



Section 5

Specific Areas

5 Specific Areas

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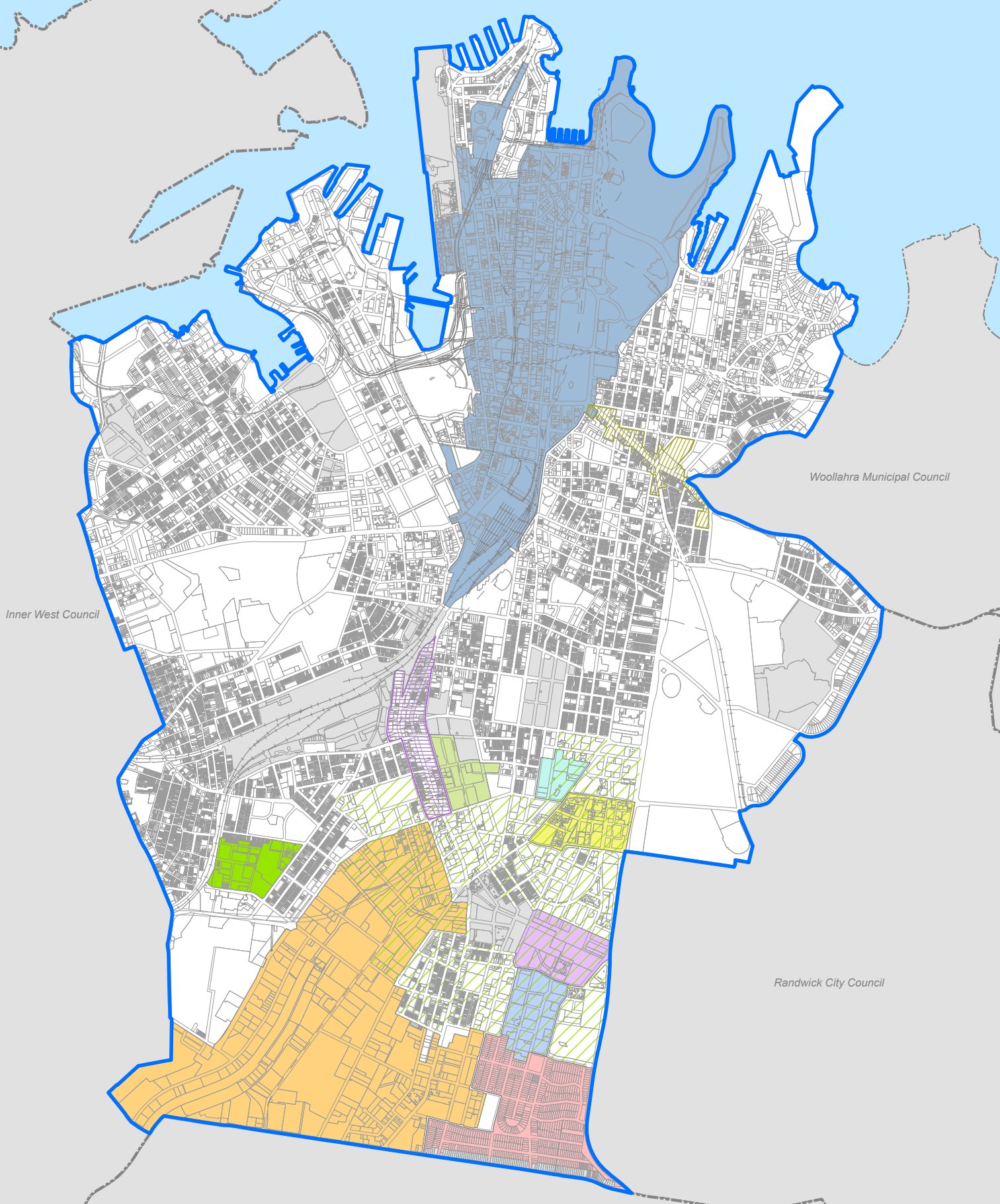
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Introduction

This Section applies to the areas identified in Figure 5.1 Specific Areas. Refer to Figure 5.1 to determine which, if any of these provisions apply.

This Section establishes additional provisions for specific areas in the local government area including Central Sydney, Green Square, Epsom Park, Lachlan, the Ashmore Neighbourhood, the Rosebery Estate, North Rosebery and the Southern Enterprise Area. Where there is an inconsistency between Section 5 and Sections 1 to 4 of this DCP, Section 5 applies to the extent of the inconsistency. Where there is an inconsistency between Section 5 and Section 6 of this DCP, Section 6 applies to the extent of the inconsistency. When a numerical standard is not specified in this Section, development must be consistent with all other relevant provisions of the DCP.



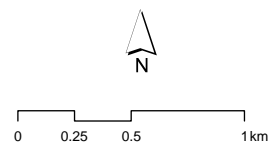
Specific areas map

Figure 5.1

Legend

- | | |
|---|--|
| City of Sydney - Local Government Area | North Rosebery |
| Land excluded from this DCP | Lachlan |
| Central Sydney | Southern Enterprise Area |
| Green Square | Dank Street South |
| Ashmore | Botany Road Precinct |
| Epsom Park | Oxford Street Cultural and Creative Precinct |
| Rosebery Estate | Waterloo Estate (South) |

Sydney Development Control Plan 2012



CITY OF SYDNEY

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5.1

Central Sydney

This Section applies to the land identified as Central Sydney in Figure 5.1 *Specific Areas*.

5.1.1 Built form controls

Built form controls include:

- Street Frontage Heights
- street, side and rear setbacks
- separations; and
- massing and tapering.

The controls outline the desired future form of Central Sydney and provide the tests to which the consent authority must be satisfied in order to demonstrate compliance with the relevant requirements of Sydney LEP 2012, including Clause 6.16.

Value statement

The predominant built form typology of Central Sydney is a podium building with tall building element set back above. A group of podiums form a street wall when viewed from a Public Place. This configuration manages impacts on the amenity of the public domain and surrounding development in a number of ways:

- A tall building that is set back from its site boundaries that sits on a building podium creates space around it that provides light and air into the street.
- A building podium maintains definition of the street at a reasonable pedestrian scale whilst managing climatic effects of tall buildings - including downdrafts, wind funnelling, reduced daylight and overshadowing.
- Street wall buildings create areas of special character throughout Central Sydney as a result of variations in their scale and articulation.
- Heritage items create space between tall buildings that allow more sunlight, daylight and air circulation to the street.

Issues of scale, daylight, wind and character arising from tall buildings can be managed by controlling:

- Street Frontage Heights;
- setbacks;
- building form separations; and
- Building Envelope Areas and dimensions.

These requirements are specifically designed to minimise the impact of tall buildings on the amenity in the public domain. Controls for amenity within developments are contained in other sections of this DCP (see Section 4 Development types and Section 5.1.2 Development outlook and demonstrating amenity compliance) and SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

In this section:

Building Envelope Area is the area including all internal and external built elements and enclosed voids between that floor level and the next floor level measured in plan.

Podium means the base of a tall building that is built close to or along the site boundary or boundaries. It defines the Public Place and is distinct from the part of the tall building above it, which is set back from the boundary or boundaries.

Public Place has the same meaning as in the Local Government Act and includes streets, lanes (i.e. narrow streets) and public open space.

Podium Height means the Street Frontage Height also applied at side and rear boundaries (note, street, side and rear setbacks do not apply to buildings less than 55 metres in height).

Street Frontage Height means the vertical height above ground level of that part of the building closest to a Public Place. Street Frontage Height is the development control that sets the desired street wall or podium height.

Street Setback means the setback from the site boundary of that part of the building closest to a public place and applies for any part of the building or building element above the Street Frontage Height (including for example architectural elements like horizontal or vertical fins).

Objectives

- (a) To maintain daylight and sunlight in streets, lanes and Public Places.
- (b) To manage the wind impacts of development on streets, lanes and other Public Places so that they are safe and comfortable for people.
- (c) To allow comfortable air movement to disperse pollution and cool streets, lanes and Public Places.
- (d) To ensure that occupants of tall buildings have access to daylight and outlook by providing appropriate separation from surrounding buildings.
- (e) To establish Street Frontage Heights in Central Sydney that are appropriate to a site's context and location.
- (f) To ensure small sites that are unable to provide setbacks do not develop as tall buildings above the Street Frontage Height.
- (g) To ensure that each tall building is designed to be seen as a unified composition from all sides – that they are designed to be seen “in the round”.
- (h) To promote streets and laneways as important Public Places.
- (i) To avoid the appearance of contiguous ‘wall of towers’, where groups of tall buildings appear as one solid mass.

Provisions

5.1.1.1 Street frontage height and street setbacks

Value statement

Street Frontage Heights

Buildings that are built to the street alignment with a height to street width ratio of at least 1:1 provide a sense of enclosure to the street. In Central Sydney, street widths average under 20m, so in general an appropriate minimum street frontage height for buildings is 20m.

Buildings taller than 45m at the street alignment are greater than 2.25 times the street width, and create an overbearing sense of enclosure. The street frontage height of most existing buildings in Central Sydney ranges between 20 and 45m.

For historical planning reasons many existing buildings in Central Sydney have a height or street frontage height of 45m high.

Buildings with street frontage heights between 20 and 45m reinforce the characteristic built form of Central Sydney. The maximum street frontage height that may be permitted anywhere in Central Sydney is 45m.

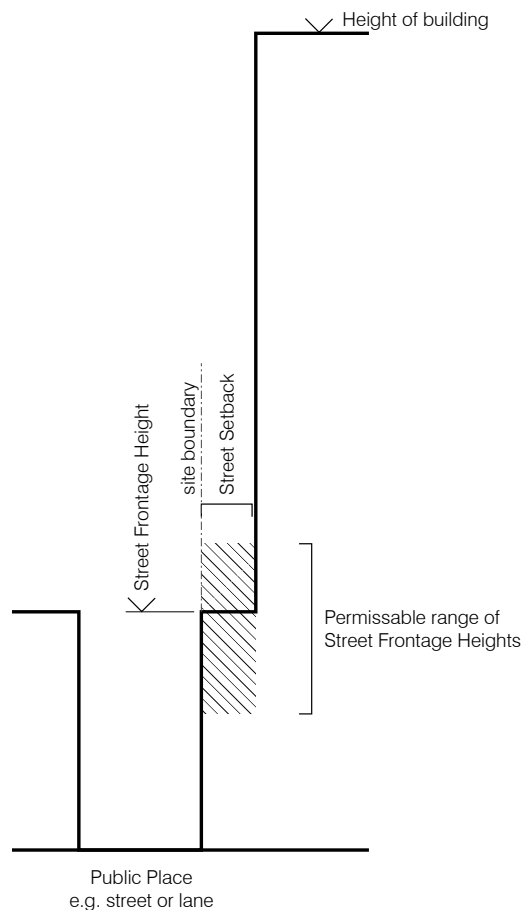
Street Setbacks

Buildings over 45m high that are built to or close to the street alignment can reduce daylight to streets; overshadow streets and lower levels of buildings; create unpleasant wind conditions; create an overwhelming sense of enclosure; and affect growing conditions for street trees.

Setting back higher elements of buildings preserves reasonable levels of daylight at street level and helps minimise wind problems to create a comfortable street environment.

A 10m setback doubles the amount of sky seen on an average 20m street in Central Sydney and significantly reduces wind impacts.

Figure 5.2
The street frontage height of development outside of special character areas should range between 20m and 45m



Objectives

- (a) Achieve comfortable street environments for pedestrians with high levels of daylight, appropriate scale, sense of enclosure and wind mitigation.
- (b) Encourage flexibility in building design while reinforcing the character of Central Sydney and ensuring built form is compatible with heritage items and the desired streetscape character.
- (c) To recognise the variety and patterns of street wall heights throughout Central Sydney.

- (d) To ensure that buildings address and define laneways consistent with their special character.
- (e) To provide setbacks above the Street Frontage Height that promote good separation between tall buildings, across streets, maintain views to the sky and create a sense of openness in the street.
- (f) To allow flexibility for setbacks above Street Frontage Height but only where better performance in relation to wind mitigation and daylight access to Public Places can be demonstrated.
- (g) To protect long, low angle views of open sky and landmark features.

Provisions

- (1) The Street Frontage Height and Street Setbacks of a building must be in accordance with Table 5.1 – Permissible range of Street Frontage Heights and Table 5.2 Minimum Street Setbacks, except for buildings in Special Character Areas that must be in accordance with the Minimum Street Frontage Heights for Special Character Areas in Table 5.3 and the Minimum Street Setbacks and Maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16 in Section 5.1.1.2.

Note: Section 5.1.1.1(2) Street Setback variation provisions do not apply to Heritage Items or in Special Character Areas, unless noted on Special Character Area maps.

Note: The permissible range of Street Frontage Heights also apply to the side and rear boundaries of a site, being the podium, for buildings over 55m.

Table 5.1: Permissible range of Street Frontage Heights

Permissible range of Street Frontage Heights			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	20-35m* Or 20-45 for street block corner sites less than 1000sqm	20-35m*	20-25m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	20-45m	20-45m	20-25m*
	Heritage items outside Special Character Areas		Existing height	Existing height	Existing height

* up to 45m subject to Section 5.1.1.1(2)

- (2) Notwithstanding Section 5.1.1.1(1) and Table 5.1, buildings that contain more than 40% residential accommodation including serviced apartment floor space, may have a Street Frontage Height of up to 45m where all floors between the height shown in the table and 45m are used for commercial premises and/or publicly owned facilities or establishments and the street frontage height is compatible with the context.

Table 5.2: Minimum Street Setbacks

Minimum Street Setbacks			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	8m or 6m where adjoining sites Street Setbacks are less than 6m	8m*	8m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	2m	8m*	8m*
	Heritage items outside Special Character Areas		10m to Public Places greater than 8m wide (streets). 2-10m on Public Places up to 8m wide (lanes) determined by heritage values and context.		

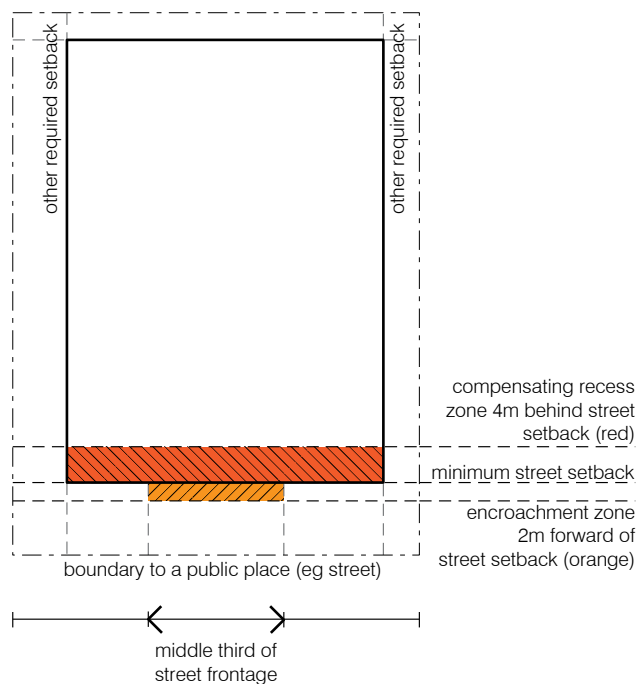
* may be varied subject to 5.1.1.1(3)

- (3) Where noted in Clause(1) Table 5.2 Minimum Street Setbacks and on the Special Character Area maps, variation to Street Frontage Height (excluding sites in Special Character Areas) and Street Setbacks may be permitted to building massing that provides:
 - (a) encroachment(s) 2m forward of the minimum Street Setback within the middle third of the frontage to a Public Place and provision of compensating recess(es) of equal to or greater area up to 4m behind the minimum Street Setback; or
 - (b) equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to a base case building massing with complying Street Frontage Heights and Street Setbacks (i.e. variation to massing is governed by achieving equal or better performance); and
 - (c) a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context.

Procedures for demonstrating compliance with 5.1.1.1(3)(a) and (b) are set out in Schedule 12.
- (4) Notwithstanding Section 5.1.1, greater Street Setbacks may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.2 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

Figure 5.3

Setbacks provide building design flexibility – Minimum Street Setbacks may be varied in accordance with Section 5.1.1.1(3) and the procedures for demonstrating compliance at Schedule 12



5.1.1.2 Street frontage heights and street setbacks in Special Character Areas

Value statement

Central Sydney contains a number of areas with special and distinctive character (Special Character Areas) that are important to the identity and character of Central Sydney. The boundaries of Special Character Areas are shown in Figure 2.1.

These areas include a number of distinctive qualities: a character unmatched elsewhere in Central Sydney; a concentration of heritage items and quality streetscapes, and; a focus of public life with high cultural significance. They often include a highly distinctive element in the public domain, are structured around a significant park or other Public Place, and are deliberately planned in such a way so as to enhance public view corridors.

Sydney LEP 2012 identifies a number of Special Character Areas that significantly contribute to the quality of the public domain and the distinctiveness of Central Sydney. Development in Special Character Areas can reinforce and enhance the existing character by responding to Special Character Area Street Frontage Heights and setbacks and the locality statements and principles for each Special Character Area in Section 2.

Objectives

- (a) To ensure appropriate height transitions between development, heritage items and buildings in Special Character Areas as required by Clause 4.3 of Sydney LEP 2012.
- (b) To enhance the distinctive attributes and qualities of the built form, streetscapes and Public Places of the Special Character Areas.
- (c) To ensure development is compatible with distinctive character and significance of each Special Character Area.
- (d) To enhance the heritage significance of heritage items and their settings.
- (e) To enhance existing public views and public vistas to heritage items and places of historic and aesthetic significance.

- (f) To ensure development has regard to the fabric and qualities of heritage items within Special Character Areas in respect of scale, form, modulation, articulation, proportion, street alignment, materials and finishes
- (g) To enhance the level of sunlight and daylight access to streets, lanes, parks and other public domain spaces.
- (h) To provide clear guidance about permitted heights and setbacks in Special Character Areas by way of detailed Special Character Area Maps.

Provisions

- (1) The Street Frontage Height and Street Setbacks of development in a Special Character Area must be in accordance with:
 - (a) Street Setbacks as shown in the Special Character Area maps at Figures 5.4 to 5.16;
 - (b) the minimum Street Frontage Height controls provided in Table 5.3; and
 - (c) the maximum Street Frontage Heights as shown in the Special Character Area maps at Figures 5.4 to 5.16.

Note: development adjacent to Heritage Items must also address the requirements of Section 5.1.3.1.

- (2) The minimum Street Frontage Height of development within a Special Character Area, or part thereof, not specified in Table 5.3 must comply with the permissible range of Street Frontage Heights set out in Table 5.1.

Table 5.3: Minimum street frontage heights for Special Character Areas

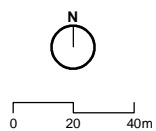
Special character area	Map reference	Minimum street frontage height
Bridge Street Macquarie Place Bulletin Place	A	15m
Chifley Square	B	35m
Circular Quay	C	25m
College Street Hyde Park	D	The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, excluding the Great Synagogue at 187A Elizabeth Street which cannot be used as a minimum.
Farrer Place	E	35m
Haymarket Chinatown	F	15m or the street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street, whichever is smaller.
Macquarie Street	G	The street frontage height of the nearest heritage item to, or within, the subject site within the same block and on the same side of the street. Note: Refer to the conservation management plan controls for sites on the eastern side of Macquarie Street, Sydney
Martin Place	H	45m
Pitt Street Mall	I	35m for sites north of King Street; and 25m for sites south of King Street
Railway Square / Central Station	J	No minimum
Sydney Square Town Hall and St. Andrews	L	20m
Wynyard Park Lang Park	M	45m
York Street Clarence Street Kent Street	N	20m



Bridge Street / Macquarie Place / Bulletin Place Special Character Area

Figure 5.4

 Special character area	 Setback above street frontage height (no variation)	 Existing height of building – see clause 5.1 3.1 (5)	Height Control	 max 60m
 Heritage item	 Setback above street frontage height (compensation system applies)	 max 15m	 Site specific controls	 max 70m
 Open space		 max 20m	 Existing height	 max 80m
 Laneway setback		 max 25m	 No specific SCA max height	 max 130m
 10m setback above street frontage height of heritage item		 max 30m	 max 30m	 Area 1
 Front setback		 max 35m	 max 45m	 Area 3
	Street Frontage Height	 max 40m	 max 50m	
	 Zero street frontage height (full setback)	 max 45m	 max 55m	

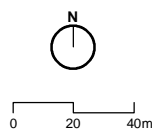




Chifley Square Special Character Area

Figure 5.5

 Special character area	 Setback above street frontage height (no variation)	 Existing height of building – see clause 5.1 3.1 (5)	Height Control	 max 60m
 Heritage item	 Setback above street frontage height (compensation system applies)	 max 15m	 Site specific controls	 max 70m
 Open space		 max 20m	 Existing height	 max 80m
 Laneway setback		 max 25m	 No specific SCA max height	 max 130m
 10m setback above street		 max 30m	 max 30m	 Area 1
 frontage height of heritage item		 max 35m	 max 45m	 Area 3
 Front setback		 max 40m	 max 50m	
	Street Frontage Height	 max 45m	 max 55m	
	 Zero street frontage height (full setback)			





Circular Quay Special Character Area

Figure 5.6

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street
- frontage height of heritage item
- Front setback

- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)

Street Frontage Height

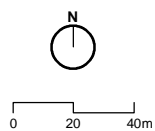
- Zero street frontage height (full setback)

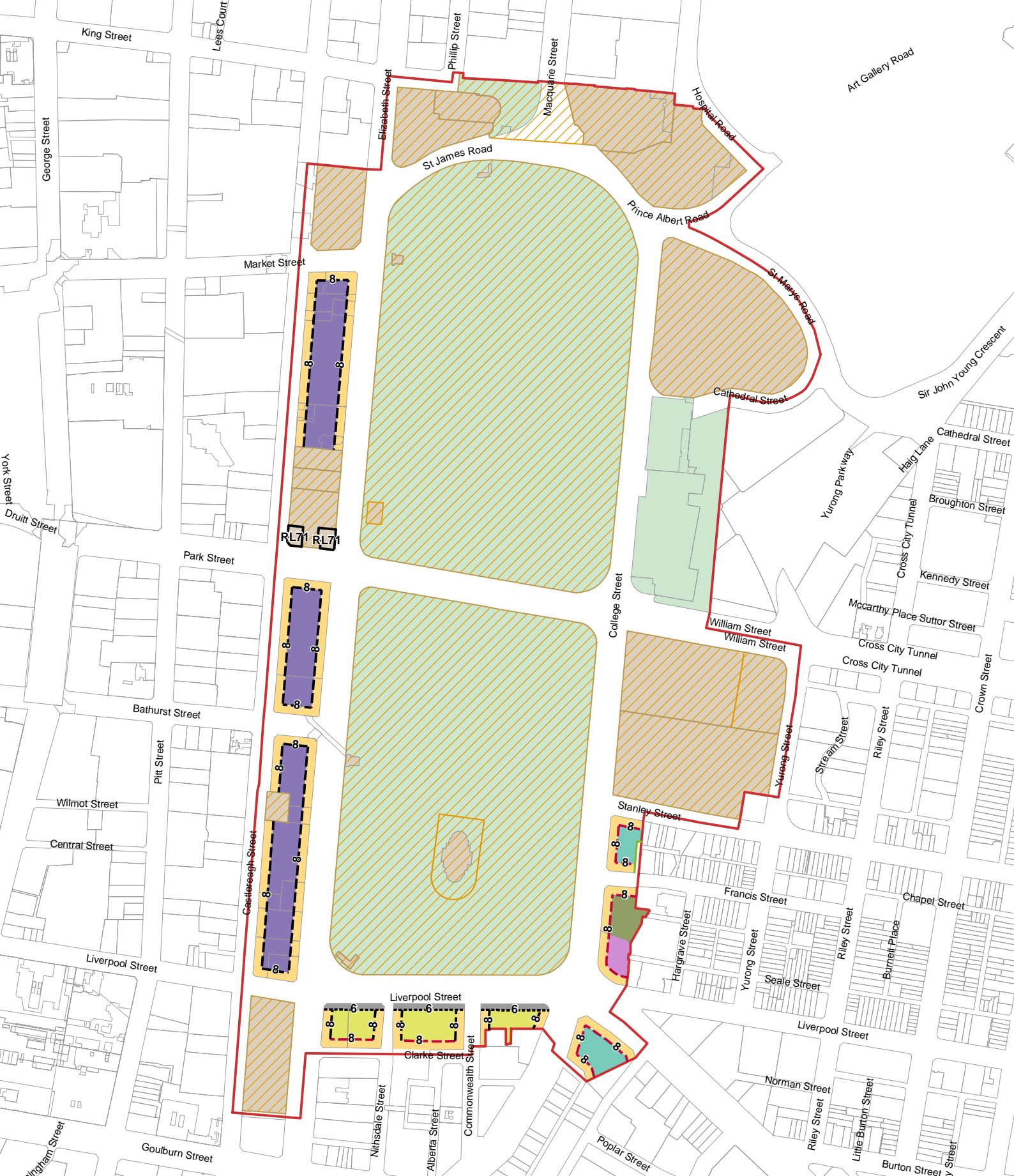
- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3





College Street / Hyde Park Special Character Area

Figure 5.7

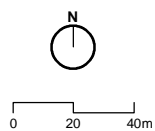
- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street
- frontage height of heritage item
- Front setback

- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)
- Street Frontage Height**
- Zero street frontage height (full setback)

- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

- Height Control**
- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3





Farrer Place Special Character Area

Figure 5.8

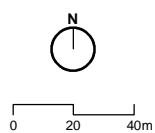
- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street
- frontage height of heritage item
- Front setback

- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)
- Street Frontage Height**
- Zero street frontage height (full setback)

- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

- Height Control**
- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3

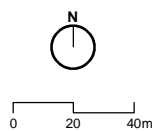




Haymarket / Chinatown Special Character Area

Figure 5.9

- | | | | | |
|---|--|--|--|--|
| Special character area | Setback above street frontage height (no variation) | Existing height of building – see clause 5.1 3.1 (5) | Height Control | max 60m |
| Heritage item | Setback above street frontage height (compensation system applies) | max 15m | Site specific controls | max 70m |
| Open space | | max 20m | Existing height | max 80m |
| Laneway setback | | max 25m | No specific SCA max height | max 130m |
| 10m setback above street frontage height of heritage item | | max 30m | max 30m | Area 1 |
| Front setback | | max 35m | max 45m | Area 3 |
| | Street Frontage Height | max 40m | max 50m | |
| | Zero street frontage height (full setback) | max 45m | max 55m | |





Macquarie Street Special Character Area

Figure 5.10

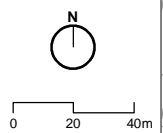
- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street
- frontage height of heritage item
- Front setback

- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)
- Street Frontage Height**
- Zero street frontage height (full setback)

- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

- Height Control**
- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3





Martin Place Special Character Area

Figure 5.11

- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback

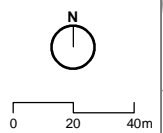
- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)
- Street Frontage Height**
 - Zero street frontage height (full setback)

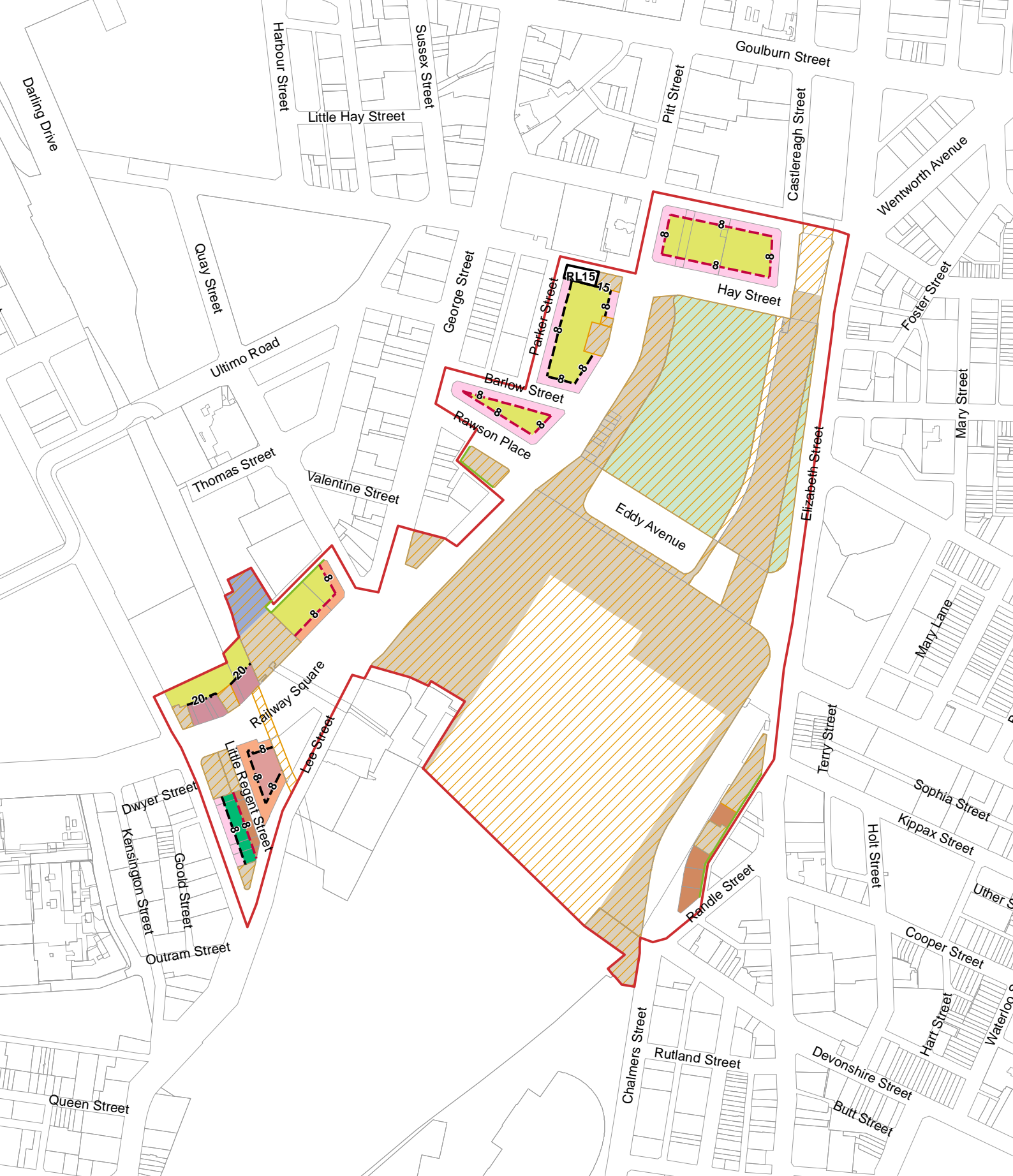
- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

Height Control

- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

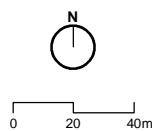
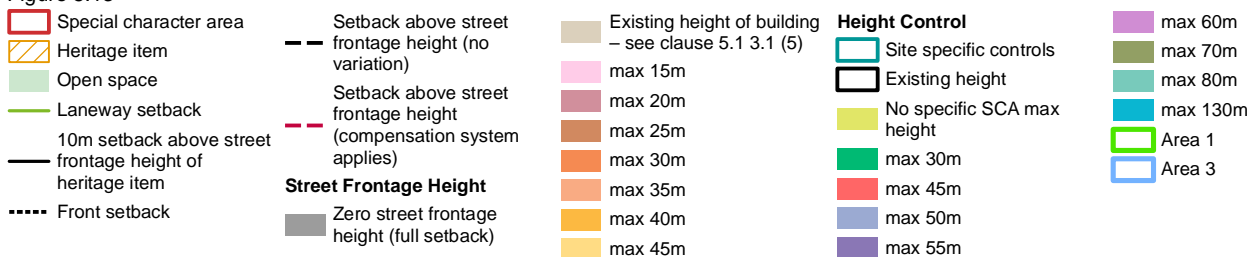
- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3





Railway Square / Central Station Special Character Area

Figure 5.13

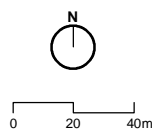




Sydney Square / Town Hall & St Andrews Special Character Area

Figure 5.14

 Special character area	 Setback above street frontage height (no variation)	 Existing height of building – see clause 5.1 3.1 (5)	Height Control	 max 60m
 Heritage item	 Setback above street frontage height (compensation system applies)	 max 15m	 Site specific controls	 max 70m
 Open space		 max 20m	 Existing height	 max 80m
 Laneway setback		 max 25m	 No specific SCA max height	 max 130m
 10m setback above street		 max 30m	 max 30m	 Area 1
 frontage height of heritage item		 max 35m	 max 45m	 Area 3
 Front setback		 max 40m	 max 50m	
	Street Frontage Height	 max 45m	 max 55m	
	 Zero street frontage height (full setback)			





Wynyard Park / Lang Park Special Character Area

Figure 5.15

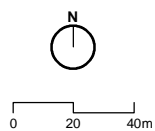
- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street frontage height of heritage item
- Front setback

- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)
- Street Frontage Height**
- Zero street frontage height (full setback)

- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

- Height Control**
- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3





York Street / Clarence Street / Kent Street Special Character Area

Figure 5.16

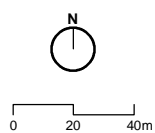
- Special character area
- Heritage item
- Open space
- Laneway setback
- 10m setback above street
- frontage height of heritage item
- Front setback

- Setback above street frontage height (no variation)
- Setback above street frontage height (compensation system applies)
- Street Frontage Height**
- Zero street frontage height (full setback)

- Existing height of building – see clause 5.1 3.1 (5)
- max 15m
- max 20m
- max 25m
- max 30m
- max 35m
- max 40m
- max 45m

- Height Control**
- Site specific controls
- Existing height
- No specific SCA max height
- max 30m
- max 45m
- max 50m
- max 55m

- max 60m
- max 70m
- max 80m
- max 130m
- Area 1
- Area 3



5.1.1.3 Side and rear setbacks and building form separations

Value statement

Side and Rear Setbacks and Building Form Separations allow ventilation, daylight access and help reduce adverse wind effects.

Side and Rear Setbacks and Building Form Separations required by this section of the DCP have been established by giving consideration to building height. Tall buildings should appear 'in the round' so that each face of a building is substantially visible from immediately adjacent Public Places.

The Side and Rear Setbacks and Building Form Separations set out in this section are intended to manage the impact of development on surrounding public domain. Setbacks required for amenity within a development are set out in Section 5.1.2.

Objectives

- (a) To enhance the quality of the Public Places in terms of wind mitigation, ventilation and daylight access.
- (b) To ensure tower elements of tall buildings are appropriately setback from side and rear boundaries to:
 - (i) provide definition to building podiums;
 - (ii) ensure that tower elements appear 'in the round', and;
 - (iii) to allow sufficient light and air into surrounding Public Places.
- (c) To avoid the appearance of a contiguous 'wall of towers', where groups of tall buildings appear as one unbroken mass.
- (d) To promote separate buildings that create a layered visual effect when viewed from a distance.

Provisions

- (1) Side and Rear Setbacks and Building Form Separation controls apply to development massing above Street Frontage Height.
- (2) The Side and Rear Setbacks and Building Form Separations of development must be in accordance with Table 5.4 – Minimum side and rear setbacks and building form separations, including development in Special Character Areas.
- (3) The greatest setbacks and separation required by Table 5.4 must be applied consistently from the Street Frontage Height to the top of the building.
- (4) Side and Rear Setbacks must be provided entirely within the boundaries of the site and the minimum setback is to be applied consistently from the top of the building down to the Podium Height.

Figure 5.17

Minimum Side or Rear Setbacks above Street Frontage Height applied consistently to the top of the building

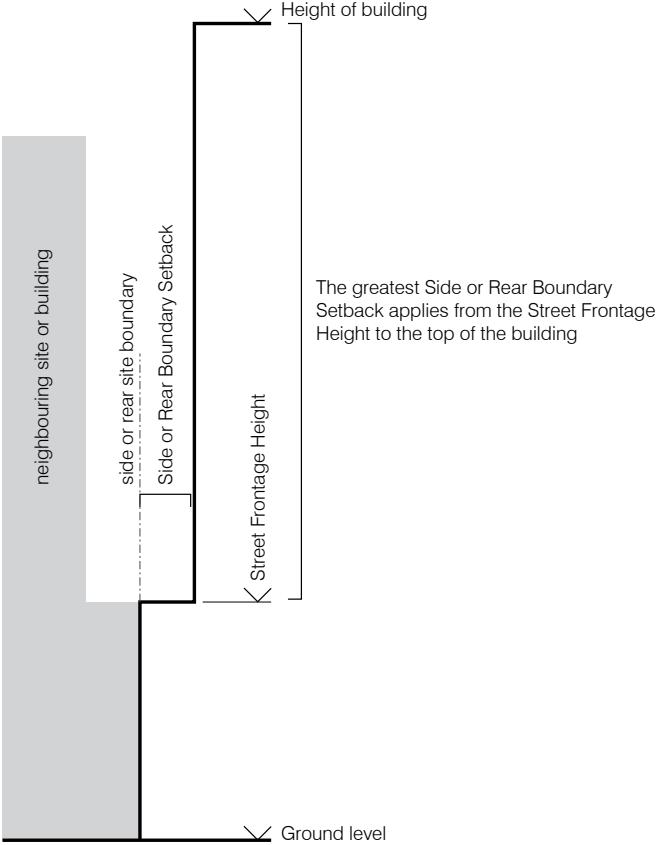


Figure 5.18

Minimum Side or Rear Setbacks above Street Frontage Height applied consistently to the top of the building not varying in cross section

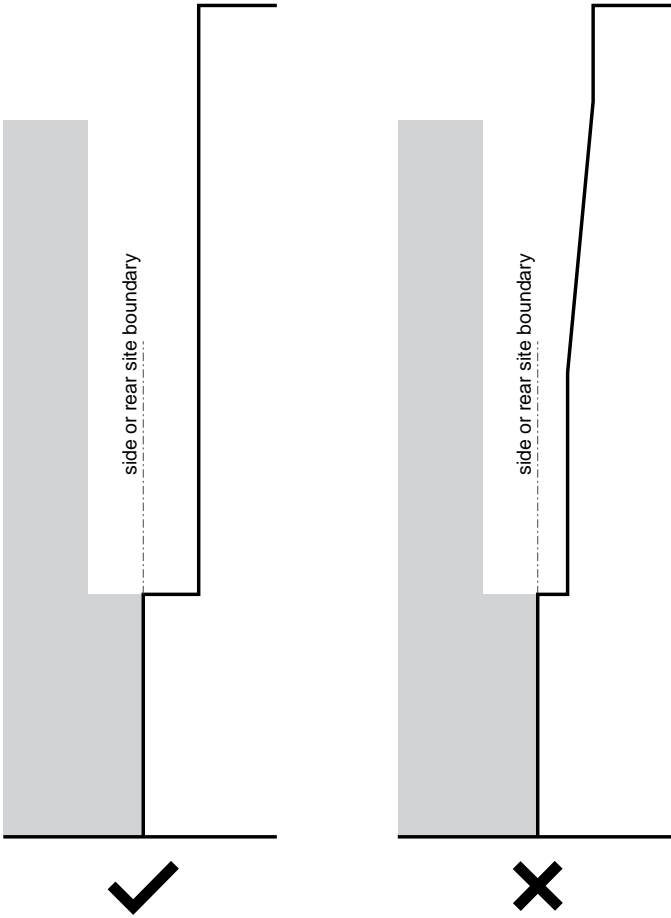
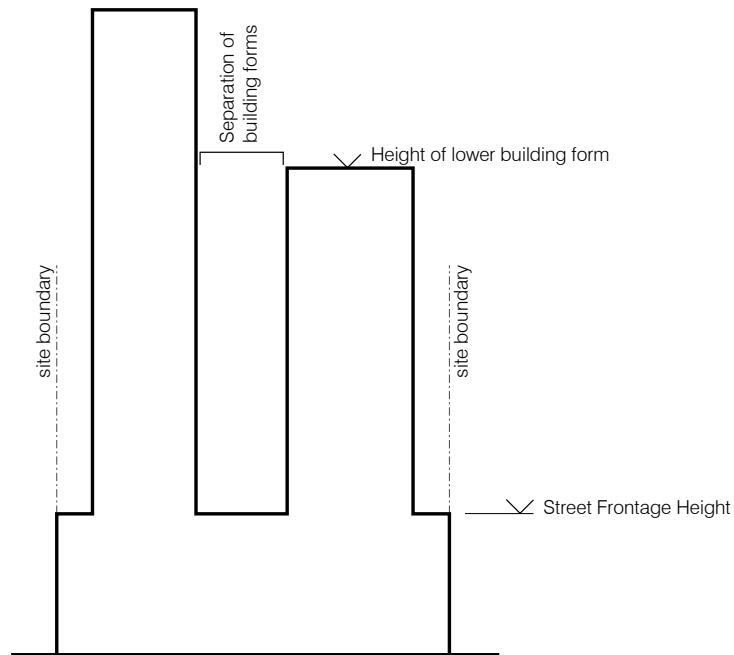


Figure 5.19

Separation required between building forms on the same site



Note: Building 'Form' Separations is used as a description as technically in most instances the development will constitute one 'building'.

- (5) Notwithstanding (4) above, Side and Rear Setbacks may need to vary in plan where the top of the building has been designed with varied heights.

Figure 5.20

Side and Rear Setbacks vary in plan as the height of the top of building varies

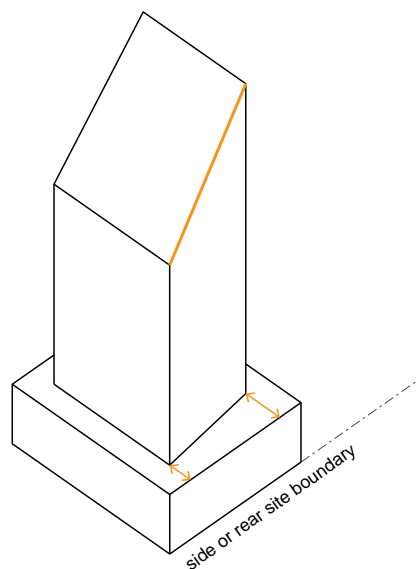


Table 5.4: Minimum side and rear setbacks and building form separations

Minimum side and rear setbacks and building form separations	Proposed total height of building			
	Up to 55m	Greater than 55m up to 120m	Greater than 120m up to 240m	Greater than 240m
Side and rear setback above street frontage height	0m	4m	3.33% of the proposed total height of building	8m
Building form separations on the same site	0m	8m	6.66% of the proposed total height of building	16m

Note: For separation on the same site use the lower building form height to determine the required separation.

