoining Land** - Land which abuts an application site or is separated from it only by a pathway, driveway, laneway, roadway or similar thoroughfare.

**Advertised Development** - Development, other than designated development, that is identified as advertised development by the regulations, an environmental planning instrument or a development control plan.

**Affected Person** - A person, organisation, company or the like who owns or occupies land that adjoins an application site; who, in the opinion of the authorised Council officer, may be detrimentally affected by the use of an application site or the erection of a building or carrying out of works on an application site; or who occupies a building (including but not limited to a boarding house or an individual unit within a residential flat building) that is the subject of a development application.

**Alteration and Addition** - Any alteration or addition requiring a development application.

**Applicant** - The person(s) making a development application to Council.

**Application Site** - The land to which the development application applies.

**Attic** – Refer to the term “Attic” as defined in the dictionary within Waverley Local Environmental Plan 2012.

**Australian Standard** – The structural, technical and building requirements prepared by the Standards Australia Committee and approved by Council of Australian Standards.

**Authorised Council Officer(s)** - The Council officer(s) who are responsible for the processing, assessment or determination of an application.

**Awning** - A roof like structure that protrudes from the wall of a building, either over a window or doorway.

**Awning Fascia Sign** - A painted or adhered sign positioned on the fascia or return end of an awning.

**Average Recurrence Interval (ARI)** - the average time interval (in years or fraction of years) between recurrences of a rainfall event of a given intensity and duration.

## B

**Base Flows** - Flows that occur during dry weather conditions.

**Biodiversity** - The variety of life: the different plants, animals and microorganisms, the genes they contain and the ecosystems of which they form. Biodiversity is vital in supporting human life. It provides many benefits, including our food, clean air and water and fertile soils.

**Blackwater** - Wastewater generated from toilets.

**Body Corporate** - An owner's corporation constituted under Section 11 of the *Strata Schemes Management Act 1996*.

**Bulk** - The combination of volume, size and shape of a building.

## C

**Café** (See **Restaurant**)

**Canopy** - means an overhanging protection or shelter usually found over a window or door.

**Carport** - An open sided roof structure with no door or walls and used for car-parking purposes only.

**Collection Point** - The usual (or agreed) point on the footpath/roadway, or on-site, where garbage and recyclables are loaded onto vehicles.

**Compost Bin** - A container to hold organic and biodegradable waste while it is being converted into soil conditioner, compost or humus by a biological decay process.

**Consulting Arborist** - An Australian Qualification Framework Level V arborist (AQF5) or equivalent

**Consent Authority** - Waverley Council unless otherwise stipulated in accordance with this Plan.

**Conservation Area** - means an area of land of heritage significance:

- a) shown on the Waverley Local Environmental Plan 2012 Heritage Map as a heritage conservation area, and

- b) the location and nature of which is described in Waverley Local Environmental Plan 2012 Schedule 5, and includes any heritage items situated on or within that area.

**Contributory Item** - items that make an important and significant contribution to the character of a heritage conservation area. This not only includes buildings, but natural features such as topography, vegetation, and views as well.

**Council** - Waverley Council

**Critical Habitat** - An area or areas of land comprising the habitat of an endangered species, population or ecological community

## D

**Damage (to a tree)** - Injury to a tree or vegetation and includes:

- pruning, lopping and topping
- poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone
- cutting, tearing, breaking or snapping of braches and roots that is not carried out in accordance with accepted arboricultural practices or is done for invalid reasons, including vandalism
- ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches
- damaging a trees root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunk, and / or
- underscrubbing, or clearing understorey plants.

**Dead tree** - Any tree that is no longer capable of performing any one of the following processes:

- photosynthesis
- take up of water through the root system
- hold moisture in its cells; or
- produce new shoots

**Deep Soil Zone** - site area that is not built on, or underneath, thereby leaving an area of deep soil for deep-rooted vegetation, native vegetation and natural drainage. The zone must have a minimum dimension of 2 by 2 metres and should be positioned to enable the retention of existing mature and / or significant trees.

**Destroy** - Any activity leading to the immediate or contributes to the death, disfigurement or mutilation of a tree

**Designated Development** - Development as specified under section 77A of the *Environmental Planning and Assessment Act 1979* to be development that is declared to be designated by an environmental planning instrument or regulation.

**Detention** - The holding of stormwater for short time periods aimed at reducing high flows. This reduces the peak flow of runoff, not the volume.

