

An aerial, high-angle photograph of a wide, busy pedestrian street, likely in a European city. The street is paved with light-colored stone tiles and is filled with many people walking in various directions. On the left side, there are multi-story buildings with classic architectural features like windows and balconies. On the right side, there are modern buildings, including one with a large, curved, metallic structure. A row of trees runs down the center of the street, providing shade. A red tint is applied to the entire image. Overlaid on the image are two white rectangular boxes containing text.

## **Section 1**

# **Introduction**

# 1 Introduction

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## 1.1

### Purpose of this Development Control Plan

The purpose of this Development Control Plan (DCP) is to supplement the *Sydney Local Environmental Plan* (LEP) 2012 and provide more detailed provisions to guide development.

This DCP has been made in accordance with Section 74C of the Environmental Planning & Assessment Act 1979 (the Act) and must be read in conjunction with the provisions of *Sydney LEP 2012*.

Compliance with the provisions of this DCP does not necessarily guarantee that consent to a Development Application (DA) will be granted. Each DA will be assessed having regard to the LEP, this DCP, other matters listed in Section 79C of the Act, and any other policies adopted by the consent authority.

If there are circumstances when it is not relevant to comply with the controls in this DCP, applicants must provide a written submission clearly demonstrating compliance with the objectives of this DCP, and detailing the reasons the control/s should be varied. The proposed variation must result in a better outcome and meet all objectives of this DCP, and demonstrate that it will result in better outcomes. The submission must also clearly demonstrate the variation sought will not adversely impact on the local amenity.

## 1.2

### DCP name and commencement

This DCP is called Sydney Development Control Plan (DCP) 2012. The DCP was adopted by Council on 14 May 2012 and came into effect on 14 December 2012.

## 1.3

### Aims of this DCP

This DCP provides controls which guide development in order to:

- (a) encourage development to respond to its context and is compatible with the existing built environment and public domain;
- (b) recognise and reinforce the distinctive characteristics of the City of Sydney's neighbourhoods and centres;
- (c) build upon the detailed objectives and controls under *Sydney LEP 2012*;
- (d) protect and enhance the public domain;
- (e) achieve the objectives of the City's Sustainable Sydney 2030 Strategy;
- (f) encourage design that maintains and enhances the character and heritage significance of heritage items and heritage conservation areas; and
- (g) encourage ecologically sustainable development and reduce the impacts of development on the environment.

## 1.4

### Land to which this DCP applies

This development control plan applies to the land identified in Figure 1.1 *Land covered by this DCP* where the City of Sydney is the consent authority.

## 1.5

### Relationship of this DCP to other plans and policies

This DCP is to be read in conjunction with Sydney LEP 2012. Where there is any inconsistency between this DCP and the LEP, the LEP prevails.

This DCP is also to be read in conjunction with the following:

- *Environmental Planning and Assessment Act, 1979*;
- *Environmental Planning and Assessment Regulation 2000*;
- Relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs;
- *Local Government Act 1993*;
- Building Code of Australia (BCA);
- Relevant Australian Standards as identified throughout this DCP;
- Land and Environment Court Planning Principles; and
- Any other policy or document identified for consideration throughout this DCP.

**Note:** It is advised to check [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au) for the most current list and version of applicable SEPPs.