- (6) Variation to Side and Rear Setbacks and Building Form Separations may be permitted where:
- (a) equivalent or improved wind comfort, wind safety and daylight levels are achieved in adjacent Public Places, relative to the base case building massing as required under Schedule 12 (i.e. variation to massing is governed by achieving equal or better performance), and
 - (b) a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis, which demonstrates how the proposed massing is compatible with the context.

Procedures for demonstrating compliance with 5.1.1.3(4) are set out in Schedule 12.

- (7) Notwithstanding (6) above, facades that contain windows must be set back from side and rear site boundaries by a minimum of 2m (the setback must extend to the top of the building) to allow maintenance of the façade from a building maintenance unit fully within the site boundary unless an easement exists for maintenance access over the adjoining land or the façade is accessible from a public place.
- (8) Notwithstanding 5.1.1.3 Side and Rear Setbacks and Separations, greater setbacks and separation may be required through the application of 5.1.1.4 Built form massing, tapering and maximum dimensions, 5.1.2 Development outlook and amenity and/or SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

5.1.1.4 Built form massing, tapering and maximum dimensions

Value statement

The impact of tall buildings on the amenity of the public domain increases as building height increases. It is appropriate to manage building dimensions and massing of tall buildings to ensure that these types of buildings are not overwhelming in scale and impact on the amenity of the public domain.

Objectives

- (a) Ensure that tall buildings are slender and do not appear as walls or as overly massive from any direction.
- (b) Ensure residential accommodation, serviced apartment and self-contained hotel developments present as slender buildings.
- (c) Ensure that buildings are slimmest at their peaks so that in the overall city form buildings become less bulky at their upper limits.

This section may require increased setbacks when read in conjunction with other provisions in the DCP.

Provisions

- (1) Above Street Frontage Height the maximum horizontal dimension of a building including all external elements (for example architectural elements like horizontal or vertical fins) measured in any direction (including diagonally across the building – see Figure 5.21) is not to exceed:
 - (a) 50m for residential accommodation and serviced apartment developments; and
 - (b) 100m for all other developments.
- (2) For residential accommodation, serviced apartments or self-contained hotels with a height above 55m, the size of any floor plate above the Street Frontage Height must not exceed 1,000 square metres floor space area (as per the Gross Floor Area definition).
- (3) Above the Street Frontage Height, the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks or other required massing exclusions:
 - (a) 100% up to 120m above ground;
 - (b) 90% above 120m up to 240m above ground; and
 - (c) 80% above 240m above ground.

Note: In some circumstances where the top of the building envelope is sloped or steps this form may assist in meeting the above requirement that the cross sectional area of the building reduces as the building's height increases.

- (4) For the purposes of calculating Building Envelope Area:

Building Envelope Area is the area including all internal and external built elements and enclosed voids between that floor level and the next floor level measured in plan.

Note: Where a heritage item or part thereof is within a required setback that area is only subtracted once.

Note: Where compliance with Sections 5.1.1.1(2) and 5.1.1.3(5) has been demonstrated in relation to a varied setback, and the resultant Building Envelope Area fails to comply with Section 5.1.1.4(3), the variation to Section 5.1.1.4(3) may be permitted.

Note: Variation to 5.1.1.4 (1) to (3) may be permitted to building massing that provides equivalent or improved wind comfort, wind safety and daylight levels in adjacent Public Places relative to the base case building massing as required under Schedule 12, with complying Side and Rear Setbacks **and building tapering and maximum dimensions** (i.e. variation to massing is governed by achieving equal or better performance) and that it is also demonstrated that a high quality urban design outcome will be achieved, through the preparation of a detailed urban design and options analysis that demonstrates how the proposed massing is compatible with the context.

Figure 5.21
Maximum horizontal dimension of a building above Street Frontage Height

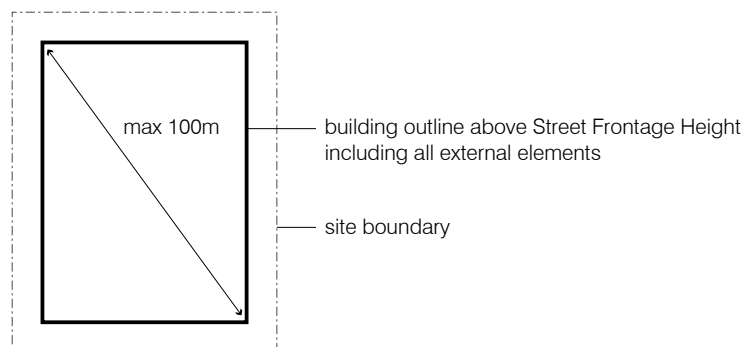
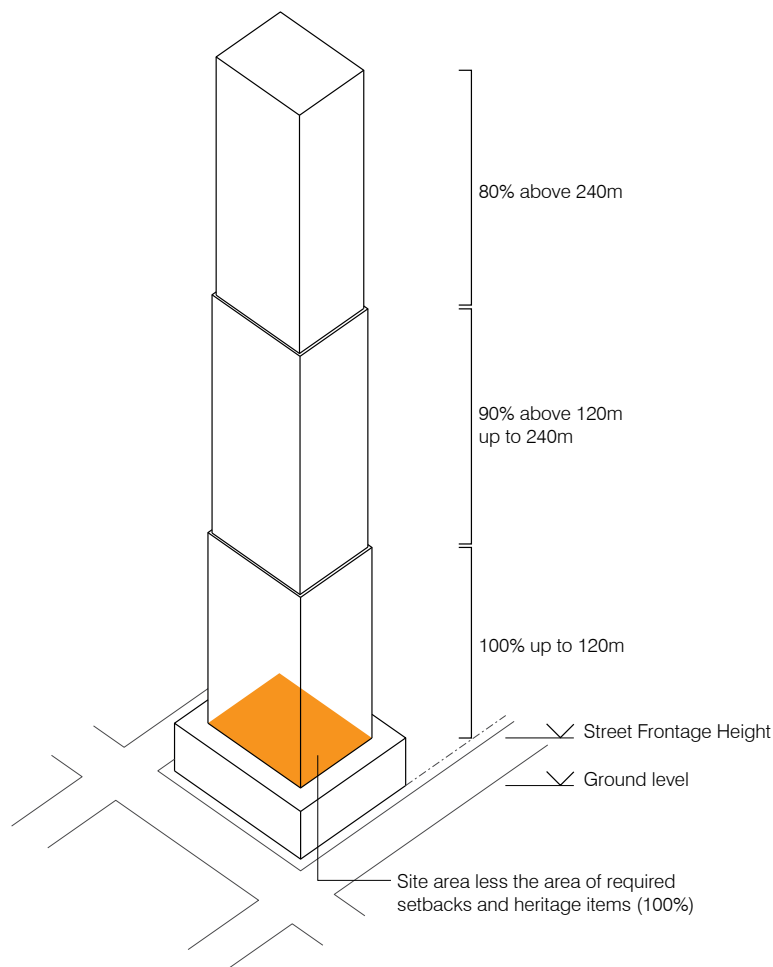


Figure 5.22
Maximum Building
Envelope Are above
Street Frontage
Height



5.1.2 Development outlook and demonstrating amenity compliance

Value statement

Sydney LEP 2012 and Sydney DCP 2012 purposefully seek to protect and enhance public amenity such as daylight and sunlight to Public Places and public views that are of benefit to the whole community.

In Central Sydney's dynamic and dense development environment certainty for the protection of private amenities such as sunlight and views cannot be guaranteed. The maintenance of sunlight access and private views to existing development should not unduly restrict the economic performance and economic growth of Central Sydney, where proposed development has demonstrated compliance with Sydney LEP 2012, in relation to height and FSR, and Sydney DCP 2012 Section 5.1.1 Built form controls. This is especially the case for proposed employment related developments that impact on existing residential and serviced apartment developments.

Development outlook

All developments should provide for adequate setbacks within their developments sites so as to guarantee their own minimum outlook, as opposed to a view.

Demonstrating amenity compliance

Where residential accommodation and serviced apartment developments are proposed, solar and daylight access for future occupants must be measured assuming the full redevelopment of neighbouring sites in the vicinity. This provides a stronger foundation for the amenity of future occupants to be guaranteed.

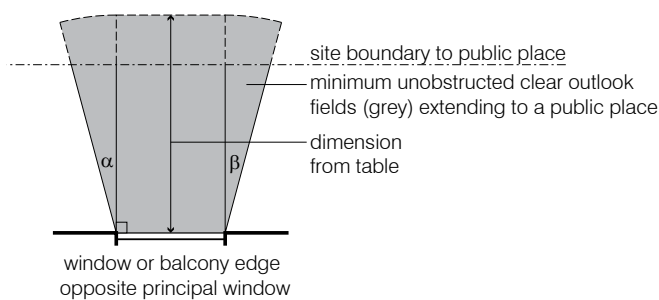
Objectives

- (a) Ensure that windows and balconies provide adequate outlook.
- (b) Ensure development is self-sufficient in the provision of amenity so that access to outlook and sunlight is reasonably guaranteed for the foreseeable life of the development.
- (c) Ensure that development does not unreasonably borrow amenity from neighbouring sites including access to views and sunlight.
- (d) Ensure residential accommodation and serviced apartment developments provide for adequate solar access over the life of the development.
- (e) Ensure existing residential accommodation and serviced apartment developments do not unreasonably impede the development of commercial and other employment related floor space.

Provisions

- (1) Outlook from windows, balconies must have a minimum clear Outlook Field that:
 - (a) has a depth set out in Table 5.5 Minimum Outlook Field depths
 - (b) is completely contained within the sites boundaries and/or adjacent Public Place(s); and
 - (c) is completely clear of built obstructions, excluding public domain structures and trees in a Public Place.
- (2) An Outlook Field is defined by extending a visual field horizontally for the width and height of the window or balcony and perpendicular to it, with additional sector shaped fields extending from the edges of the window/ balcony that have a combined angular extent of at least:
 - (a) 30 degrees, where the fields extend unobstructed to a Public Place, or;
 - (b) 90 degrees.
- (3) For the purposes of defining an Outlook Field, windows or balconies within 1m of each other will be treated as one continuous window or balcony.
- (4) Outlook Fields for balconies must be measured from the balcony edge opposite the principal window and parallel to it.

Figure 5.23
Outlook Field
extending
unobstructed to a
Public Place



where the sum of angles $\alpha + \beta$
is greater than or equal to 30 degrees

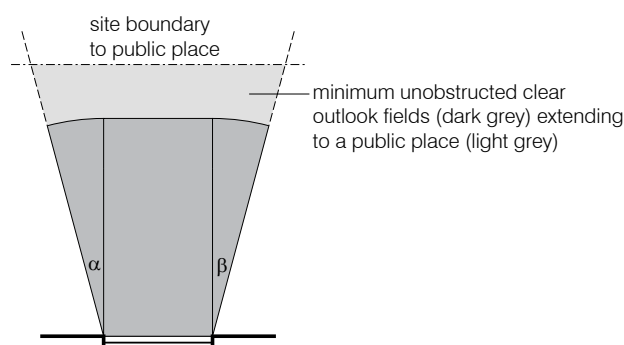
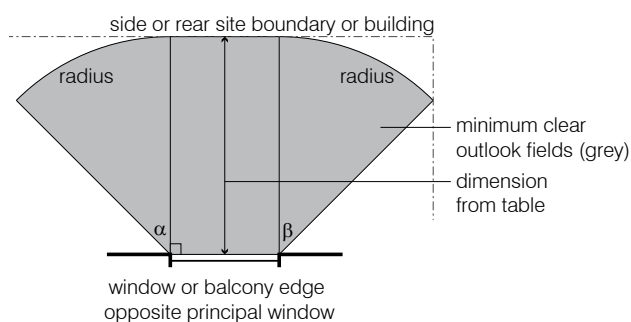


Figure 5.24
Outlook Field not
to a Public Place
(unobstructed)



where the sum of angles $\alpha + \beta$
is greater than or equal to 90 degrees

Figure 5.25
Outlook Field
sectors are flexible
in their application
as long as the total
minimum angular
extent is achieved

examples where the sum of angles
 $\alpha + \beta$ is equal to 90 degrees

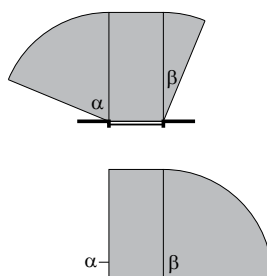


Figure 5.26

Whether recessed treated with side screens or open, Outlook Fields for balconies must be measured from the balcony edge opposite the principle window and parallel to it

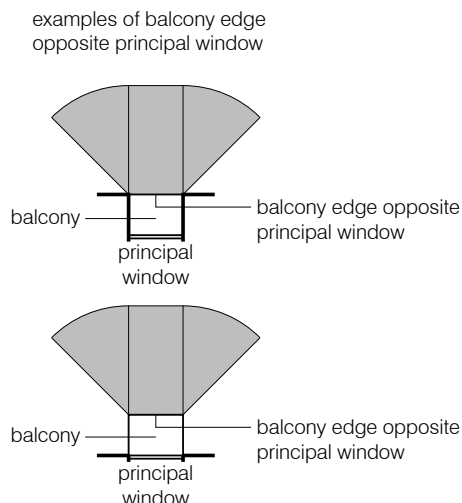


Table 5.5: Minimum outlook field depths

Minimum outlook field depths			Window or balcony height above ground				
			up to 12m	>12 up to 25m	>25 up to 45m	>45m up to 120m	>120m
Use and window/ balcony context	Residential, Serviced Apartments and other forms of self-contained accommodation	primary windows to living spaces and associated balconies	6m	9m	12m	12m	12m
		other windows or balconies	6m	6m	9m	9m	9m
	All other forms of accommodation (e.g. non-self contained hotel rooms)	all windows and balconies	6m*	6m*	6m*	9m	9m

* Windows and balconies may be built to any site boundary adjacent to a Public Place up to the Street Frontage Height set out in relevant Tables 5.1 or 5.3 – i.e. this Table's value becomes 0m in those instances.

Note: The above requirements for outlook are in addition to the requirements for visual privacy set out in the Apartment Design Guide.

Note: When measuring visual privacy across streets narrower than 24m the visual privacy separation should be measured from the centreline of the street.

- (5) When demonstrating compliance with SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide in relation to solar and daylight access, proposed residential accommodation and serviced apartment developments must make measurements assuming the full redevelopment of neighbouring sites in the vicinity under Sydney LEP 2012 and Sydney DCP 2012.

Heritage listed and residential strata sites may be excluded for the purposes of assumed redevelopment. For all other sites, full redevelopment must be assumed, including amalgamation and full redevelopment of contiguous sites.

Note: An electronic model of a fully redeveloped Central Sydney under Sydney LEP 2012 and Sydney DCP 2012 will be provided to applicants by the City of Sydney for the purposes of demonstrating solar and daylight access compliance.

- (6) When considering the likely impacts of a development on surrounding developments any adverse impacts on existing private views, visual privacy, solar and daylight access are considered reasonable where compliance with Section 5.1.1 and 5.1.2(1), (2) and (3) has been achieved.
- (7) Notwithstanding Section 5.1.2(6), residential accommodation and/or serviced apartment developments that must consider overshadowing and visual privacy of surrounding residential developments under State SEPP 65 (State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development) and the Apartment Design Guide.

5.1.3 Heritage items, warehouses and special character areas

This section applies to all heritage items.

Value statement

Central Sydney has a wealth of historic buildings and places; many of which are not only locally significant, but are also significant at a state, national or international level. Many have both individual value and collective value. Their attributes contribute to Special Character Areas in the city centre that have a distinctive identity and sense of place. The former warehouses of Central Sydney also have particular historic features.

Conserving our environmental heritage and Special Character Areas respects Sydney's inheritance and contributes to the diversity, vitality and liveability of the city centre. The diversity of scale, form, and character, of heritage places and areas, provides relief from denser contemporary development and places for cultural and social activities.

The challenge is to create a high quality urban environment that serves the needs of the city centre and provides for new development whilst conserving the value and the distinctive qualities of heritage items and Special Character Areas for future generations.

Special Character Areas offer an effective basis for overarching objectives for urban design and for controls that effectively guide the form of new development. Heritage Items are usually best conserved in their entirety. New development may incorporate a heritage item subject to a conservation management plan that establishes how its heritage significance will be appropriately conserved.

The following objectives and provisions relate to development of and adjacent to Heritage Items, alterations and additions to warehouse buildings and the conservation of public domain features in Special Character Areas. They should be addressed in addition to the requirements of Section 3 where applicable.

Objectives

- (a) To conserve heritage items in their entirety.
- (b) To conserve and enhance former warehouses and provide for their appropriate use in a manner that retains significant courtyards, cartways and other historic features.
- (c) To conserve and enhance significant features within the public domain of Special Character Areas.
- (d) To ensure appropriate height transitions between development and heritage items as required by Clause 6.16 of Sydney LEP 2012.
- (e) To enhance existing public views and vistas to heritage items.
- (f) To conserve the setting of heritage items by ensuring that new development respects and reinforces the significant scale, form, modulation, articulation, proportions, street alignment, materials and finishes of heritage items in the vicinity.

Provisions

5.1.3.1 Additions to heritage items

- (1) No additions to heritage items will be permitted unless the consent authority is in the opinion that the addition is appropriate after having regard to the following:
 - (a) A Conservation Management Plan approved by the City of Sydney.
 - (b) The City of Sydney heritage inventory for the heritage item.
 - (c) The impact of the proposal upon the setting and views to the heritage item.
 - (d) The advice of a committee appointed in accordance with Section 5.1.3.1(2), where applicable.
 - (e) The impact upon significant form, structure, exterior and interior components, interior spaces and character.
 - (f) The impact of new building services, accessibility upgrades and structural and environmental requirements for compliance with the National Construction Code - Building Code of Australia.
 - (g) Proposed conservation works to remove unsympathetic alterations, restore lost features or other works to enhance the heritage significance or public enjoyment of the heritage significance of the item.
- (2) Notwithstanding Section 3.9.4, where development in Central Sydney will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012, and the development involves:
 - (a) demolition that will result in a reduction of the building envelope, or demolition of existing fabric of the heritage item by more than 35%;
 - (b) an increase in the size of the building envelope of the heritage item by more than 20%; or
 - (c) building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item.

The consent authority is to:

- (a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;
 - (b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and
 - (c) consider the advice of the committee, but is not bound by the advice of the committee.
- (3) Where, in the opinion of the consent authority having considered the advice of the committee, additions are possible to a heritage item, such additions are to be designed with sensitivity to the values and significant qualities of the heritage item.
- (4) Where a Conservation Management Plan indicates that upper additions to a heritage item should only be undertaken with a setback, the minimum setback is to be in accordance with Section 5.1.1.
- (5) In Special Character Areas for any site shown on Figures 5.4-5.16 with the note "Existing height of building - see clause 5.1.3.1(5)", any vertical addition to that heritage item must not be visible from adjacent Public Places.

5.1.3.2 Development adjacent to heritage items

- (1) New development adjacent to a heritage item should respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the adjacent heritage item.
- (2) Consideration must be given to the impact of adjacent development on the significance, setting, curtilage, landmark values and ability to view and appreciate the heritage item from Public Places.

5.1.3.3 Warehouse buildings

The following are in addition to the general warehouse provisions in Section 3.10.1.

- (1) New development should conserve the significant form and configuration of warehouse buildings including surviving cartways and courtyards.
- (2) Ensure new uses for warehouses are compatible and minimise change to significant components, spaces and character, including adaptations required to comply with the National Construction Code - Building Code of Australia.
- (3) New development should retain and conserve significant features and spaces of former warehouses, internally and externally. Significant components of warehouses in central Sydney vary according to style and period, and may include:
 - (a) structural components and roof forms;
 - (b) external and internal walls including footings;
 - (c) subfloors, floors and ceilings;
 - (d) roofing and roof plumbing;
 - (e) loading bays, docks, and loading and hoisting components such as pulley beams, pulleys and hoist machinery;
 - (f) the design and placement of openings and attachments including door and window assemblies, grills, glazing, gates, vents, basement lights and hardware;
 - (g) internal and external stairs, chutes, internal lifts and goods hoists;
 - (h) pavements such as stone setts, and drains, steel and iron wheel tracks;
 - (i) early finishes, signage and bollards
 - (j) cartways and cartdocks
- (4) Significant features and spaces of courtyards and cartways to retain in new development include their:
 - (a) existing size and configuration;
 - (b) openness to the sky and street;
 - (c) functionality as a passage between the street and internal courtyard; and
 - (d) original level and grade, associated archaeological potential and evidence of early pavements or other in-ground features.

Table 5.6: Known former warehouses with intact cartways, courtyards and infilled cartways

Former warehouses retaining intact cartways or courtyards	Address	Item number
Commercial building including interiors (former warehouse)	1 Barrack Street	I1667
Former warehouse including interiors, cartway and courtyard	152-156 Clarence Street	I1716
Former warehouse including interiors	197-199 Clarence Street/ 342-344 Kent Street	I1720/ I1820
Former warehouse including interior, cartway and courtyard	332 Kent Street	I1816
Former warehouse including cartway, courtyard and interior (formerly 340 Kent Street)	338 Kent Street	I1819
Former warehouse including interiors, cartway, courtyard and interior	346-348 Kent Street	I1821
Former warehouse Edward Dunlop & Co including cartway, goods yard and interiors	435A-441 Kent Street	I1830
Former warehouse "Gerling House" including interiors, cartway and gates	42-44 Pitt Street	I1914
Former "Foley Bros" warehouse including cartway, courtyard and interiors	230-232 Sussex Street	I1963
Former warehouse "Carlton House" including interiors, cartway and courtyard	38-44 York Street	I1979
Former warehouses retaining infilled cartways	Address	Item number
Former Noyes Bros warehouse including interiors	115 Clarence Street	I2272
Former warehouse including interiors (22 York Street)	22-26 York Street	I1976
Former warehouse "Sargood & Co" warehouse including interiors and grounds (144 Clarence Street)	83-87 York Street	I1993

Note: Applicants should also refer to Section 3.10.1 Warehouses and industrial buildings older than 50 years.

5.1.3.4 Conservation of public domain features in Special Character Areas

- (1) The following historic components of streets, lanes, parks and other areas of Public Places are to be conserved if they contribute to the significance of a Special Character Area:
 - (a) evidence of early road and path surfaces and pavements such as stone setts, woodblocks and hewn rock;
 - (b) stone kerbing, guttering, drains and paving;
 - (c) stone steps, fences, railings, retaining walls and hewn rockfaces;
 - (d) light posts, street furniture and cast iron letterboxes;
 - (e) sign posts, historical signs, milestones and ward markers;
 - (f) pavement lights and shafts;
 - (g) fountains, memorials and sculptures; and
 - (h) tree plantings.

5.1.4 Building exteriors

Value statement

Central Sydney's cityscape and public domain is defined by its buildings, building elements, streets and Public Places. An attractive city and public domain is dependent on the high quality design of new development including the articulation and finish of building exteriors and building elements. Design Excellence requires development to achieve a high standard of design, materials and detailing from the small scale, like advertising signage and shopfronts, to the large scale, like tall buildings and facade systems.

The closer built elements are to a Public Place the greater level of attention is required to ensure they respond to the desired character of the Public Place. Street wall or podium level materials and detailing should respond well to wear, with consideration given to high quality stone, noble metals and high grade timber as contextually appropriate. Taller buildings should respond to their visibility from Public Places, with particular attention paid to designing exposed walls, particularly those adjacent to heritage items and small sites, to achieve visual interest.

The following objectives and provisions relate to how development should respond to existing development, the street and Public Places. The objectives and provisions, together with those contained within Section 3, seek to ensure developments contribute to the life, vitality and activation of Central Sydney's Public Places.

Objectives

- (a) Positively contribute to the streetscape with high quality architecture and design.
- (b) Provide richness of detail and architectural interest particularly in prominent parts of buildings.
- (c) Present appropriate design responses to nearby development to complement the streetscape.
- (d) Clearly define adjoining streets, street corners and public spaces.
- (e) Ensure development generally occurs entirely within the site boundaries.
- (f) Retain pedestrian scale in the articulation and detailing of the lower levels of the building.
- (g) Contribute to a visually distinct skyline.
- (h) Ensure that high quality materials and appropriate detailing is provided, particularly at podium and street level.

Provisions

- (1) Adjoining buildings, particularly heritage buildings, must be considered in the design of new development in terms of:
 - (a) street alignment;
 - (b) Street Frontage Heights;
 - (c) Street Setbacks; and
 - (d) facade proportions including horizontal or vertical emphasis and enclosed corners at street intersections.

Note: for development adjacent to Heritage Items, see also Section 5.1.3.2

- (2) Building exteriors are to be designed so that:
 - (a) they have a predominantly masonry character and articulation (typical of Central Sydney) particularly below the maximum Street Frontage Height; and
 - (b) the materials used, including glass, are predominantly light in colour to reflect better quality light into the streets and respond to characteristic light colours of Central Sydney.
- (3) Extensive expanses of blank glass or solid wall on a building facade are to be avoided.
- (4) Where development proposes an exposed wall and that wall is visible from a Public Place, a visually interesting treatment is required to that wall, including modelling of form, articulation, the use of high quality materials and finishes and/or public art.
- (5) Notwithstanding Schedule 4, in most circumstances any proposed new balcony or bay window in Central Sydney must be contained fully within a site's boundaries. In limited circumstances new balconies or bay windows projecting over a Public Place may be considered in line with Schedule 4, but only where:
 - (a) the balcony or bay window has a frontage adjacent to Public Place with a width greater than 8m wide, and;
 - (b) it does not derogate from the existing daylight levels in the adjacent Public Place.

Projections over Public Places that contain GFA, and, projections within 10m of a street intersection, will not be permitted.
- (6) The top levels of a building are to be designed to integrate with the design of the building and conceal plant and equipment and promote a visually distinctive and interesting Central Sydney skyline.
- (7) The top levels of a building, where stepped, must have a minimum height of 2 storeys.

5.1.5 Temporary use and appearance of vacant sites and buildings

Value statement

Vacant sites and buildings have a negative effect on the quality of the public domain. Temporary uses to the street frontage are encouraged until permanent uses are implemented. It is important that construction sites and vacant sites present an attractive appearance to the streets and public areas to enhance the amenity of Central Sydney.

Objective

- (a) Enhance the streetscape and amenity of an area by requiring vacant sites and buildings to provide temporary uses along street frontages at the ground level.

Provisions

- (1) The consent authority may require temporary works to be undertaken as a specified condition of development consent if:
 - (a) a building or site remains vacant for 6 months after consent is granted; and
 - (b) there is suspension in activity for 6 months, or an aggregate of 6 months, after commencement of construction.

- (2) Temporary works on vacant sites or sites where construction activity has been suspended must enhance the streetscape. These works may include the construction of temporary buildings for short term retail or commercial use, landscaping of vacant sites or the provision of hoardings designed by a professional artist.
- (3) Temporary uses for vacant buildings or sites are required to be located along the street frontage at ground level to help active the street.
- (4) Car parking is not permitted as a temporary use for a vacant site.

5.1.6 Heritage floor space

Value statement

The *Sydney LEP 2012* includes an incentive to conserve and maintain whole buildings in Central Sydney which are heritage items within Schedule 5 Environmental heritage of *Sydney LEP 2012*. The award and allocation procedures include:

- the ability for the owner of a heritage building, subject to meeting certain criteria, to be awarded an amount of Heritage Floor Space after completing conservation works to that building;
- a requirement that a building in Central Sydney may only exceed the floor space ratio shown on the Floor space ratio map in *Sydney LEP 2012* if an amount of Heritage Floor Space has been allocated or transferred to the development from the register of available Heritage Floor Space; and
- a register held by Council that details awards and allocations of Heritage Floor Space.

Heritage Floor Space (HFS) is created when it is awarded to the owner of a heritage item for undertaking conservation works. It may be used by the owner of the heritage item or on-sold.

Allocation of HFS to a development site extinguishes that HFS, removing it from the stock of HFS available for use and sale.

The City regularly publishes a summary of HFS awards and allocations, known as the Heritage Floor Space Update, so that applicants can identify the owners of HFS to negotiate the purchase of HFS. The update can be viewed on the City's website www.cityofsydney.nsw.gov.au.

The award of HFS is restricted to buildings that are listed in their entirety as heritage items in Schedule 5 of the *Sydney LEP 2012*. It does not apply to heritage items that are only listed as parts of buildings such as 'facade' or 'building element'.

Objective

- (a) Provide the formulae and other procedures for the efficient, transparent and equitable operation of the Heritage Floor Space scheme established in the LEP.

Definitions

Award means the entry of an amount of Heritage Floor Space on Council's Heritage Floor Space Register in accordance with a resolution by the consent authority and the completion of relevant requirements.

Allocate means the transfer of an amount of Heritage Floor Space from Council's Heritage Floor Space Register for use within a development site.

Heritage building means a heritage item that is a whole building and shown marked with an asterisk in Schedule 5 Environmental Heritage of the *Sydney LEP 2012*. A heritage building is not a building that has only a part of its fabric listed in Schedule 5 such as the listing of only a 'facade' or 'building element'.

Heritage floor Space (HFS) means transferable floor space awarded to heritage listed buildings under the *Sydney LEP 2012*.

Owner means a person awarded Heritage Floor Space or another person who has acquired the Heritage Floor Space.

Provisions

5.1.6.1 Eligibility of heritage buildings to be awarded heritage floor space

- (1) To be eligible for an award of HFS, a heritage building is to be:
 - (a) located in the Central Sydney area;
 - (b) subject to conservation works in accordance with an approved Conservation Management Plan; and
 - (c) not subject to works that would increase the external envelope and floor space of the building, other than a minor increase to facilitate the adaptive re-use of the heritage building.

5.1.6.2 Pre-requisites for the award of Heritage Floor Space

- (1) Prior to registration of the HFS, the applicant must complete the conservation works in accordance with the Conservation Management Plan and enter into legal agreements and grant covenants on the land which:
 - (a) limit any future redevelopment of the site to the total gross floor area and height of the conserved heritage building; and
 - (b) ensure the ongoing conservation of the building by regular maintenance, including the provision of adequate insurance and a maintenance fund.
- (2) A Conservation Management Plan for the heritage item is to be approved by the consent authority and is to generally include:
 - (a) works to conserve the existing significant fabric of the building;
 - (b) removal of elements that detract from the significance of the building;
 - (c) the schedule of maintenance works;
 - (d) reinstatement of original fabric based on documentary evidence where appropriate; and
 - (e) other works compatible with significance of the building.

5.1.6.3 Calculating the heritage floor space to be awarded

- (1) The maximum amount of HFS, measured in sqm that may be awarded to a heritage building is to be calculated using the Formula below.

The formula is	$HFSH = 0.5AS \times FSRH$
Where	HFSH is the maximum amount of Heritage Floor Space which may be awarded in sqm;
	AS is the site area in sqm occupied by the heritage building; and
	FSRH is the maximum FSR for the site of the heritage building as shown on the LEP FSR Map.

- (2) Despite clause (1) above, the maximum Heritage Floor Space that can be awarded in relation to a heritage building is 30,000 square metres.

- (3) The consent authority may reduce the maximum amount of HFS which may be awarded by an amount equivalent to:
 - (a) any existing additions or alterations to the heritage building which the consent authority does not consider feasible to be demolished or altered even though those alterations and additions are:
 - (i) of little or no significance to the heritage significance of the building; or
 - (ii) intrusive to the building;
 - (b) any proposed addition which increases the gross floor area of the existing heritage building; and
 - (c) any areas where elements of heritage significance are proposed to be demolished, in order to facilitate the adaptive re-use of the heritage building.

5.1.6.4 Staged awards

- (1) The consent authority may approve a staged award of HFS to facilitate the carrying out of the full extent of work necessary for the conservation of the heritage building.

5.1.6.5 Retrospective Awards

- (1) Retrospective awards of heritage floor space can be considered by the consent authority where it is demonstrated that the heritage building has been conserved in accordance with an endorsed CMP.

5.1.6.6 Calculating the heritage floor space to be allocated

Sydney LEP 2012 enables consent to be granted to a building in Central Sydney which exceeds the maximum FSR for the site shown on the FSR map but only if an appropriate amount of HFS is allocated to the site.

- (1) *Sydney LEP 2012* requires HFS to be allocated to a development site if the development utilises specified additional floor space, namely:
 - (a) accommodation floor space in relation to a building in Area 1, 2, 3 or 4 shown on the FSR map;
 - (b) opportunity site floor space;
 - (c) additional floor space awarded as the result of undertaking a competitive design process; and
 - (d) additional floor space as the result of an approved variation of the FSR development standard.
- (2) The appropriate amount of HFS allocation is determined by the *Sydney LEP 2012*, and depends on the circumstance of the development. Generally, the amount of the HFS allocation is to be:
 - (a) For a site in Area 1, 2 or 3 – 50% of the accommodation floor space that is utilised; or
 - (b) For a site in Area 4 – 50% of the amount of accommodation floor space utilised above a FSR of 8:1.
- (3) If a development utilises other additional floor space, the total amount of the HFS allocation is to be:
 - (a) the amount of any HFS allocation required as a result of utilising accommodation floor space for a development in Area 1, 2, 3 or 4; and
 - (b) 50% of any opportunity site floor space utilised; and

- (c) 50% of any additional floor space awarded as the result of undertaking a competitive design process; and
 - (d) 100% of any additional floor space awarded as the result of an approved variation of the FSR development standard.
- (4) The total amount of the required HFS allocation may be reduced for development that undertakes an architectural design competition or provides a proposed through-site link that is identified in the Through-site links map. The amount of the reduction is to be:
- (a) for a development that undertakes an architectural design competition – 50% of the HFS allocation otherwise required, up to a maximum of 1,000 square metres; or
 - (b) for a development that provides for a proposed through-site link – 50% of the floor area of the through-site link, up to a maximum of 250sqm.

5.1.6.7 Conditions relating to the allocation and change of ownership of heritage floor space

Where a development proposal utilises additional floor space that requires an allocation of HFS, development consent will be subject to a condition requiring allocation of the appropriate amount of HFS to the building, as discussed above.

- (1) Only HFS registered in the HFS Register can be allocated or sold.
- (2) Any HFS which is registered in the HFS Register may be allocated to a development whether or not that development is part of or separate to a heritage listed site.
- (3) HFS may only be allocated to a development where that development has received development consent.
- (4) HFS may not be allocated to a site where the erection of a proposed building would involve demolition or destruction of a heritage item.
- (5) Council is to be notified of each allocation and change of ownership of HFS and will update the HFS Register accordingly.

5.1.6.8 Heritage floor space procedures and administration

Information updates of the status of the Register are placed on Council's website. A printed summary can also be provided on request. An administration fee applies.

- (1) An application for an award of HFS is to include a Conservation Management Plan for conservation works and ongoing maintenance of the building.
- (2) The HFS Register is to be available for public inspection and is to include the following:
 - (a) details of each heritage item for which HFS has been awarded, the person to whom the HFS was awarded and the amount awarded;
 - (b) details of each transfer of ownership of HFS, the person to whom the HFS was transferred and the amount transferred;
 - (c) details of each development to which HFS has been allocated and the amount allocated;
 - (d) the total amounts of HFS awarded, HFS allocated and HFS available for sale.
- (3) HFS may be allocated to a development site, as required by a condition of development consent, from any HFS award listed in the HFS Register.
- (4) HFS may only be allocated and used once in a development.

- (5) If a proposed development which has received an allocation of HFS does not proceed, the HFS may be re-entered onto the register and be available for re-allocation.
- (6) Any purchase price of HFS is to be determined between the registered owner of the HFS and the prospective purchaser and is to be disclosed to the City at the time of transfer. The amount disclosed to the City is to be the total of all money or value paid or given to the vendor by the purchaser in consideration for the purchase of the HFS.
- (7) Written confirmation from Council that the HFS required by the development consent has been allocated from the HFS Register is to be provided prior to the issue of a Construction Certificate for the development.
- (8) The cost of any legal agreements, transactions, and other documentation required in connection with the award, allocation or change of ownership of HFS is to be met by the registered owner of the HFS and the proposed purchaser.
- (9) Council will charge an administrative fee for registering an award or allocation of HFS. This fee is levied under the provisions of Sections 608 and 610 of the *Local Government Act 1993*.

5.1.6.9 Penalty

- (1) If a building for which HFS has been awarded is destroyed or substantially damaged, the gross floor area of any subsequent development on the subject site is to be equivalent to that of the destroyed or substantially damaged building or the permissible FSR, whichever is less.

5.1.7 Sun protection of public parks and places

Value statement

Two control mechanisms in Sydney LEP 2012 limit heights in Central Sydney to protect sunlight into important public parks and places. They are Sun Access Planes (SAP) and No Additional Overshadowing to Certain Public Places Controls (NAO). Despite maximum heights shown on the Sydney LEP 2012 Height of Buildings Map, developments within Central Sydney will always need to demonstrate compliance with SAP and NAO controls.

SAP and NAO controls both establish dates and time periods to protect spaces. Generally, the times for protection are in the middle of the day when the majority of use occurs and the space is most valued by its users.

A **Sun Access Plane** is a geometric, three dimensional, planar surface that is set at the same angle as the sun at a specific date and time and sets the upper building height. A number of Sun Access Planes protect a range of Public Places throughout Central Sydney.

No Additional Overshadowing controls protect the existing sunlight to Public Places that are already surrounded by tall development. In contrast to Sun Access Planes, No Additional Overshadowing controls preserve sunlight that passes through gaps between buildings and around buildings to reach public spaces.

Direct sunlight access Central Sydney's special parks and places is important throughout the year. The dates used to generate these controls are set at the most conservative sun angles, which ensures protection throughout the remainder of the year when the sun is higher in the sky.

Dates and times of protection vary for each place according to the type of activities occurring in that place that benefit from sunlight, when those activities are likely to occur, and existing levels of sunlight and overshadowing.

Objectives

- (a) To protect and improve sunlight to important public parks and places throughout the year, and during periods in the day when they are most used by the workforce, visitors and the wider community.
- (b) To protect sun access to publicly accessible land to ensure the healthy growth of trees, grass and other vegetation.
- (c) To ensure that all parks potentially overshadowed by tall buildings in Central Sydney are protected by Sun Access Planes, including parks that may lie outside the Central Sydney boundary.
- (d) To protect sunlight to parks on the eastern edge of the city through the morning and midday period
- (e) To protect sunlight to parks on the western edge of the city from midday through to the afternoon.
- (f) To ensure that sunlight to new and planned future important public parks and places are protected by Sun Access Planes or No Additional Overshadowing Controls as Central Sydney grows.

Provisions

5.1.7.1 Sun Access Planes

- (1) Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing Sun Access Planes for 11 major public areas including Royal Botanic Gardens, the Domain, Cook and Phillip Park, Wynyard Park, Land Park, Hyde Park, Belmore Park, Prince Alfred Park, Harmony Park, Macquarie Place and Martin Place. Development must not project above any part of a Sun Access Plane.
- (2) Sydney LEP 2012 describes each Sun Access Plane using points, identified by mapping grid co-ordinates and Reduced Levels, and a specified horizontal bearing and vertical angle.
- (3) Figures 5.27 to 5.38 indicatively show the maximum height achievable for land affected by Sun Access Planes. To determine the actual height of a Sun Access Plane at any point, the description of the Sun Access Planes in Sydney LEP 2012 prevails over the diagrams in Sydney DCP 2012, in the case of an inconsistency.

Note: when preparing Sun Access Planes care must be taken to adjust for the difference between grid north and solar north.

- (4) Table 5.7 shows the period of protection, times and dates for Sun Access Planes, cross referenced with the diagrams referenced in Section 5.1.7.1(3) above.