**Detention Basin** - A storage area used to temporarily store stormwater flows during a storm event to reduce peak flow. No water is permanently stored in a Detention Basin but is released to the stormwater system following the peak flow event.

**Development** - The use of land, and the subdivision of land, and the erection of a building, and the carrying out of a work, and the demolition of a building or work, and any other act, matter or thing referred to in Section 26 of the EP&AA 1979 that is controlled by an environmental planning instrument but does not include any development of a class or description prescribed by the Regulations 2000 for the purposes of this definition.

**Development Application** - An application for consent under Section 4 of the EP&AA 1979, to carry out development but does not include an application for a complying development certificate.

**Dormer** - A construction containing a vertical window framed into and projecting through a sloping roof.

## E

**External Wall Height** - "Wall height" is the vertical distance as measured from the ground level (existing or as determined by Council) to the highest point of an external wall. The highest point of an external wall is taken to be any of the following:

- the underside of the eaves of a pitched roof;
- the highest point of a parapet that forms part of an external wall;
- the highest point of the wall where it joins the roof structure for skillion or butterfly type roofs.

For the purposes of "wall height" an external wall does not include dormer windows, roof gable ends, clerestory windows, recessed/setback glazed walls designed to obtain internal light, or the like.

## F

**Fascia Sign** - A sign painted or positioned on the fascia or return end of the awning.

**Fill** - Depositing soil, rock or other similar extractive material obtained from the same or another site, but does not include the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land or a waste disposal landfill operation.

**Fin Sign** - An advertising structure attached to a flat roofed building or structure (such as a service station driveway canopy), generally positioned at right angles to street frontage.

**Flush Wall Sign** - A sign attached to or painted onto the wall of a building.

**Food Waste** - Any food waste such as vegetables, cereals, bones, meats and fish and fatty and oily sludges such as de-watered grease trap wastes.

## G

**Garage** - An enclosed structure with a roof, garage door and walls used for carparking purposes only.

**Garbage** - is any solid or inert materials generated by development and land-use activities (including domestic activities) that are discarded, rejected, unwanted, surplus or abandoned, that remains after the separation of compostable, re-useable and recyclable materials.

**Garbage Chute** - is a duct in which deposited material descends from one level to another within the building, due to gravity.

**Green Roof** - A roof system designed to promote the growth of various forms of vegetation on the top of buildings. Differing from a roof garden, a green roof can also support various forms of renewable energy and water collection technology to assist in supplying power to the occupants of the building.

**Green Waste** - A vegetative material, such as grass, plants, leaves, branches, shrub and tree loppings.

**Grey Water** - Wastewater generated from hand basins, showers, laundries and kitchens.

**Gross Leasable Area** - The sum of the areas at each floor of a building, where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage areas.

**Groundwater** - Water contained within the voids and spaces in rocks or soils.

## H

**Habitable Room** - A room in a dwelling used for domestic day to day activities that excludes a bathroom, laundry, water closet, food storage pantry, walk in wardrobe, corridor, hallway and other like spaces not occupied for extended periods of time.

**Habitat Corridors** - are areas where vegetation provides sufficient habitat features to allow wildlife to move from one area of habitat to another. The vegetation may include remnant bushland, native plantings, weeds and gardens.

**Habitat tree** - Any tree that is a nest or hollow-bearing tree which is suitable for nesting birds, arboreal marsupials (possums), micro-bats or which support the growth of locally indigenous epiphytic plants such as orchids

**Hardstand area** - An open paved, concrete or grassed space designed to allow for car parking.

**Hazardous Material** - Potentially hazardous or toxic material(s) that contribute to the toxicity of residual waste. They include but are not limited to, asbestos, used batteries, waste oils, paints, solvents, cleaning and pool chemicals, pesticides, poisons and sharps such as syringes.

**Hazardous Substances** - A substance that:

- is listed in the *List of Designated Hazardous Substances*, (as listed on [www.ascc.gov.au](http://www.ascc.gov.au)) or
- fits the criteria set out in the 'Approved Criteria for Classifying Hazardous Substances', as published by the National Occupational Health and Safety Commission.

**Height of a tree** - means the distance measure vertically between the horizontal plane of the lowest point of the base of the tree, which is immediately above ground, and the horizontal plane of the uppermost point of the tree.

## I

**Impervious (non porous)** - A surface that does not allow water to infiltrate into the ground, including roofs, roads, pavements, hard surfaced sports courts, any “sealed” areas and permanent water bodies such as swimming pools.