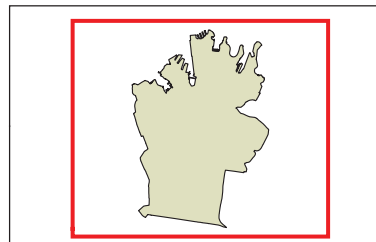
# Sydney Development Control Plan 2012

Figure 1.1

Land covered by this DCP

## Legend

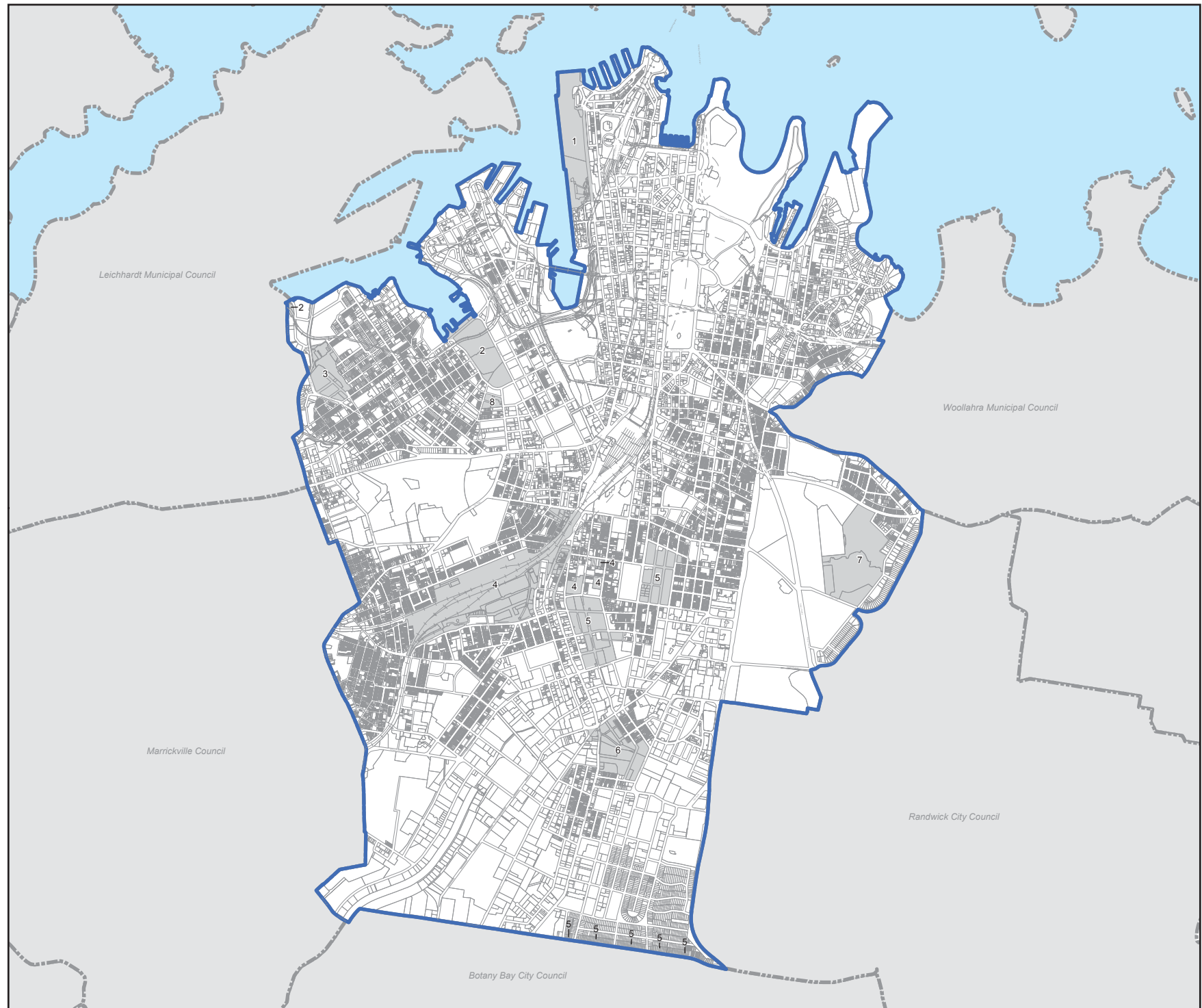
- City of Sydney - Local Government Area
- Land excluded from this DCP
- 1 Barangaroo
- 2 Bays Precinct/Wentworth Park
- 3 Harold Park
- 4 Redfern/Waterloo
- 5 Various Sites (South Sydney)
- 6 Green Square Town Centre
- 7 Moore Park Showground
- 8 Glebe (Affordable Housing)
- Area covered by this DCP