Table 5.7: Summary of Sun Access Planes provisions

Park or Place		Intended period of protection	Primary SAP date	Primary SAP times	SAP Extension Dates & Times
1	The Royal Botanic Gardens	9am-2pm, all year	21 June	2pm	N/A
2	The Domain	9am-2pm, all year	21 June	2pm	N/A
3	Wynyard Park	12-2pm, all year	21 June	12pm 2pm	23 September 21 December
4	Lang Park	12-2pm, all year	21 June	12pm 2pm	23 September 21 December
5	Hyde Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
6	Belmore Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
7	Prince Alfred Park	10-2pm, all year	21 June	10am 12pm 2pm	21 March 23 September 21 December
8	Harmony Park	10-2pm, all year	21 June	10am 12pm 2pm	23 September 21 December
9	Macquarie Place	10-12pm, throughout the year excluding winter months	14 April	10am	N/A
10	Martin Place	12-2pm, outside the winter months	14 April	12pm 2pm	23 September (2pm) 21 December (2pm)



Figure 5.27
The Royal Botanic Gardens Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.28
The Domain Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.29
Wynyard Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.30
Lang Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

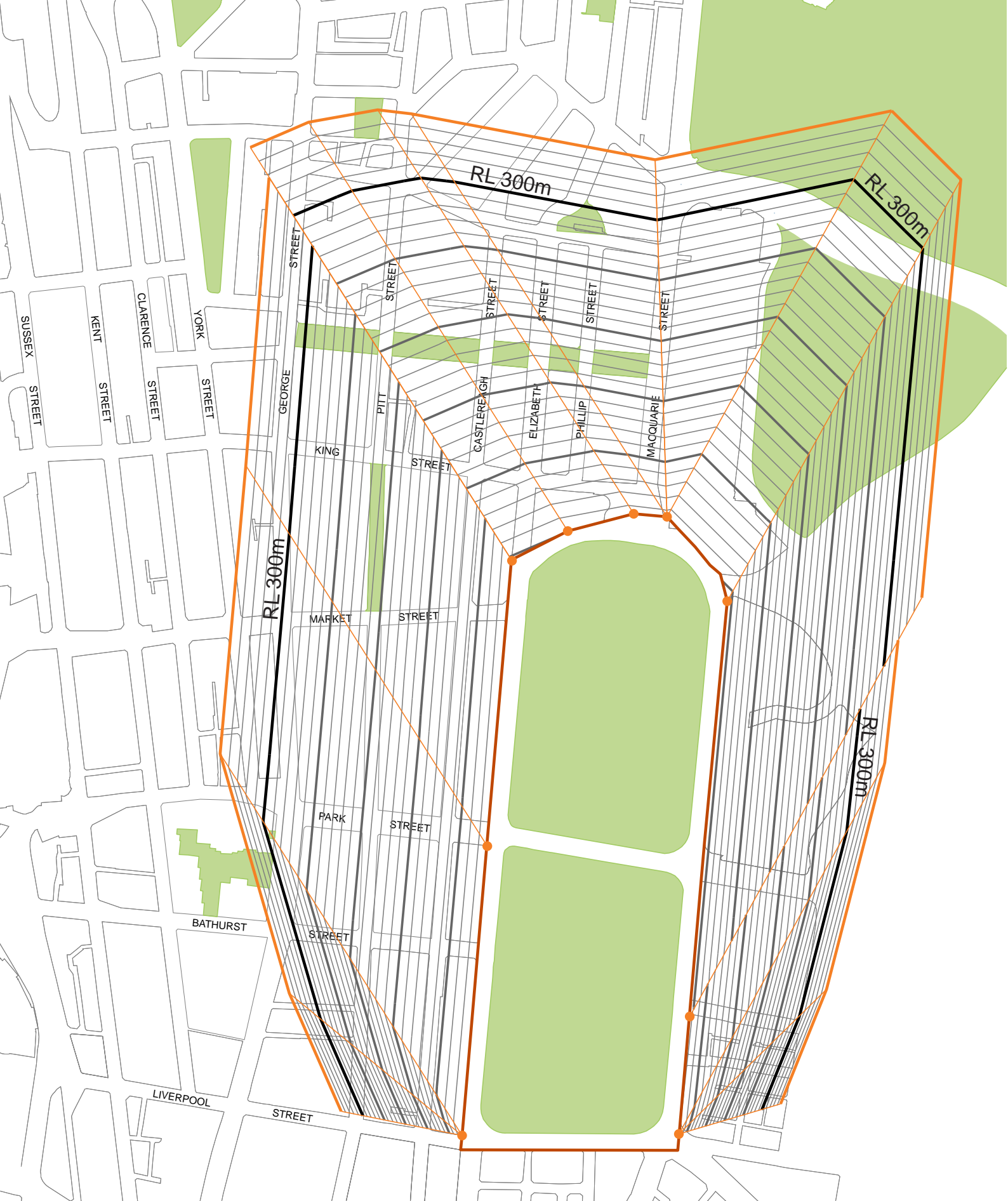


Figure 5.31
Hyde Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.32
Belmore Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.33
Prince Alfred Park Sun Access Plane A

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.34
 Prince Alfred Park Sun Access Plane B

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.35
Harmony Park Sun Access Plane A

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours



Figure 5.36

Harmony Park Sun Access Plane B

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

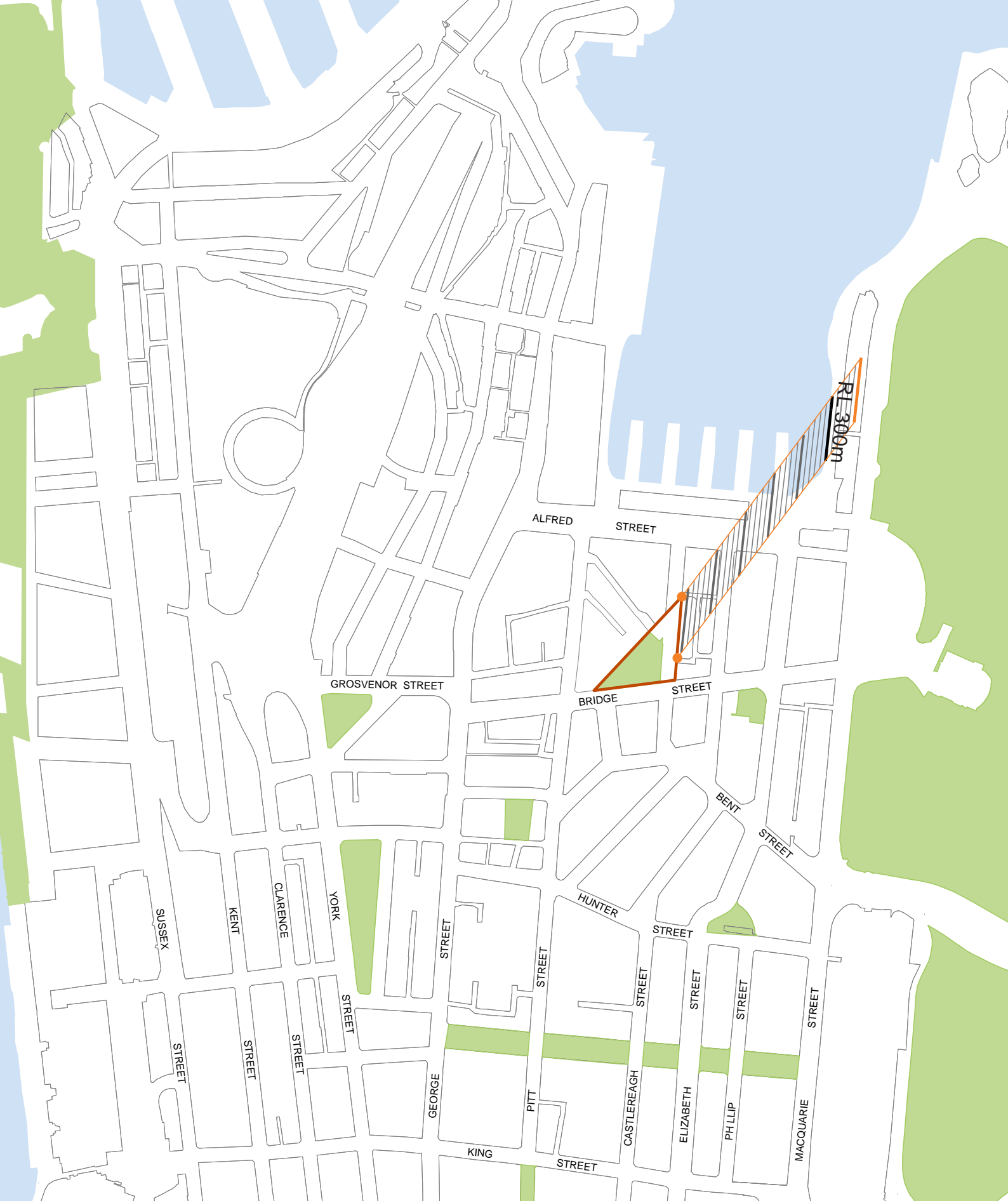
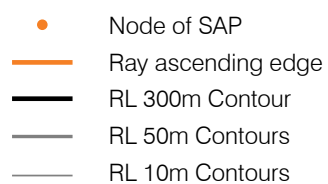


Figure 5.37
Macquarie Place Park Sun Access Plane

- Node of SAP
- Ray ascending edge
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours

Figure 5.38
Martin Place Park Sun Access Plane



5.1.7.2 No Additional Overshadowing

- (1) Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing No Additional Overshadowing for 8 major public areas including Macquarie Place (including facades), Martin Place (block containing the GPO including facades), Pitt Street Mall, Australia Square Plaza, First Government House Place, Sydney Town Hall Steps, Sydney Square and Future Town Hall Square.
- (2) Sydney LEP 2012 describes each protected park and place identifying the place name, extent of the place, the No Additional Overshadowing dates and the No Additional Overshadowing times.
- (3) Figures 5.39 to 5.46 indicatively show the maximum height achievable for land affected by No Additional Overshadowing controls. To determine the actual height of a No Additional Overshadowing controls at any point, the description of the No Additional Overshadowing in Sydney LEP 2012 prevails over the diagrams in Sydney DCP 2012, in the case of an inconsistency.
- (4) Table 5.8 shows the dates and times for No Additional Overshadowing, cross referenced with the diagrams referenced in Section 5.1.7.2(3) above.
- (5) To demonstrate compliance with the No Additional Overshadowing controls the following must be submitted in support of a development application:
 - (a) A survey of the protected place and all intervening structures between the subject development site and the protected park and/or place that could affect the overshadowing of that place;
 - (b) A 1 minute interval overshadowing analysis depicting existing (one colour) and proposed (another colour) structures each day in the relevant No Additional Overshadowing period at the relevant No Additional Overshadowing times, where:
 - (i) all proposed building elements are treated as 100% opaque; and
 - (ii) all shadows have sharp edges where the sun is a light source casting only parallel rays of light.

Table 5.8: Summary of No Additional Overshadowing provisions

Park or Place		NAO dates	NAO times
1	Macquarie Place	14 April – 31 August	10-2pm
2	Martin Place (block containing the GPO)	14 April – 31 August	12-2pm
3	Pitt Street Mall	14 April – 31 August	10-2pm
4	Australia Square Plaza	14 April – 31 August	12-2pm
5	First Government House Place	14 April – 31 August	10-2pm
6	Sydney Town Hall Steps	14 April – 31 August	10.30-4pm
7	Sydney Square	14 April – 31 August	11-4pm
8	Future Town Hall Square	All year	Midday to sunset

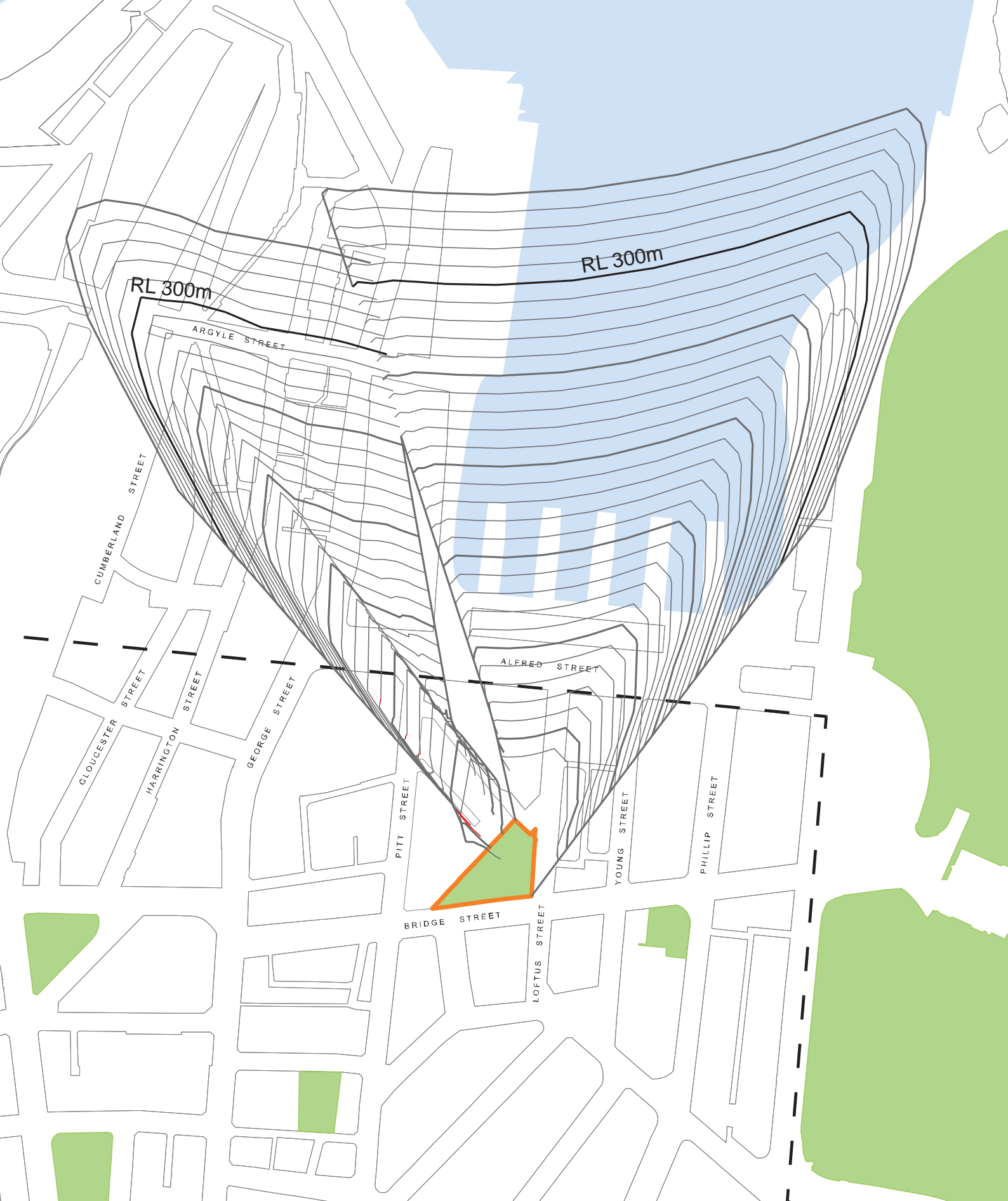


Figure 5.39

Macquarie Place No Additional Overshadowing

- Protected Space
 - RL 300m Contour
 - RL 50m Contours
 - RL 10m Contours
 - Edge of Monolith
- Contours are indicative only



Figure 5.40

Martin Place No Additional Overshadowing

- Protected Space
 - RL 300m Contour
 - RL 50m Contours
 - RL 10m Contours
 - Edge of Monolith
- Contours are indicative only

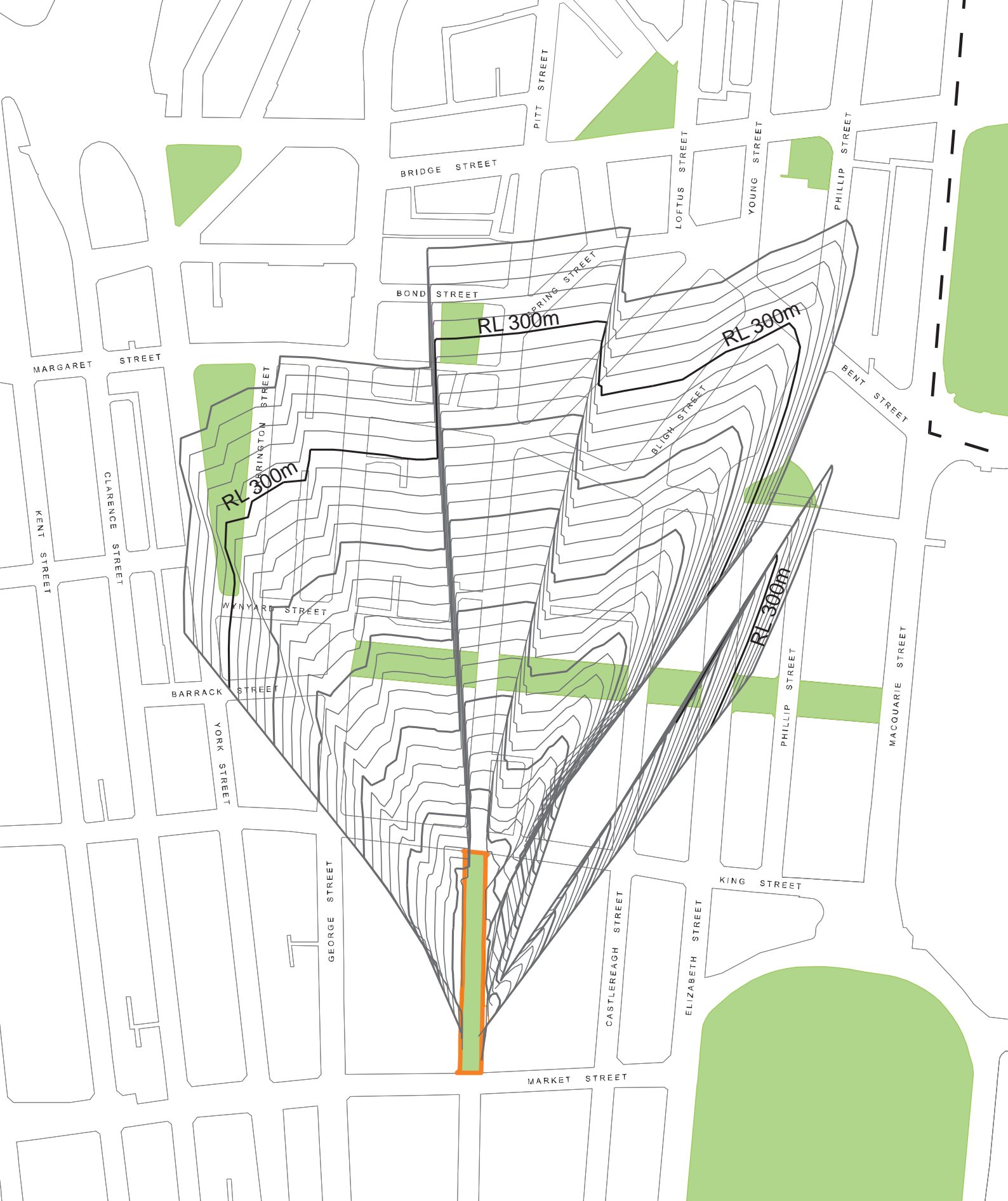


Figure 5.41

Pitt Street Mall No Additional Overshadowing

- Protected Space
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours
- Contours are indicative only
- Edge of Monolith

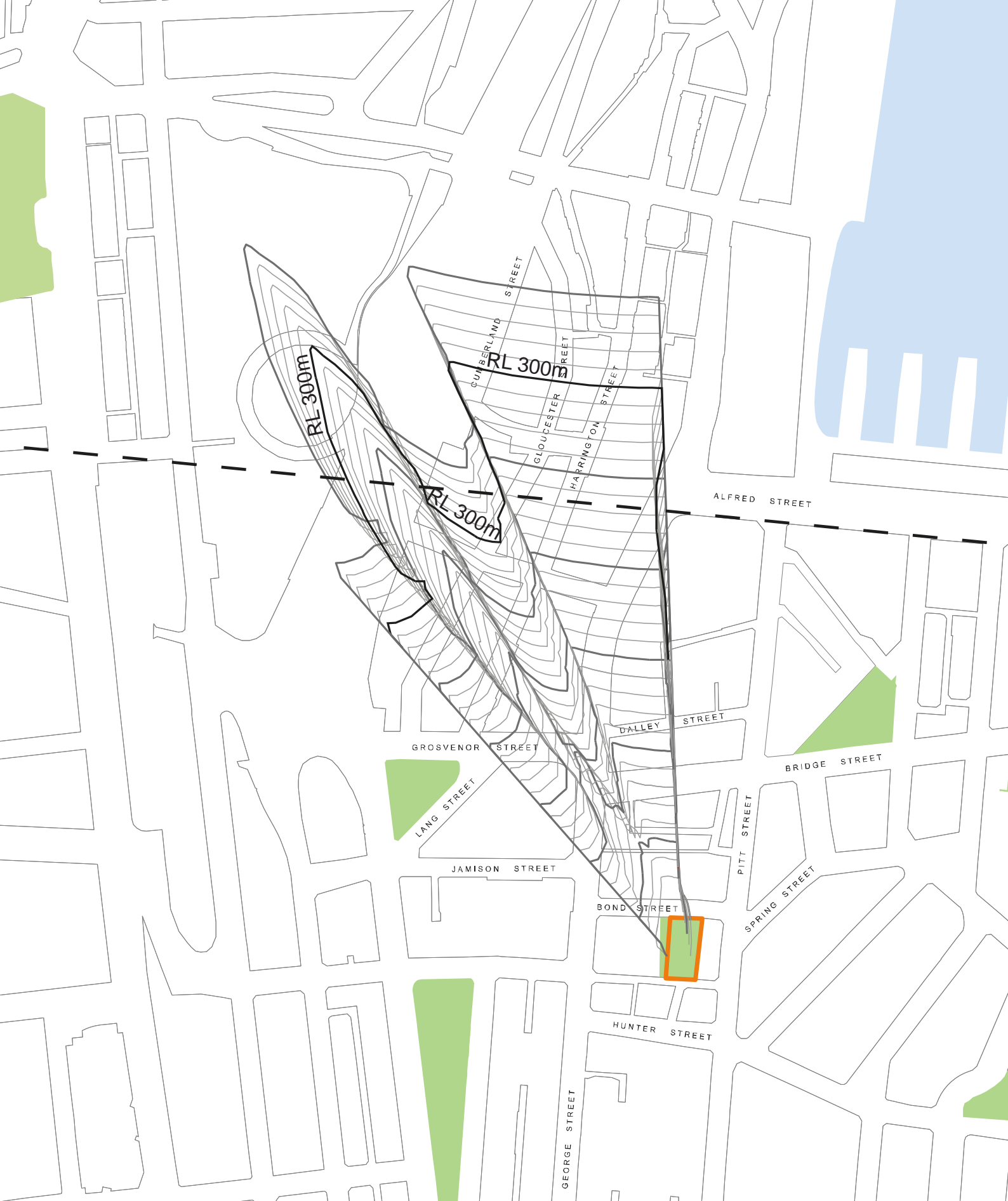


Figure 5.42

Australia Square Plaza No Additional Overshadowing

- Protected Space
 - RL 300m Contour
 - RL 50m Contours
 - RL 10m Contours
 - Edge of Monolith
- Contours are indicative only

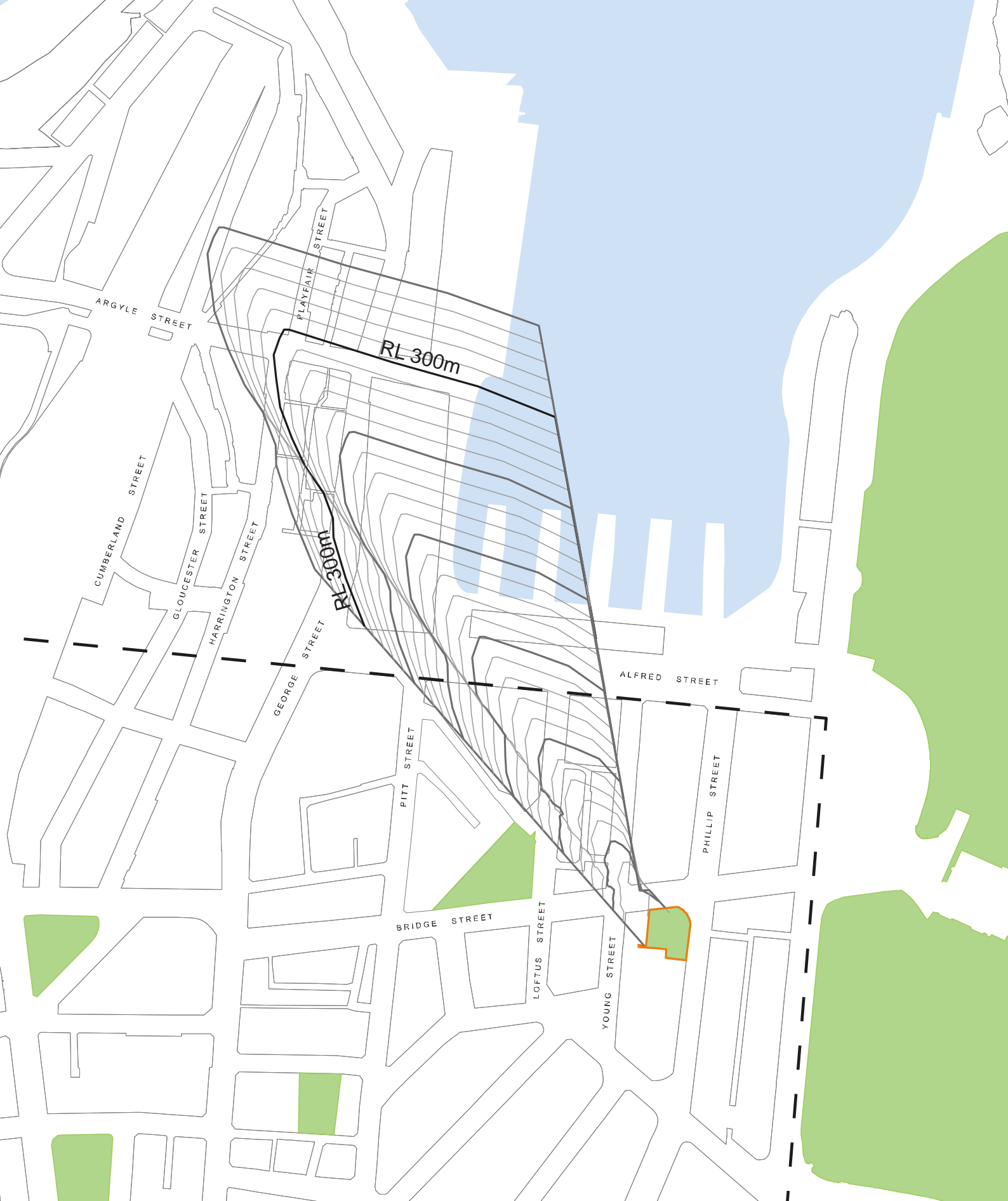


Figure 5.43

First Government House No Additional Overshadowing

- Protected Space
 - RL 300m Contour
 - RL 50m Contours
 - RL 10m Contours
 - Edge of Monolith
- Contours are indicative only



Figure 5.44

Sydney Town Hall Steps No Additional Overshadowing

- Protected Space
- RL 300m Contour
- RL 50m Contours
- RL 10m Contours
- Contours are indicative only
- Edge of Monolith



Figure 5.45

Sydney Square No Additional Overshadowing

- Protected Space
 - RL 300m Contour
 - RL 50m Contours
 - RL 10m Contours
 - Edge of Monolith
- Contours are indicative only



Figure 5.46

Future Town Hall Square No Additional Overshadowing

5.1.8 Views from public places

Value statement

There are some key views from within Central Sydney, from parks and other well-used Public Places that take in important buildings or urban landscapes that help define Central Sydney. New development can make a positive contribution to the characteristics and composition of designated public views. These views should be preserved and have priority over private views.

Central Station Clock Tower

Railway Square is the major visual and functional gateway to Central Sydney from west and south. The clock tower of Central Station was purposely composed at the alignment of several streets from the north, south, east and west, so as to maximise the visibility of the clock face. The prominence of the clock tower contributes strongly to the visual prominence of the Square. The clock tower represents a landmark particularly when approaching or departing Central Sydney along Broadway and George Street.

Martin Place GPO clock tower and Sydney Hospital

Martin Place is of social, cultural and historic significance, being the site of various monuments, in particular the Cenotaph, as well as the site of many historical events, which reinforced its image as the civic and ceremonial heart of the city. Following the siting of the GPO in 1863, Martin Place grew in popularity as a meeting place in front of the GPO. It has since grown as a tourist destination, with its value recognised through the pedestrianisation in 1971. Views to the silhouette and clock face of the GPO clock tower, and, views of the sky at either end of Martin Place, are well remembered in the collective consciousness because their association with one of Sydney's most special places over a long period of time. These views enhance the qualities of the space and protect its valuable history.

Observatory Hill

The Millers Point area contains numerous original and characterful views to and from the harbour that are formed by a combination of dramatic topography and long physical evolution. Views from Observatory Hill, or more specifically from Observatory Park, allow you to fully appreciate this connection between topography, geography, use and settlement. As you move around the park tangible evidence of the development of Sydney reveals itself; its prominence as one of two rocky sandstone eminences that dominated Sydney Cove or Warrane, its Aboriginal name, where it is highly likely that Aboriginal peoples inhabited and sheltered along its cliffs and ridges; its position at the highest point of a north south ridge overlooking the British colony commanding a splendid panorama and therefore a strategic site for catching the prevailing winds, for fortification, for signalling and for astronomical observations, and; the contrast and relief it provides as the green space backdrop to the historic streetscapes and roofscapes of Millers Point below, the shipping and working port activity of the harbour and traffic and train movements on the massive Harbour Bridge structure, and the only means to assess the contrast and the progress of the CBDs modernisation over 200 years.

Views to and from Observatory Hill are therefore perhaps some of Sydney's most historically significant. How development around Observatory Hill impacts on these views has a very real impact on how the public and visitors to Sydney are able to interpret, understand and value the evolution of Sydney as city.

Observatory Hill should remain a prominent hill besides and above the original port of Sydney; it should retain its vast open aspect and distant views, a feature that informed its successive historic uses, and; its existing setting should be maintained where proposed development in Millers Point and the Rocks respects the established patterns of scale and form.

Objectives

- (a) To identify and preserve significant public views from Public Places.
- (b) To ensure the silhouette created by existing clock towers, turrets and roof features on heritage listed items are clearly visible against the sky.
- (c) To require development to respond to public views to Sydney Harbour by improving the view through building modulation.
- (d) To require development to respond to significant public views from Public Places by enhancing views through, building modulation and/or high quality materials, finishes and design excellence.

Provisions

- (1) Development must not encroach within any of the views nominated on the Public Views Protection Maps and where possible should improve the views to Sydney Harbour (surface of the water) through modulation of built mass.
- (2) Development must minimise impact on existing public views to heritage items with significant architectural roof features (clock towers, spires, lanterns etc) through modulation of proposed built mass, to allow for clear air around the roof feature and legibility.
- (3) Views nominated on the Public Views Protection Maps relate to significant vistas or silhouettes generated by existing built form. The location of public domain structures such as trees and banners are to be considered ephemeral and should not be used as parameters to obstruct or encroach into a protected public view.
- (4) Views from Observatory Hill to the harbour, Millers Point, adjoining areas and distant views to the east, west and north should be maintained. New building in Millers Point and Walsh Bay should be limited. No new building should exceed the established patterns of scale and form, nor should it have an adverse impact on any identified views or the setting of Observatory Hill and Millers Point.
- (5) Development that terminates a public view on the Public Views Protection Map must contribute to its quality through massing, high quality materials and demonstrated design excellence.
- (6) Consideration should also be given to additional significant public views not mapped in the Public Views Protection Map but identified in the Special Character Area Locality Statements.

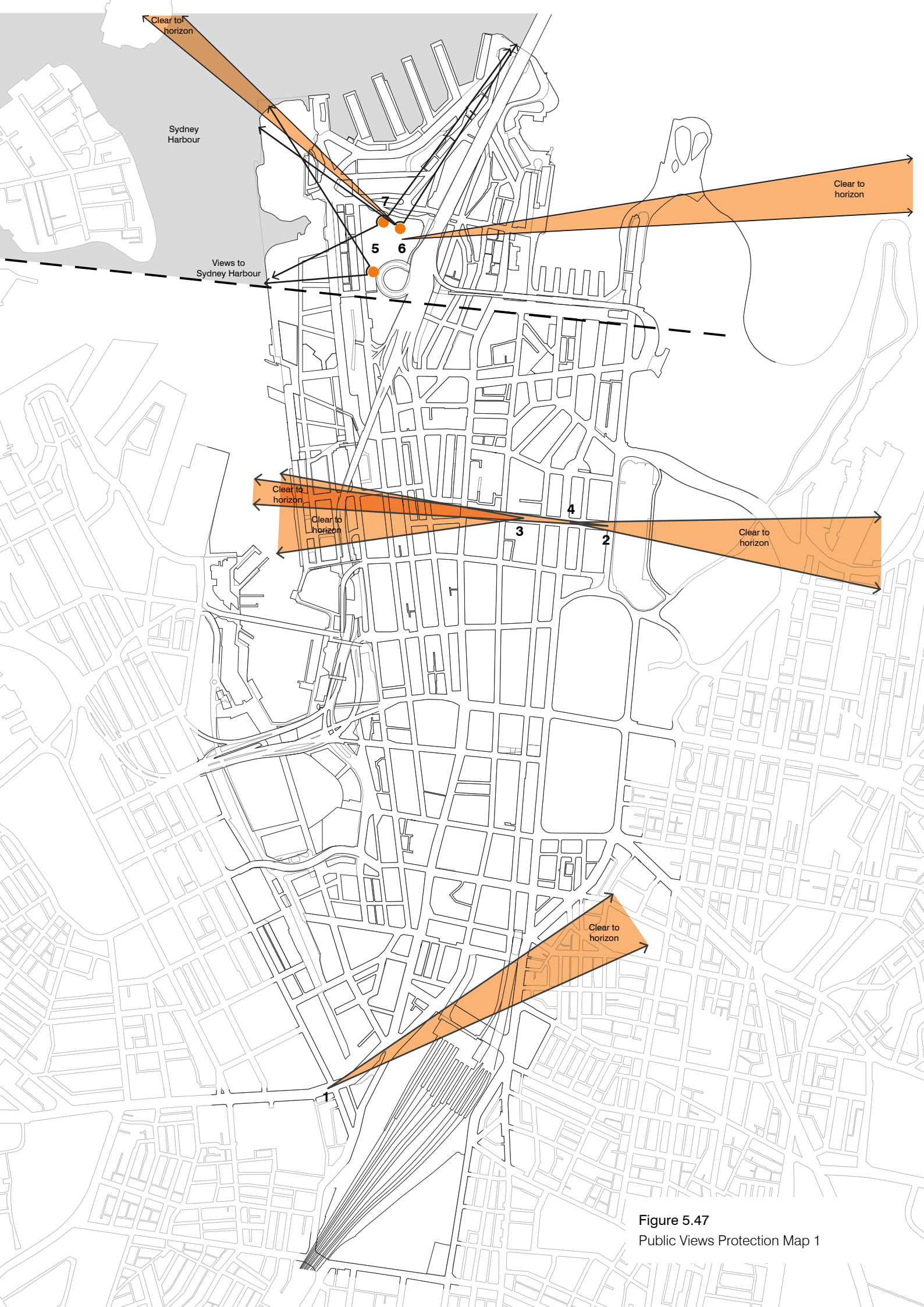


Figure 5.47
Public Views Protection Map 1

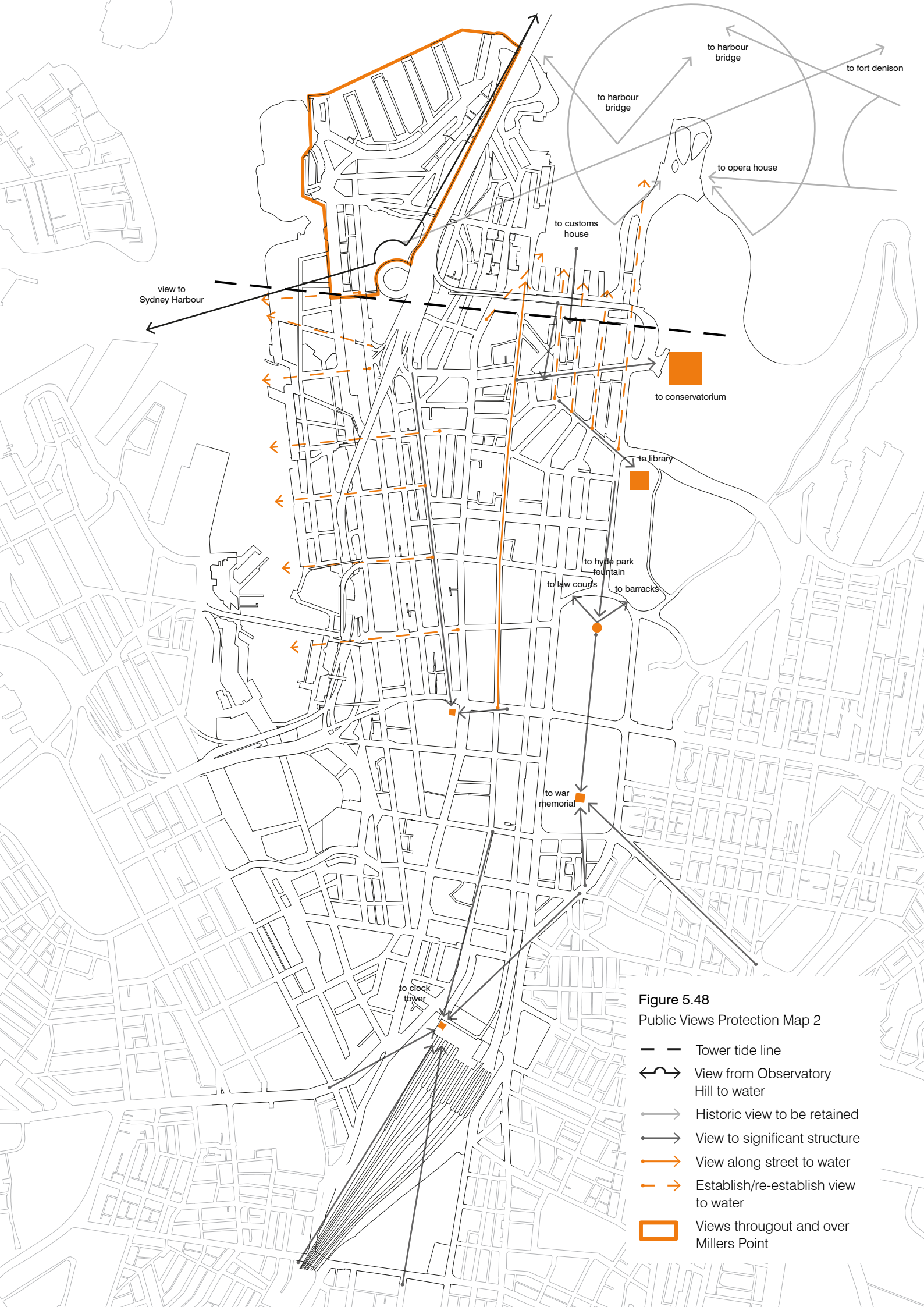


Figure 5.48
Public Views Protection Map 2

- — Tower tide line
- ↔ View from Observatory Hill to water
- Historic view to be retained
- View to significant structure
- View along street to water
- Establish/re-establish view to water
- Views throughout and over Millers Point

5.1.9 Managing wind impacts

Value statement

The wind environment is a major determinant of amenity. Tall buildings can create or exacerbate windy conditions in built up areas and can have a significant effect on the wind environment at street level.

Buildings must be designed to mitigate unsafe and uncomfortable wind effects on Public Places and should create comfortable and pleasant conditions.

Generally the provision of a reasonable sized podium will mitigate the greatest adverse wind effects from tall buildings. Provision of a podium is particularly important at the exposed edges of Central Sydney where buildings are not shielded by their neighbours and on short east-west running streets where wind speeds are highest.

Objectives

- (a) To ensure streets and Public Places have wind conditions that are safe and comfortable for walking and to encourage conditions that are comfortable for sitting.
- (b) To ensure new developments mitigate adverse wind effects.
- (c) To ensure air quality does not exceed environmental/health standards.
- (d) To provide wind climate data that can be applied consistently for assessing new developments.

Provisions

- (1) A quantitative wind effects report is to be submitted with a development application for development:
 - (a) over 55m in height as measured from the lowest ground level to the highest structure; or
 - (b) with a frontage to an east-west street; or
 - (c) on a site within the B8 zone and within 50m of the zone boundary; or
 - (d) as required by the City of Sydney.
- (2) Development subject to a quantitative wind effects report must not:
 - (a) cause a wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks except where the existing wind speeds exceed the standard; and
 - (b) worsen, by increasing spatial extent and/or frequency and/or speed, an existing wind speed that exceeds the Wind Safety Standard, the Wind Comfort Standard for Walking and the Wind Comfort Standard for Sitting in Parks.
- (3) Development subject to a quantitative wind effects report must take all reasonable steps to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing related to the use of the public place. For example, the Standing criteria should be achieved at bus stops or other places where people wait and the Sitting criteria should be achieved where outdoor dining is located.
- (4) For the purposes of complying with Section 5.1.9 (2) and (3):

Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standard for Sitting in Parks is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second and applies to Public Places protected by Sun Access Planes and/or No Additional Overshadowing Controls.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

Note: Section 5.1.9 prevails over Section 3.2.6 in Central Sydney.

Note: 292 hours is 5% of all hours between 6 am and 10 pm each day (16 hours per day) over a year (365 days).

5.2

Green Square

This Section includes provisions for land identified as Green Square in Figure 5.1 *Specific Areas Map*.

The following provisions do not apply to the Green Square Town Centre.

Green Square includes the suburbs of Zetland and Beaconsfield, and parts of the suburbs of Alexandria, Rosebery and Waterloo. The area has a rich history and is socially, culturally, economically and physically diverse. The Green Square Urban Renewal Area (278 ha) is projected to house at least 61,000 residents and up to 22,000 people are expected to work there by 2030.

5.2.1 Green Square Urban Strategy

The Green Square Urban Strategy identifies the strategic context within which development in Green Square is to take place. The Green Square Urban Strategy is based upon the transformation of Green Square into an attractive, vibrant and sustainable urban area that can accommodate and support the renewal and growth of Green Square over a long period of time.

The Green Square Urban Strategy comprises three parts:

- Section 5.2.2 Objectives for Green Square;
- Figure 5.49 Green Square Structure Plan; and
- Section 2 Locality Statements and supporting principles for the individual neighbourhoods in Green Square.

5.2.2 Objectives for Green Square

- (a) Ensure development contributes to the realisation of the Green Square Urban Strategy.
- (b) Ensure the Green Square Town Centre becomes the major centre for the southern areas of the City of Sydney and a meeting place for the local community.
- (c) Create a hierarchy of centres throughout Green Square that support the primary function of the Town Centre and serve the worker, resident and visitor population. Ensure that the centres are to be accessible by public transport and supported by excellent public domain, open spaces and other community facilities.
- (d) Allow for the sustainable, on-going renewal of Green Square, by encouraging sensitive in-fill development whilst allowing for the continued operation of appropriate existing uses.
- (e) Create residential environments with centres, community facilities, public parks and public streets to improve civic life and support diverse communities.
- (f) Acknowledge Green Square's strategic location in the Airport to Central Sydney corridor, identified in the NSW Government's *Metropolitan Strategy* by facilitating the development of a strong and diverse economy to support the wider economy.
- (g) Ensure that development complements the desired future character of the neighbourhoods and responds to the topography, natural features, orientation, street pattern, street width, existing development, heritage buildings, street block size, land use and protects important public view corridors.

- (h) Provide a variety of high quality and accessible multi-purpose open spaces and walking and cycleways that are well connected to regional green corridors. Incorporate Green Square's characteristic water channels into the design of open spaces and cycleways.
- (i) Provide a new, fine-grain public street network that improves amenity, encourages travel on foot and by bike and, where appropriate, is suitably designed to accommodate future public transport services.
- (j) Encourage a mix of land uses, building types, diverse public spaces and employment and housing choices to support a socially diverse community.

Definitions

Note: Each heading and description is keyed to Figure 5.49 Green Square Structure Plan

Local villages is defined under Section 3.4 Hierarchy of Centres, City South.

Community nodes act as a meeting place or neighbourhood focal point, but are not necessarily the location of retail or commercial activity. These nodes include transport interchanges, open spaces or the location of community facilities. Active ground floor uses, public domain improvements and increased connectivity, whether by public transport, bike or by foot, are encouraged at community nodes. Where permissible under the land use zone provisions, café and restaurant uses may be appropriate in these locations.