**Indigenous plant species** - Those species which are believed to have been present in the Waverley Council area prior to 1788. It includes those plants which originate from remnant vegetation via natural processes and does not include planted native plants or plants originating from plantings.

**Infill** - A new building, either in a heritage conservation area or an existing urban area.

**Infiltration** - is the downward movement of water from the surface to the subsoil.

**Injury** - Damage to a tree and includes:

- lopping and topping
- poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone
- cutting, tearing, breaking or snapping of braches and roots that is not carried out in accordance with accepted arboricultural practices or is done for invalid reasons, including vandalism
- ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches
- damaging a trees root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunk, and / or
- underscrubbing, unless carried out by hand tools such as brushcutters and the like

**Integrated Development** - Development that in addition to Council consent, requires a number of permits, licences and other approvals from public authorities as well as approval under the *Environmental Planning and Assessment Act 1979*.

**Interallotment Drainage** - Common stormwater drainage system that serves one or more private properties.



## L

**Landscaped Area** - A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area

**Laneway Development** - A building which fronts a rear lane.

**Liquid Waste** - A non-hazardous liquid waste generated by commercial premises that is supposed to drain to the sewer or be collected for treatment by a liquid waste contractor (inc. grease trap waste).

**Local Native Plants** - Those plants that have been propagated from local seed stocks from Sydney's Eastern suburbs, not specifically from the Waverley area, and not from outside the Sydney Basin

**Lop or Lopping** - Cutting branches or stems between branch unions or internodes with the final cut leaving a stub

**Low Flows** - Flows generated from rainfall events less than the 1 in 5 year ARI storm event including frequent events.

## M

**Minor Alterations** - Any internal alterations and additions or external additions which does not increase the area of the existing building envelope.

**Minor Stormwater System** - A stormwater conveyance system comprising the land formation, pits and pipes, gutters, swales, grated trenches and other stormwater conveyance devices that are used to convey or retain stormwater in storm events up to the 20 year average recurrence interval storm event.

**Mobile Garbage Bin** - A bin on wheels with a lid ('wheely' bin) supplied by Council.

**Mixed Use Development** - A building with one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

**Multi Unit Housing** - A building containing three or more attached dwellings on one lot of land, but does not include an attached dwelling or multi dwelling housing.

## N

**Natural Ground Level** - The existing ground level on the site prior to variation by way of excavation or filling, or that level accepted or determined by Council.

**Neighbouring Land** - Any land, which in the opinion of the Authorised Council Officer, may be detrimentally affected by a development application (and may include properties in a neighbouring LGA).

**Non – Habitable Room** - Spaces not occupied frequently or for extended periods.

**North Point** - The orientation of a dwelling or part thereof. A reference to 'north' is a reference to true solar north and not magnetic or compass north.

**Noxious weed** - A plant declared noxious under the *Noxious Weeds Act 1993*.

## O

**On-site Detention** - Detention of water on-site (refer to **Detention**).

**On-site Retention** - Retention of water on-site (refer to **Retention**).

**Open Space** - An area external to a building (including an area of land, terrace, balcony or deck) and includes hard paved areas, areas containing swimming pools as well as landscaped area.

**Operational hours** - The hours when a commercial premises is utilised by staff for pre-works and clean up of the premises but is not open to the public for trade.

**Organic Waste** - A biodegradable, compostable wastes of plant and animal origin, such as garden refuse and food wastes capable of being converted into soil conditioners, compost or humus by a biological decay process.

**Origin** - refers to the location of plant material, where seed or cuttings were sourced to produce the plants. These may be:

- Indigenous – plant material from specimens growing in Waverley remnant vegetation or bushland (preferred)
- Local Native – plant material from Eastern Suburbs, Australia (next preference)
- Native – plant material from other region in Australia (Coastal NSW preferred)

**Outbuilding** - An unattached building or structure that includes a bird aviary, cubby house and other play equipment, cabana, garden shed and greenhouse and the like.

**Overland Flow Path** - The path that stormwater may take if the piped or channelled stormwater system becomes blocked or its capacity exceeded. Overland flow paths provide a fail safe system to ensure that stormwater is not likely to cause flood damage.

**Owner** - The person or persons who appear on Council's computer rates records to be the owner of the land at the date of notification; in the case of land that is the subject of a strata scheme under the *Strata Schemes (Freehold Development) Act 1973*, or a leasehold strata scheme under the *Strata Schemes (Leasehold Development) Act 1986*, the body corporate and each strata unit owner in the case of land that is a community, precinct or neighbourhood parcel within the meaning of the *Community Land Development Act 1989*, the Association for the parcel and each individual owner within the scheme.