0 1 km

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## 1.6

### Relationship of this DCP to other DCPs and policies

This DCP consolidates the existing DCPs and policies in force within the City of Sydney's Local Government Area into one comprehensive document. This DCP repeals the following DCPs and policies but only to the extent that they apply to land to which this development control plan applies:

- Central Sydney DCP 1996
- South Sydney DCP 1997: Urban Design
- Ultimo-Pyrmont Urban Development Plan
- Leichhardt DCP 2000
- City of Sydney Access DCP 2004
- City of Sydney Adult Entertainment and Sex Industry DCP 2006
- City of Sydney Boarding Houses DCP 2004
- City of Sydney Child Care Centres DCP 2005
- City of Sydney Convenience Stores DCP 2004
- City of Sydney Contaminated Land DCP 2004
- City of Sydney Heritage DCP 2006
- City of Sydney Late Night Trading Premises DCP 2007
- City of Sydney Notification of Planning and Development Applications DCP 2005
- City of Sydney Signage and Advertising Structures DCP 2005
- City of Sydney Telecommunications and Radiocommunications DCP 2006
- City of Sydney Visitor and Tourist Accommodation DCP 2006
- South Sydney Green Square Affordable Housing DCP
- South Sydney Development Control Plan No.6
- South Sydney DCP Exempt and Complying Development 1999
- South Sydney DCP for Orders
- South Sydney DCP No.11 Transport Guidelines for Development 1996
- King Street & Enmore Road Heritage and Urban Design DCP 2000
- Leichhardt DCP No.22 – 461-465 Glebe Point Road, Glebe
- Leichhardt DCP No.23 – Orphan School Creek
- Leichhardt DCP No.32 – Design for Equity and Access
- Leichhardt DCP No.33 – 357 Glebe Point Road, Bidura
- Leichhardt DCP No.35 – Exempt and Complying Development
- Leichhardt DCP No.33 – 357 Glebe Point Road, Bidura
- Leichhardt DCP No.35 – Exempt and Complying Development

- 
- Leichhardt DCP No.38 – Waste – Avoid, Reuse and Recycle
- 
- Leichhardt DCP No.39 – John Fletcher Site and Glebe Depot Site
- 
- Leichhardt DCP No.42 – Contaminated Land
- 
- Leichhardt DCP No.48 – Managing Activities on Footpaths & Street Verges
- 
- City of Sydney Exterior Lighting Strategy
- 
- Guidelines for Alterations and Additions to Terraces
- 
- The City of Sydney Awnings Policy 2000
- 
- The City of Sydney Policy for the Management of Laneways in Central Sydney
- 
- Guidelines for Temporary Protective Structures
- 
- Policy on Trading Hours for New and Existing Premises
- 
- Policy for the Management of Warehouse/Courtyard Complexes in Central Sydney
- 
- Display of Premises Numbers Policy 2005
- 
- Strategy for a Sustainable City of South Sydney
- 

This DCP also replaces deemed DCPs, formerly known as master plans or development plans, for land in the area to which this development control plan applies.

# 1.7

## Savings Provision

- (1) A development control plan or policy listed under Section 1.6 which applies to any land deferred from the application of this DCP will continue to apply to that land until it is repealed, or the land is included in the area to which this DCP applies.

Refer to Figure 1.1 *Land covered by this DCP* to determine if your site is excluded and the relevant planning document that applies to your land. The following development control plans will continue to apply to land that has been deferred from this DCP:

Site or Area	Local Environmental Plan/State Environmental Planning Policy/Sydney Regional Environmental Plan	Development control plan	Number as identified on Figure 1.1
Barangaroo	State Environmental Planning Policy (Major Development) 2005	City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Signage and Advertising Structures DCP 2003 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006	1
Bays Precinct/ Wentworth Park	SREP No.26 - City West Ultimo-Pyrmont Precinct	City of Sydney Access DCP 2004 City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006 City of Sydney Boarding Houses DCP 2004 City of Sydney Child Care Centres DCP 2005 City of Sydney Contaminated Land DCP 2004 City of Sydney Convenience Store DCP 2004 City of Sydney Heritage DCP 2006 City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Notification of Planning and Development Applications DCP 2005 City of Sydney Signage and Advertising Structures DCP 2005 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006 Leichhardt DCP 2000 Leichhardt DCP No.38 - Waste: Avoid, Reuse and Recycle Leichhardt DCP No.48 – Managing Activities on Footpaths and Street Verges	2
Harold Park	Sydney Local Environmental Plan 2011 (Harold Park)	Sydney Development Control Plan (Harold Park) 2011	3
Redfern/Waterloo	State Environmental Planning Policy (Major Development) 2005	The Minister for Planning is the consent authority for development that has a capital investment value of more than \$10 million	4



Various Sites (Southern Sydney)	South Sydney Local Environmental Plan 1998	<p>City of Sydney Access DCP 2004</p> <p>City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006</p> <p>City of Sydney Boarding Houses DCP 2004</p> <p>City of Sydney Child Care Centres DCP 2005</p> <p>City of Sydney Contaminated Land DCP 2004</p> <p>City of Sydney Convenience Store DCP 2004</p> <p>City of Sydney Heritage DCP 2006</p> <p>City of Sydney Late Night Trading Premises DCP 2007</p> <p>City of Sydney Notification of Planning and Development Applications DCP 2005</p> <p>City of Sydney Signage and Advertising Structures DCP 2005</p> <p>City of Sydney Telecommunications and Radiocommunications DCP 2006</p> <p>City of Sydney Visitor and Tourist Accommodation DCP 2006</p> <p>South Sydney DCP 1997: Urban Design</p> <p>South Sydney DCP – Exempt and Complying Development 1999</p> <p>South Sydney DCP No.11 – Transport Guidelines for Development 1996</p> <p>South Sydney DCP for Orders South Sydney DCP – Green Square Affordable Housing</p>	5
Green Square Town Centre (1)	<p>South Sydney Local Environmental Plan 114</p> <p>Green Square Town Centre LEP (South Sydney LEP 1998 Amendment Nos. 17 and 19)</p>	<p>City of Sydney Access DCP 2004</p> <p>City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006</p> <p>City of Sydney Boarding Houses DCP 2004</p> <p>City of Sydney Child Care Centres DCP 2005</p> <p>City of Sydney Contaminated Land DCP 2004</p> <p>City of Sydney Convenience Store DCP 2004</p> <p>City of Sydney Heritage DCP 2006</p> <p>City of Sydney Late Night Trading Premises DCP 2007</p> <p>City of Sydney Notification of Planning and Development Applications DCP 2005</p> <p>City of Sydney Signage and Advertising Structures DCP 2005</p> <p>City of Sydney Telecommunications and Radiocommunications DCP 2006</p> <p>City of Sydney Visitor and Tourist Accommodation DCP 2006</p> <p>South Sydney DCP 1997: Urban Design</p> <p>South Sydney DCP - Exempt and Complying Development 1999</p> <p>South Sydney DCP No.11 - Transport Guidelines for Development 1996</p> <p>South Sydney DCP for Orders</p>	6
Green Square Town Centre (2)	<p>City of Sydney Planning Scheme Ordinance</p> <p>Green Square Town Centre LEP (South Sydney LEP 1998 Amendment Nos. 17, 19 and 21)</p>	<p>The same development controls that apply to Green Square Town Centre (1) apply to Green Square Town Centre (2)</p>	6