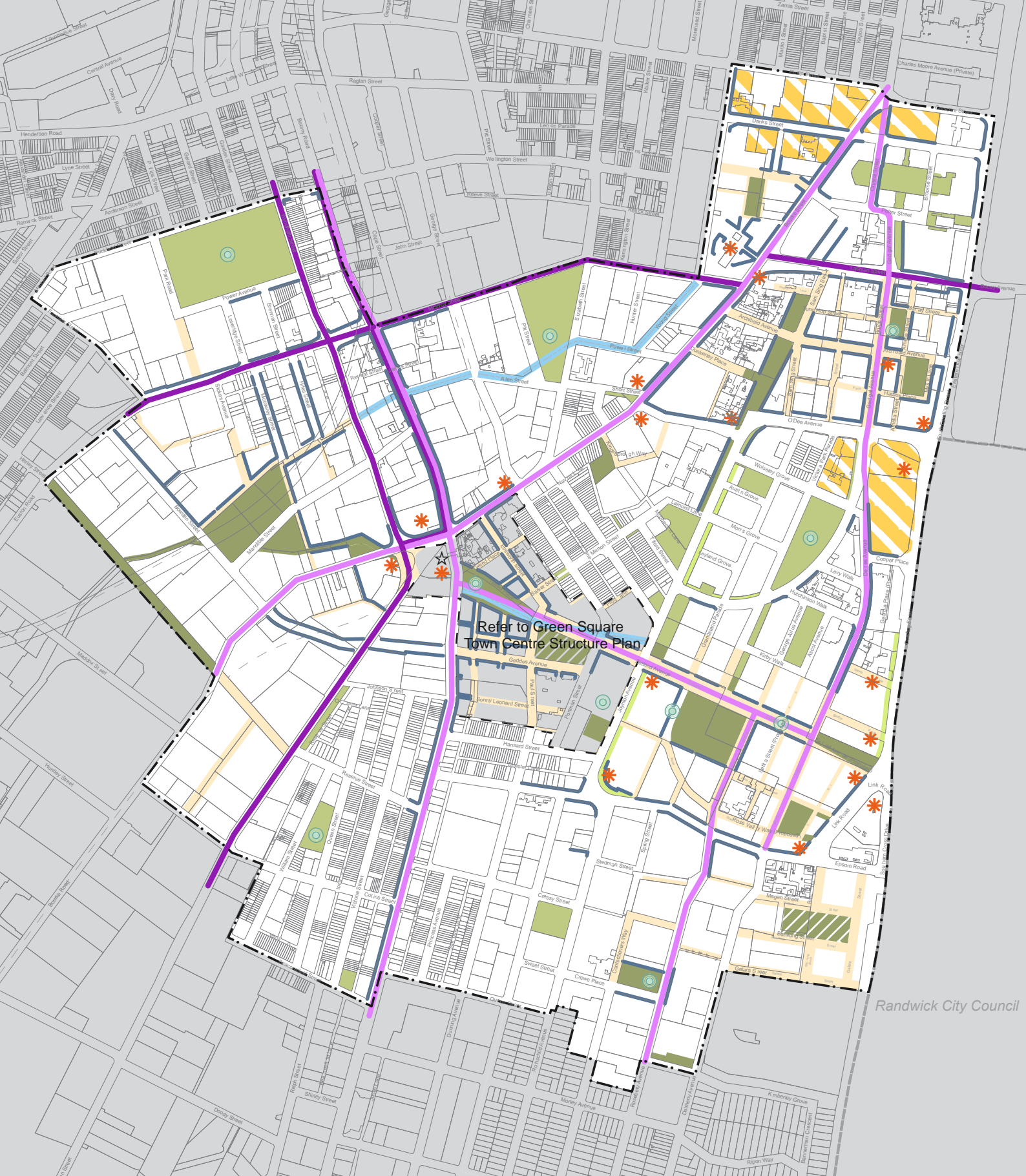
Existing public open spaces are to be retained and enhanced to ensure that they provide optimum amenity and accessibility for all users.

Required public open spaces are required in the locations shown in Figure 5.49 Green Square Structure plan. Open space is to be of the highest design quality and may be required to provide a stormwater detention function.

Highly visible sites is defined in the Glossary.

Public transport corridors are the focus for future public transport services provided in Green Square. Mass transit services and facilities should be provided in accordance with the identified alignment of public transport corridors for Green Square.

Water channel open space links is a proposed network of open spaces connecting the Green Square Town Centre and the Alexandra Canal along the existing channel network. The channel network is to be the basis of a linear park system that provides connectivity between activity nodes, open spaces, and the Green Square Town Centre. Where the channel cannot be exposed, it is to be interpreted architecturally or through public art.



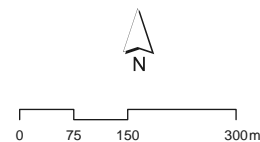
Green Square - Structure plan

Figure 5.49

Legend

- Green Square
- Green Square Town Centre/Planned Major Centre
- Local Villages
- Community nodes
- Highly visible sites
- Train station
- Detention open space
- Existing open space
- Landscape setback 10m
- Required open space
- Active Frontages
- Water channel open space link
- Public transport corridor
- Major road
- Proposed streets
- Land excluded from this DCP

Sydney Development Control Plan 2012



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5.2.3 Community infrastructure

This Section identifies how the community infrastructure floor space may be achieved to deliver local infrastructure in Green Square so as to benefit the immediate and wider community. This Section is to be read in conjunction with Clause 6.14 Community Infrastructure at Green Square under *Sydney LEP 2012* and Schedule 9 of this DCP.

The vision for Green Square is to transform the area from its industrial and manufacturing past, to an attractive, vibrant and sustainable urban place. To accommodate the levels of growth expected, substantial infrastructure is required including streets, pedestrian and bike networks, parks, recreation facilities and stormwater management infrastructure.

Section 5.2 *Green Square* of this DCP identifies the type and location of local infrastructure works that may be included with development towards achieving the community infrastructure floor space.

Developments proposing acceptable above ground car parking do not qualify for additional building height and may not be able to achieve the maximum floor space ratio permitted under *Sydney Local Environmental Plan 2012*.

Objectives

- (a) Ensure a high level of amenity and an appropriate level of supporting community infrastructure is achieved in Green Square.
- (b) Establish the circumstances under which development to the maximum gross floor area can be achieved, as determined by the maximum floor space ratio applicable to a development site.
- (c) Identify the public works and community infrastructure to be provided before the land can be developed to the maximum gross floor area.

Provisions

- (1) Where infrastructure works are proposed to the satisfaction of the consent authority, consent may be granted for development up to the maximum gross floor area achievable under Clause 6.14 of *Sydney LEP 2012*, but only if the development contributes to the desired character of the locality in which it is located and has little or no impacts on the amenity of that locality.
- (2) The maximum gross floor area permitted under Clause 6.14 of *Sydney LEP 2012* can only be achieved where a development provides public works and community infrastructure including:
 - (a) works within the existing or proposed road reservations including:
 - (i) streetscape, bike and pedestrian improvements such as widened footpaths and landscaped setbacks, local parks, pedestrian and bike paths, overpasses and underpasses, landscape works and lighting;
 - (ii) traffic management works such as street entry thresholds, nodal treatments, pedestrian crossings, road realignment and intersection upgrades; and
 - (iii) bus and traffic turning lanes.
 - (b) public open space including embellishment works to new or existing open space which are over and above those required for public open space under the provisions of the City of Sydney Section 94 Contributions Plan, including upgrades to existing open space such as new play equipment, lighting, sports facilities, furniture, public art and landscape works;
 - (c) drainage and stormwater management works including drainage amplification, integrated water treatment facilities, large scale detention systems, overland flow path works and stormwater channel improvements;

- (d) public transport works that facilitate and enhance existing public transport facilities such as bus layovers and turning lanes, bus and light rail stops;
 - (e) public community facilities including recreation facilities (indoor and outdoor) such as sporting, recreational, cultural and social facilities such as basketball courts, community buildings and meeting rooms, exhibition and performance spaces, child care centres;
 - (f) land dedicated for any of the above works;
 - (g) other works or improvements within the broad categories listed above, at the discretion of the consent authority.
- (3) In granting consent to development that includes community infrastructure, the consent authority is to be satisfied that:
- (a) the community infrastructure is necessary and benefits the immediate and wider Green Square community; and
 - (b) is of an appropriate value as calculated in accordance with the formula at Schedule 9 of this DCP.
- (4) Where proposed community infrastructure is not to the satisfaction of the consent authority:
- (a) development to the maximum gross floor area, as determined by the maximum floor space ratio under clause 6.14 of *Sydney LEP 2012* will not be possible; and
 - (b) development is to be consistent with the maximum gross floor area as determined by the maximum floor space ratio under clause 4.4 of *Sydney LEP 2012*.

5.2.4 Local infrastructure

5.2.4.1 Street network

The following objectives and provisions for streets within Green Square are to be read in conjunction with Section 3.1.1 General provisions for streets, lanes and footpaths.

Section 5.3 Epsom Park, Section 5.4 Lachlan and Section 5.7 Green Square - North Rosebery also include specific provisions for local infrastructure.

Objectives

- (a) Provide an integrated, functional and legible street hierarchy that encourages sustainable travel behaviour.
- (b) Provide a street network with a high degree of amenity, safety and permeability for all users.
- (c) Maintain residential and pedestrian safety by minimising opportunities for vehicles to take shortcuts and avoid the road system.
- (d) Provide high quality and equitable access to the Green Square Town Centre and transport nodes for pedestrians, cyclists, and motorists to maximise the use of existing and future public transport facilities, local centres and community facilities.
- (e) Encourage street types that accommodate multiple activities for example, walking, vehicular access, cycling, social interaction, public transport and parking, with a hierarchy that responds the location and function of the street.
- (f) Optimise the use of on-street parking to assist the viability of neighbourhood retail uses with street activation.
- (g) Provide opportunities for public art to be located in places of public visibility and assist in the identity and amenity of places.

Provisions

- (1) Where required by Council, new public streets are to be provided in the locations identified on Figure 5.50 *Green Square street hierarchy and layout* and designed and constructed in accordance with Figures 5.51 and 5.52 and the standards set in Table 5.9 New street types for Green Square.

Note: The width of travel, parking and bike lanes and footpaths are indicative only and subject to further discussions with Council.

- (2) Design new streets or lanes so that the maximum distance between new and existing streets and lanes is no greater than 120m.
- (3) Continuous paths of travel for all users are to be provided throughout the street network with level or gently sloping surfaces, kerb ramps or flush pavements, where appropriate.
- (4) Streets are to align wherever possible to provide four-way intersections.
- (5) Where new streets are to be dedicated to Council, they must have a minimum width of 8m.

Table 5.9: New street types for Green Square

Type	Reservation width	Design considerations
Zetland Avenue	Refer to Figure 5.62 Epsom Park Street Hierarchy	
Transport Corridor	Refer to Figure 5.62 Epsom Park Street Hierarchy and Table 5.13 Lachlan Precinct Indicative Street Types	
Local Street	Total width - Generally 18m-20m; absolute minimum of 13m where one footpath is absorbed into the adjacent open space or a landscape setback. Traffic – 2 travel lanes at 2.75m in each direction. Parking – Parking bays at 2.1m between trees to one or both sides of the street. Footpath – 4.15m minimum to each side of street.	(a) Local access or neighbourhood street with kerbside parking to one or both sides. (b) Should include bio-retention swales either centrally located or to the side of the roadway to filter polluted low flow water run off prior to entering the stormwater system.
Local Access Only	Total width - minimum 12m to provide access only to local traffic Traffic - 1 lane at 3.2m Parking – Parking bays at 2.1m between trees to both sides of the street. Footpath - 2.4m minimum to each side of street.	(a) Local access street with one way travel. (b) Landscaping is to be provided along both sides of the street to enhance the pedestrian environment.
Lanes	Refer to Figure 5.62 Epsom Park Street Hierarchy	
Future Transport Corridor	The development of this key public transport corridor must not be compromised. The reservation, lane, bike and footpath widths have not yet been determined and are subject to additional work.	



Figure 5.51
Local Street

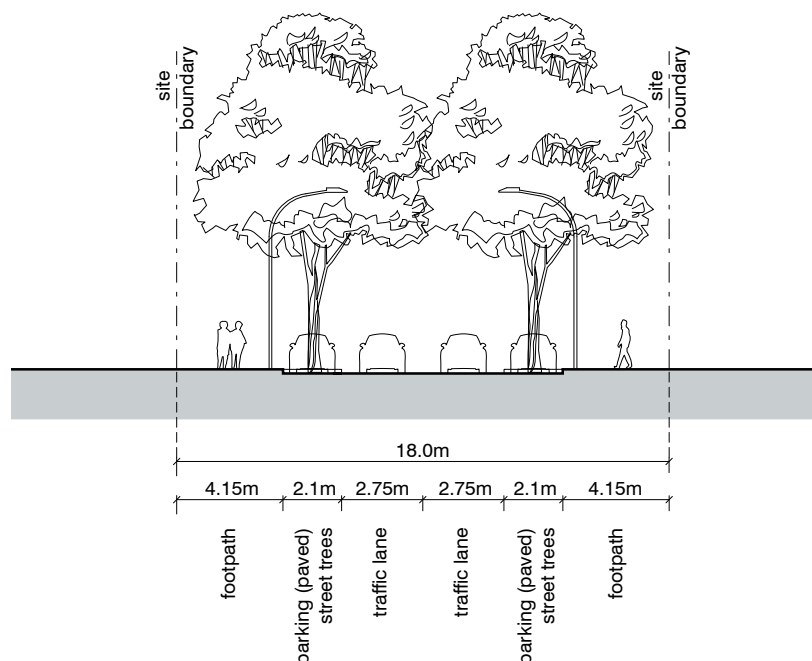
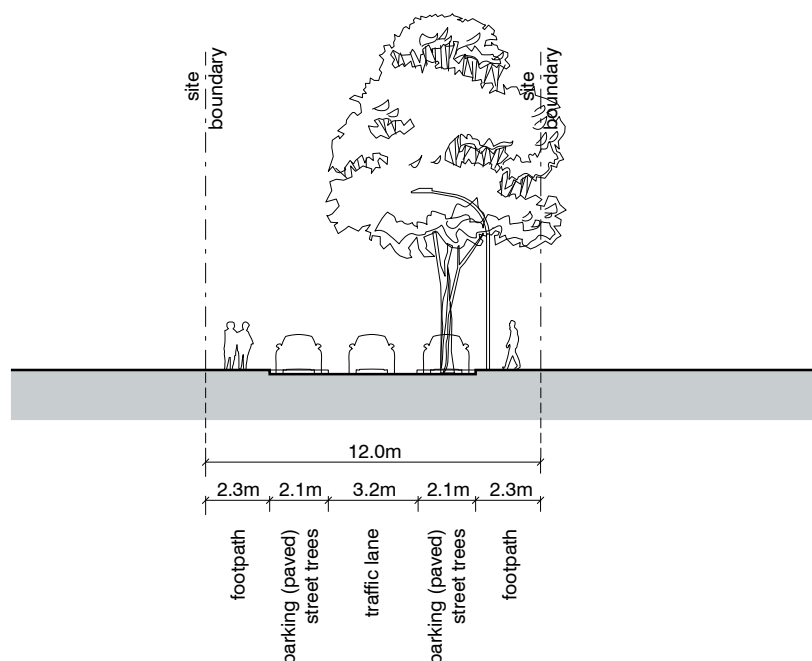


Figure 5.52
Local Access only



5.2.5 Pedestrian and bike networks

This Section identifies the areas where pedestrian and bike links are required in Green Square. These links can be provided in a number of ways including dedication, easement and covenants. When Council requires dedication of pedestrian and bike networks, this is identified in the Section 94 Contributions Plan. Where dedication is not required, the land for the pedestrian and bike network may need to be provided via another means such as an easement.

Refer to Section 3.1.2 General provisions for additional objectives and provisions for pedestrian and bike networks.

Objectives

- (a) Encourage walking and cycling for local trips to promote community interaction, increase health benefits and reduce local vehicle traffic generation.
- (b) Use open space corridors and wider footpaths to create safe bike networks that are free of vehicles and connect to regional cycling facilities.
- (c) Improve permeability and provide safe, well connected streets and through-site links that connect private and public open space to main pedestrian and bike networks, public facilities, homes and work places.

Provisions

5.2.5.1 Bike network

- (1) Residential streets that are not part of the identified bike network in the *City of Sydney Cycleway Strategy 2007-2017*, are to design road reserves and footpaths to accommodate cycling, depending upon factors such as traffic volume.
- (2) All facilities are to be designed and constructed in accordance with the *Austroads Guide to Traffic Engineering Practice: Part 14 – Bicycles*, and in consultation with the consent authority.

5.2.5.2 Through-site links

- (1) Where required by Council, through-site links are to be provided in the locations identified on the *Through-site links map*.
- (2) Introduce additional through-site links where the distance between streets and lanes is greater than 80m.
- (3) Through-site links are to be designed to generally have a minimum width of 6m, or 8m where bike access is provided.
- (4) Through-site links are permitted to pass through or under a building where the:
 - (a) building's height is greater than 3 storeys;
 - (b) maximum distance of the link under any structure is 18m; and
 - (c) minimum vertical clearance is 9m.
- (5) Encourage active edges and create opportunities for natural surveillance to through-site links.
- (6) Where residential development fronts a through-site link, windows, doors and verandahs must front the through-site link at the ground level.
- (7) Blank walls or carparking facing through-site links is not acceptable.

Figure 5.53
Example of a
through-site link
in a residential
development



5.2.6 Public open space

The following objectives and provisions are to be read in conjunction with the general objectives and provisions in Section 3.1.4 Public open space. For public open space in the Epsom Park, refer to Section 5.3. For public open space in Lachlan, refer to Section 5.4.

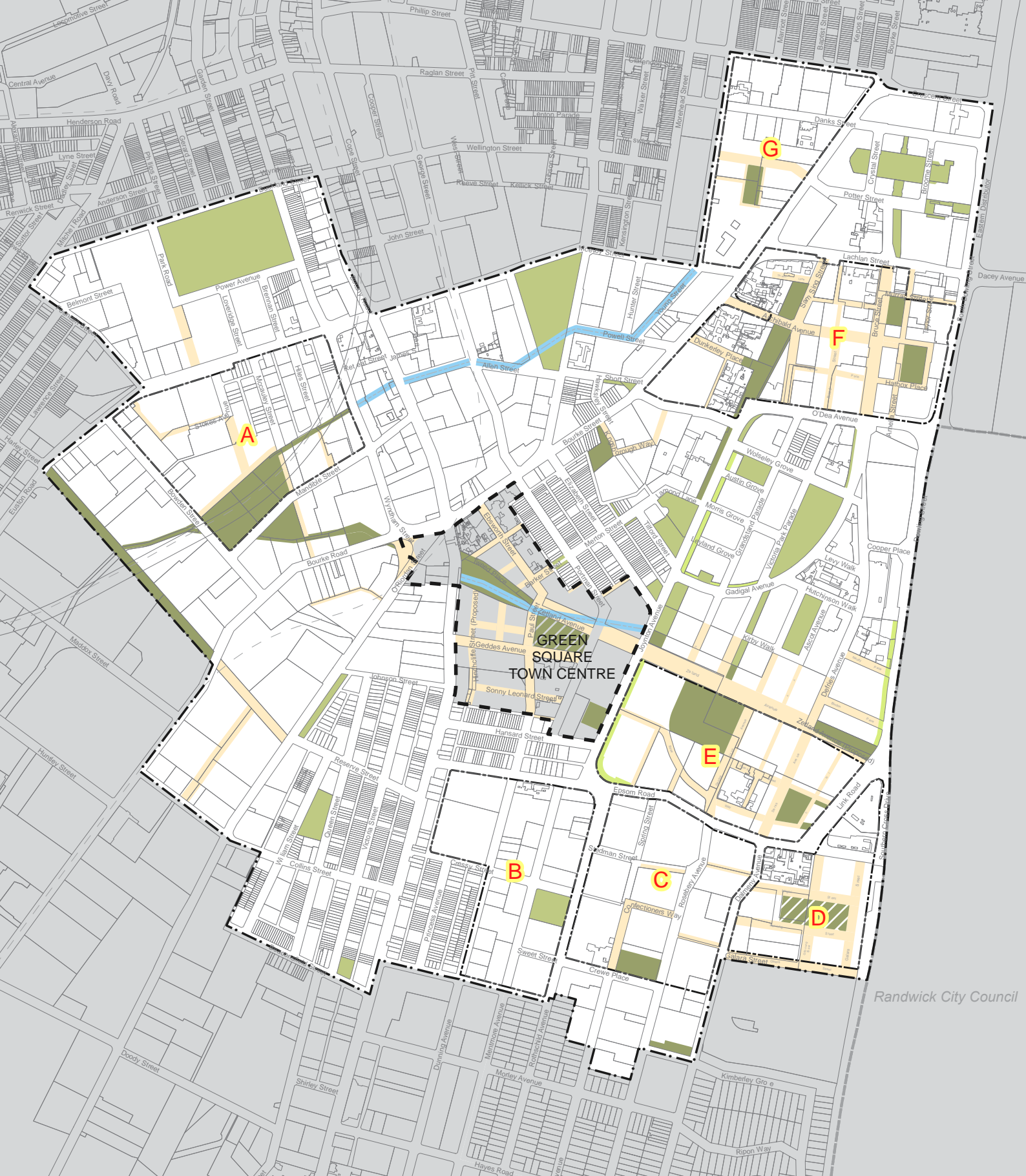
Requirements and design criteria for public open space that is to be dedicated to the council are set out in Schedule 5 Public open space dedication and design criteria.

Objectives

- (a) Achieve a public open space network that facilitates generous linkages, continuity and accessibility throughout Green Square and embraces significant buildings and landscape features, including water channels.
- (b) Enable a flexible approach to the location and configuration of public open space within the designated open space catchment area.
- (c) Ensure that the location and size of open space assist with stormwater management.
- (d) Ensure an increase in the total amount of publicly accessible open space.
- (e) Provide a range of active and passive places throughout the neighbourhood for people to meet, walk, and feel safe.

Provisions

- (1) Where required to be provided, public open space must be consistent with:
 - (a) the *Proposed open space map*;
 - (b) figure 5.54 *Green Square public open space*;
 - (c) the *Public domain setbacks map*; and
 - (d) the standards set out in Table 5.10 Provisions for open space catchment areas in Green Square.



Green Square - Public open space

Figure 5.54

Legend

- Green Square
- Green Square Town Centre
- Detention open space - detention
- Required open space - preferred location
- Existing open space
- Landscape setback 10m
- Water channel open space link
- Open space catchments areas
- Proposed streets
- Land excluded from this DCP

Sydney Development Control Plan 2012



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- (2) District parks are to provide a combination of active and passive recreation opportunities, a range of amenities, and strong planting framework.
- (3) Local parks are to provide shade and seating for passive recreation, play equipment and free play areas for informal activities.
- (4) Linear parks are to function as an open space corridor that link larger open space areas or provide connections through sites or along the water channels.
- (5) Landscaping and the design of the public domain is to be of the highest quality, incorporating features such as indigenous tree species, landmark sculptural elements and pavement design.
- (6) Where open space performs a dual recreation and stormwater detention function, the design of the detention basin is to:
 - (a) include appropriate stormwater management measures to restrict gross pollutants from entering the basin;
 - (b) allow the release of detained water within 24 hours of the end of the stormwater event to protect the soft landscaping within the basin;
 - (c) have one or more embankment batters of not more than a 1 in 6 gradient to allow for the safe exit of persons from the basin after a stormwater event; and
 - (d) provide an appropriate balance between the stormwater management and recreation functions.

Figure 5.55

Example of open space with a dual recreation and stormwater detention function



Table 5.10: Provisions for open space catchment areas in Green Square

Catchment	Requirements	Guidelines
Area A East Alexandria neighbourhood	Refer to requirements for North Alexandria in Section 5.8.4.1, Table 5.20.	Refer to guidelines for North Alexandria in Section 5.8.4.1, Table 5.20.
Area B Beaconsfield neighbourhood local park - 5,000 sqm of open space	One park with an area not less than 4,000 sqm, or two parks, with the size of one park no less than 3,000 sqm.	(a) A preferred location for the proposed open space is within the site at 26-58 Rothschild Avenue, Rosebery, or the south-west corner of Epsom Road and Dunning Avenue. (b) Location and configuration of open space is to be determined in response to detailed site planning.
Area C North Rosebery neighbourhood local park - 6,050 sqm of open space	Two parks with one park with an area of not less than 3,000sqm. Other park configured in support of parks and/or pedestrian connections.	(a) The preferred location for a larger local park is at the corner of Rosebery Avenue and Crewe Place within 5-13 Rosebery Avenue. (b) The preferred location of a smaller linear park is on the northern side of Kimberley Grove between Rosebery Avenue and Dalmeny Avenue.
Area D North Rosebery neighbourhood local park - 8,000 sqm	One park with an area not less than 5,000 sqm to be configured for stormwater detention on block south of Epsom Road. Other parks configured in support of parks or water channels and pedestrian connections.	(a) A preferred location for proposed open space is within 87-103 Epsom Road, Rosebery and the western adjoining lot. (b) Location and configuration of open space is to be determined in response to detailed site planning.
Area E Epsom Park neighbourhood district park - 20,000 sqm of open space	One park of approximately 15,500 sqm. Other park configured in support of water channel open space links and pedestrian connections.	(a) Refer to Section 5.3 Epsom Park Neighbourhood for more details on the open space requirements. (b) Open space to include a half-sized sports field and park consistent with the Council's strategy for the provision of community facilities and Section 94 Contributions Plan.
Area F Lachlan neighbourhood local park - 15,000 sqm of open space	One park of approximately 8,850 sqm to link Lachlan Street and O'Dea Avenue. One park of a minimum 4,000 sqm for stormwater detention. One park of approximately 2,000 sqm for community activities.	Refer to Section 5.4 Lachlan for more details on the open space requirements.
Area G Danks Street neighbourhood local park - 6,000 sqm of open space	One central park with an area not less than 3,900 sqm (including shared zones).	(a) The preferred location in the centre of catchment Area G. (b) Centralised main park for passive recreation. (c) Refer to section 5.9 Danks Street South for more details on the open space requirements.

5.2.7 Stormwater management and waterways

The Green Square urban strategy requires the integration of stormwater channels with public open spaces and street networks. The revitalisation and opening of the water channel system will improve water management and Green Square pedestrian and bike network.

The management of flood events and drainage requires the integration of water management infrastructure. Drainage and stormwater management works including drainage amplification, integrated water treatment facilities, overland flowpath works and water channel improvements.

This Section should be read in conjunction with the objectives and provisions in Section 3.7 Water and Flood Management.

Objectives

- (a) Ensure that stormwater management is appropriate to the site and to the proposed development.
- (b) Integrate stormwater channels into the public domain and open space design.

Provisions

5.2.7.1 Water channels and setbacks

The 'water channel open space link' is the existing channel/open space network that runs through Green Square and connects to Alexandra Canal/the Liveable Green Network. The channel network is to be the basis of a linear park system that connects activity nodes, open spaces and the Green Square Town Centre (where possible).

- (1) Where identified as 'water channel open space links' on the *Public domain setbacks map*, the existing stormwater channels are to be retained and upgraded with new channels or other modern stormwater detention systems and are to be incorporated into the individual site layout and design of the public domain.
- (2) A landscaped setback is to be provided to development adjacent to the existing underground and open stormwater channels identified as 'water channel open space links' on the *Public domain setbacks map*. The setback is to be free of structures and encroachments.
- (3) A 3 metre landscaped setback, measured from the existing site boundary shall be provided on both the eastern and western sides of Young Street where adjacent to the water channel open space link. The landscape setback is to be free of structures and encroachments.
- (4) Development adjacent to the water channel open space link is to interpret the channel architecturally and/or through public art.

5.2.7.2 Water sensitive urban design principles (WSUD)

- (1) Post-development peak flows from development in Green Square must not exceed pre-development peak flows.
- (2) On-site detention stormwater tanks are to be integrated into developments, either in a group or individual basis.
- (3) Detained water is to be used to recharge the Botany Sands Aquifer and recycled for other sustainable practices.

Figure 5.56
Landscaped swale,
Victoria Park



5.2.7.3 Flood risk management

Development applications for land within the flood liable portions of the Green Square development area require the submission of a flood study prepared in accordance with the findings and requirements of any Flood Plain Risk Management Plan or Study undertaken in the area.

General

- (1) New development is to consider, and where appropriate adopt, the findings and requirements of any Flood Plain Risk Management Study and Plan undertaken in the area, such as *Green Square – West Kensington Flood Study* 2010.

Note: The draft Floodplain Risk Management Study and draft Floodplain Risk Management Plan for the Green Square-West Kensington Catchment were publicly exhibited between 9 May and 28 June 2011 and had not been finalised when Council adopted this DCP.

5.2.7.4 Flood management

- (1) Development is to provide a flood management system that:
 - (a) incorporates a combination of overland flowpaths and covered flowpaths; and
 - (b) conveys the existing 1% Annual Exceedance Probability (AEP) and larger flows within acceptable limits of flood hazard defined in the *NSW Floodplain Development Manual* 2005.

5.2.8 Highly visible sites

The following objectives and provisions relate to development on highly visible sites. Highly visible sites are located at the termination of a vista or on the corners of prominent intersections and are to accommodate landmarks which include features or objects on a building and high quality landscaping. Landmarks can be features or objects on a building that will act as points of reference.

In addition to these provisions, refer to Section 3.1.6 Sites greater than 5,000sqm, Section 3.3 Design excellence and competitive design process and Section 4 Development Types.

Objectives

- (a) Enable opportunities to create landmarks, provide focal points and reinforce view corridors at the termination of vistas with buildings, structures, public art or landscape treatments.
- (b) Introduce and encourage innovative design that reflects the desired character and responds to the area's industrial history.

Provisions

- (1) Development on highly visible sites identified in Figure 5.49 *Green Square structure plan* must provide a landmark in the form of a building or high quality landscaping to the satisfaction of the consent authority.
- (2) Where development consists of a landmark building it must:
 - (a) exhibit design excellence in accordance with Division 4 Design Excellence of *Sydney LEP 2012* and Section 3.3 Design excellence and competitive design processes in the DCP;
 - (b) reinforce the significant view corridor; and
 - (c) incorporate high quality public art or public domain treatment.

5.2.9 Building design

The following objectives and provisions must also be read in conjunction with Section 4.2 which includes provisions for Residential flat, commercial and mixed use developments.

Objectives

- (a) Ensure buildings address the street frontage, define and reinforce the street edge and enclose spaces to create a secure and protected environment.
- (b) Develop a cohesive architectural expression based on a consistent high quality built form, facade design and external materials and finishes.
- (c) Encourage buildings of a compatible scale that contribute to and enhance the existing and desired neighbourhood character.
- (d) Ensure appropriate building separation on large development sites to facilitate the provision of open space areas, create visual connections between the public domain and courtyard spaces, and achieve appropriate residential privacy and amenity.
- (e) Encourage buildings that enhance significant views to, from and within the area.

Figure 5.57
Residential
development with
multiple building
entries



Provisions

- (1) Align buildings to the street to define and frame the street edge and provide clear delineation between the public and private domain.
- (2) Locate tall buildings (towers) so they define the hierarchy of the street network and public spaces.
- (3) The location of tall buildings (towers), defined as buildings with a height of 35m (8 storeys) or greater, must contribute to the physical definition of the existing and proposed street network and to the hierarchy of public spaces and streets.
- (4) Buildings are to maintain and, where possible, enhance significant views to the City skyline and other views identified in the locality statement and supporting principles for the neighbourhood.
- (5) Introduce street tree plantings and landscaping along footpaths to enhance the quality of the streetscape and maximise pedestrian amenity.

- (6) Where appropriate private open spaces to dwellings on the ground floor are to be located to address the street and designed to be accessible from the footpath.
- (7) Building facades are to:
 - (a) incorporate a variety of materials and textures;
 - (b) relate sympathetically to existing buildings in the vicinity, particularly if they have heritage or streetscape value; and
 - (c) use of bricks similar to those used on significant buildings and from the brickworks which once characterised the area. The colour of brick should as closely as possible, replicate the traditional Bowral Blue brick of the area.
- (8) Building entrances are to be designed to provide a clear transition from the street to residential interiors.
- (9) Multiple entries are to be provided along the street frontage and along through-site links to maximise passive surveillance and allow residents optimum access to units from the public domain.
- (10) Vehicular entries must be separated from common lobby entries to minimise pedestrian and vehicle conflict.
- (11) Vehicular entries to a site with more than one street boundary are to be located on the street with the least traffic volume, where possible.

5.2.10 Setbacks

The following objectives and provisions must also be read in conjunction with provisions for residential uses on the ground and first floor within Section 4 Development Types.

Objectives

- (a) Introduce landscaped front setbacks to enhance the setting and appearance of buildings.
- (b) Promote privacy and enhance the streetscape with private setbacks from the street edge.
- (c) Enhance the public domain through the provision of setbacks to increase pedestrian amenity and supplement the public open space.

Provisions

- (1) Where land is dedicated for community infrastructure including footpath widening and landscaping under Section 5.2.3, it is to be provided in the locations identified on the *Public domain setbacks map*.
- (2) Where land is dedicated under Section 5.2.3, buildings are to be set back from the new street frontage property boundary by a minimum of 1.0m to provide a landscape setback, unless the frontage is a nominated active frontage on the *Active frontages map*. The land dedicated to Council shall be free of encroachments and structures and be clear to the sky.
- (3) Where new streets or public domain dedications are created as part of a development, buildings and landscape setbacks are to be aligned with the new boundary created after the dedication has been determined.
- (4) Where no setback is nominated on the *Public domain setbacks map*, the building setback is to be provided in accordance with the provisions for residential uses on the ground and first floor within Section 4.2.5.4.
- (5) The street setback is to be landscaped and treated in a manner that contributes to the streetscape and the desired future character of the area.

- (6) Where the site boundary includes a splay at the corner, or where splay corners are typical of the area, the building is to be built to the site boundary of the splay as shown in Figure 5.58.
- (7) Where a building is located on a corner, the acceptable street front setback is to be determined separately for each street.
- (8) Where new development occupies one or more whole street blocks, appropriate setbacks are to be established through detailed analysis, for example the preparation of a development control plan in accordance with Clause 7.20 of *Sydney Local Environmental Plan 2012* and respond to any approvals (not yet constructed) on surrounding development.

Figure 5.58
Building setbacks
on splayed corners



5.2.11 Carparks under the public domain

- (1) Underground carpark are not permitted under public domain areas required for dedication to Council, except for tunnels that connect two or more carpark areas as this reduces the number of vehicular entry and exits at the street level.
- (2) If site constraints result in a carpark being located under a public street or lane, the following criteria will apply:
 - (a) only common areas such as circulation space or unallocated visitor parking spaces are to be located below the street or lane; and
 - (b) ownership of the street or lane by the City shall be in stratum above the water-proofing membrane, and to a minimum depth of 1m for clearance for services as measured from the road levels approved by Council.

5.2.12 Above ground parking spaces and adaptable car parking spaces

This Section covers above ground and adaptable car parking spaces for all development types in Green Square and is to be read in conjunction with Part 7, Local Provisions – General, Division 1 ‘Car parking ancillary to other development’ under *Sydney LEP 2012*.

Objectives

- (a) Allow for flexibility in the provision of car parking spaces where below ground car parking is significantly constrained by a high water table or contamination.
- (b) Ensure the design of above ground car parking spaces and associated vehicular circulation areas are easily adaptable to other future uses, for example retail, commercial or residential.

Provisions

- (1) Where the water table is high or where site remediation is environmentally unsustainable, up to 50% of the proposed car parking spaces may be above ground, subject to the provisions within this Section.
- (2) Above ground car parking must be screened along the street frontages.
- (3) The minimum proportion of above ground car parking spaces that are to be designed and laid out to be easily adaptable for other uses in the future is to be consistent with Table 5.11.

Table 5.11

Category of land shown on the Land Use and Transport Integration (LUTI) Map and Public Transport Accessibility Level (PTAL) Map in <i>Sydney LEP 2012</i> :	Percentage of above ground car parking spaces to be designed for future adaptation:
A or D	100%
B or E	80%
C or F	65%

Note: As an example, a development proposes 150 car parking spaces. Due to the high water table 50%, or 75 car spaces can be located above ground. The site is shown as Category E on the *PTAL Map*, therefore, at least 80%, or 60, of the above ground car parking spaces must be designed so they can be adapted to another use. For the purpose of this provision the *PTAL Map* applies to non-residential development and the *LUTI Map* applies to residential development.

- (4) Adaptable car parking spaces must remain on common title, and not be strata titled and have a minimum clear height of 3.3m.
- (5) Adaptable car parking spaces are to be designed so that once adapted the space will:
 - (a) be accessible from lift lobbies, the street or public domain;
 - (b) have access to sunlight and ventilation; and
 - (c) be provided with appropriate services.
- (6) The applicant must designate which consolidated group of spaces and including associated vehicular circulation are the adaptable spaces and provide an indicative plan showing the proposed alternative use layout.
- (7) Council may deem above ground spaces to be 'required' for the purposes of calculating GFA where it is satisfied that the development meets other provisions of this DCP.

5.2.13 Daylight access to circulation space within shopping centres in Green Square

Objective

- (a) Respond to Sydney's temperate climate and improve the amenity for pedestrians in shopping centres by providing access to daylight.

Provisions

- (1) Shopping centres are to be designed to primarily front a street. Internal circulation should take the form of streets or lanes and be predominantly open to the sky.
- (2) Any public circulation area servicing a building or that part of a building that includes retail shops must incorporate access to daylight through the use of skylights and atriums in at least 50% of the roof of the circulation area.

5.3

Green Square - Epsom Park

This Section applies to the land identified as Epsom Park in Figure 5.1 *Specific Areas Map*.

Where land is located in Epsom Park, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency.

5.3.1 Epsom Park Urban Strategy

Objectives

- (a) Development in Epsom Park should be undertaken in accordance with the following objectives and Figure 5.59 Epsom Park Urban Strategy.
- (b) Future development is to be of the highest quality, and sympathetic to the existing surrounding local character and history of Epsom Park and its former industrial uses. Redevelopment should be coordinated to effectively manage the redevelopment and provide adequate community facilities and services as required.
- (c) Introduce a mix of dwelling types to provide flexibility and choice that reflects the needs of a diverse community.
- (d) Ensure building heights provide a transition to the surrounding areas. Respond to the urban strategy for the Precinct, locating taller buildings on main streets and lower development on small streets.
- (e) Introduce a permeable network of streets that responds to key connections and maximises opportunities for walking and cycling.
- (f) Create an attractive public domain with pedestrian and bike connections. Links to public transport are to be clear and legible, and are to prioritise pedestrians with slow speed traffic lanes. All streets should include tree planting.
- (g) Provide one main park, known as Gunyama Park, for passive and active recreation.
- (h) High quality streetscapes are to be provided throughout Epsom Park. All new streets will provide trees for shade and amenity and incorporate water sensitive urban design where appropriate.
- (i) Create a strong and consistent landscape character that unites development in Epsom Park by setting back buildings from the public domain and providing native planting in accordance with Council's Landscape Code.
- (j) Introduce an appropriate mix of land uses with commercial/retail uses at ground level on Zetland Avenue and Epsom Road and at the public transport interchange.
- (k) Provide an Aquatic Centre with active frontages to Gunyama Park and Zetland Avenue.

Figure 5.59 Epsom Park Urban Strategy



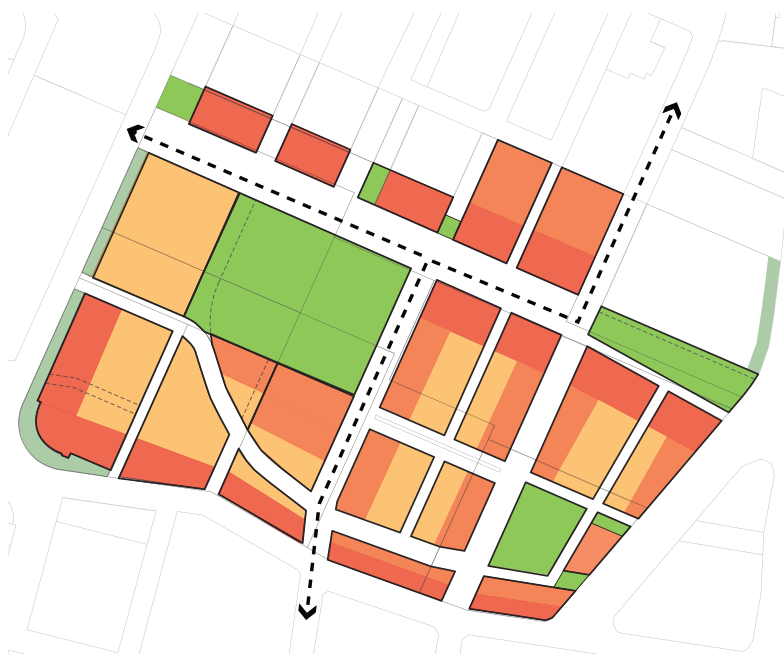
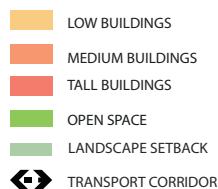
- KEY
- | | | | |
|-------------------|----------------------|---------------------------------------|-----------------------|
| PRECINCT BOUNDARY | ACTIVE EDGE | PEDESTRIAN / CYCLE LINKS | TRANSPORT INTERCHANGE |
| TALL BUILDINGS | OPEN SPACE | PEDESTRIAN / CYCLE LANE | EXISTING BUILDING |
| LOW BUILDINGS | LANDSCAPE DEDICATION | TRANSPORT CORRIDOR | |
| AQUATIC CENTRE | MEDIAN | FUTURE PROOFED FOR PROPOSED TRANSPORT | |



5.3.2 Urban Design Principles

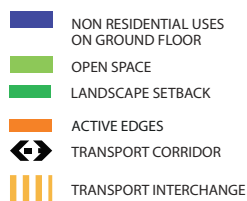
The following principles inform the development type, density and the public domain layout.

Principle 1 Transition of Building Heights



- Provide a predominant street wall height of 4-7 storeys along most streets and 8 storeys to Epsom Road and Zetland Avenue
- Upper levels (above 6 and 8 storeys) to be setback 3m to reduce their visual impact from the street
- Taller buildings to be located on primary and main streets, with lower buildings on small streets and lanes.

Principle 2 Land Uses



- Epsom Park will be activated by the Green Square Aquatic Centre, Gunyama Park, other proposed open spaces and the public transport interchange on Zetland Avenue

- The Precinct will provide a mix of land uses with commercial/retail uses at ground level on Zetland Avenue and Epsom Road and at the public transport interchange. Residential uses will predominate on upper storeys and on quieter streets
- Appropriate local shops and services (including childcare facilities) will meet the needs of the new population.