## P

**Painted Sign** - A sign painted directly onto an awning fascia and a glass shopfront.

**Parapet** - A wall-like barrier at the edge of a roof, or other structure.

**Parking Space** - Any garage, carport or carspace or court available for use by a vehicle.

**Passive Solar Energy Systems** - Systems which combine the sun's energy with local climate characteristics, to achieve thermal comfort inside buildings without the use of mechanical devices.

**Peak Flows** - The maximum instantaneous outflow from a catchment during a storm event.

**Permeable Paving** - Paving materials that allow infiltration into the soil.

**Permissible Site Discharge** - The maximum discharge from the site during a 1 in 5 year ARI storm event under pre-development (existing) site conditions.

**Pervious** - A surface that permits water to infiltrate into the ground.

**Photovoltaic panels** - A method of generating electrical power by converting solar radiation into direct current electricity.

**Pitched Roof** - A roof having a minimum pitch greater than 10 degrees and a maximum of 35 degrees taken from the horizontal base.

**Pole Sign** - A sign having an area no greater than 3.4m<sup>2</sup>, erected on a pole or pylon independent of any building or other structure. A pole sign is generally used in place of a building whose setback from the street alignment renders it unsuitable for advertising display purposes.

**Porous** - A surface that does allows water to infiltrate into the ground.

**Potable Water** - Water that may be consumed.

**Predominant building line** - The average setbacks of both the main buildings on either side of the subject site and includes 2 storey development and first floor extensions.

**Private Open Space** - Component of open space that is used for private outdoor purposes ancillary to the use of the building and generally relates to rear and side yards and private decks, balconies and courtyards.

**Projecting Wall Sign** - A sign that is attached to a wall of the building (other than the transom of a doorway or display window).

**Prune or pruning** - Activities as specified in *Australian Standards AS 4373 – Pruning of Amenity Trees*:

- crown maintenance pruning involving general pruning or thinning
- deadwooding: the removal of dead wood from a tree
- selective pruning: the removal of identified branches that are causing a specific problem
- formative pruning: selective removal of specific branches to enhance form and improve structure or to directionally shape a young tree
- reduction pruning: reducing the size of the crown of the tree in either height or spread. The ends of branches are removed to internal lateral branches or stems
- crown lifting: the removal of lower branches to specified clearances
- remedial pruning: removing damaged, diseased or lopped branches back to undamaged or healthy tissue
- line clearance: pruning to maintain clearances around overhead services which should involve formative pruning, reduction pruning or remedial pruning

**Public Building** - A building or premises that the public or a section of the public is entitled or allowed to enter or use.

**Public Domain** - All land and facilities open for public use, including open space, streets, lanes, pedestrian thoroughfares, parks and public buildings.

## R

**Recognised Habitat** - means an area or areas occupied, or periodically or occasionally occupied, by a species, population or ecological community and includes any biotic or abiotic component.

**Remnant tree** - A native indigenous tree that remains in the landscape after removal of the majority or all of the native indigenous vegetation in the locality

**Remnant vegetation** - or bushland, is taken to be the original (pre 1788) native vegetation which has survived to this day. It includes both undisturbed and disturbed remnant vegetation. It also includes remnant vegetation which has colonised disturbed areas, where there was no vegetation for a period. The native plants species that grow within these remnants are referred to as indigenous. Remnant vegetation does not include native species that have been planted or introduced to the area.

**Remove** - To cut down, take away or transplant a tree from its place of origin

**Resource Recovery** - To re-use or recycle materials.

**Restaurant** - A building or place, the principal purpose of which is the provision of food or beverages to people for consumption on the premises, whether or not takeaway meals and beverages or entertainment are also provided.

**Restricted Premises** - means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

**Retention** - The storing of a form of water for beneficial use. Can apply to all forms of water including rainwater, stormwater and recycled water. May occur by storing water in a tank or by infiltration.

**Re-use** - Re-using a product for the same or different purposes without further manufacture, to prolong the original product lifetime.

### S

**Seedbank** - Seeds (especially from remnant vegetation) that has accumulated in the soil, and has the potential to regenerate.

**Setback** - The horizontal distance between a building and a site boundary, measured along a line perpendicular to the site boundary.

**Sex Services** - means sexual acts or sexual services in exchange for payment.

**Sex Services Premises** - means a brothel, but does not include home occupation (sex services).

**Site** - The allotment or group of allotments of land on which a building stands or is proposed to be erected.

**Site Analysis** - The process of identification and analysis of key features of the site and immediate surroundings to assist in understanding how future dwellings will relate to each other and to their locality.