Moore Park Showground	State Environmental Planning Policy No.47 - Moore Park Showground	City of Sydney Access DCP 2004 City of Sydney Adult Entertainment and Sex Industry Premises DCP 2006 City of Sydney Boarding Houses DCP 2004 City of Sydney Child Care Centres DCP 2005 City of Sydney Contaminated Land DCP 2004 City of Sydney Convenience Store DCP 2004 City of Sydney Heritage DCP 2006 City of Sydney Late Night Trading Premises DCP 2007 City of Sydney Notification of Planning and Development Applications DCP 2005 City of Sydney Signage and Advertising Structures DCP 2005 City of Sydney Telecommunications and Radiocommunications DCP 2006 City of Sydney Visitor and Tourist Accommodation DCP 2006 South Sydney DCP 1997: Urban Design South Sydney DCP No.11 - Transport Guidelines for Development 1996 South Sydney DCP for Orders	7
Glebe Affordable Housing	South Sydney Local Environmental Plan (Glebe Affordable Housing Project)	City of Sydney Development Control Plan 2011 (Glebe Affordable Housing Project)	8

# 1.8

## Interpretation

Where this development control plan uses terms that are defined in *Sydney Local Environmental Plan 2012*, the definitions in the LEP are to be adopted. Other terms used throughout this DCP are defined in the Glossary of Terms. In addition, certain provisions of this DCP include definitions that are specific to those provisions.

A reference in this DCP to any Australian Standard or legislation includes a reference to any amendment or replacement as made.



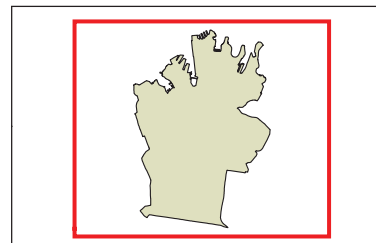
# Sydney Development Control Plan 2012

Figure 1.2

Contributions plans within the City of Sydney Local Government Area map

## Legend

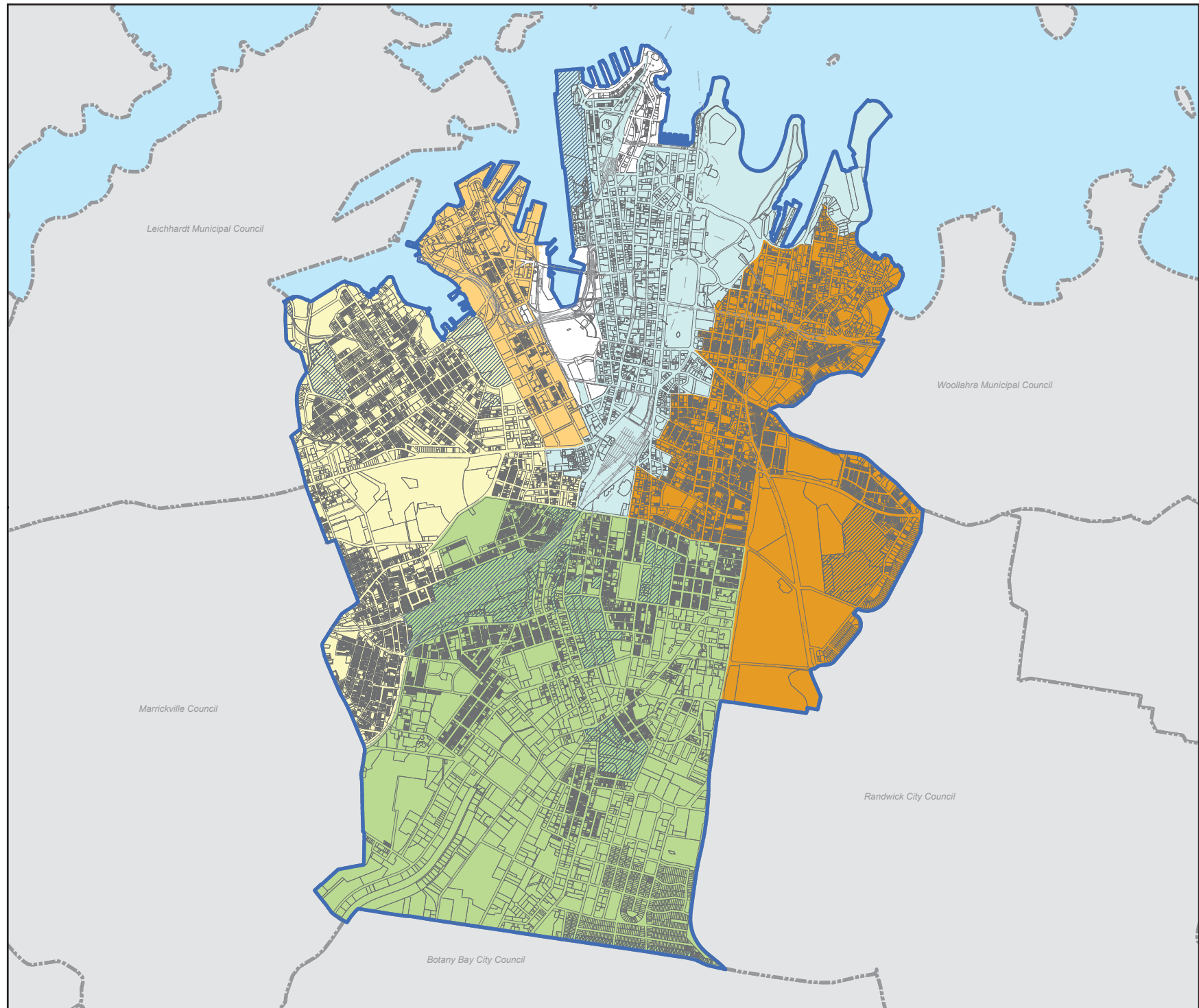
- City of Sydney Sec. 61 Central Sydney Contributions (Amendment) Plan 2002
- City of Sydney Sec. 94 Contributions Plan 1994 (Ultimo-Pymont)
- City of Sydney Sec. 94 Contributions Plan 2006 (Western Precinct)
- City of Sydney Sec. 94 Contributions Plan 2006 (Southern Precinct)
- City of Sydney Sec. 94 Contributions Plan 2006 (Eastern Precinct)
- CoS LGA Boundary
- Land excluded from this DCP