Principle 3
Public Domain

- OPEN SPACE
- PLANTED MEDIAN
- PLANTED VERGE
- LANDSCAPE SETBACK
- SHARED ZONES



- Provide one main park of approximately 15,500 square metres for active and passive recreation
- Landscaped setbacks are provided to reduce the perception of scale of buildings at the street level
- Provide bioswales on key streets, and an unobstructed root zone for tree planting for rainwater infiltration
- Use landscaping to assist in managing stormwater.

5.3.3 Local infrastructure and public domain

The objectives and provisions within this Section must be read in conjunction with the provisions for streets, lanes and footpaths under Section 3.1.1 within the General provisions and Section 5.2 Green Square which sets out specific provisions for local infrastructure.

Objectives

- (a) Introduce a grand east-west boulevard, Zetland Avenue, to connect Epsom Park to the Green Square Town Centre.
- (b) Introduce a green open space that terminates the eastern end of Zetland Avenue.
- (c) Introduce a large central park, Gunyama Park that accommodates a range of active sports facilities and is linked to the Green Square Aquatic Centre.
- (d) Introduce a legible and permeable pattern of new streets that responds to key connections within and adjacent to the neighbourhood and that provides pedestrian and cycle priority.
- (e) Contribute to the regional management of stormwater through facilitating a stormwater connection from Link Road through to Joynton Avenue and the Town Centre and incorporating water sensitive urban design.
- (f) Secure good levels of solar amenity in the public domain.
- (g) Minimise wide driveways across the Link Road landscaped deep soil zone.

Figure 5.60 Epsom Park Dedications and easements



Provisions

5.3.3.1 Public open space

The Epsom Park neighbourhood is identified as Catchment Area E 'Epsom Park Neighbourhood' in Figure 5.54 Green Square public open space and Table 5.10 Provisions for open space catchment areas under Section 5.2 Green Square.

- (1) Where required by Council, public open space is to be dedicated to Council in the locations identified on Figure 5.60 Epsom Park Dedications and Easements and in accordance with the standards set out in Table 5.12 Provision for public open space in Epsom Park.
- (2) The landscaping and materials used for open spaces is to respond to the neighbourhood's character and to relate to the history of the Epsom Park precinct.
- (4) Public open space is to include:
 - (a) sub-surface drip irrigation systems controlled by timers using soil moisture or rainfall sensors;
 - (b) drought tolerant plants and grasses;
 - (c) water retaining media mixed into soil; and
 - (d) tree planting and landscaping elements such as indigenous tree species, interesting sculptural elements and pavement design.
- (5) Ensure that Gunyama Park is designed so that it provides opportunities for passive and active recreation. Gunyama Park is to:
 - (a) be of a high quality design that creates interest, landmark sculptural elements and other appropriate elements, that reference the former historical uses; and
 - (b) use indigenous tree species.
- (6) Ensure that Mulgu Park is a minimum of 2,500 sqm and is of the highest quality, creates interest and adds character to Epsom Park. The design of Mulgu Park should provide passive recreation space with adequate seating.

Table 5.12: Provisions for public open space in Epsom Park

Type	Requirements	Guidelines
A District Park	One park of approximately 15,500sqm at the centre of the neighbourhood (Gunyama Park).	The park is to: <ol style="list-style-type: none"> (a) provide for deep soil planting; (b) be used for active and passive recreation; (c) provide a flexible active sports pitch; (d) provide passive spaces; and (e) provide a clear link to the Green Square Aquatic Centre to complement the active sports facilities.
B	One park of 2,500sqm at the south eastern area of the neighbourhood (Mulgu Park).	The park is to: <ol style="list-style-type: none"> (a) provide for deep soil planting; and (b) be used for passive recreation.
C	An area of public open space to be provided at the termination of Zetland Avenue, east of Defries Avenue.	This space is to: <ol style="list-style-type: none"> (a) provide for deep soil planting; (b) provide a noise and visual buffer to traffic on South Dowling Street; (c) allow for passive recreation; and (d) be flexible in its design to accommodate a range of community based activities, for example performance space, open air theatre and temporary art and sculpture exhibitions.

Figure 5.61
Example of smaller
scale spaces at
edges of open
space



5.3.3.2 Street network

- (1) Where required to be provided, new streets are to be introduced and dedicated to Council in the locations identified in Figure 5.62 Epsom Park street hierarchy and designed in accordance with the standards set out in Figure 5.62 Epsom Park Street Hierarchy and Figures 5.63 to 5.79.
- (2) Separated cycleways are to be provided along Zetland Avenue and the transport corridor (George Julius Avenue) (refer to Figures 5.63 to 5.79) and designed as part of the public domain and in accordance with the *City of Sydney Cycle Strategy and Action Plan 2007-2017*.
- (3) Street closure devices and one way systems identified in Figure 5.62 Epsom Park street hierarchy are to be provided and must not impede bicycle or pedestrian movements.
- (4) Leticia Street, Chimes Street, Ascot Avenue and portions of Peters Street and Rose Valley Way are to be provided as shared zones.
- (5) Pony Race and Fuse Streets are to be provided as pedestrian/cycle ways only, however in the short term traffic will be permitted to align with development staging.

Figure 5.62 Epsom Park Street Hierarchy



- KEY**

 - PRECINCT BOUNDARY
 - 36 METRES - ZETLAND AVENUE
 - 23 METRES - TRANSPORT CORRIDOR / PRIMARY STREET
 - LOCAL STREET - WIDTH VARIES TO MATCH EXISTING NORTHERN CONDITION
 - 20 METRES - MAIN STREET
 - 15 METRES - STREET
 - 12 METRES - LANE
 - 9 METRES - LANE
 - SHARED ZONE
 - SHORT TERM VEHICULAR ACCESS, LONG TERM PEDESTRIAN AND CYCLE ONLY
 - 9 METRES PEDESTRIAN / CYCLE THROUGH SITE LINK
 - OPEN SPACE
 - LANDSCAPE SETBACK
- N

Figure 5.63
Epsom Park- Zetland
Avenue (36m)
Section A1

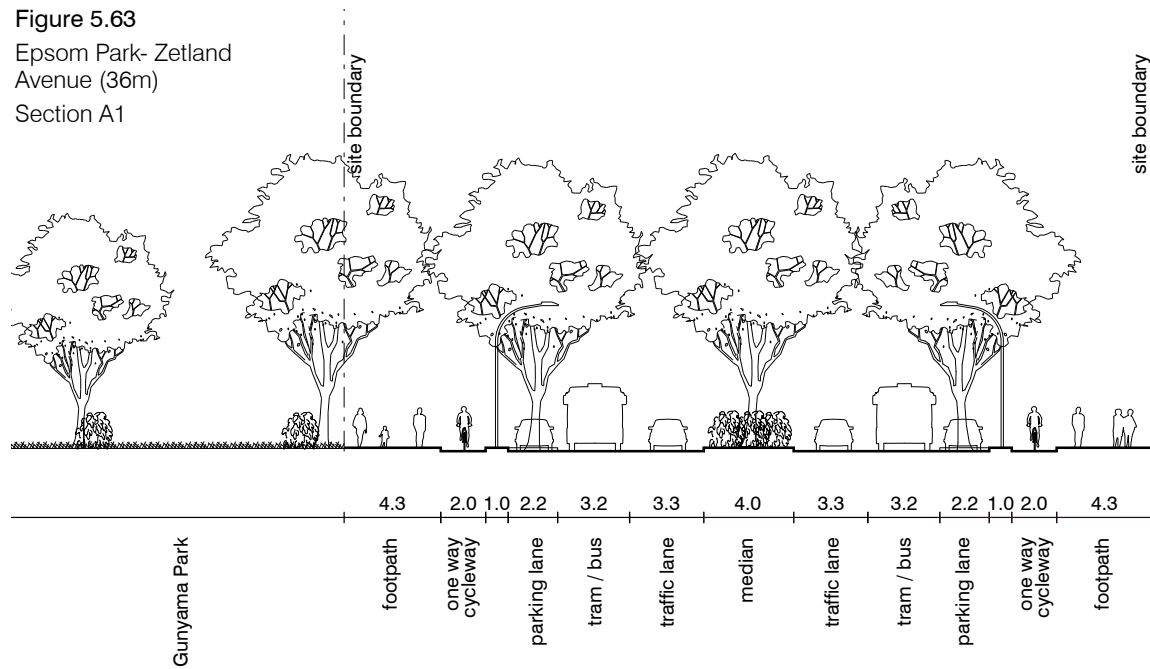


Figure 5.64
Epsom Park- Zetland Avenue
(36m)
Section A2

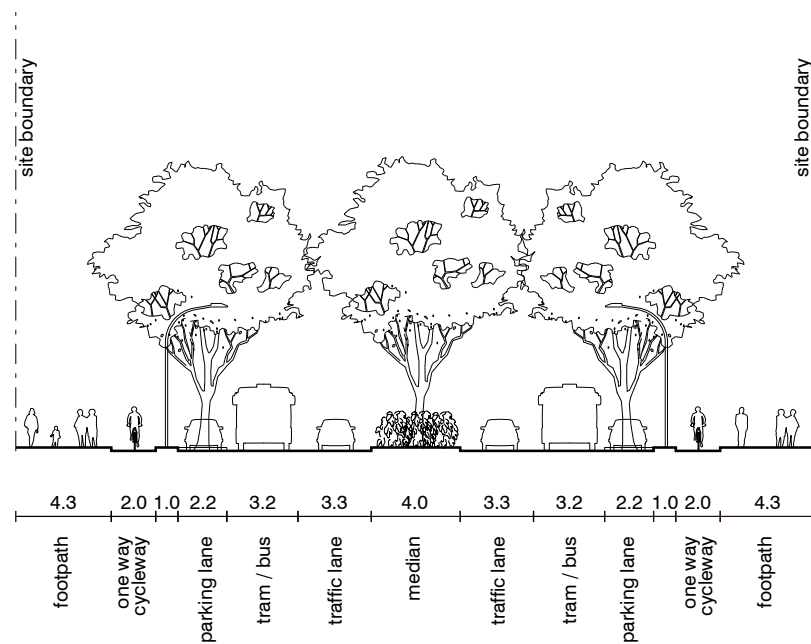


Figure 5.65
Epsom Park -
Transport Corridor
(George Julius
Avenue adjacent to
park)
Section B1-
Short-term

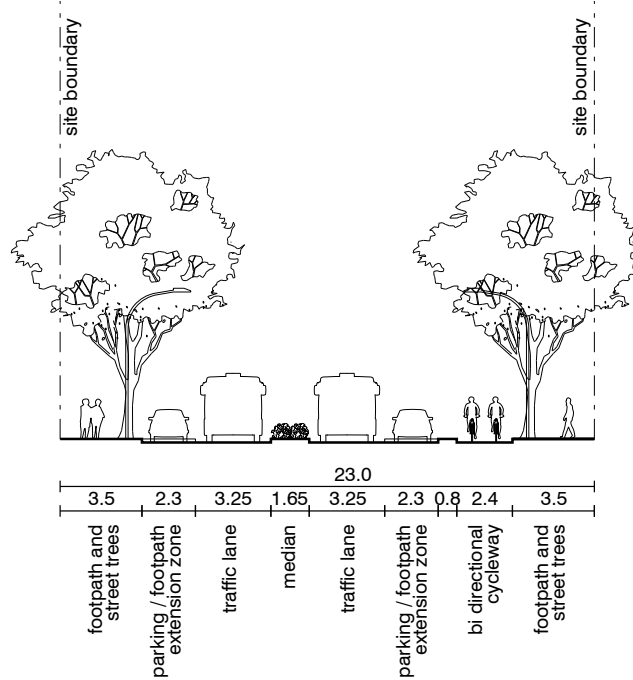


Figure 5.66
Epsom Park -
Transport Corridor
(George Julius
Avenue adjacent to
park)
Section B1-
Long-term

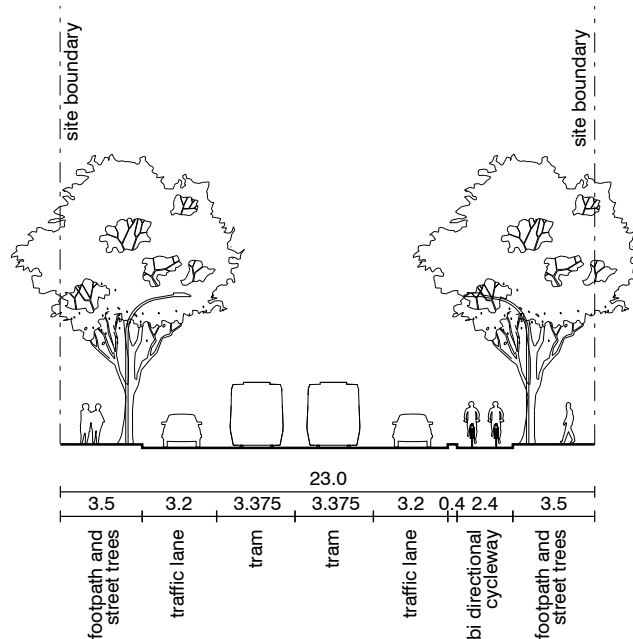


Figure 5.67
Epsom Park -
Transport Corridor
(George Julius
Avenue)
Section B2-
Short-term

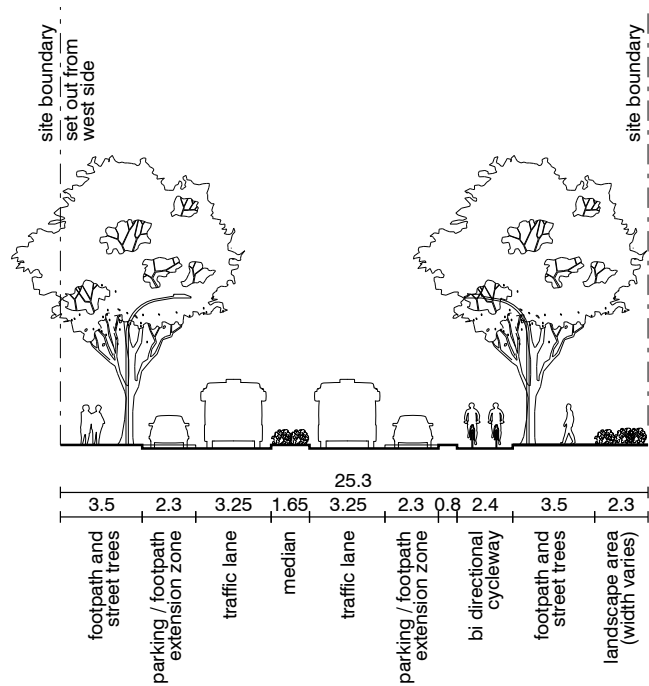


Figure 5.68
Epsom Park -
Transport Corridor
(George Julius
Avenue)
Section B2-
Long-term

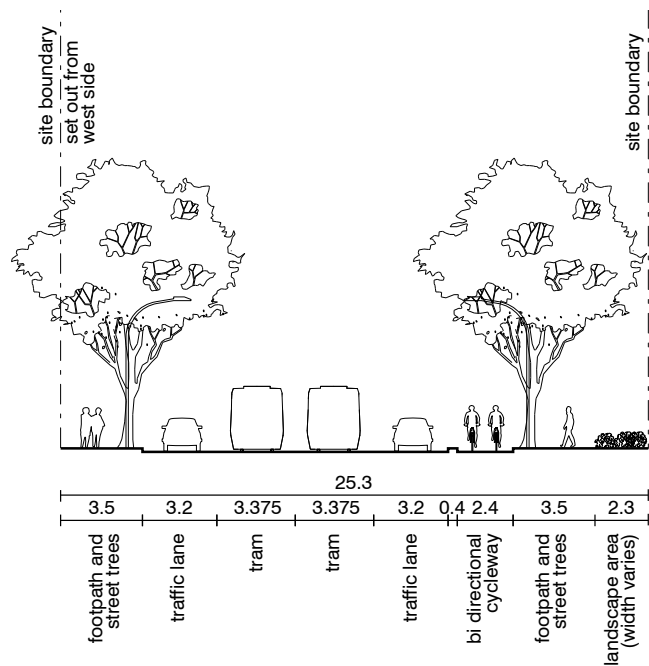


Figure 5.69

Epsom Park
- Transport
Corridor (Defries
Avenue-South of
Zetland)
Section C

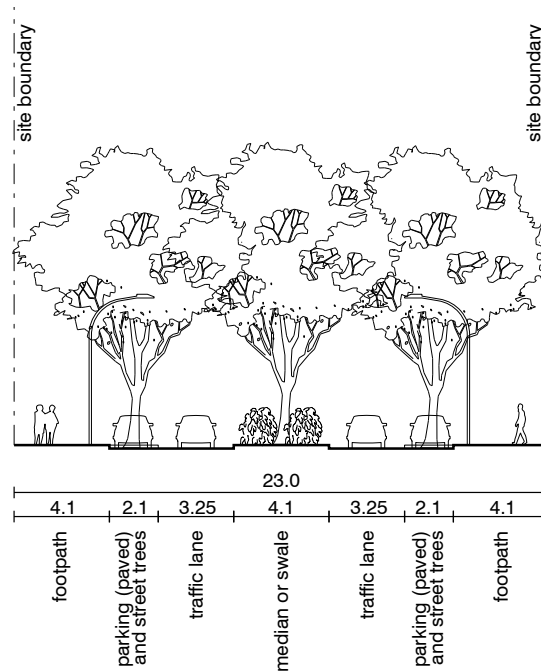


Figure 5.70

Epsom Park -
Transport Corridor
(Defries Avenue
north of Zetland
Avenue)- Short-term
Section D1

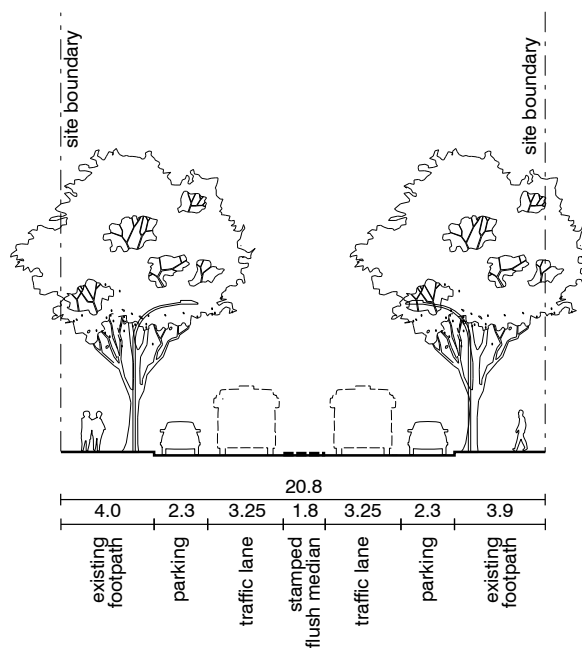


Figure 5.71
Epsom Park -
Transport Corridor
(Defries Avenue
north of Zetland
Avenue) Long term
Section D2

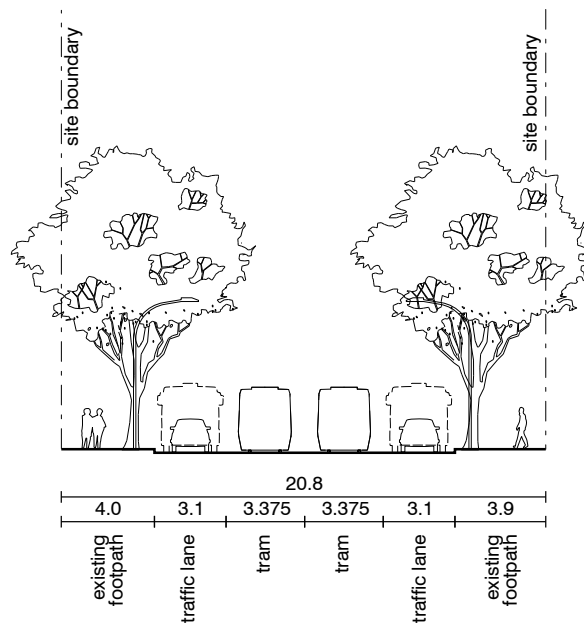


Figure 5.72
Epsom Park –
Peters Street
Section E

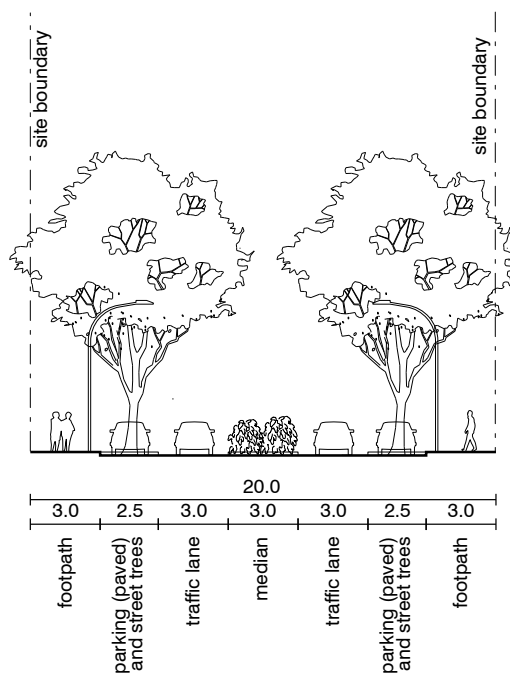


Figure 5.73
Epsom Park – Rose
Valley Way
Section F

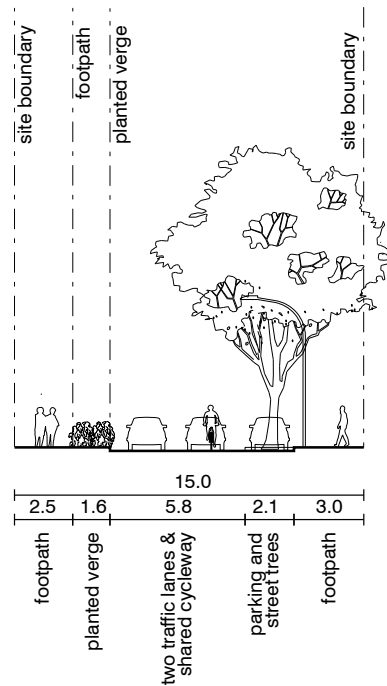


Figure 5.74
Epsom Park –
Shared zone
Section G1

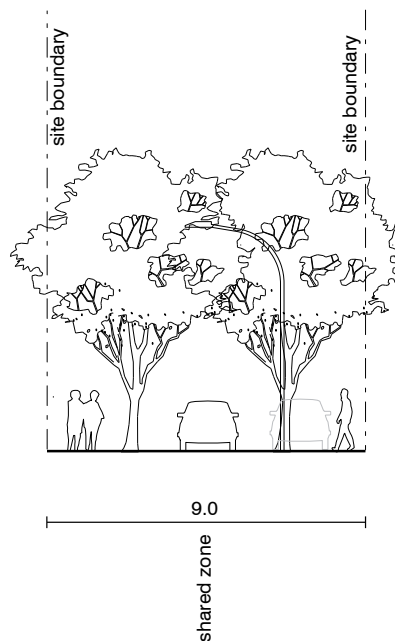


Figure 5.75
Epsom Park – Pony
Race Street- short
term
Section G2

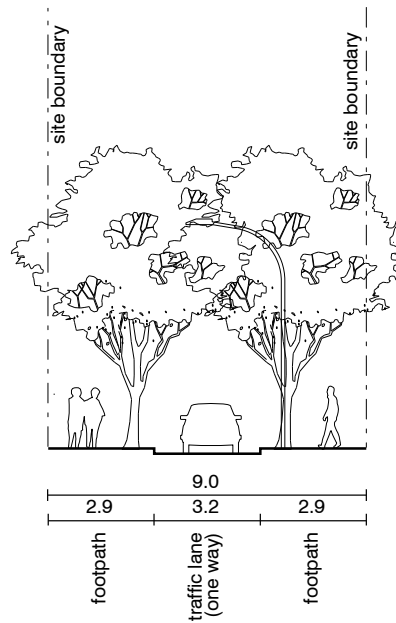


Figure 5.76
Epsom Park –
Shared Zone
Section H

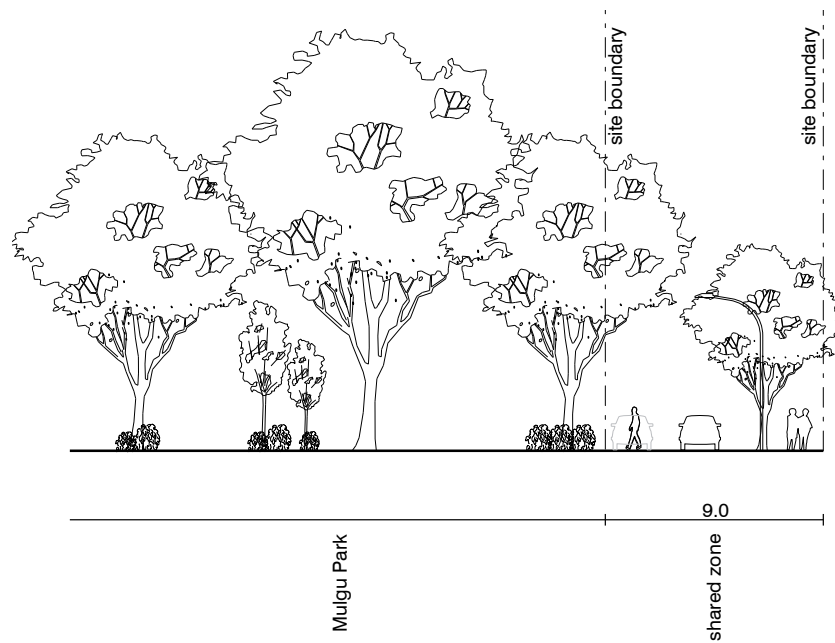


Figure 5.77
Epsom Park – Fuse
Street Short term
Section I

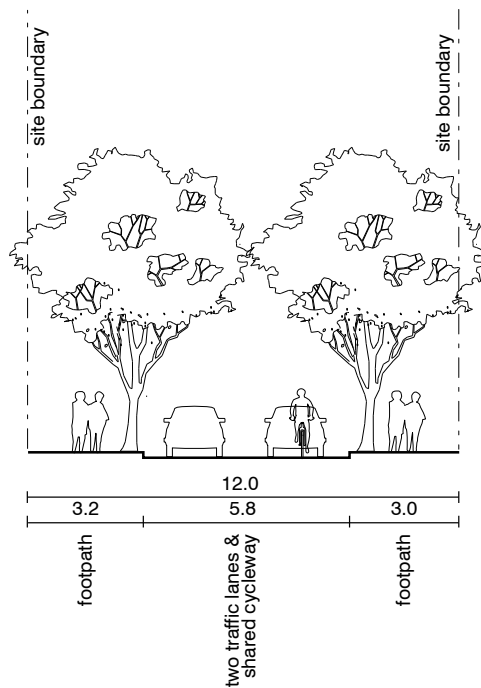


Figure 5.78
Epsom Park – Fuse
Street Long term
Section I

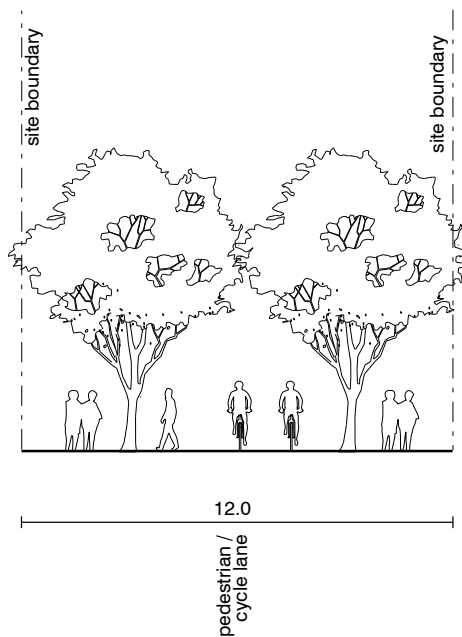
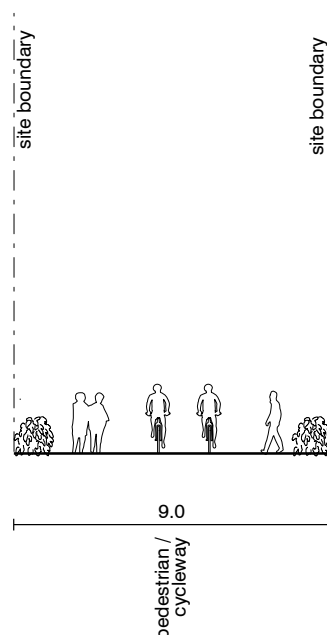


Figure 5.79
Epsom Park
(Pedestrian Cycle
Link)
Section J



5.3.3.3 Movement and Connectivity

- (1) Major access and egress points are to be consistent with Figure 5.80 Epsom Park Circulation and Access.
- (2) Circulation is to be consistent with Figure 5.80 Epsom Park Circulation and Access.
- (3) Introduce traffic signals at the junction of Epsom Road and George Julius Avenue and Joynton Avenue and Zetland Avenue in accordance with Figure 5.62 Epsom Park Street Hierarchy.
- (4) Bollards or other measures in accordance with Council requirements to restrict vehicle access whilst allowing pedestrian and cycle access are to be installed in the following locations:
 - (a) Fuse Street
 - (b) Rose Valley Way east, end
 - (c) Pony Race Street
- (5) Driveways and car park entries are to be in accordance with Figure 5.80 Epsom Park Circulation and Access.
- (6) Underground car parking entries are to be set back from the building line to reduce their visual dominance in the streetscape.

Figure 5.80 Epsom Park Circulation and Access



KEY

- ▬ PRECINCT BOUNDARY
- VEHICULAR ENTRIES (PREFERRED SOLID)
- - - VEHICULAR ENTRIES (OPTIONAL)
- ↔ PEDESTRIAN / CYCLE LINKS
- ↔ TRANSPORT CORRIDOR

- ▬ ROAD CLOSURES - NO VEHICULAR ACCESS
- - - CONSOLIDATED UNDERGROUND CARPARK
- ↔ SEPARATED BICYCLE LANE
- ▬ PEDESTRIAN CROSSING

- FUTURE TRAFFIC LIGHTS
- EXISTING TRAFFIC LIGHTS
- ▭ SHARED ZONES
- - - CENTRE LANES USED FOR PARKING UNTILL PUBLIC TRANSPORT IMPLEMENTED



5.3.3.4 Stormwater management and waterways

Stormwater flowing through the precinct passes through a system of open channels, a subsurface concrete culvert and pipes. The proposed street network reflects the existing and future realignment of drainage infrastructure for the wider major trunk upgrade from Link Road, through the Green Square Town Centre sites and to Alexandra Canal.

Provision

- (1) Realign the existing stormwater culvert as detailed in Figure 5.82 Epsom Park Stormwater Management.
- (2) If identified, bio-swales are to be designed and constructed to allow for pedestrian crossings.

Figure 5.81
Example of Water
sensitive urban
design street with a
central swale



5.3.4 Building form and design

Objectives

- (a) Ensure built form and height is of a pedestrian scale and contributes to the physical definition of the existing and proposed street network.
- (b) Provide a range of building types and architectural styles to create architectural diversity and visual interest.
- (c) Retain important views in and out of the Epsom Park neighbourhood by extending vistas along new streets and lanes.
- (d) Ensure the use of high quality facade design and finishes throughout the neighbourhood with particular attention to built form terminating a vista.
- (e) Encourage high architectural design and quality for development located along Zetland Avenue.
- (f) Encourage development that draws on the neighbourhood's former industrial uses and as a racecourse.
- (g) Ensure appropriate building lengths and articulation to reduce the perceived scale of development from the public domain.
- (h) Ensure the height and siting of built form, in particular the tower forms, results in good solar access to apartments and the public domain.
- (i) Ensure towers are well articulated and limited in floor plate to provide a human scale and amenity at the ground plane.
- (j) Provide active frontages along nominated streets and public places to encourage a vibrant urban environment that supports a mix of land uses, community activity and natural surveillance.

Figure 5.82 Epsom Park Stormwater Management

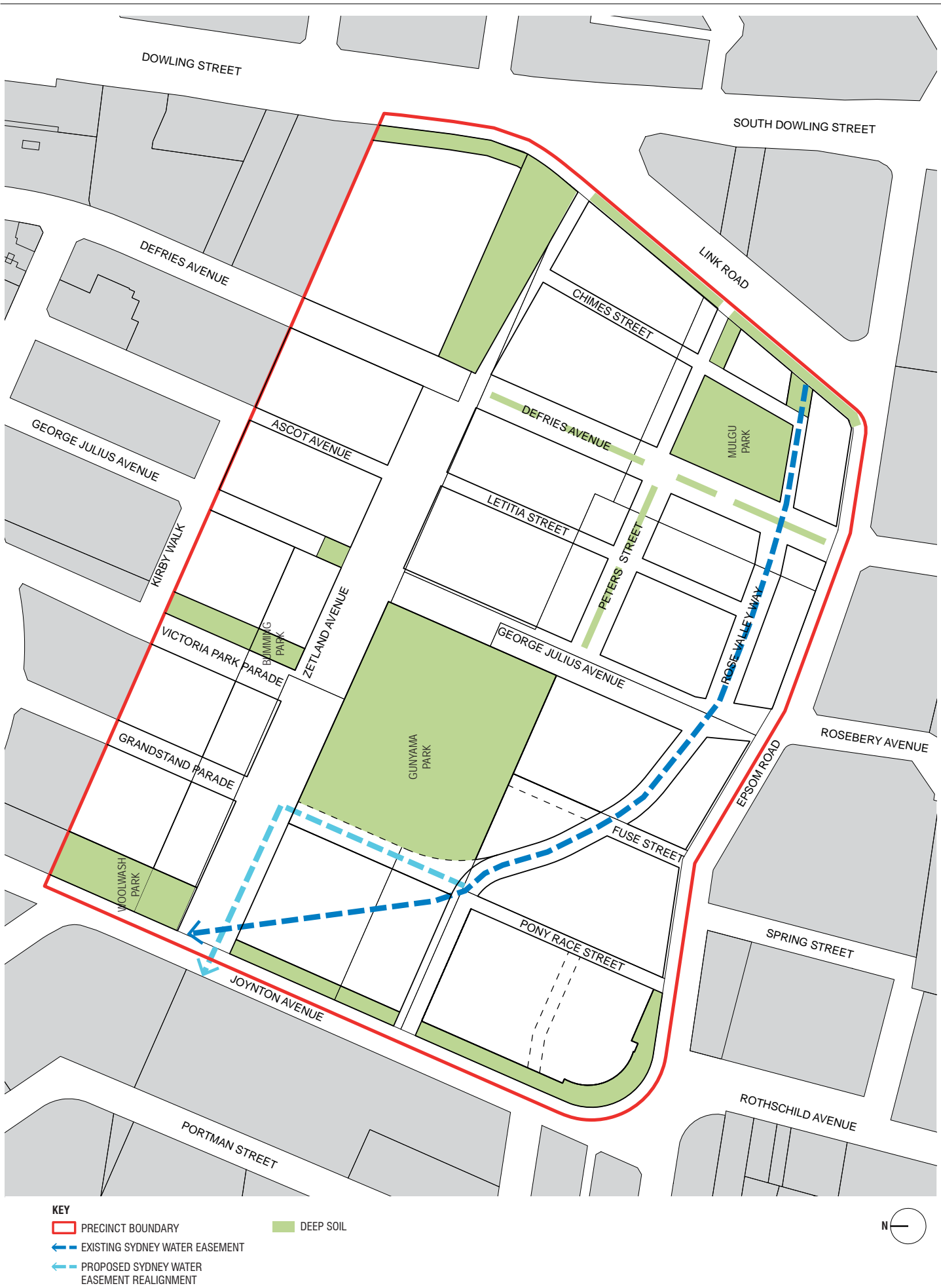


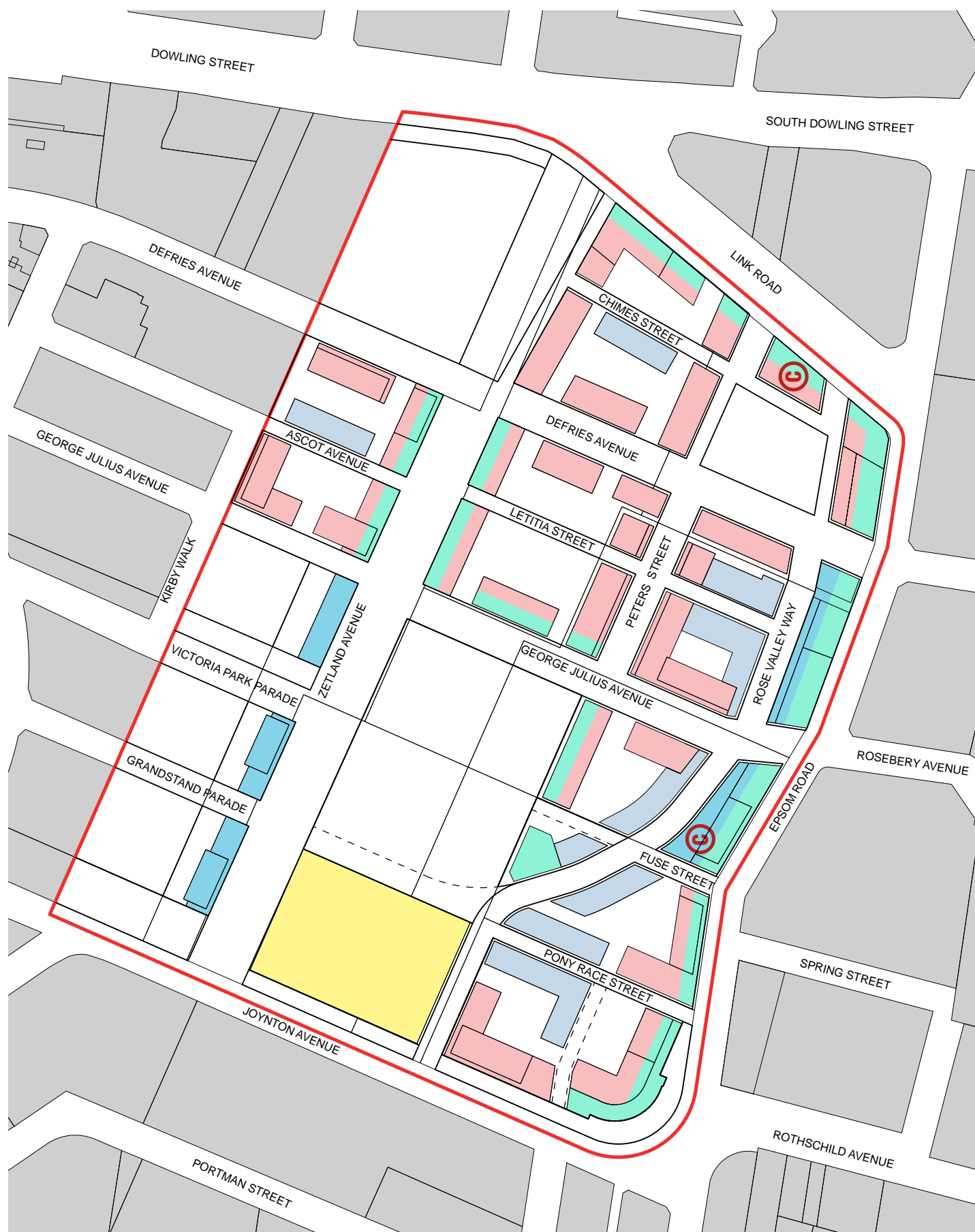
Figure 5.83 Epsom Park Building Height in Storeys



Figure 5.84 Epsom Park Street Frontage Height in Storeys



Figure 5.85 Epsom Park Building Types



KEY

- | | |
|--|--|
| PRECINCT BOUNDARY | RETAIL / COMMERCIAL ON GROUND FLOOR WITH APARTMENTS ABOVE |
| COMMUNITY FACILITY | WORK USES ON GROUND FLOOR ATTACHED TO LIVING ABOVE OR BEHIND STREET FRONTAGE |
| MAISONETTES / DUPLEX | C POTENTIAL CHILD CARE FACILITY |
| APARTMENT | |



- (k) Minimise noise intrusion from Link Road through the siting and design of buildings along this road frontage.
- (l) Ensure new development appropriately addresses noise and ventilation.
- (m) Ensure the suitability of land for redevelopment through the identification of contamination risk and appropriate remediation measures.
- (n) Ensure the efficient use of resources in building design, construction and operation and maximise resilience of development against the effects of climate change.

Provisions

- (1) Development must not exceed the maximum number of storeys as shown on the *Building height in storeys map* and Figure 5.83 Epsom Park Building Height in Storeys.
- (2) The street frontage height of a building must not exceed the maximum street frontage height shown on Figure 5.84 Epsom Park Street Frontage Height.
- (3) Dwelling types are to comply with Figure 5.85 Epsom Park Building Types.
- (4) A variety of built form options are possible within each of the street blocks. An indicative built form is presented in Figure 5.83 Epsom Park Building Height in Storeys. Alternate building layouts may be considered within each street block provided they respond to the Epsom Park Urban Strategy and Principles, and demonstrate better amenity for the development, neighbouring developments and the public domain.
- (5) For land bounded by Zetland Avenue, Link Road, Epsom Road and the extension of Defries Avenue, an alternative street block layout or built form layout may be considered through a Site Specific DCP under Clause 7.22 of the *Sydney LEP 2012* that accommodates intensified motor showroom uses.
- (6) Private open spaces to all dwellings on the ground floor are to be located to address the street and be accessible from the footpath.
- (7) Individual entries are to be provided to each ground floor unit.

Figure 5.86
Examples of
building design
that uses a variety
of materials,
Grandstand Parade,
Zetland



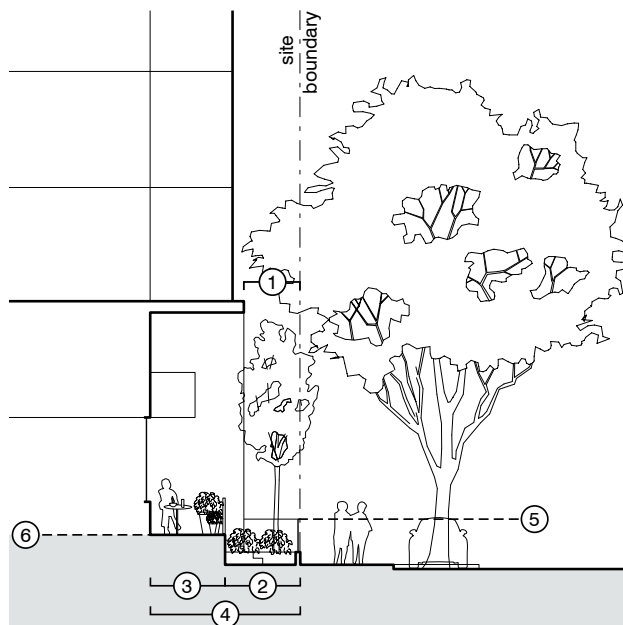
5.3.4.1 Building setbacks

Provisions

The following objectives and provisions should be read in conjunction with the provisions for residential uses on the ground and first floor within Section 4 Development Types.