**Soil & Water Management Plan** - Strategies and controls for a development or site to prevent pollution of the environment from all pollutants during the construction stage.

**Solar Collector** - Any building element or appliance specifically designed to capture or collect the sun's rays for the benefit of the occupants including windows.

**State Significant Development** - Development defined under Section 76A(7) of the *Environmental Planning and Assessment Act 1979*.

**Stormwater** - Rainfall that is concentrated after it runs off all urban surfaces such as roofs, pavements, carparks, roads, gardens and vegetated open space and includes water in stormwater pipes and channels.

**Street frontage** - The street alignment at the front of the lot or building.

**Streetscape** - The character of a locality (whether it be a street or precinct) defined by the spatial arrangement and visual appearance of built and landscape features when viewed from the street.

## T

**Temporary Sign** - An advertisement of a temporary nature that announces any local level event of a religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event and does not include advertising of a commercial nature except for the name(s) of an event sponsor, being ancillary to the purpose of the advertisement. Temporary signs may consist of advertisements in the form of banners, bunting, posters and the like.

**Terrace-Style Dwelling** - A dwelling-house that is part of a group of similar dwellings featuring relatively narrow width in relation to depth, attached along their side boundaries and visually similar to other dwellings in the same group, designed as an integral part of that group.

**Third Party Advertising** - Signs whose advertising content is unrelated to the activity of the building or site on which they are positioned, or to the sale or distribution of merchandise from that building or site.

**Top Hamper Sign** - A sign attached above a doorway / window of a building, and is below awning height.

**Top or topping** - The reduction of the height of a tree through lopping.

**Trading Hours** - The hours of when a commercial premises is open for trade to the public.

**Transplant** - The removal of a tree that is excavated from its place of origin within the ground and is relocated within the ground of the same property or re-establishment within the ground or a container within another property.

**Tree** - Any woody perennial plant or any plant resembling a tree greater than 4 metres in height or with a canopy spread greater than 4 metres.

**Tree protection zone** - A specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

## U

**Under Awning Sign** - A sign attached to the underside of an awning.

**Useable Open Space** - An area of open space that is accessible, relatively flat and clear of obstructions and can be used for active or passive recreation

## V

**Virgin excavated natural material** - Natural material (such as clay, gravel, sand, soil or rock fines) that has been excavated from areas that are not contaminated does not contain any sulfidic ores or soils or any other waste.

**Vertically Stacked Parking** - Where one or more vehicles are raised above a parking space by way of a mechanical or hydraulic lift, allowing more than one vehicle to occupy a surface level parking space.

## W

**Wall height** - The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney) whichever is the highest, and the ground level (existing) immediately below that point.

**Wastewater** - is greywater and blackwater.

**Water Sensitive Urban Design** - A design approach promoting sustainable management of the total water cycle through the ecologically sensitive design of homes, streets (and their drainage systems) and whole suburbs.

**Written Notice** - means the written notification letter sent by Council to adjoining and neighbouring land advising of a proposed development.

ABGR	Australian Building Greenhouse Rating Scheme
AHD	Australian Height Datum
AS	Australian Standards
BCA	Building Code of Australia
BJC	Bondi Junction Centre
DA	Development Application
DCP	Development Control Plan
DoCS	Department of Childcare Services
DoPE	Department of Planning & Environment
EMR	Electro-Magnetic Radiation
EP&AA 1979	Environmental Planning and Assessment Act 1979
EPI	Environmental Planning Instrument
FSR	Floor Space Ratio
GBCA	Green Building Council of Australia
GFA	Gross Floor Area
GLA	Gross Leasable Area
LEC	Land and Environment Court
LEP	Local Environmental Plan
LGA	Local Government Area
LVC	Local Village Centre
MGB	Mobile Garbage Bin
OSD	On-site Water Detention
OSR	On-site Water Retention
PA	Planning Agreement
PAPD	Public Art in the Private Domain
Regulation 2000	Environmental Planning & Assessment Regulation
RL	Reduced Level
SEE	Statement of Environmental Effects
SWRMP	Site Waste and Recycling Management Plan
TPO	Tree Preservation Order
WAHP	Waverley Affordable Housing Program
WDCP 2012	Waverley Development Control Plan 2012
WLEP 2012	Waverley Local Environmental Plan 2012
WMTM	Water Management Technical Manual