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# 1.9

## Structure of this DCP

The structure and format of this DCP has been established to enable the user to efficiently find the relevant development provisions in a logical manner.

This DCP is divided into the following sections with further detail is provided in the table below:

Glossary of Terms
Section 1 Introduction
Section 2 Locality Statements
Section 3 General Provisions
Section 4 Development Types
Section 5 Specific Areas
Section 6 Specific Sites

This DCP includes a list of schedules containing additional information and a set of maps at a scale of 1:5,000.

### Schedules

- ~~Schedule 1 – Advertising and Notification~~  
Superseded and replaced by the Community Participation Plan 2019
- Schedule 2 - Information required in a Development Application
- Schedule 3 - Late Night Trading
- Schedule 4 - Projections over or into public roads
- Schedule 5 - Public open space dedication and design criteria
- Schedule 6 - Signage in The Rocks
- Schedule 7 - Transport, parking and access
- Schedule 8 - Tree management



# 1.10

## How to use this DCP

### **SECTION 1 INTRODUCTION**

This Section explains the purpose of the DCP, where it applies, and how to use the DCP.

### **SECTION 2 LOCALITY STATEMENTS**

This Section establishes desired future character and supporting principles for the various localities across the local government area. Development is required to be consistent with the relevant locality statement. All development types must refer to the relevant locality statement and supporting principles within Section 2 Locality Statements.

### **SECTION 3 GENERAL PROVISIONS**

This Section establishes the general guiding principles for development, including public domain, sustainability, heritage, design excellence, tree management, transport and parking, late night trading and signage.

All development proposals except for development of, or alterations and additions to single dwellings, terraces and dual occupancies must comply with all relevant provisions within this Section.

Where relevant, development or alterations and additions to single dwellings, terraces and dual occupancies must only comply with provisions for tree management, canopy cover, flooding and drainage, heritage, significant existing architectural building types and accessible design.