- (1) Setbacks are to be provided in accordance with the *Public domain setbacks map* and the *Building Setback and Alignment map*.
- (2) Further to the above, residential uses at the ground and first floor are to be in accordance with Figure 5.87 Epsom Park Ground Floor Condition for Residential Flat Buildings. All ground floor apartments are to provide:
 - (a) a minimum 3.2m setback, preferably 4m setback from the site boundary to the glass line enclosing an internal space at the ground and first floor; and
 - (b) a minimum 2m wide deep soil landscape setback as a private front garden. The garden may be located up to 1.0m above the street level.
- (3) Ground level apartments are to be designed in a manner similar to a two storey terrace house or maisonette.
- (4) Where no upper level setback is specified in the *Building Setback and Alignment map*, all levels above street frontage height are to be setback a minimum of 3 metres from the primary building line.
- (5) Side and rear setbacks are to be provided in a manner which does not impede development on adjoining sites.

Figure 5.87
Epsom Park Ground
Floor Condition
for Residential Flat
Buildings



1. Primary building setback, clear full height – min. 1.5m
2. Deep soil landscape planting area – min. 2m
3. Ground floor private open space deck – min. 1.2m
4. Setback from the site boundary to the glass line – min. 3.2m (preferably 4m)
5. Site boundary fence – max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

5.3.4.2 Splay Corners

Provisions

- (1) Splay corners should be provided in the locations identified in Figure 5.88 Epsom Park Potential Splay Corners, unless otherwise determined by the consent authority.

5.3.4.3 Fences

Provisions

- (1) Fences on front property boundaries are to:
 - (a) Be sufficiently transparent to enable some outlook from buildings to the street for safety and surveillance;
 - (b) Assist in highlighting entrances and in creating a sense of communal identity within the streetscape;
 - (c) Designed and detailed to provide visual interest to the streetscape; and
 - (d) Be a maximum of 1.4 metres high from footpath level.

5.3.4.4 Other development

Provisions


- (1) Active uses are to be provided in the locations identified in Figure 5.89 Epsom Park Active Frontages.
- (2) The primary retail is to be located along Zetland Avenue, George Julius Avenue and adjacent to Gunyama Park as shown in Figure 5.85 Epsom Park Building Types.
- (3) Retail development is to be located in the ground floor and, subject to flooding conditions, incorporates a finished floor level that is at the same level as the adjacent footpath level.
- (4) Active retail frontages are to contribute to the liveliness and vitality of the street by maximising entries to display windows to shops and/or food and drink premises to provide pedestrian interest and interaction.
- (5) Commercial/retail uses, such as car showrooms, are to be located along Epsom and Link Roads.
- (6) The proposed Aquatic Centre should provide activation to Zetland Avenue and Gunyama Park.

5.3.4.5 Deep soil planting

Provisions

- (1) The private front gardens required for ground floor apartments, with a minimum dimension of 2m, are to be included as part of the deep soil area.
- (2) All remaining deep soil areas are to comply with the relevant provisions within Section 4.2.3.6 Deep soil planting.

The map shows a precinct boundary outlined in red, encompassing a grid of streets. The streets within the boundary include Defries Avenue, Ascot Avenue, Letitia Street, George Julius Avenue, Zetland Avenue, Victoria Park Parade, Grandstand Parade, Fuse Street, Pony Race Street, and Joynton Avenue. Surrounding streets include Dowling Street, South Dowling Street, Link Road, Chimes Street, Peters Street, Rose Valley Way, Rosebery Avenue, Spring Street, Rothschild Avenue, Portman Street, and Kirby Walk. A key in the bottom left corner defines the red outline as the 'PRECINCT BOUNDARY' and the red circles with dashed lines as 'POTENTIAL SPLAY CORNER'. A north arrow is located in the bottom right corner.

 PRECINCT BOUNDARY


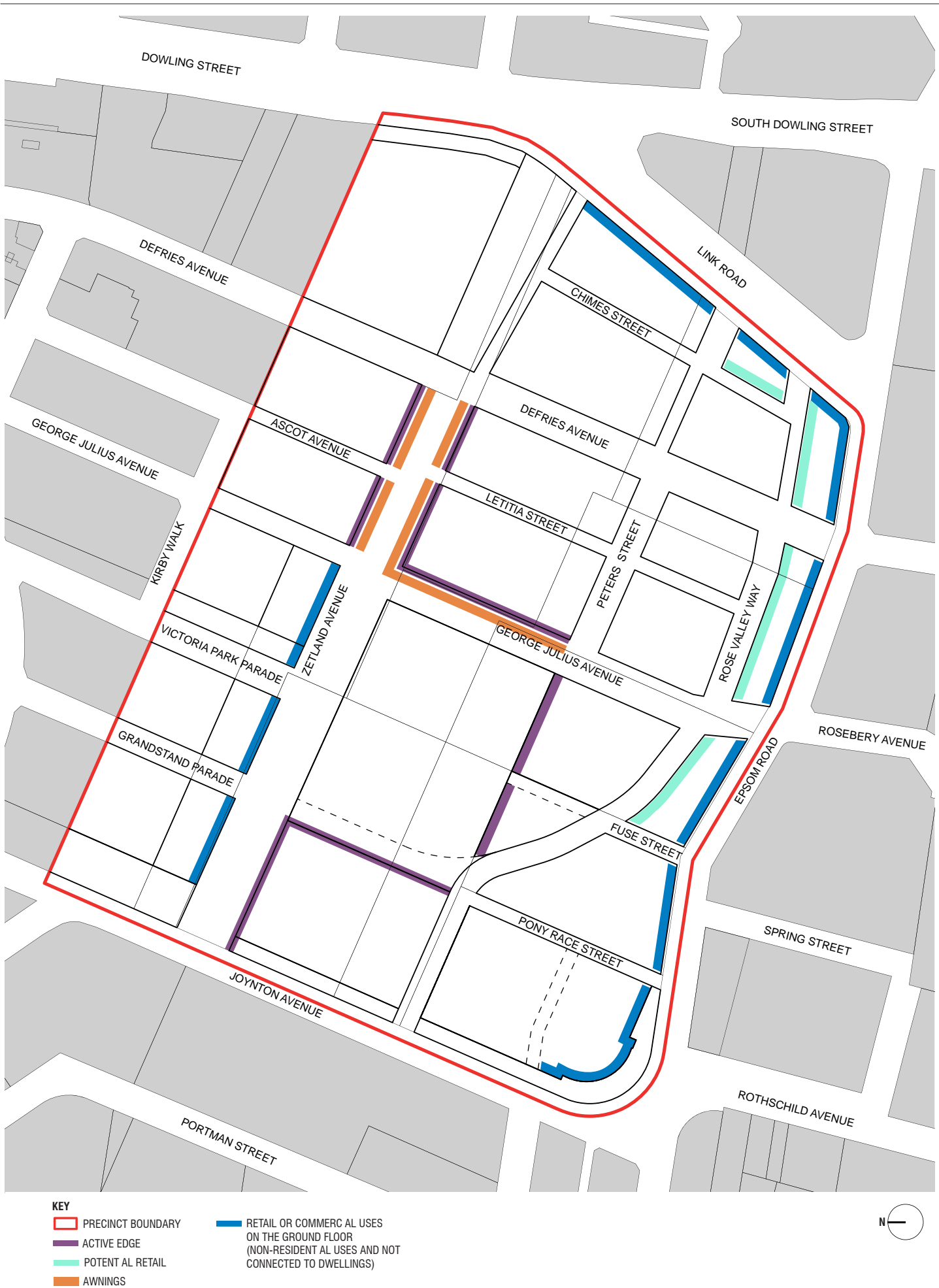
 POTENTIAL SPLAY CORNER



Figure 5.89 Epsom Park Active Frontages



5.3.5 Staging and implementation

Objectives

- (a) Ensure the redevelopment of the Epsom Park neighbourhood is coordinated in an orderly manner to ensure activities in adjacent sites are not adversely impacted upon.
- (b) Address stormwater management at the outset of construction works, to ensure adjacent areas are not adversely affected.
- (c) Ensure the development of sites can occur independently, without reliance on infrastructure from adjacent sites.

Provisions

- (1) A staging plan is required to be submitted to Council with each development application.
- (2) The staging plan must:
 - (a) Where relevant address how either the extension of Rosebery Avenue (George Julius Avenue) or Defries Avenue, between Epsom Road and Zetland Avenue are to be used as the route for the Eastern Transit Corridor, until the preferred route is established; and
 - (b) Where relevant address how the proposed main park is to be constructed and dedicated to Council prior to the occupation of the Green Square Aquatic Centre.
- (3) George Julius Avenue and Defries Avenue are to be configured to allow for short-term operation as bus routes, and longer term operation as light rail corridors.
- (4) Pony Race Street and Fuse Street are to be provided as pedestrian/cycle ways only, however in the short term traffic will be permitted to respond to development staging.

5.3.6 118-130 Epsom Road and 905 South Dowling Street, Zetland

This section applies to land at 118-130 Epsom Road and 905 South Dowling Street, Zetland.

It applies only where development on the land seeks to utilise alternative building heights under Clause 6.60J of Sydney LEP 2012.

It should be read in conjunction with:

- the requirements of Section 5.3 Epsom Park of this DCP; and
- the requirements of Section 5.2 Green Square of this DCP.

Where there is an inconsistency between requirements, Section 5.3.6 applies to the extent of the inconsistency. If no detailed provisions are included in this Section, requirements in Section 5.3 apply.

5.3.6.1 Relationship with the LEP

- (1) A concept development application is required where development utilises alternative building heights available under Clause 6.60J of Sydney LEP 2012.
- (2) In addition to the requirements for concept development applications detailed in Sydney LEP 2012 and 3.3.8 of the Sydney DCP 2012, the concept development application is to address:
 - (a) the distribution of non-residential uses across the site, in accordance with Clause 6.60J of Sydney LEP 2012, having regard to the Green Square and Southern Areas Retail Review and the need for activation in the Epsom Park neighbourhood;

- (b) a site planning strategy which:
 - i. accommodates car parking in basements that do not extend beneath the public domain except to allow for linkages between basements and to permit visitor parking in basement linkages. Parking in basement linkages must remain within common property;
 - ii. and explores opportunities to reduce parking and increase the use of sustainable transport
- (c) flood impact and risk, with an assessment prepared in accordance with the Department's Flood Risk Management Guide LU01: Flood Impact and Risk Assessment and relevant City of Sydney requirements and documents. The assessment is to resolve any flooding issues on the site, identify any necessary flood and stormwater management works and ensure flood risks are appropriately managed for new development, adjacent sites and adjoining localities;
- (d) any contamination issues on the site, identifying any necessary remediation works and / or required contamination works to ensure contamination risks are appropriately managed for new development, adjacent sites and adjoining localities;
- (e) the level of noise pollution affecting any residential development within the site, via an appropriate noise study, and strategies to minimise the impacts of external noise and pollution in accordance with Section 5.3.6.5 of this DCP;
- (f) a staging plan and delivery sequence for development and the provision of public space, local infrastructure, flood and stormwater management works and remediation works;
- (g) a Design Excellence Strategy in accordance with the City's Competitive Design Policy;
- (h) a public art strategy in accordance with the City's Public Art Policy, City Art Strategy and Interim Guidelines for Public Art in Private Developments as they apply from time to time; and
- (i) a traffic and transport study, the methodology for which is to the satisfaction of Transport for New South Wales.

Note: The concept development application must use either the Height of Building Map or the Alternative Height of Building Map. The nominated set of height controls are to be solely applicable to the entire site, with the other set of controls no longer available for development on any part of the site.

5.3.6.2 Local infrastructure and public domain

- (1) Where required by Council, public open space and streets are to be provided and dedicated to Council:
 - (a) in the locations identified Figure 5.3.6-1 Alternative Public Domain - 118-130 Epsom Road and 905 South Dowling Street, Zetland; and
 - (b) generally in accordance with the standards set out in Sections 5.3.3.1 Public open space and 5.3.3.2 Street network of this DCP.
- (2) All 9 metre wide streets shown in Figure 5.3.6-1 Alternative Public Domain - 118-130 Epsom Road and 905 South Dowling Street, Zetland are to be provided as shared zones.
- (3) Ensure a holistic approach to the design and experience of Mulgu Park, the adjoining shared zone and the open space marked A in Figure 5.3.6-1 Alternative Public Domain - 118- 130 Epsom Road and 905 South Dowling Street, Zetland, inviting public use of the spaces.

- (4) The pedestrian / cycle through site link marked B in Figure 5.3.6-1 Alternative Public Domain - 118-130 Epsom Road and 905 South Dowling Street, Zetland is to be provided as an easement on title for public access, with a clear and unobstructed path of travel, 2 storeys high by 9 metres wide.

Figure 5.3.6-1

Alternative Public Domain - 118-130 Epsom Road and 905 South Dowling Street, Zetland



- Footpath widening dedication
- Street dedications
- 2 storey through site link easement
- Open space dedications
- m Minimum perpendicular dimensions and areas (red text)
- Alignments
- Developable street blocks

[Note: the alignments of Peters Street and Rose Valley Way have been varied slightly by approved developments on adjoining sites]

5.3.6.3 Movement and connectivity

- (1) Driveway and vehicle access points are to be consistent with Figure 5.80 Epsom Park Circulation and Access, except that the block bound by Link Road, Zetland Avenue, Chimes Street and Peters Street is to be entered and exited from a single vehicular access on Zetland Avenue.
- (2) Above ground car parking is not permitted.

5.3.6.4 Building layout, form and design

- (1) Development is not to exceed the maximum number of storeys or street frontage height as shown in Figure 5.3.6-2 Alternative Built Form - 118-130 Epsom Road and 905 South Dowling Street, Zetland.
- (2) For the avoidance of doubt, where development does not utilise building heights available under Clause 6.60J of Sydney LEP 2012, maximum height in storeys is to be in accordance with Figure 5.83 Epsom Park Building Height in Storeys and street frontages are to be in accordance with Figure 5.84 Epsom Park Street Frontage Height.
- (3) Towers A, B and C may be located anywhere within their respective hatched zones in 5.3.6-2 Alternative Built Form - 118-130 Epsom Road and 905 South Dowling Street, Zetland providing that the resulting tower form:
 - (a) has a maximum floor plate at any level as follows:
 - i. Tower A – 850sqm;
 - ii. Tower B – 750sqm;
 - iii. Tower C – 550sqm;

Note: Floor plate size includes external walls, all space bounded by external walls, balconies and external gallery access (measured to the outside face of balustrades) and excludes sun-shading elements and vertical fin projections.

- (b) allows for a consolidated area equal to at least 75% of the area of Mulgu Park to achieve 4 hours of solar access between 9am and 3pm on 21 June, as demonstrated by a solar insolation analysis; and
 - (c) allows neighbouring dwellings to achieve required levels of solar access, as defined in Section 4.2.3.1 of this DCP and the NSW Government's Apartment Design Guide.
- (4) A complete physical break and visual separation is to be achieved above ground floor between Tower C and the 8/9 storey building to its immediate south.
- (5) The street block incorporating Tower C is to be delivered as a perimeter-block development around a courtyard. This may be varied to accommodate retail uses, when one floor of retail may be permitted at ground level across the street block but no above ground car parking.
- (6) The area marked 'Solar Zone' in the street block bound by Peters Street, Defries Avenue and Rose Valley Way in Figure 5.3.6-2 Alternative Built Form - 118-130 Epsom Road and 905 South Dowling Street, Zetland may only be occupied by residential development subject to achieving the required levels of solar access outlined in the NSW Government's Apartment Design Guide Design Criteria.

Figure 5.3.6-2

Alternative Built Form - 118-130 Epsom Road and 905 South Dowling Street, Zetland



x Number – maximum number of above ground storeys (including attics and mezzanines)

1R(0) Maximum number of storeys that may be used for the purposes of retail uses otherwise no storeys permitted (0)

Hatched tower zones A, B and C – tower may be located anywhere within this zone up to the maximum floor plate in 5.3.6.4(3)

Solar Zone – area that may be occupied only subject to achieving ADG solar access requirements

Minimum setback of higher levels

- (7) Primary and upper level setbacks are to be provided in accordance with Figure 5.3.6-3 Alternative Building Setbacks - 118-130 Epsom Road and 905 South Dowling Street, Zetland.
- (8) The 3m primary setback to Zetland Avenue marked 'C' in Figure 5.3.6-3 Alternative Building Setbacks - 118-130 Epsom Road and 905 South Dowling Street, Zetland may not be required if the adjoining site to the north redevelops ahead of this land.

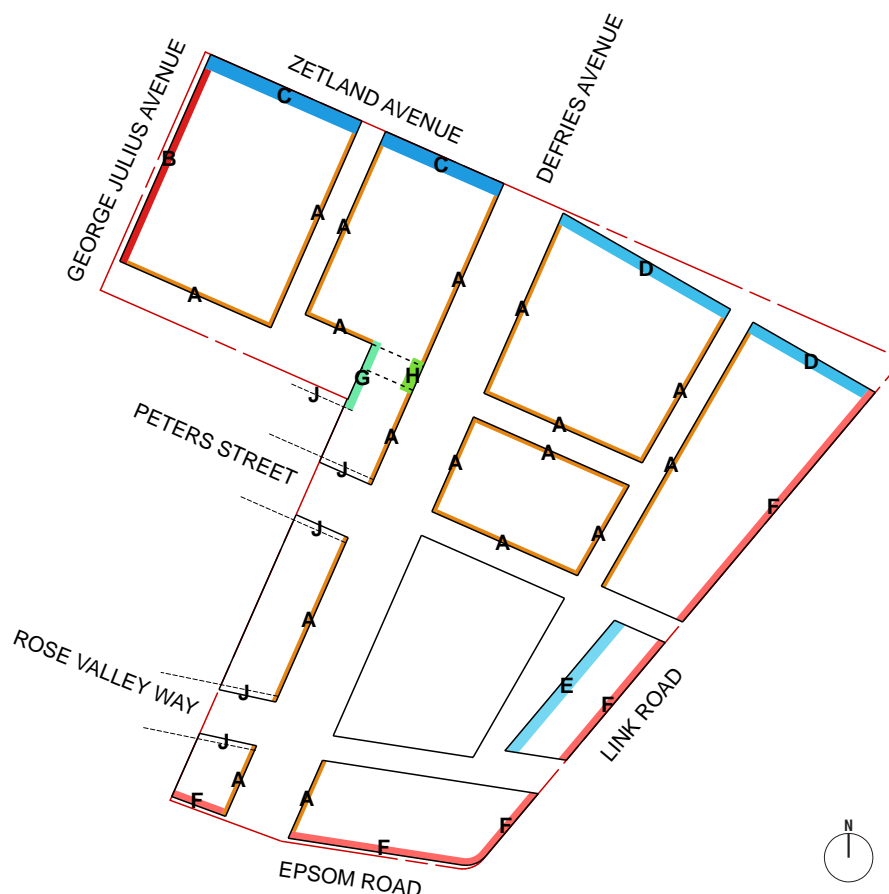
This portion of the site may then be used to assist with the achievement of design excellence

- (9) General building setback provisions in Section 5.3.4.1 of this DCP still apply.

- (10) The land nominated as having a 3 storey height control in Figure 5.3.6-3 Alternative Built Form between Defries Avenue and Chimes Street is to be developed as townhouses each with an entrance directly from the adjacent street.

Figure 5.3.6-3

Alternative Building Setbacks - 118-130 Epsom Road and 905 South Dowling Street, Zetland



Setback at ground level / Setback at all levels above ground level
(both measured from boundary of developable street block)

- A – 1.5m / 1.5m
- B – 2.5m / 1.0m
- C – 4.5m / 3.0m
- D – 4.0m / 2.0m
- E – 4.0m / no requirement
- F – 2.5m / no requirement
- G – 3.0m / 3.0m
- H – 1.5m / 4.5m
- J – align with neighbouring building at all levels

5.3.6.5 Land use

- (1) Provide a local supermarket within the site, preferably in the block bound by Link Road, Zetland Avenue, Chimes Street and Peters Street, along the Link Road frontage.
- (2) Active frontages are to be provided in accordance with Figure 5.74 Epsom Park Active Frontages.

5.3.6.6 Noise and ventilation

- (1) Residential apartment buildings are to respond to both noise criteria in this DCP and natural ventilation criteria in the NSW Apartment Design Guide. Maximum noise levels, in a naturally ventilated state, must not exceed the following levels:
 - (a) LAeq 1 hour 35dB for bedrooms between 10pm and 7am;
 - (b) LAeq 40dB at any time for all other habitable space and;
- (2) LAeq 1 hour 45dB at any time for all other habitable space in development in all other locations. In the first instance, the impacts of external noise and pollution are to be minimised, while achieving natural ventilation, through careful siting and layout of buildings. Where siting and layout of apartments is the chosen method to address these issues, alternative approaches to the following design criteria of the NSW Apartment Design Guide are permitted for noise- affected apartments:
 - (a) solar and daylight access;
 - (b) private open space and balconies;
 - (c) natural cross ventilation.
- (3) Acoustic attenuated natural ventilation devices may be used where siting and layout cannot mitigate noise.

5.3.6.7 Contamination

- (1) A contamination study and remediation strategy demonstrating that contaminants can be reduced to a level appropriate for the proposed land use(s) is to be submitted with any Stage 1 development application.
- (2) The use of long term Environmental Management Plans to secure an appropriate remediation outcome is generally unacceptable to Council. Remediation of the site to a suitable condition for the proposed use is to be achieved without reliance on a long term Environmental Management Plan.

5.3.6.8 Ecologically sustainable development and green infrastructure

- (1) Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, appropriate use of thermal mass and external shading, including vegetation.
- (2) Design, performance and features are to be referenced in City of Sydney Design for Environmental Performance Template submitted with the detailed development application.
- (3) Parking spaces are to be equipped with electric vehicle charging infrastructure as follows:
 - (a) power supply and distribution boards for electric vehicle charging in accordance with Section J9D4 'Facilities for electric vehicle charging equipment' in NCC 2022 Volume One – Building Code of Australia.
 - (b) all car spaces are to be located within 10 metres of a cable tray sized to accommodate cabling for 100% of spaces it serves and terminates at the closest electric vehicle distribution board;

- (c) 10% of worker car spaces are to be fitted with a Level 2 charger or higher; and
 - (d) 25% of retail customer car spaces are to be fitted a three phase Level 2 electric vehicle charger at 22 kilowatts or higher.
- (4) Electric vehicle chargers required in accordance with (6) (c)-(d) are to be retained in common property ownership, be individually metered, equipped with an Open Charge Point Protocol compatible payment system and supplied by renewable energy through a GreenPower power plan, renewable power purchase agreement or similar for a period of at least 5 years.
- (5) All buildings are to be constructed to provide a dual reticulation water system for water services and be capable of fully connecting to a non-potable recycled water network and configured to supply all toilets, washing machine taps, car wash bays, cooling towers and irrigation usage.

5.4

Green Square – Lachlan

If a development application has been made before the commencement of Sydney Development Control Plan 2012 (Green Square – Lachlan Amendment), in relation to Lachlan Precinct land, and the application has not been finally determined before that commencement, the application must be determined as if that Development Control Plan had not commenced

This section applies to the land identified as Lachlan in Figure 5.1 *Specific Areas Map*. The Lachlan neighbourhood is bounded by Bourke, Lachlan and South Dowling Streets and O'Dea Avenue, Waterloo. The objectives and controls in this section are supported by the Locality Statement and Principles contained in Section 2.5.7 Lachlan and the provisions in Section 5.2 Green Square.

Where land is located in Lachlan, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency

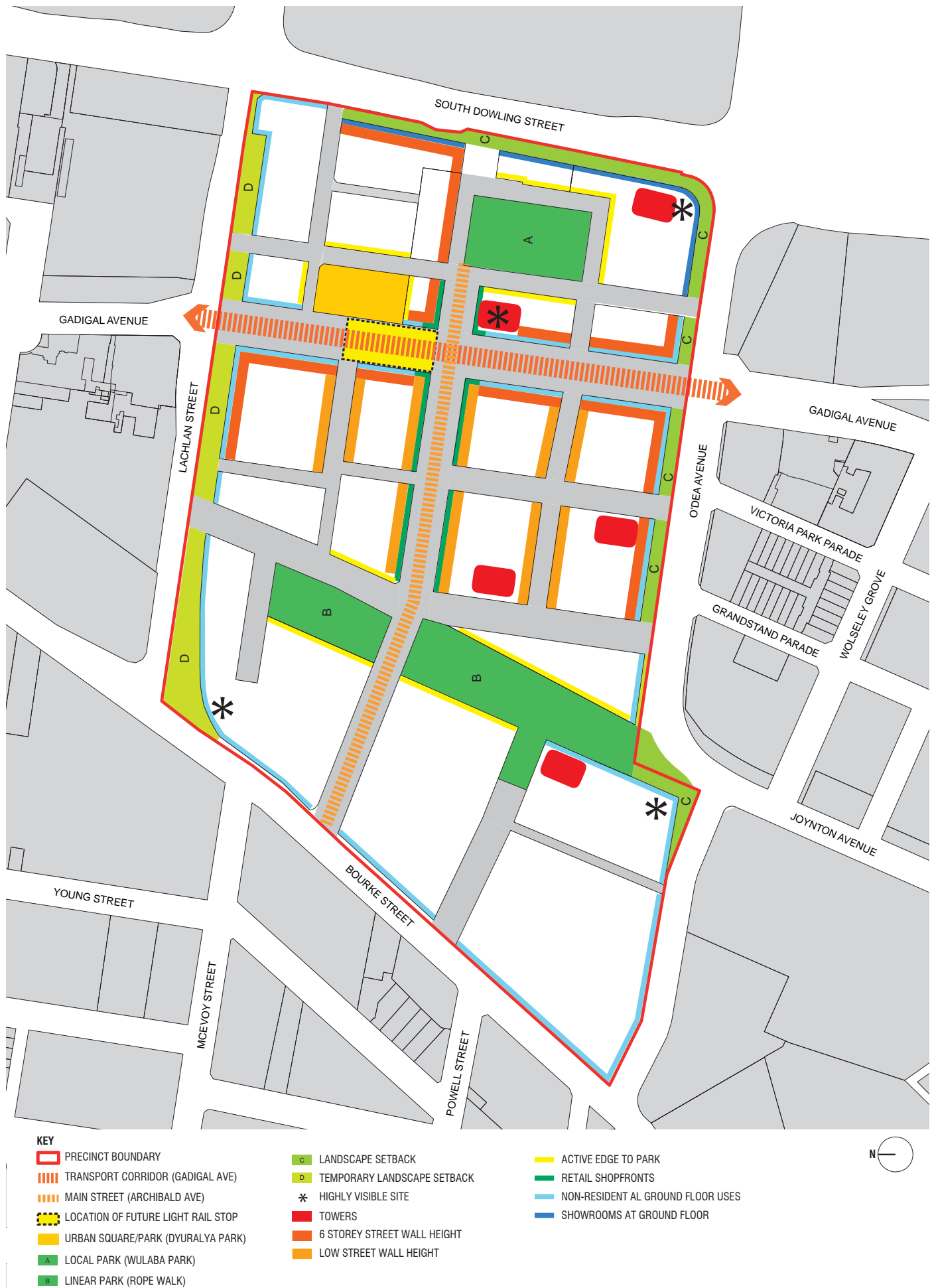
5.4.1 Lachlan urban strategy

Objectives

- (a) A permeable pattern of new streets and public open space is to be provided which respond to key connections, stormwater management requirements, local traffic and access considerations and urban design principles.
- (b) High quality streetscapes are to be achieved throughout the neighbourhood. Streets are to prioritise pedestrians with low speed traffic lanes and generous street landscaping for amenity.
- (c) A significant linear park, Rope Walk, is to be created between Lachlan Street and O'Dea Avenue extending the alignment of Joynton Avenue. Two additional parks, Wulaba and Dyuralya, are to be incorporated in the eastern part of the precinct to serve the needs of the neighbouring population.
- (d) The extension of Gadigal Avenue along the alignment of Bruce Street is to continue the transit corridor through the eastern neighbourhoods of Green Square. Retail, commercial and public uses at ground level and high quality public domain along this north-south spine will create a sustainable and vibrant corridor.
- (e) The western half of Archibald Avenue (west of Gadigal Avenue) is to be the focus of retail activity. Built form is to reinforce the pedestrian scale of this street and maximise solar access to the public domain in mid-winter.
- (f) A deep soil, tree-lined landscaped setback is to be introduced to South Dowling Street and O'Dea Avenue.
- (g) Non-residential uses are to be provided along the South Dowling Street, Lachlan Street and O'Dea Avenue frontages to act as a buffer against the impact associated with the heavy traffic use of these roads.
- (h) A variety of building height and form is to be achieved across the neighbourhood, which responds to the hierarchy of streets and open spaces, residential amenity and solar access.
- (i) The principal north-south transit corridor, Gadigal Avenue, the main linear park, Rope Walk, and the key streets are to be defined by carefully sited and well-designed slender tower forms oriented with their long axis north-south.
- (j) The design of buildings, in particular towers, is to be varied and of high architectural quality so that development individually and collectively contributes to the overall urban design quality of Green Square.
- (k) Built form should respond to the lower scale of the buildings in the north-east corner, including the two-storey, heritage listed hotel, by stepping down in height towards the corner of South Dowling Street and Lachlan Street, and using materials which interpret the area's history.

These objectives are shown in Figure 5.90: Lachlan Precinct Urban Strategy.

Figure 5.90 Lachlan Precinct Urban Strategy



5.4.2 Local infrastructure and public domain

Refer also to Section 3 General Provisions.

Objectives

- (a) Create a neighbourhood with strongly defined streets and public places to give a sense of place and encourage social interaction.
- (b) Introduce a legible and permeable pattern of new internal streets which respond to key connections within and adjacent to Lachlan.
- (c) Create a fine-grained pattern of street blocks which are generally oriented to maximise solar access.
- (d) Establish a key north-south public transport route along the Gadigal Avenue extension as part of the Eastern Transit Corridor which will provide dedicated transit and cycle lanes and high quality public domain.
- (e) Maximise low angle views of the sky along street alignments and between buildings to allow orientation and to reduce the effects of visual enclosure.
- (f) Create a safe, well designed and accessible network for cyclists and pedestrians that links with existing networks and promotes public use.
- (g) Provide intersections, traffic and parking lanes that calm traffic.
- (h) Create a range of open spaces which provides for a variety of passive and active uses appropriate to the location and which can respond to local community needs.
- (i) Create a significant linear park, Rope Walk, between Lachlan Street and O'Dea Avenue, establishing a green corridor through Lachlan as a visual and physical extension of the Joynton Avenue green link.
- (j) Establish significant landscaped setbacks along the eastern and southern edges of Lachlan to create a strong streetscape character and to act as a buffer for new development from adjacent busy roads.
- (k) Manage regional stormwater with an upgraded underground drainage network, overland flowpaths and integration of water sensitive urban design.

Provisions

5.4.2.1 Street, pedestrian and cycle network

- (1) Where required by Council, new streets are to be provided in the locations identified in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure and Figure 5.92: Lachlan Precinct – Public Domain Dedication.
- (2) All streets are to be designed and constructed generally in accordance with the standards set out in Table 5.13: Lachlan Precinct Indicative Street Types and Figures 5.94 – 5.105: Street Sections, and with the City of Sydney's Lachlan Precinct Public Domain Strategy and Streets Design Code as they apply from time to time.
- (3) Streets are to be finished in accordance with detailed public domain plans, RLs, cross and longitudinal sections and construction specifications to be supplied by the Consent Authority at development application stage. Public domain works are to incorporate underground utilities within the street reservation as agreed with the Consent Authority and in a manner that facilitates street tree planting.
- (4) A setback and dedication is to be provided on the northern side of Murray Street to widen the street and enable a safer vehicle and pedestrian movement. The setback is to follow the alignment of the existing public domain setback at 1-11 Murray Street.

- (5) Where required by Council, street closures and one-way systems are to be provided in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation. Traffic management devices are not to impede cycle or pedestrian movements.
- (6) Where required by Council, separated cycleways are to be provided along:
 - (a) Gadigal Avenue; and
 - (b) Archibald Avenue west of Gadigal Avenue;
 and in a contraflow direction along:
 - (c) Sam Sing Street north of Hatbox Place; and
 - (d) Hatbox Place.
- (7) Cycleways are to be designed as part of the public domain and integrated with the City of Sydney's Cycle Strategy as it applies from time to time. Where required by Council, all other cycle infrastructure is to be provided in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation.
- (8) Shared zones are to be provided in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation, allowing pedestrians and cyclists to safely share the space with vehicles.
- (9) The following street links are to be designed for pedestrian and cyclist access only:
 - (a) the north-south link between Lachlan Street and Tung Hop Street;
 - (b) the northern half of the north-south link between Tung Hop Street and Archibald Avenue;
 - (c) the north-south link along Amelia Street between the shared zone below Murray Street and Archibald Avenue; and
 - (d) the north south link along Amelia Street between Archibald Avenue and Hatbox Place in the long term. This is to be designed as a shared zone in the short term.
- (10) The eastern quarter of Dunkerley Place is to be designed as an extension to Rope Walk. The design of Dunkerley Place between Hatter Lane and the park extension is to provide a visual transition into Rope Walk and prioritise pedestrians and cyclists, discouraging on-street parking. It is to facilitate access to the adjoining development site.
- (11) Publicly accessible through-site links are to be provided in the locations shown in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure. Additional through-site links are encouraged to create further visual connections between the public domain and communal open space within a site. Through-site links are to be publicly accessible at all hours and have a minimum width of 6m and be clear to the sky.

Figure 5.91 Lachlan Precinct Public Domain and Local Infrastructure



Figure 5.92 Lachlan Precinct Public Domain Dedication



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Table 5.13: Lachlan Precinct Indicative Street Types

Type	Reservation Width	Lane width	Median	On road cycle lane	Footpath width
Transport Corridor					
Gadigal Avenue	30m	2 travel lanes: 2 x 3.25m 2 parking lanes: 2 x 2.3m	6.9m median (facilitating longer term light rail)	Bi-directional cycle lane on eastern side: 1 x 3m with 0.8m separator	2 x 4.1m varies
Configuration listed above represents short term arrangement prior to provision of light rail. Alternative layout will be required at bus and tram stops.					
Main Street					
Archibald Avenue	23.8m	2 travel lanes: 2 x 3.2m 1 parking lane on southern side: 1 x 2.4m	3m bio-swale	West of Gadigal Avenue, bi-directional cycle lane on northern side: 1 x 2.4m with 0.4m separator	1 x 5.0m on southern side 1 x 4.2m on northern side
Alternative layout to be achieved west of Sam Sing Street – reservation width of 20m					
Local Street Type 1					
Sam Sing Street - North and South of Archibald Ave	North 20m (varies)	North 2 travel lanes: 2 x 2.75m 2 parking lanes: 2 x 2.1m	North -	North -	North varies
	South 20.3m	South 2 travel lanes: 2 x 2.75m 1 parking lane: 1 x 2.1m	South 5.2m for bio-swale or rain garden	South Contraflow cycle lane northern section of South Sam Sing Street	South 1 x 3.85m
Local Street Type 2					
Reed Street	17m	2 travel lanes: 2 x 2.75m 2 parking lanes: 2 x 2.1m	-	-	2 x 3.65m
Parking may occur staggered or on both sides, in parking bays between trees					
Local Street Type 3					
Hatbox Place	13m	1 travel lane 3m	-	1.5m cycleway with 0.8m separator	2.8m
Amelia Street	Refer to the Lachlan Public Domain Strategy to be issued by City of Sydney				
Shared Zones					
Archibald Avenue	23.8m	1 travel lane: 1 x 3.2m eastbound	3m bio-swale	To prioritise safe pedestrian/cycle movement	
Tung Hop Street	8.9m-13m	2 travel lanes: 2 x 2.75m 1 parking lane: East side only	-	-	West 1.5m – 2m. East 3.1m – 4.4m
Murray Street	14.2m	2 travel lanes: 2 x 2.75m	-	-	3.7m – 5m
Amelia Street	Refer to the Lachlan Public Domain Strategy to be issued by City of Sydney				

Figure 5.93 Lachlan Precinct Location of Street Sections



Figure 5.94
Section A –
Transport Corridor
Typical Section
(short term
arrangement) – 30m
(Gadigal Avenue)

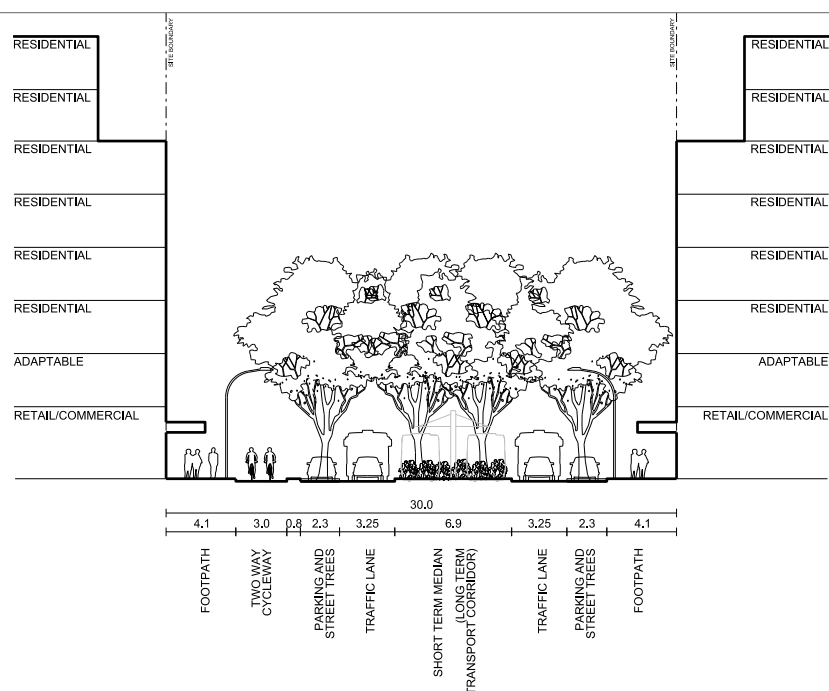


Figure 5.95
Section B – Main
Street Typical
Section – 23.8m
(Archibald Avenue)

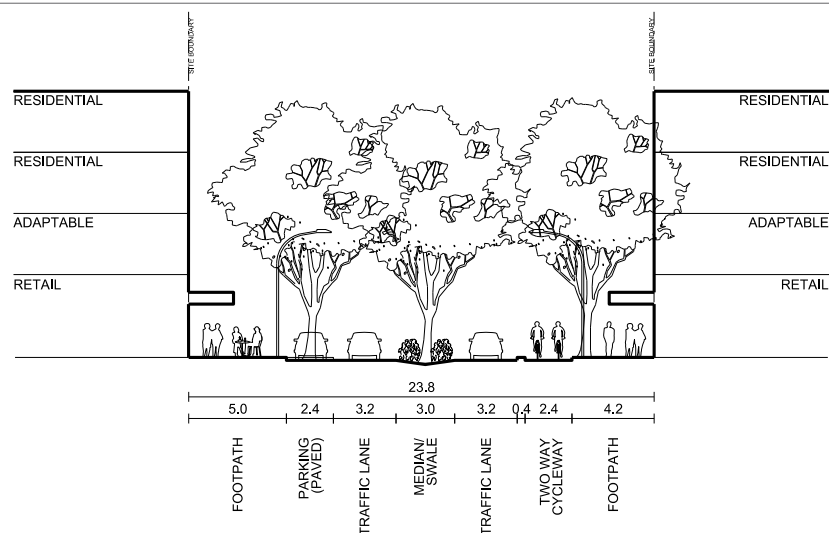


Figure 5.96
Section C – Local
Street Type 1 Typical
Section – 20.3m
(Sam Sing Street
south)

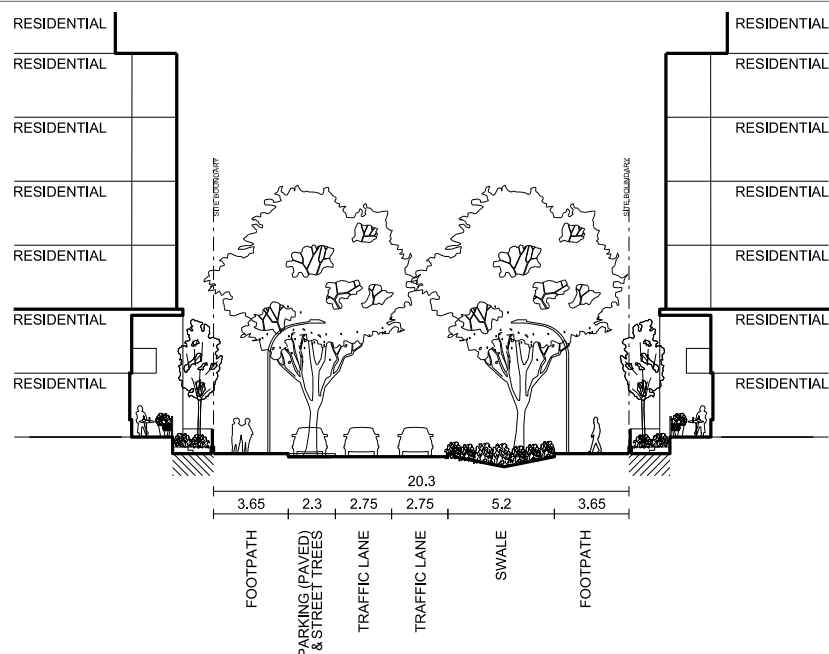


Figure 5.97

Section D – Local
Street Type 1 Typical
Section – 20m (Sam
Sing Street north)

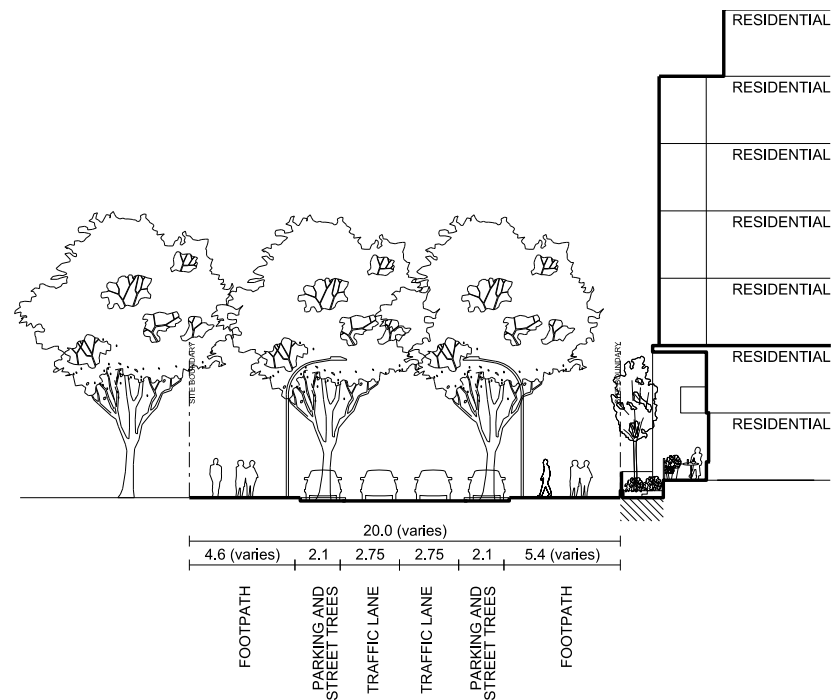


Figure 5.98

Section E – Local
Street Type 2 Typical
Section – 17m
(Reed Street)

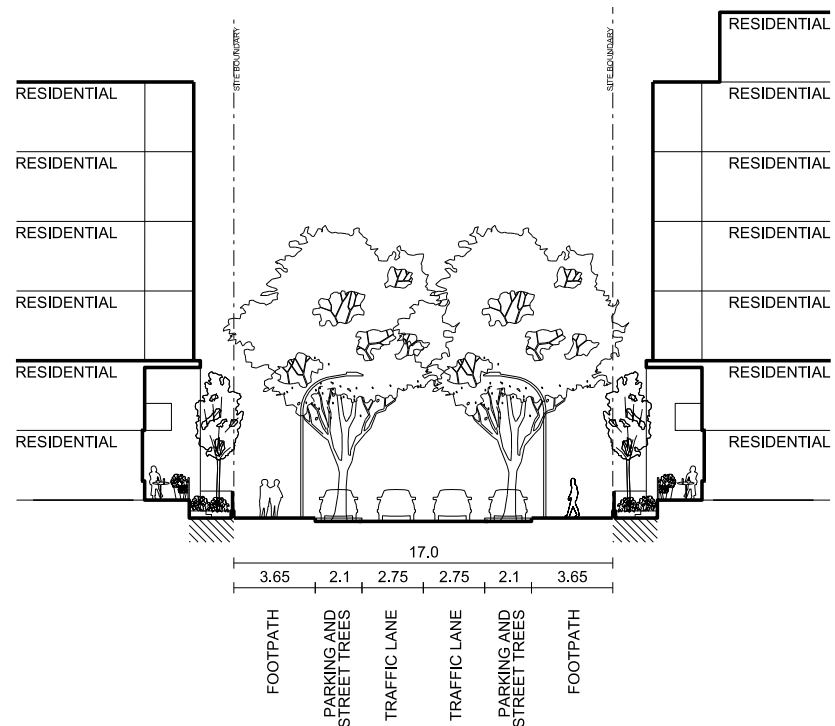


Figure 5.99
Section F – Local
Street Type 3 Typical
Section – 13m
(Hatbox Place)

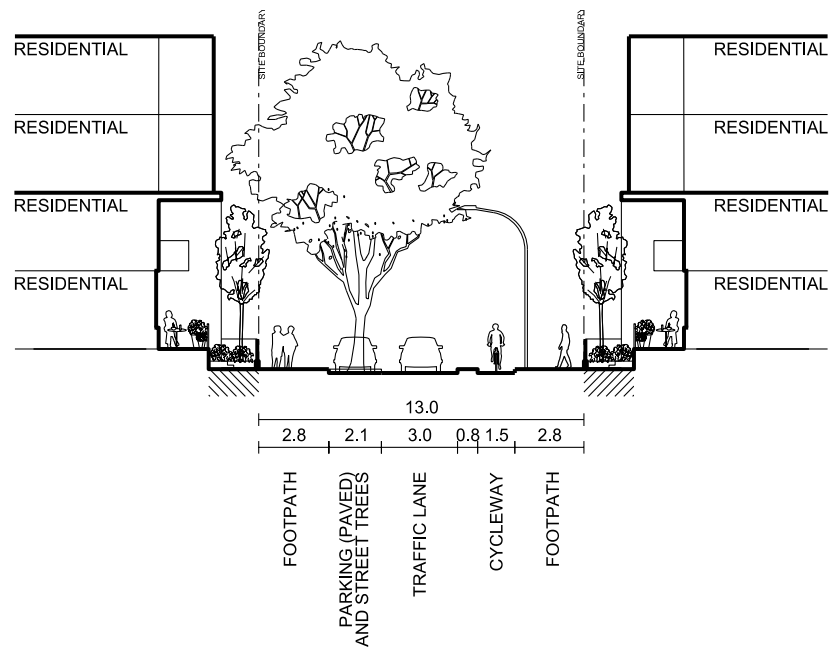


Figure 5.100
Section G –
Laneway - Shared
Zone Typical
Section – 6m (Hatter
Lane)

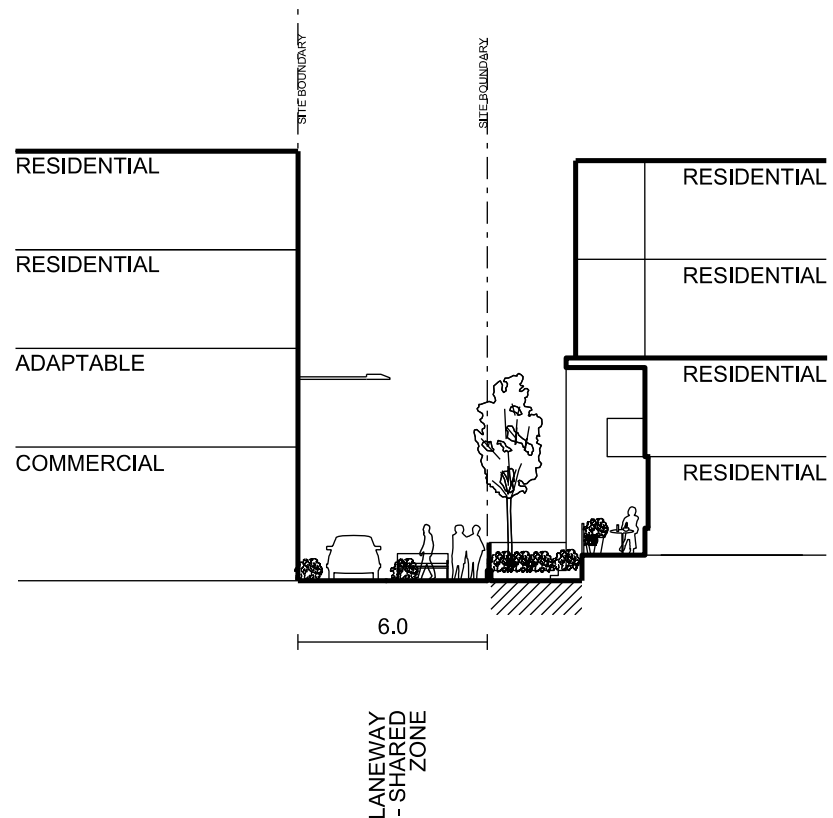


Figure 5.101
Section H
- Laneway -
Pedestrian and
Cycle Only Typical
Section - 6m

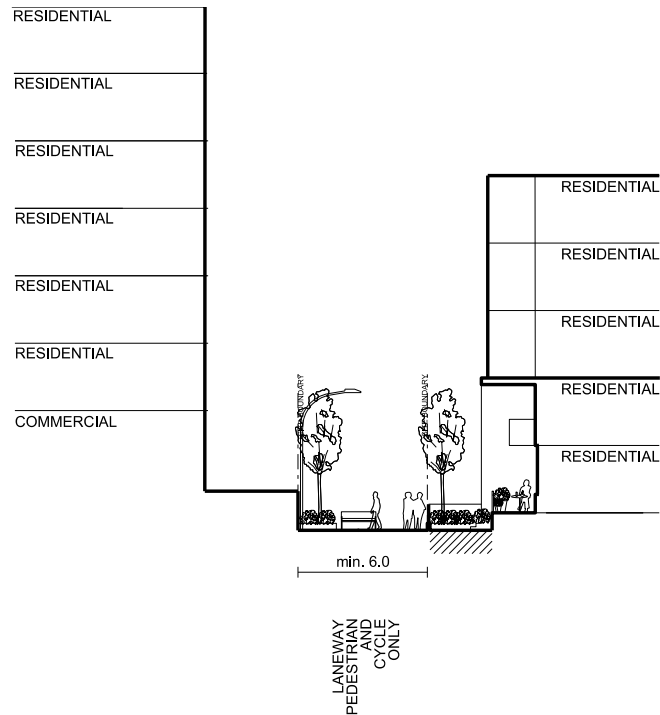


Figure 5.102
Section I - Laneway
- Pedestrian and
Cycle Only Typical
Section - 9m

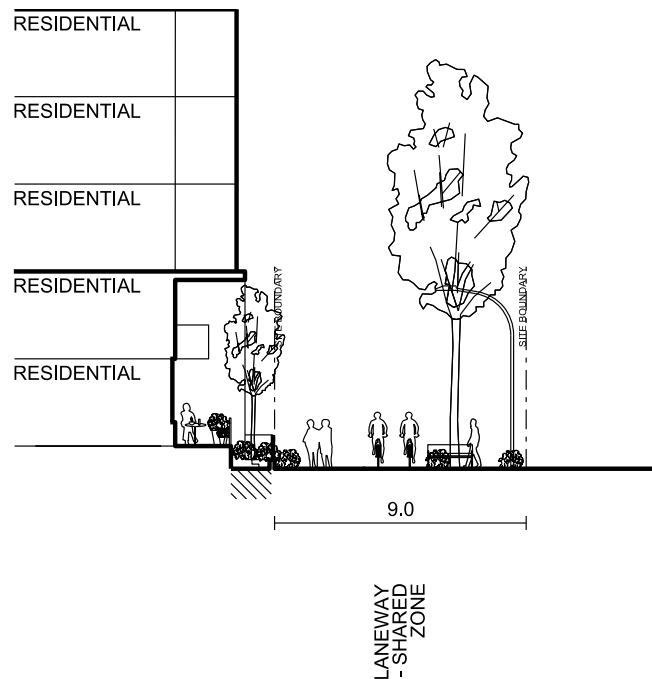
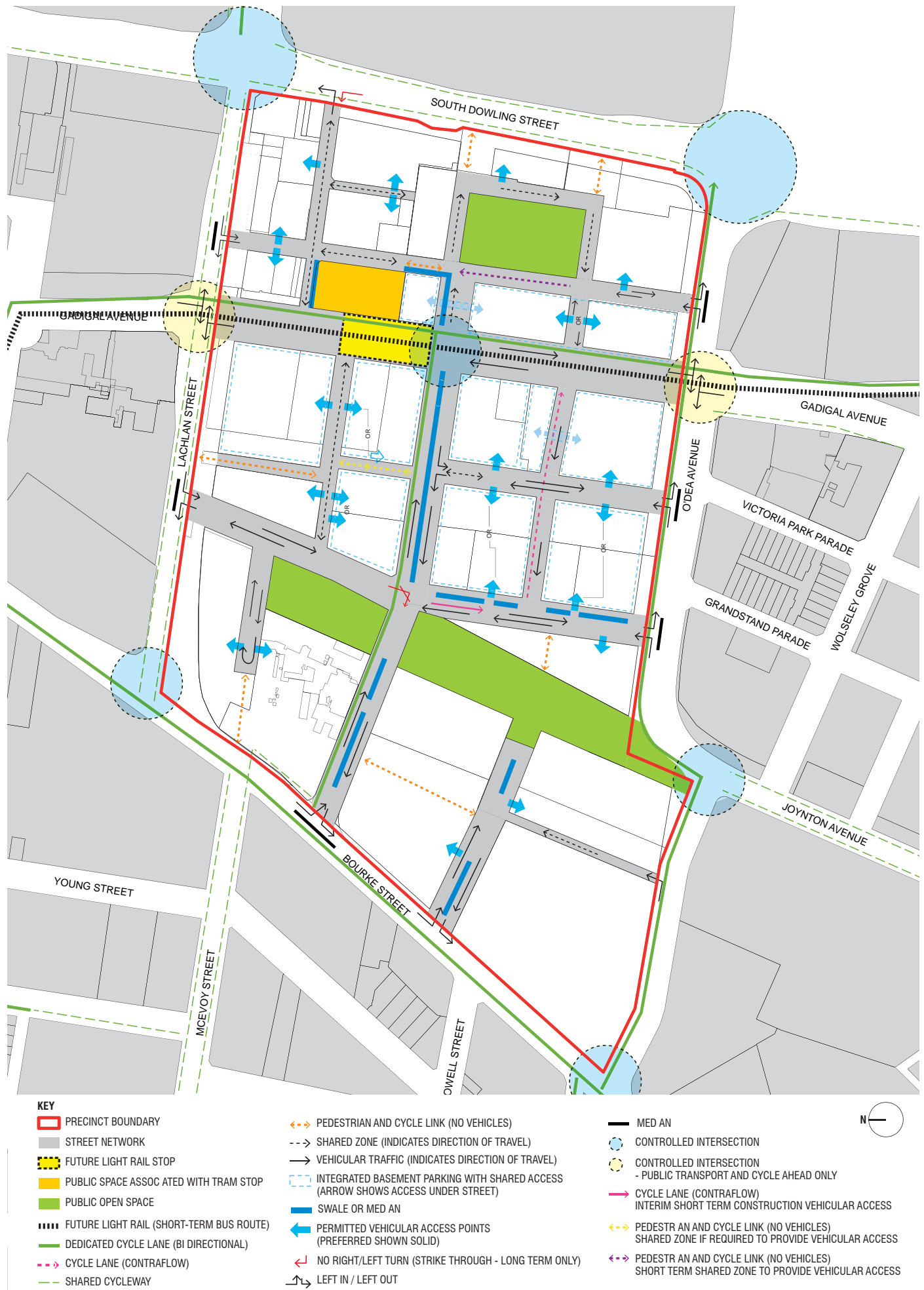


Figure 5.103 Lachlan Precinct Access and Circulation



5.4.2.2 Public open space

- (1) Where required by Council, public open space is to be provided in the locations identified in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure, and in accordance with the standards set out in Table 5.14: Lachlan Precinct Public Open Space and the City of Sydney's Lachlan Precinct Public Domain Strategy as it applies from time to time.
- (2) Landscaping and design of public open spaces is to be of high quality, creating interest and character through elements including indigenous tree species, well integrated public art and quality materials and furniture. Choice of materials and design is to be consistent with relevant Council public domain plans.
- (3) Where open space performs a dual recreation and stormwater detention function, the design of the detention basin is to:
 - (a) include appropriate stormwater management measures to restrict gross pollutants from entering the basin;
 - (b) allow the release of detained water within not more than 24 hours after the cessation of the stormwater event to protect the soft landscaping within the basin;
 - (c) have one or more embankment batters of not more than a 1 in 6 gradient to allow for the safe exit of persons from the basin during a stormwater event; and
 - (d) provide an appropriate balance between stormwater management and recreation functions.
- (4) The 10m-wide landscaped setbacks along South Dowling Street and O'Dea Avenue are to be provided in accordance with Figures 5.104 and 5.105 Lachlan Precinct Landscaped Setback Typical Sections (locations shown in Figure 5.93). They are to provide deep soil planting, and be landscaped to act as a visual and acoustic buffer between new development and the impact associated with the heavy traffic use of these routes. They are to incorporate generous provision for safe cycle and pedestrian movement and a centrally located Water Sensitive Urban Design treatment zone.

Table 5.14: Lachlan Precinct Public Open Space

Type	Requirements	Guidelines
Local Park – Linear Park: Rope Walk	One park of a minimum 8,850sqm for passive recreation, to link Lachlan Street and O'Dea Avenue in the western third of Lachlan	<p>Located to the west of the alignment of Sam Sing Street</p> <p>Incorporate a stormwater culvert to drain the low point on Lachlan Street</p> <p>Vehicular and pedestrian crossing points to maintain the predominantly open landscape character</p> <p>Continuation of the Joynton Avenue fig trees along the western boundary</p> <p>Provide deep soil garden beds with an emphasis on edible/sensory gardens and planted zones for water treatment</p> <p>Incorporate a variety of seating and gathering zones</p> <p>Integrate incidental play features for children throughout, incorporating lighting or water to enhance play opportunities</p> <p>Provide a pedestrian and cycle link along the western boundary</p>

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Type	Requirements	Guidelines
Local Park – Wulaba Park	One park of minimum 4,000sqm in the southeast of Lachlan with potential for stormwater detention	<p>Located in the south-eastern section at the low drainage point between Archibald Avenue and Hatbox Place</p> <p>Neighbourhood park with passive recreation space and gardens</p> <p>Incorporate a diverse range of seating and a lawn zone for relaxing and informal play</p> <p>Provide play for all ages, including one set of play equipment and table tennis/tables for card play.</p> <p>Provide for deep soil planting and water treatment gardens</p> <p>Allow for potential dual function as a flood/stormwater detention basin, subject to detailed design</p> <p>Shared street treatments at boundaries maximising pedestrian safety and perception of open space</p>
Local Park – Dyuralya Park	One park of approximately 2,000sqm for a neighbourhood square and focal public space along the eastern alignment of Gadigal Avenue	<p>Located at the intersection of Amelia/Murray Streets</p> <p>Perform a town-square function for Lachlan, incorporating plaza space</p> <p>Provide for passive recreation and be adaptable for a range of community based activities, for example performance space, open air theatre and temporary art and sculpture exhibitions</p> <p>Focal point for local events and night time use</p> <p>Flexible seating and meeting spaces, for informal activities such as chess, mah-jong and outdoor dining</p> <p>Be designed holistically having regard to the adjacent building to the south to ensure the street block appropriately addresses Gadigal Avenue and the bus and future light rail stop</p>

Figure 5.104
Section J -
Landscaped
Setback Typical
Section (Lachlan
Street)

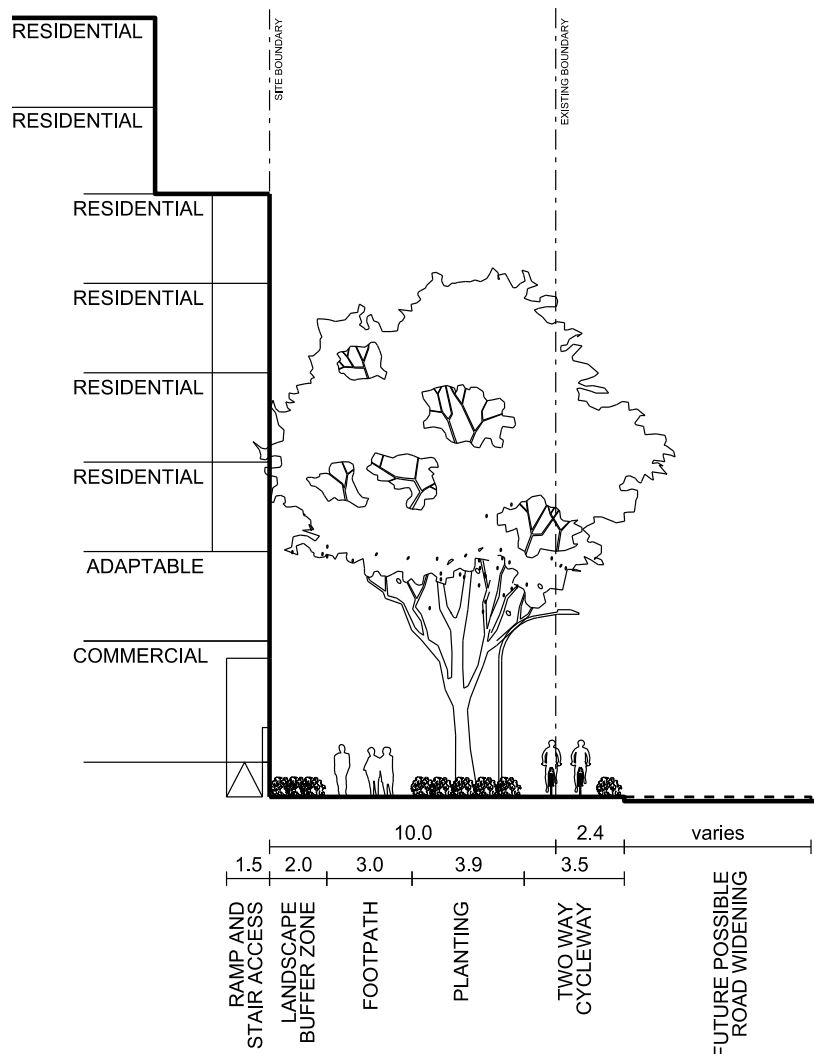
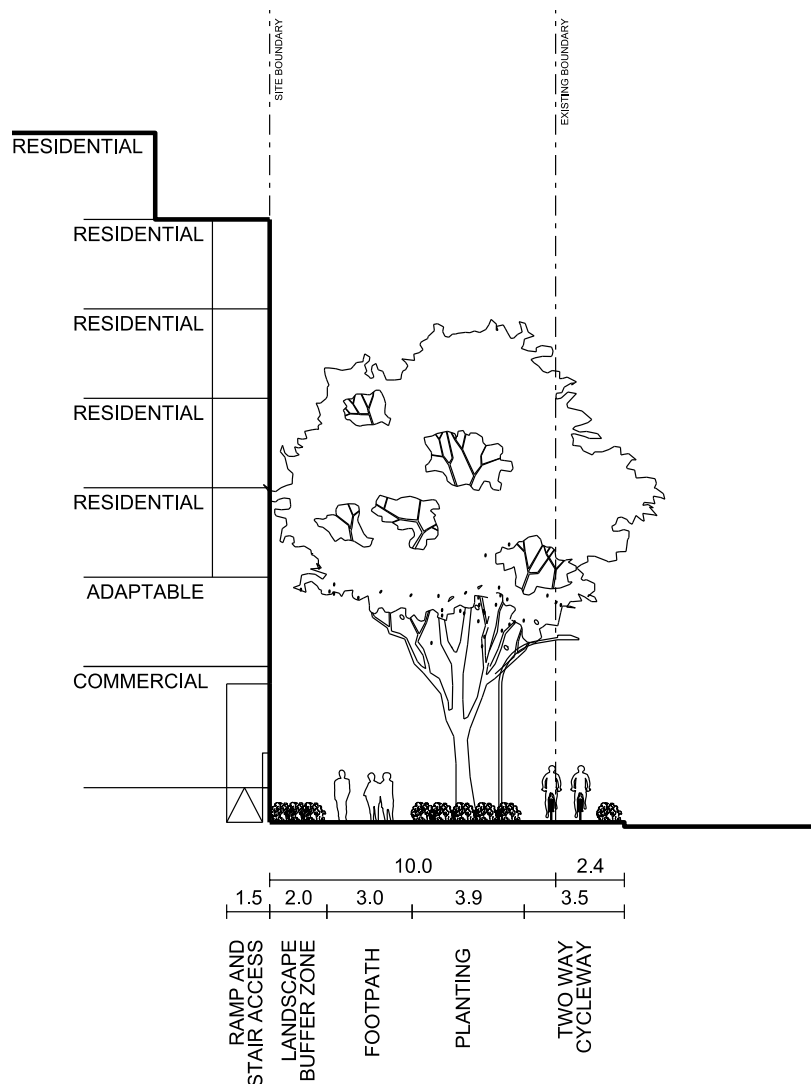


Figure 5.105
Section K -
Landscaped
Setback Typical
Section (O'Dea
Avenue)

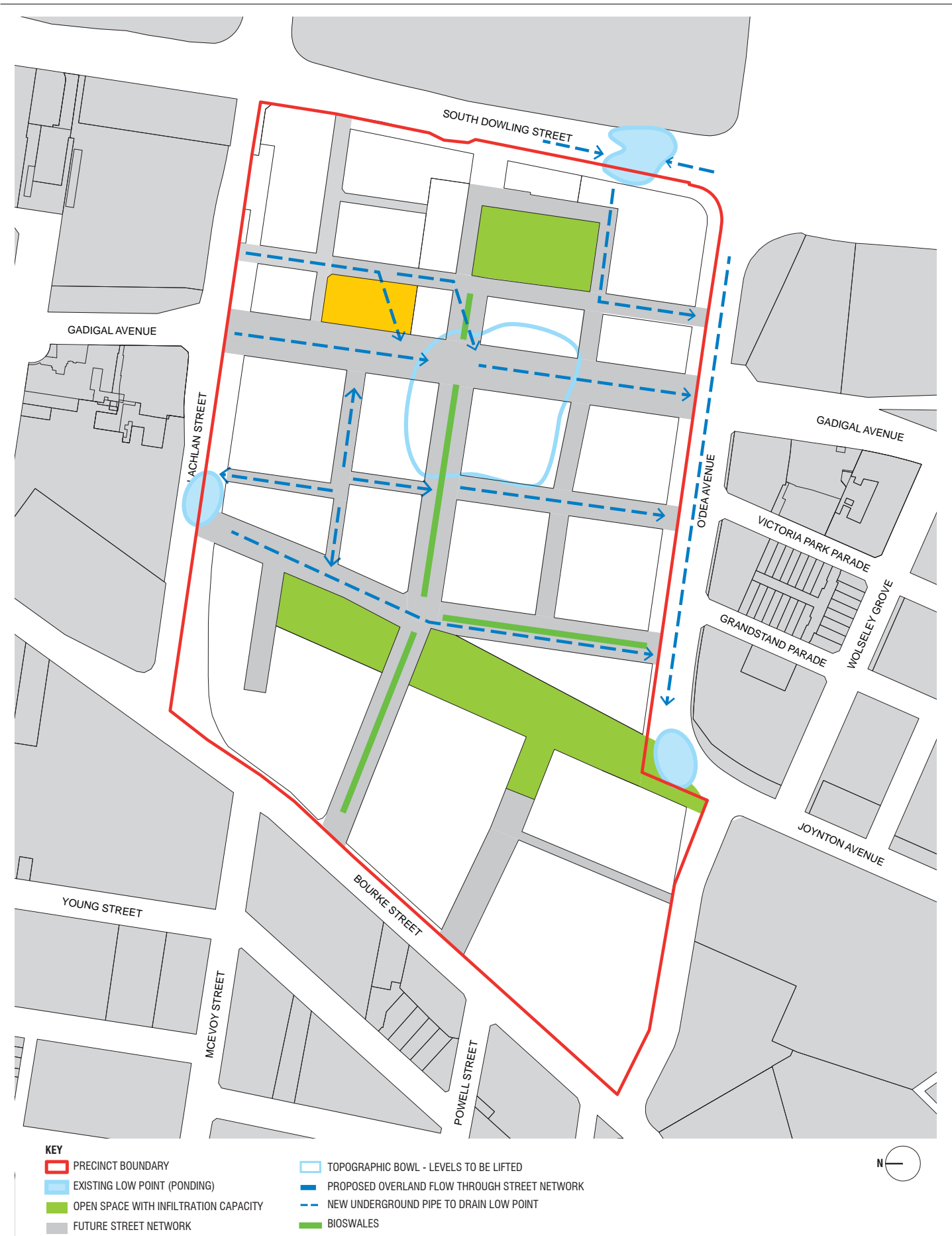


5.4.2.3 Waterways and stormwater management

- (1) Stormwater is to be generally managed within Lachlan as shown in Figure 5.106: Lachlan Precinct Stormwater Management.
- (2) Wulaba Park may have a dual function as a flood/stormwater detention basin and is to be designed and constructed appropriately, to the satisfaction of the Consent Authority. It is not to be used for on-site detention or drainage requirements.
- (3) Pedestrian and cycle only links required to provide overland flowpaths for stormwater are to be dedicated to facilitate necessary access and maintenance of the flowpath and any underground stormwater infrastructure.
- (4) Bio-swales and rain gardens are to be designed and constructed to allow for pedestrian crossings where required.
- (5) All landscaping is to be compatible with flood risk and shall not impede overland stormwater flows.
- (6) All vegetation species and structures, including paths, walls and fences, are to be able to withstand temporary flood inundation in those areas designated as detention basins.

- (7) All new development is to comply with Flood Planning Level requirements as stipulated by the Consent Authority and the provisions in 5.4.3.8 Development Levels. Building surfaces are to be designed to accommodate possible flood flows without damage or potential for erosion.
- (8) Underground drainage pipes may be required to convey stormwater flows and should be designed and constructed appropriately, to the satisfaction of the Consent Authority. Easements on title are required to allow for access and maintenance of the underground pipe network.
- (9) Development spanning the overland flowpath at the eastern end of Hatbox Place may be considered provided that:
 - (a) personal safety is not compromised;
 - (b) the applicant demonstrates an acceptable Velocity Depth product between the built form of 0.4 or below can be achieved for all storm flows including the 1 in 100 year storm event;
 - (c) all overhead structures are a minimum of 6m above the final ground floor levels to allow for access for necessary maintenance and reconstruction;
 - (d) an easement on title is granted to Council under the development for necessary access and maintenance of the flowpath and underground pipe network;
 - (e) entry points to buildings along the contained flowpath are minimised and, where unavoidable, incorporate a non-mechanical flood barrier, such as a hump, to prevent ingress of flood waters up to the Flood Planning Level;
 - (f) adjacent floor levels are 0.5m above the 1 in 100 year storm event flood levels; and
 - (g) any portion of the building or structure along the contained flowpath lower than nominated Flood Planning Levels is to be built from flood compatible materials (i.e. materials that will not experience any significant damage or potential for erosion as a result of the ingress or passage of floodwater, including debris).

Figure 5.106 Lachlan Precinct Stormwater Management



5.4.3 Building layout, form and design

Refer also to Section 3 General Provisions and Section 4 Development Types.

Objectives

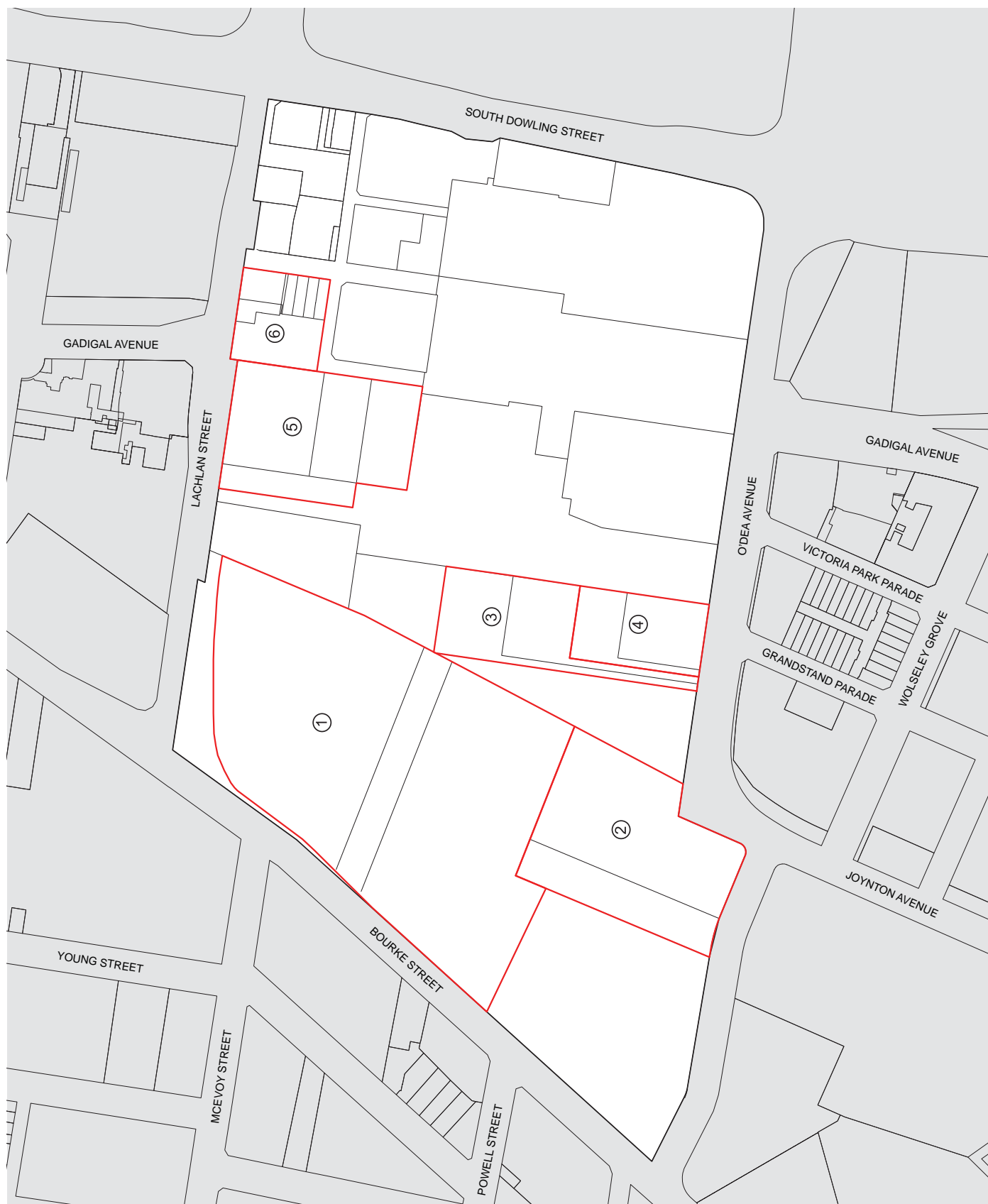
- (a) Achieve a range of building heights across the precinct and within the same street block to create variety and encourage different architectural styles.
- (b) Ensure that building form and scale are varied and contribute to the physical definition of the existing and proposed street network and the hierarchy of public and semi-public spaces and streets.
- (c) Achieve variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens the public realm.
- (d) Ensure good solar access to apartments, public and private open space and public streets.
- (e) Create visual connections and physical links between the public and private domain to reduce the effects of visual enclosure and to help activate spaces.
- (f) Achieve a range of dwelling types that respond to diverse demographics, provide accommodation choice and are flexible in layout so as to be adaptable to the needs of different users.
- (g) Ensure building typology and location of vehicular entries respond to the hierarchy of streets.
- (h) Create strategically located activity strips which encourage social interaction and provide focal points.
- (i) Ensure the use of high quality façade design and finishes throughout, but in particular where development is highly visible or of large scale.
- (j) Ensure excellent and varied design through the use of competitive design processes for prominent developments.
- (k) Maximise opportunities to incorporate the principles of ecologically sustainable development in the design of buildings.

Provisions

5.4.3.1 Floor space ratio

- (1) Additional floor space permitted by Clause 6.14 of Sydney Local Environmental Plan 2012 is only achievable where landholdings are amalgamated, in accordance with Figure 5.107: Lachlan Precinct – Required Land Amalgamation, or an alternative land amalgamation pattern which is supported by an urban design study demonstrating that the objectives of this development control plan and the NSW Residential Flat Design Code can still be satisfied.
- (2) In accordance with Clause 6.27 (2) of Sydney Local Environmental Plan 2012, where a development proposes commercial and/or retail uses only, a higher Floor Space Ratio may be achievable generally within the same building envelopes shown in Figure 5.108: Lachlan Precinct – Built Form, up to a maximum 2.5:1 FSR. For the purposes of this Clause, mixed use developments which propose commercial and/or retail in combination with residential are not eligible for a pro-rated amount of additional floor space.

Figure 5.107 Lachlan Precinct Required Land Amalgamation



KEY

- PRECINCT BOUNDARY
- LOTS REQUIRED TO AMALGAMATE

① Lot 45 DP624898
Lot 100 DP1172110
Lot 200 DP1175405
Lot 401 DP1177224
Lot 102 DP1172110
Lot 103 DP1172110
Lot 104 DP1172110

Lot 398 DP1180150
Lot 399 DP1180150
Lot 400 DP1180150

③ Lot 12 DP546231
Lot 11 DP530422

④ Lot 10 DP530422
Lot 9 DP530422

⑤ Lot 1 DP664690
Lot 2 DP317851
Lot 3 DP317851
Lot 1 DP668228

⑥ Lot 18 DP610311
Lot 1 DP606445
Lot 1 DP76985
Lot 4 DP86722
Lot 14 DP80326
Lot 100 DP1171452
Lot 101 DP1171452

Part Lot 17 DP610311 (3 Amelia St)
Part Lot 17 DP610311 (5 Amelia St)



Figure 5.108 Lachlan Precinct Built Form



5.4.3.2 Height of buildings

- (1) Building heights are to be in accordance with:
 - (a) Figure 5.108: Lachlan Precinct – Built Form;
 - (b) Table 5.15, which shows the equivalent height in storeys for commercial buildings where commercial uses only are proposed on a site; and
 - (c) Tables 5.16 and 5.17, which show the relationship between height of buildings in storeys and height in metres, including and excluding building services.

Table 5.15: Lachlan Precinct Public Open Space

Maximum mixed use / residential height in storeys	Equivalent maximum commercial height in storeys
2	2
4	4
5	5
6	5
7	6
8	7
20	17

Table 5.16: Storey heights for residential mixed use buildings

Mixed use/residential building height (above flood planning level)

Use	Storey height (floor to floor)	Minimum floor to ceiling height
Ground floor commercial or retail	4.2m minimum Greater floor to floor height may be required to accommodate certain uses e.g. showrooms, gyms	3.6m
Ground floor residential (adaptable)	3.7m	3.3m
First floor adaptable commercial/residential	3.7m	3.3m
Residential floors above first floor	3.1m	2.7m
Transfer structure at a floor where there is a change in alignment (e.g. an upper level setback)	+0.25m	
Roof, plant, lift overruns etc.	Buildings up to 8 storeys - 3m Buildings greater than 8 storeys – 4.5m	
Green roofs	Additional height to allow balustrades and access lift overruns etc.	

Table 5.17: Storey heights for commercial buildings

Commercial building height (above flood planning level)

Use	Storey height (floor to floor)	Minimum floor to ceiling height
Ground floor commercial or retail	4.2m minimum Greater floor to floor height may be required to accommodate certain uses e.g. showrooms, gyms	3.6m
Upper commercial levels	3.6-3.8m	3.0m
Transfer structure at a floor where there is a change in alignment (eg. an upper level setback)	+0.25m	3.3m
Roof, plant, lift overruns etc.	Buildings up to 10 storeys – 4.5m Buildings greater than 10 storeys - 6m	
Green roofs	Additional height to allow balustrades and access lift overruns etc.	

- (2) Distribution of building height across Lachlan is to respond to the following key principles:
 - (a) the proportion of on-site public domain provision and equity of development capacity across landholdings;
 - (b) street hierarchy and width, with higher buildings on the main arterial and connector streets;
 - (c) street and building orientation, seeking to maximise northern light to the public domain;
 - (d) variety within street blocks and across Lachlan;
 - (e) proximity of open space, seeking to capitalise on amenity and space created by neighbourhood parks;
 - (f) separation of tower forms to prevent regimented clustering, both within Lachlan and in the context of neighbouring precincts; and
 - (g) a general height of 7-8 storeys or less, with a maximum 6 storey street frontage height, to secure an appropriate pedestrian scale.
- (3) In general:
 - (a) medium-rise buildings of 7-8 storeys are acceptable where these taller elements are counter-balanced with lower buildings of 4-6 storeys within the same street block and where the building scale is appropriate in the street hierarchy; and
 - (b) low-rise buildings of up to 4 storeys are to be located fronting east-west streets to reinforce the pedestrian scale of these lower-order, more local streets and to achieve good solar access to the public domain.
- (4) Four towers of up to 20 storeys and one tower of up to 25 storeys are permitted in the locations shown in Figure 5.108: Lachlan Precinct – Built Form, to reflect significant provision of precinct infrastructure and facilitate lower building heights on the remainder of the affected landholdings. Achieving this nominated height is dependent on achieving design excellence in accordance with the provisions in Division 4 Design Excellence of Sydney Local Environmental Plan 2012 and Section 3.3 of this development control plan for each affected street block. If design excellence is not demonstrated, a reduction in tower height commensurate to the Floor Space Ratio permitted by Clause 6.14 of Sydney Local Environmental Plan 2012 is required.

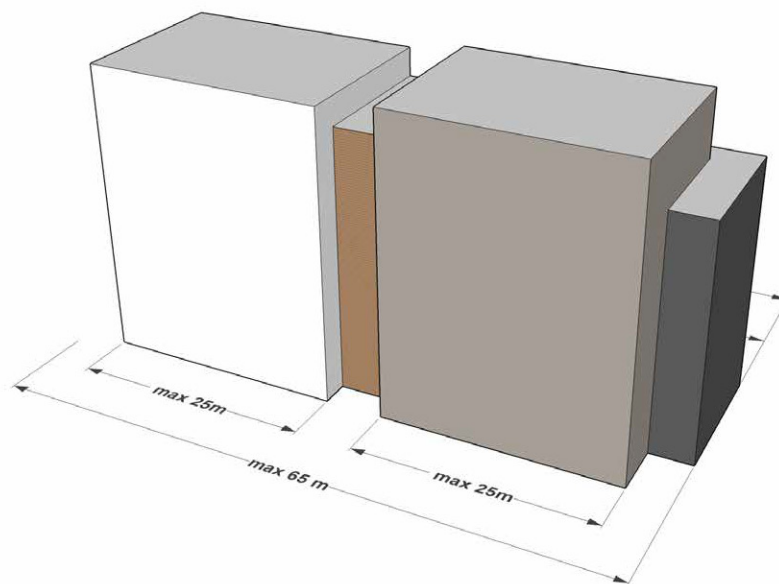
- (5) The Consent Authority may grant consent for development that varies the building heights shown in Figure 5.108: Lachlan Precinct – Built Form following consideration of:
 - (a) meeting the general environmental performance provisions and built form objectives of this DCP;
 - (b) achieving variety in building height and scale within street blocks and across Lachlan;
 - (c) the prevailing scale of the streetscape and the adjacent public domain;
 - (d) the public domain improvements achieved;
 - (e) the cumulative reduction of solar access to the development site and surrounding blocks and public domain; and
 - (f) amalgamating landholdings, where necessary, in accordance with Figure 5.107: Lachlan Precinct – Required Land Amalgamation.