### **SECTION 4 DEVELOPMENT TYPES**

This Section establishes provisions for certain types of developments including single dwellings, terraces and dual occupancies; residential flat, commercial and retail developments; industrial developments; boarding houses; child care centres; visitor accommodation and other development types.

All development proposals must refer to the provisions that best describes that type of development being proposed.

### **SECTION 5 SPECIFIC AREAS**

This Section establishes additional provisions for Specific Areas of the local government area such as Central Sydney; Green Square; Epsom Park and Rosebery Estate. The provisions in this Section override similar provisions in other sections. When a development standard is not specified in this section, development must be consistent with all other relevant provisions of the DCP. The map at the start of Section 5 must be checked to determine which, if any of these provisions apply.

### **SECTION 6 SPECIFIC SITES**

This Section establishes additional provisions for Specific Sites in the local government area. The provisions in this section override similar provisions in other sections. Where a development standard is not specified in this section, development must be consistent with all other relevant provisions of the DCP. The map at the start of Section 6 must be checked to determine which, if any of these provisions apply.

### **SCHEDULES**

This Section contains further information referred to in the DCP and also additional objectives and principles for specific types of developments in earlier sections of the DCP.

## 1.11

# Development contributions and planning agreements

Development Contribution Plans apply to land within the City of Sydney Local Government Area as shown on Figure 1.2 *Contributions Plan*. This information is available on the City website at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au). No development can be subject to more than one Contributions Plan. The Development Contribution Plans within the City of Sydney LGA are:

### Section 61 Development Contributions Plan

Under Section 61 of *The City of Sydney Act*, building projects in Central Sydney exceeding \$200,000 must make a cash contribution to Council. Section 61 contributions enable the provision of public infrastructure, community projects and facilities.

### Ultimo - Pyrmont Section 94 Development Contributions Plan

Ultimo - Pyrmont Section 94 Development Contributions Plan 1994 applies to development within the Ultimo and Pyrmont areas. Development Contributions are payable for development that increases the worker and residential population and floor space. Development Contributions under this plan will not be collected for alterations and additions to dwelling houses that do not involve the creation or erection of a new or separate dwelling on the same allotment.

### Other areas (Western Precinct, Southern Precinct, Eastern Precinct), Section 94 Development Contributions Plan 2006

Section 94 Development Contributions Plan 2006 was approved by Council on 12 March 2007 and came into force on Saturday 7 April 2007. This Contributions Plan applies to development approved after that date where Council or the CSPC is the consent authority in the area covered by that plan. Development contributions are payable for development that increases the worker and residential population and floor space. Development contributions under this plan will not be collected for alterations and additions to dwelling houses that do not involve the creation or erection of a new or separate dwelling on the same allotment.

### Planning agreements

Planning agreements are made in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and are voluntary agreements between Council and a landowner for development. Voluntary planning agreements within the City of Sydney are listed on a public register.

A planning agreement may include infrastructure works and recurrent expenditure in relation to a public amenity, service or facility. A planning agreement specifies how it relates to any applicable Section 94 Contributions Plan, and may provide that a development be excluded from the requirements of that Plan in exchange for works in kind. Early contact should be made with Council officers where planning agreements are envisaged if the provision of public facilities or the like outside of the requirements of the Section 94 Contributions Plan and/or a planning agreement is proposed.

## 1.12

### Monitoring and review

The consent authority is required to keep the LEP and DCP under regular and periodic review. The consent authority is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments.

The consent authority is to review *Sydney Local Environmental Plan 2012* and Sydney Development Control Plan 2012 at least five yearly intervals in order to:

- (a) assess the continued relevance and responsiveness of the Plan's provisions; and the achievement of the objectives of the Plan;
- (b) identify the need for changes to the provisions to better achieve the objectives of the Plan and changes in circumstances; and
- (c) ensure the availability of adequate development capacity under the Plan's provisions.