5.4.3.3 Building form and design

- (1) The preferred built form layout is presented in Figure 5.108: Lachlan Precinct – Built Form. The building envelopes respond to the following key layout principles:
 - (a) buildings addressing streets, aligned with streets and responding to street hierarchy;
 - (b) variety in building layout for visual interest, modulated building bulk, achievement of maximum floor space ratio, and maximising solar access;
 - (c) building separation for visual privacy; and
 - (d) variety in building types including showroom uses along South Dowling Street and retail/café uses along the Archibald Avenue activity strip.
- (2) The building envelopes shown in Figure 5.108: Lachlan Precinct – Built Form for the street block bounded by Gadigal Avenue, Archibald Avenue, Amelia Street and Hatbox Place may be further refined to appropriately respond to the four street block frontages and the interface with Wulaba Park. In addition to the key principles in 5.4.3.3(1) above, the built form on this street block is to:
 - (a) define the park edge with built form up to 6 storeys, with potential for two additional storeys if well set back and creating no further overshadowing to the park;
 - (b) provide a safe and active ground floor interface with Amelia Street; and
 - (c) provide surveillance of the park from residential or commercial uses on upper storeys.
- (3) Further to 5.4.3.3(2) above, the location of the building envelope for the tower may be flexible provided the tower floorplate does not exceed 800sqm. This is to enable design of the building to appropriately define this highly visible site at the intersection of the two principal streets. The optimal tower envelope is to be explored through the competitive design process required for the street block, cognisant of impact on solar access within Wulaba Park, and agreed by the Consent Authority.
- (4) The building envelope shown in Figure 5.108: Lachlan Precinct – Built Form for the street block to the immediate south of Dyuralya Park may be further refined to:
 - (a) provide a safe and active ground floor interface with Gadigal Avenue, Archibald Avenue and Dyuralya Park; and
 - (b) provide surveillance of the park from residential or commercial uses on upper storeys.

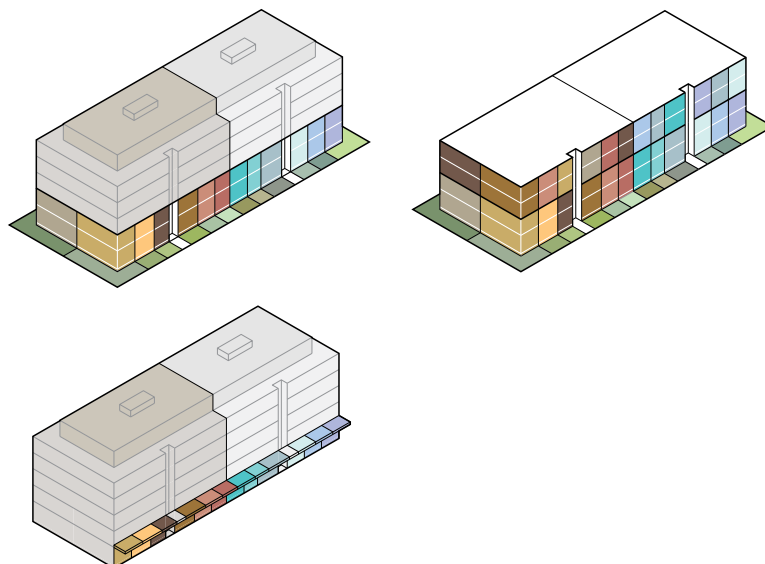
- (5) Tall buildings of 9 storeys or over are to be designed as 'slender form' with a maximum floorplate of 750sqm including balconies, with the exception of the tower referred to in 5.4.3.3 (3).
- (6) Buildings of 10 storeys or over are to be separated from other buildings of 10 storeys or over by a minimum of 60m, unless an urban design study can demonstrate that the objectives of this development control plan and the NSW Residential Flat Design Code can still be achieved.
- (7) Development within street blocks is to vary in size, height and architectural expression, with a variety of facades, articulation, massing and character so that the street block presents as a group of buildings rather than a singular architectural design or building.
- (8) To achieve diversity and interest in the architectural character of Lachlan, buildings that are located adjacent to or opposite one another are not to be similar in design.
- (9) Each street facade is to be articulated into smaller elements at a scale or grain that reflects:
 - (a) the use of the building and the various components of the building;
 - (b) the location of the building, or that part of the building relative to pedestrian or outdoor recreation activity; and
 - (c) the details and building elements including building entries, ground floor, lower floors, top floor and roof.
- (10) Buildings in excess of 40m long must be designed with at least two distinct building components, each of which is to have its own architectural character and not exceed 25m in length, as illustrated in Figure 5.109.

Figure 5.109
Distinct building components



- (11) Buildings less than or equal to 40m in length may have a single architectural character provided that the facade elements establish a fine grain vertical and horizontal articulation (rhythm and scale), as illustrated in Figure 5.110.

Figure 5.110
Establishing
a 'fine grain'
through vertical
and horizontal
articulation



- (12) Groups of dwellings served by the same vertical circulation lift or stair are to be designed as a distinct 'building component'. Generally for buildings up to 8 storeys high, these groups must not exceed 25 dwellings per core.
- (13) Frontages are to be activated through use, the inclusion of multiple entries and through detailing and materials. Individual entries to ground floor apartments facing a street or through-site link are to be maximised. The maximum length of blank street frontage façades is not to exceed 5m.
- (14) To ensure good levels of residential amenity throughout Lachlan, any departure from the NSW Residential Flat Design Code solar access guidelines is to be appropriately justified.
- (15) In addition to NSW Residential Flat Design Code requirements for private communal open space, inclusion of green roofs should be explored for all development less than 25m above ground level in accordance with the City's Green Roofs Policy as it applies from time to time, particularly where high quality private communal open space may be constrained at ground level by overshadowing.

5.4.3.4 Building setbacks

- (1) All buildings are to be designed to comply with the setbacks on the *Building setback and alignment map* and in Figure 5.112: Lachlan Precinct – Building Setbacks.
- (2) The design treatment of primary setbacks is to be appropriate to the proposed use of the adjacent building(s). Refer to Figure 4.22 Building form controls to determine primary setback.
- (3) A 3m by 3m chamfered setback, as shown in Figure 5.111, must be provided from the site boundary at the ground and first floors at the intersection of streets to ensure adequate sightlines.

Figure 5.111
Minimum
chamfered setback

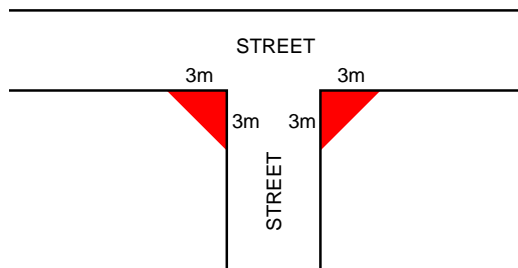


Figure 5.112 Lachlan Precinct Building Setbacks



5.4.3.5 Building typologies and use

- (1) Building types are to generally comply with Figure 5.113: Lachlan Precinct – Building Uses and are to be designed appropriately. The Consent Authority may consider alternative uses consistent with the zoning of the site.
- (2) Ground floor non-residential uses are to be located along the main roads bounding the precinct in recognition of the amenity impact associated with the high traffic use of these streets. To ensure acceptable levels of acoustic amenity and air quality, no residential uses are permitted within 8m above ground level along South Dowling Street and Lachlan Street.
- (3) Non-residential uses are also required to be provided to activate the public domain, along Gadigal Avenue, the Archibald Avenue activity strip and fronting the public open spaces.
- (4) Ground floor non-residential uses are to achieve a minimum depth of 10m measured from the line of enclosure, to accommodate amenities, storage space, general back of house activities and other spatial requirements to support non-residential uses.
- (5) The Archibald Avenue activity strip, between Gadigal Avenue and Sam Sing Street, is to have:
 - (a) a vibrant streetscape and a range of street level activities, avoiding vehicular entries to buildings and footpath crossings;
 - (b) built form that is designed to reinforce the pedestrian scale and achieve good levels of solar access to the public domain; and
 - (c) generous footpaths for outdoor café seating, particularly to the southern side, and high quality landscaping.
- (6) Retail active frontages are to have a:
 - (a) glazing line adjacent to the public domain – recessed entries may be appropriate to provide for a traditional style shopfront; and
 - (b) minimum of 15 tenancy entrances per 100m.
- (7) Continuous awnings are to be provided above retail uses. Awnings over entries are to be provided for commercial uses. All awnings should be setback from the kerb line to avoid collision with tall vehicles potentially operating in the parking lane.

Figure 5.113 Lachlan Precinct Building Uses



KEY

- PRECINCT BOUNDARY
- COMMERCIAL, RETAIL USES OR RESIDENTIAL DWELLINGS
- NON-RESIDENTIAL USES AT GROUND FLOOR ARE ENCOURAGED

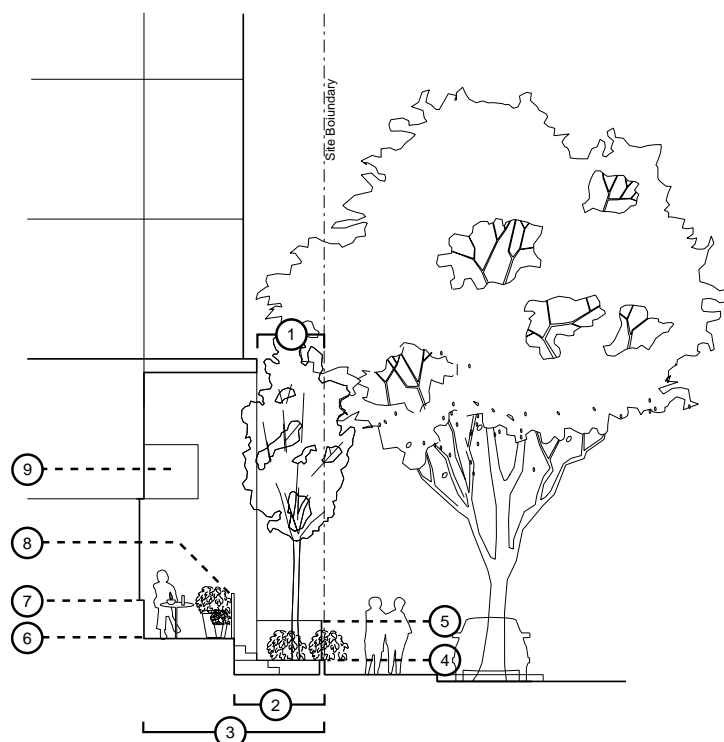
- RETAIL USES AT GROUND FLOOR (COMMERCIAL, RETAIL USES OR RESIDENTIAL DWELLINGS ABOVE)
- NON-RESIDENTIAL USES AT GROUND FLOOR (RESIDENTIAL DWELLINGS, COMMERCIAL OR RETAIL USES ABOVE)
- NON-RESIDENTIAL USES AT GROUND FLOOR, ADAPTABLE FIRST FLOOR FOR NON-RESIDENTIAL OR COMMERCIAL USES
- NON-RESIDENTIAL DWELLINGS PERMITTED BELOW 8m ELEVATION FROM GROUND LEVEL - REFER TO CLAUSE 5.4.3.5(2)



5.4.3.6 Residential uses on the ground and first floor

- (1) Further to Clause 5.4.3.4(1), residential uses at the ground and first floor are to be in accordance with Figure 5.114 and be provided with a minimum:
 - (a) 1.5m primary building setback;
 - (b) 4m setback from the site boundary to the glass line enclosing the internal space at the ground and first floors; and
 - (c) 2.0m wide deep soil landscape setback as a private front garden. The garden may be located above the street level in accordance with Clause 5.4.3.8(2) and (3).
- (2) Ground floor private open space located facing the street is to be designed as a compact deck up to 2.0m deep.
- (3) The level established for the ground floor is to offer a combination of privacy and passive surveillance and is to be cognisant of the requirements of Clauses 5.4.3.8(1)-(9) regarding development levels.
- (4) Sills or opaque treatments are to be provided to ground floor windows to at least 0.8m above ground floor level to provide privacy.
- (5) Dwellings on the ground floor facing the street are to have individual entries from the street.
- (6) Balustrades to ground floor decks are to be predominantly open, with preference for contemporary steel palisade types.
- (7) Where a site boundary fence is to be incorporated it is to be predominantly open and no higher than 1.4m from footpath level.
- (8) The size of first floor balconies is to be minimised to ensure adequate light reaches ground floor living areas.
- (9) Where appropriate, ground level apartments are to be designed in a manner similar to 2 storey terrace houses, including framing fin walls to delineate individual dwellings.

Figure 5.114
Typical residential
ground and first
floor relationship
to the street



1. Primary building setback, clear full height – min. 1.5m
2. Deep soil landscape planting area – min. 2m
3. Setback from the site boundary to the glass line – min. 4m
4. Private front garden, landscape bed – 2m wide
5. Site boundary fence – max. 1.4m high
6. Ground floor level – to step with the street and be set in accordance with Development Levels Clauses 5.4.3.8(1)-(9)
7. Sills or opaque treatments to ground floor windows – min. 0.8m above ground floor level
8. Balustrade to ground floor deck – predominantly open
9. First floor balcony – optional

5.4.3.7 Acoustic and visual privacy

For the purposes of defining adequate levels of acoustic amenity for residential development, reference is to be made to Clause 102(3) of the Infrastructure State Environmental Planning Policy.

- (1) Dwellings are to be constructed so that the repeatable maximum LAeq (1 hour) level does not exceed:
 - (a) for closed windows and doors:
 - i. bedrooms (10pm-7am), 35dB; and
 - ii. main living area (24 hours), 40dB.
 - (b) for open windows and doors:
 - i. bedrooms (10pm-7am), 45dB; and
 - ii. main living area (24 hours), 55dB.
- (2) The levels above are to include the combined measured level of noise from both external sources and the ventilation system operating normally.

- (3) For areas with predominantly non-residential ground level uses, or with a nominated active frontage, or sites with a frontage to a busy road (carrying more than 20,000 vehicles per day):
- (a) residential uses with a floor level located within 10m above the ground level with good access to daylight (where the angle from a horizontal plane to obstructions of the sky* is less than 30 degrees) must:
- i. have a minimum 65% solid masonry street frontage (including balustrade); and
 - ii. incorporate a sun-room behind the street frontage with a minimum clear depth of 1.2m to:
 - a. attenuate noise by providing fully retractable glazed screens at the street frontage alignment that when closed create a full acoustic seal (and reasonable acoustic amenity in habitable spaces); and
 - b. ensure visual privacy by providing fully retractable privacy screens at the street frontage alignment.

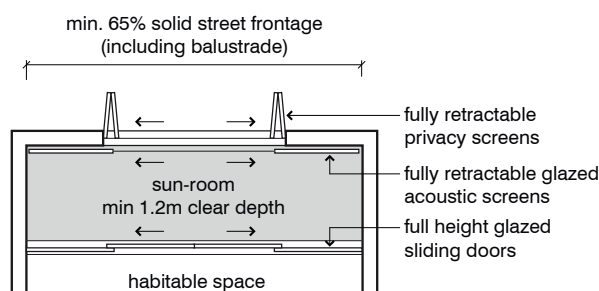
Note: The two sets of screens must operate independently.

The sunroom is to be included in any calculations of gross floor area but is not to be considered as a habitable room.

*See Figure 5.115

Figure 5.115

Acoustic and visual privacy treatment for residential units with good access to daylight



- (b) Residential uses with a floor level located within 10m above the ground level with limited access to daylight (where the angle from a horizontal plane to obstructions of the sky* is greater than 30 degrees) must:
- i. have a minimum 50% solid masonry street frontage (including balustrade);
 - ii. not include any external horizontal projections above residential windows that block access to daylight (for example balconies);
 - iii. provide exterior windows at the streets frontage alignment that when closed create a full acoustic seal and provide adequate acoustic amenity; and
 - iv. provide visual privacy with fully retractable privacy screens at the street frontage alignment.

Note: The two sets of screens must operate independently.

*See Figure 5.116

Figure 5.116

Acoustic and visual privacy treatment for residential units with limited access to daylight

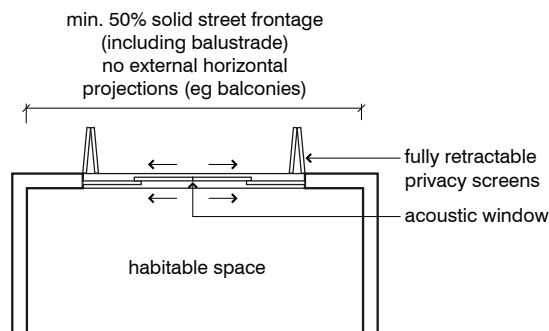
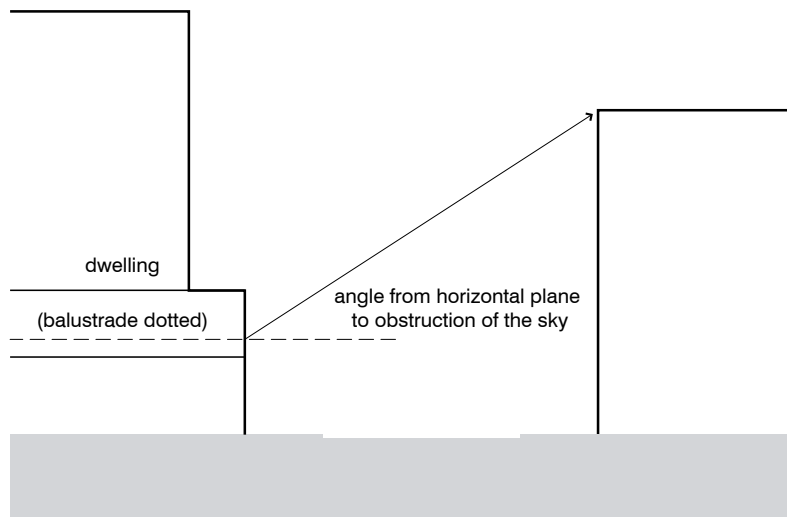


Figure 5.117

Angle from horizontal plane to obstruction of the sky



5.4.3.8 Development levels

- (1) Development levels for buildings and public domain are to be set by the Australian Height Datum Reduced Levels (RLs) to be supplied by Council.
- (2) Public domain and street blocks are to be graded appropriately between the supplied RLs across the topography of a site to the satisfaction of Council. The ground floor level of any building is to be as close as possible to the ground level of the adjacent public domain at any point.
- (3) Except where required to achieve a minimum freeboard above the Flood Planning Level, the maximum height in metres of the ground level above the adjacent public domain is to be 1m for residential uses.
- (4) Retail uses along the Archibald Avenue activity strip are to be located at ground level, with underground stormwater infrastructure designed to capture the 1 in 100 year flood.
- (5) Finished floor levels of ground floor retail and commercial uses throughout Lachlan are to be set no higher than the 1 in 100 year flood.
- (6) It is generally preferable for retail and commercial tenancies to have an entry threshold at street level to enable a better visual and physical connection with passing foot traffic. As such, setting the ground floor level below the 1 in 100 year floor level is to be explored and agreed to by the Consent Authority.

- (7) Where a retail or commercial unit is proposed below the 1 in 100 year floor level it will be assessed on merit and considered provided that:
 - (a) it assists in activating the future public domain;
 - (b) a split-level unit is achieved, with an upper level set at the 1 in 100 year flood, accessed via a level transition of stairs, ramp or both incorporated within the internal layout of the unit;
 - (c) any part of the floor space proposed below the 1 in 100 year flood is located along the street frontage and contains no permanent fixtures that are susceptible to damage from flooding;
 - (d) all equipment, including electrical equipment, is located in the elevated section, above the 1 in 100 year flood;
 - (e) each unit is constructed so as not to have any penetrations to other parts of the building and that any flooding that may occur internally is contained and unable to spread to adjacent units; and
 - (f) construction is flood resistant, including the line of enclosure which is to have a solid wall below, and sill set above, the 1 in 100 year flood.
- (8) Where the adjacent public domain slopes, ground floor levels should step to maintain an optimal relationship to the street.
- (9) The Flood Planning Level should be determined at least every 25m along each frontage to avoid ground floor levels being set excessively high relative to the level of the public domain on sloping sites.
- (10) Ramps and steps to provide access up to ground level are not to be provided within the public domain.

5.4.3.9 Parking and access

- (1) Vehicular access points for all developments are to be consolidated to minimise disruption to pedestrians. Vehicles are to enter buildings directly from the street and not from breaks between buildings. Driveway crossings and vehicular access points are not permitted along Gadigal Avenue or within the Archibald Avenue activity strip, and are to be situated instead on lower-order streets, in accordance with Figure 5.103: Lachlan Precinct – Access and Circulation.
- (2) Access to underground parking is to be designed with due regard to flood levels and impact on the street frontage.
- (3) Parking is to be provided underground and located generally within the extent of the building floorplate above.
- (4) Where the topography of the land or constraints of the water table result in the basement parking level projecting above ground level, it is to be designed to:
 - (a) not project more than 1m above ground or as required to comply with Flood Planning Levels; and
 - (b) achieve an attractive ground level relationship between the building(s) and the public domain, with generous vegetation screening.
- (5) Where below ground parking is significantly constrained by the high water table or where site remediation is environmentally unsustainable, up to one level of on-site parking may be considered above ground within the building floorplate provided that it is:
 - (a) incorporated into the building and screened by other uses; and
 - (b) designed with materials, details, proportions and landscaping to complement the building and adjoining buildings.

- (6) Given the limited street block dimensions achievable within 52 O'Dea Avenue and the amalgamated street block north of Dyuralya Park, the provision of basement parking below the footpath of Gadigal Avenue may be considered by the Consent Authority in connection with redevelopment of site, where:
 - (a) the requirements for parking associated with the proposed development cannot reasonably be met within the maximum extent of the street block, including provision of two basement levels;
 - (b) there is no protrusion or evidence of the car park visible above ground level;
 - (c) the car park extends no further than 2m under the footpath;
 - (d) a satisfactory arrangement can be made for the provision and maintenance of stormwater infrastructure, street tree pits and private service connections below the street surface; and
 - (e) an acceptable arrangement to separate the public and private strata can be put in place.
- (7) Design of any parking beneath streets dedicated in stratum is subject to Council's approval. Where possible any development beneath roads dedicated in stratum must comprise common areas or visitor parking.
- (8) Where required to be provided by Council, a shared/integrated basement car parking area with a single vehicular access point is to be provided in the locations identified in Figure 5.103: Lachlan Precinct – Access and Circulation. Where required, the first site to develop is to make provision for shared access, with necessary easement(s) on title, appropriate circulation paths and siting of breakthrough walls.

5.4.3.10 Staging and implementation

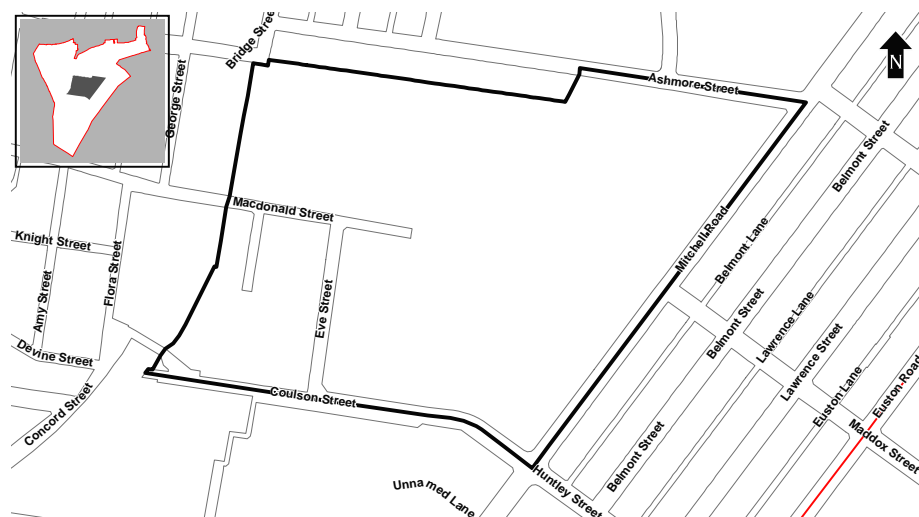
- (1) All sites to be redeveloped are to have a public road frontage and be accessible via a public street.
- (2) An interim alternative street block layout or built form layout may be considered on a site by the Consent Authority to allow for staged redevelopment and/or retention and refurbishment of existing industrial/commercial buildings, provided that:
 - (a) the development secures at least some elements of the required public domain infrastructure for that site as identified in this development control plan in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure and Figure 5.92: Lachlan Precinct – Public Domain Dedication; and
 - (b) any area of proposed development which impedes the achievement of the public domain infrastructure required in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure be of a temporary nature and be conditioned as such; and
 - (c) a strategy outlining a likely development staging plan and delivery sequence for the remaining public domain infrastructure required in Figure 5.91: Lachlan Precinct – Public Domain and Local Infrastructure be submitted to accompany the development application.

5.5

Ashmore Neighbourhood

The Ashmore Neighbourhood is defined in the Ashmore Land Application Map shown at Figure 5.118. It is bound by Ashmore Street to the north, Mitchell Road to the east, Coulson Street to the south and the railway embankment to the west. It is within close proximity to Erskineville Road Village Centre and the King Street retail strip.

Figure 5.118
Ashmore Land
Application Map



Ashmore will be a sustainable neighbourhood that offers a variety of dwelling types and will be well integrated with new residential development in Ashmore and the surrounding conservation areas of Erskineville and Alexandria.

Development will be complemented with a high quality public domain, including new streets, a central public park and bike links to facilitate pedestrian and cycle movement throughout Ashmore, and integrated with the surrounding street network and open spaces.

Ashmore will have a strong landscaped character, with new development being setback from the street to provide a landscape buffer between the new buildings and the public domain. New development will be designed to ensure it brings life to the street with individual entries to ground floor dwellings, to provide passive surveillance and opportunities for social interaction.

Figure 5.119 Ashmore Urban Strategy shows an indicative vision for the Ashmore Neighbourhood.

5.5.1 Ashmore urban strategy

Objectives

- (a) Future development is to be of the highest quality, and sympathetic to the existing surrounding local character and history of Erskineville and Alexandria and their former industrial uses.
- (b) Ensure that redevelopment of the Ashmore Neighbourhood is coordinated to effectively manage the redevelopment and provide adequate community facilities and services as required.
- (c) Introduce a mix of dwelling types to provide flexibility and choice that reflects the needs of 21st century living.
- (d) Ensure building heights in Ashmore provide a transition to the surrounding conservation areas.
- (e) Introduce a permeable network of streets that responds to key connections and the surrounding historic street patterns of Erskineville and Alexandria.
- (f) Create an attractive public domain with pedestrian and bike connections. Links to public transport are to be clear and legible, and are to prioritise pedestrians with slow speed traffic lanes. All streets should include tree planting.
- (g) Provide one main park, known as McPherson Park, for passive and active recreation, and to assist with stormwater management.
- (h) Provide high quality streetscapes throughout Ashmore. All new streets will provide trees to provide shade and amenity and incorporate water sensitive urban design where appropriate.
- (i) Create a strong landscaped character that unites development in Ashmore by setting back development from the public domain and providing native planting that is in accordance with the Council's Landscape Code.
- (j) Introduce an appropriate mix of land uses with retail at ground level on MacDonald Street, adjacent to McPherson Park and some commercial uses at the intersection of MacDonald Street and Mitchell Road.
- (k) Protect key panoramic views from Sydney Park to the CBD skyline and King Street ridge and east-west views throughout the neighbourhood to enhance visual permeability.

Figure 5.119 Ashmore Urban Strategy



KEY

- ▬ PRECINCT BOUNDARY
- ▬ 5 STOREY STREET FRONTAGE HEIGHT
- ▬ GREEN LINK - PEDESTRIAN / CYCLE
- BUILDINGS UP TO 8 STOREYS

- ▬ ACTIVE EDGE
- ▬ COMMERCIAL / RETAIL
- ▬ LOW BUILDINGS
- ★ LOCAL SHOPS

- ▬ PROPOSED OPEN SPACE
- ▬ PRIMARY STREET WITH CYCLEWAYS
- ▬ BIOSWALES
- ▬ EXISTING OPEN SPACE

- ↔ PEDESTRIAN / CYCLE ONLY LANES - NO VEHICULAR ACCESS
- PEDESTRIAN LINKS
- ONE WAY STREETS



5.5.2 Urban design principles

The following principles have been developed to inform the development of these planning controls. They are the result of an urban design review that has established appropriate building heights for Ashmore, the preferred development type, and density. They ensure that the proposed built form meets the required building standards, and integrates with the context of the surrounding local area.

Principle 1 Transition of Building Heights



- Ensure a transition of building heights from the surrounding conservation areas;
- Provide 2 storey (plus attic) terraces immediately to the south of the existing terraces on Ashmore Street;
- Provide a predominant street wall height of 3 storeys along Mitchell Road;
- All the upper levels (above 5 storeys) will be required to be setback 4m to reduce their visual impact from the street; and
- Locate higher buildings surrounding McPherson Park (the main public park).

Principle 2
Land Uses



- Provide a predominantly residential neighbourhood;
- Ensure that appropriate local shops and services (such as childcare facilities) are provided to meet the demands of the new population;
- Ensure location of local shops and services are in the optimum location to meet the needs of the new and existing population; and
- Ensure a sufficient quantum of public open spaces is provided to meet the demand of the new population.

Principle 3
Public Domain



- Provide one main park of 7400 square metres, to provide for active and passive recreation;
- Provide a north-south green link for pedestrians and cyclists that links Ashmore to Harry Noble Park in the north and Sydney Park in the south;

- Ensure 3 metre landscaped setbacks are provided to reduce the perception of scale of buildings at street level;
- Provide bioswales on key streets, and unobstructed root zones for planting of trees and help with rainwater infiltration; and
- Use landscaping to help manage stormwater.

5.5.3 Local infrastructure and public domain

Refer also to provisions in Section 3 General Provisions.

Objectives

- (a) Introduce additional east-west and north-south connections to create a clear, legible and permeable network of streets and pedestrian and bike links that connect the Ashmore Neighbourhood to:
 - (i) transport nodes;
 - (ii) the proposed retail and commercial precinct;
 - (iii) other services on Erskineville Road Village and King Street, Newtown; and
 - (iv) nearby open spaces and neighbourhoods.
- (b) Provide an integrated network of open space and public domain areas for passive recreation, to enhance the lifestyle of residents and promote social interaction.
- (c) Ensure open space and green links are located to assist with stormwater management, provides deep soil zones and maximise rainfall infiltration.
- (d) Ensure Ashmore is accessible, safe, and secure for all members of the community in line with Crime Prevention through Environmental Design (CPTED) principles.

5.5.3.1 Street network

Provisions

- (1) New streets, lanes and pedestrian links are to be provided in the locations identified in Figure 5.120 Ashmore Street Hierarchy. All streets and lanes are to be dedicated to Council.
- (2) All streets and lanes must be designed in accordance with Figures 5.122-5.130 Sections – A - H.
- (3) Design of new streets must be in accordance with the Ashmore Public Domain Strategy.
- (4) Ensure that the new street network maximises legibility and orientation throughout Ashmore to reduce effects of visual enclosure. Where existing streets are to be extended they must connect directly and align with existing streets.
- (5) Extend MacDonald Street to the east to connect with Mitchell Road and provide a swale along the length of MacDonald Street to help manage stormwater pollutant loads.
- (6) Extend Goddard Street to Coulson Street southwards to provide easier pedestrian access from the Ashmore neighbourhood to Sydney Park.
- (7) Reinstate Coppersmith Lane.
- (8) Provide a shared zone between MacDonald Street and Bridge Street, immediately adjacent to the railway line.

Figure 5.120 Ashmore Street Hierarchy



KEY

- | | | | |
|---|---|---|---|
| PRECINCT BOUNDARY | 10M (SECTION D) | ↔ PEDESTRIAN LINK | PROPOSED TRAFFIC LIGHTS |
| 20M PEDESTRIAN/CYCLE PATH (SECTION F) | 8M (SECTION G) | EXISTING STREETS | GREEN LINK - PEDESTRIAN / CYCLE |
| 20M (SECTION A) | 6M (SECTION E) | PROPOSED OPEN SPACE | ↔ PEDESTRIAN / CYCLE ONLY LANES - NO VEHICULAR ACCESS |
| 13.8M (SECTION B) | SHARED PATH (SECTION C) | LANDSCAPED STREET CLOSURE | |

Figure 5.121 Ashmore Dedication Map



Figure 5.122
MacDonald Street –
Section A

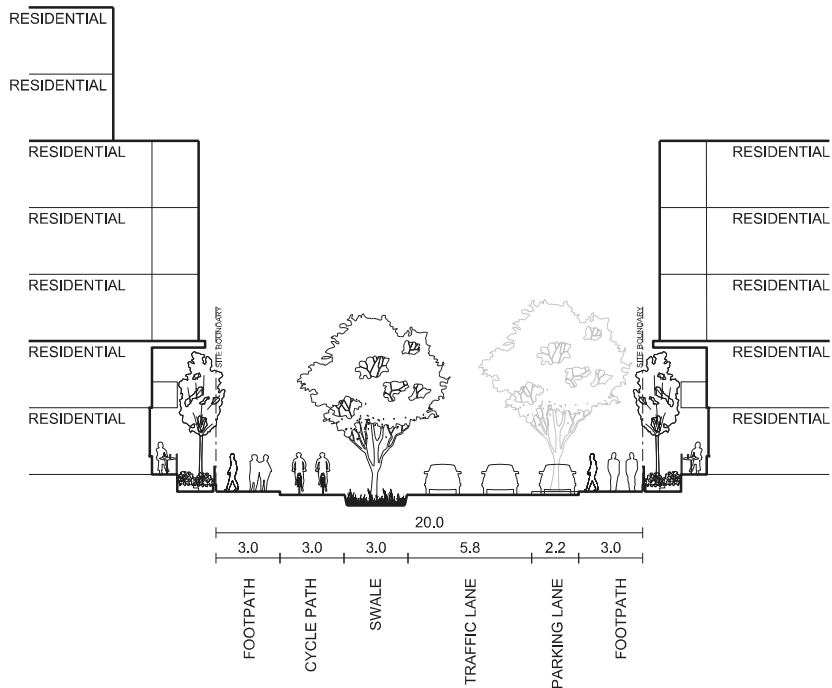


Figure 5.123
13.8 metre Standard
Street - Section B

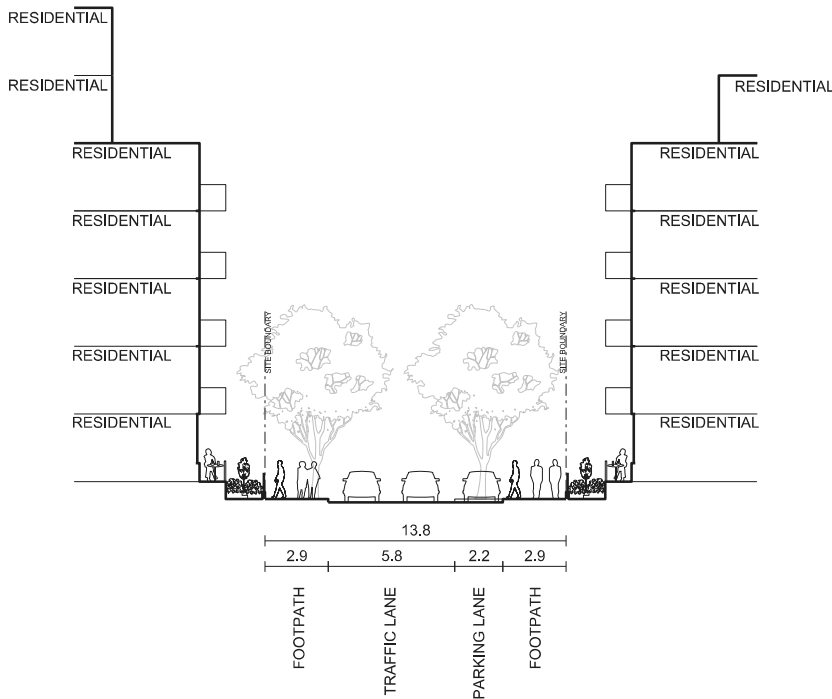


Figure 5.124
Shared Zone -
Section C

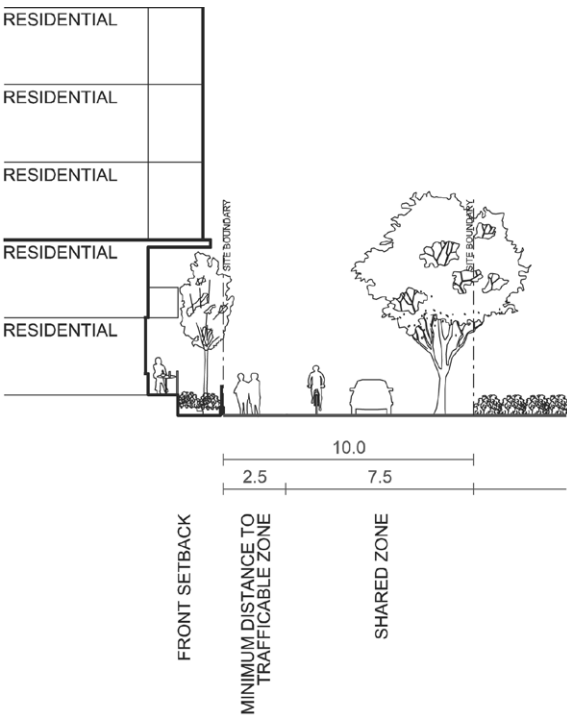


Figure 5.125
Goddard Street -
Section D

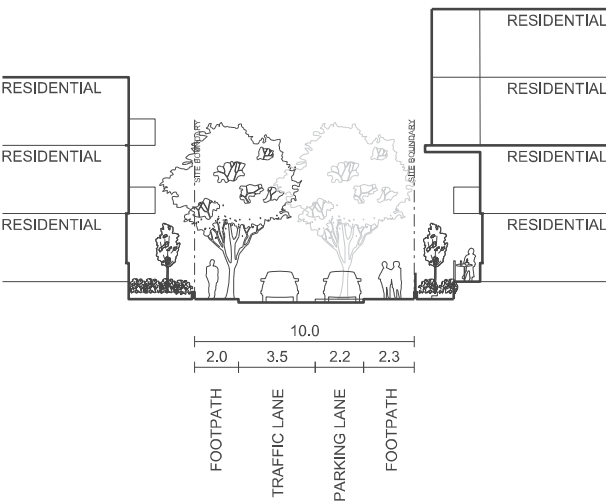


Figure 5.126
Goddard Street -
Section D (plan view
indicative)

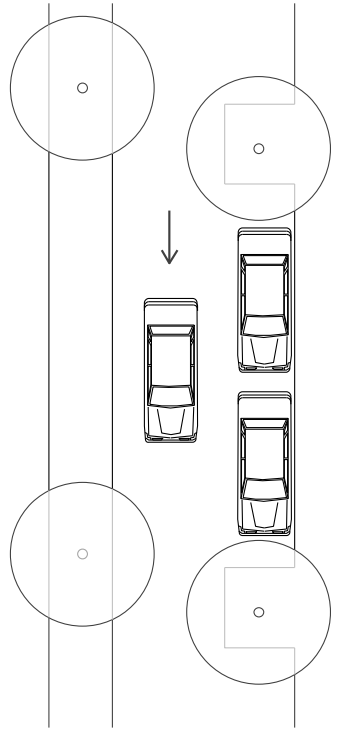


Figure 5.127
Shared Zone -
Section E

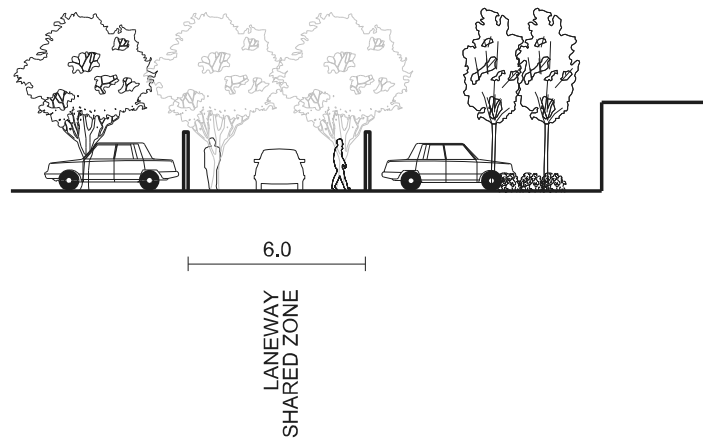


Figure 5.128
Kooka Walk -
Section F

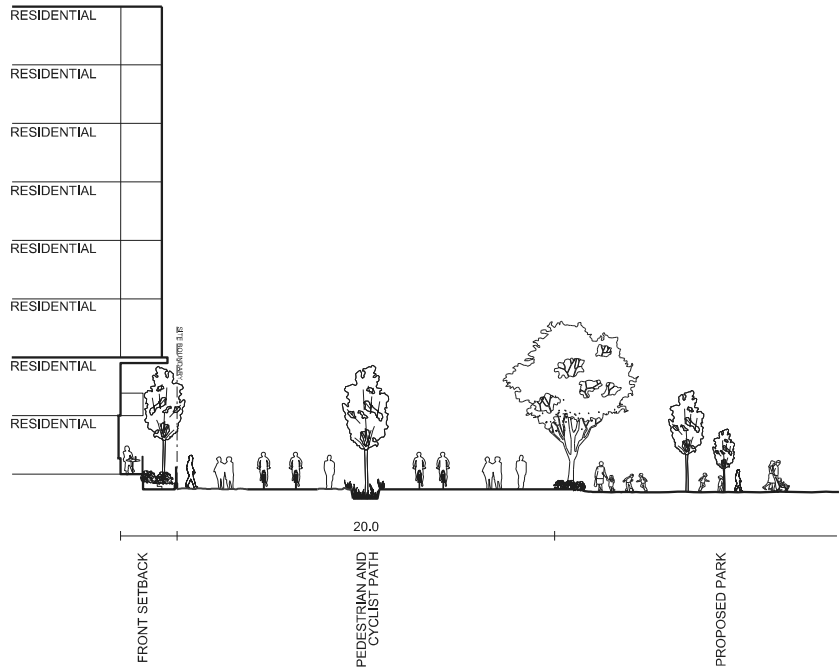


Figure 5.129
Small street -
Section G

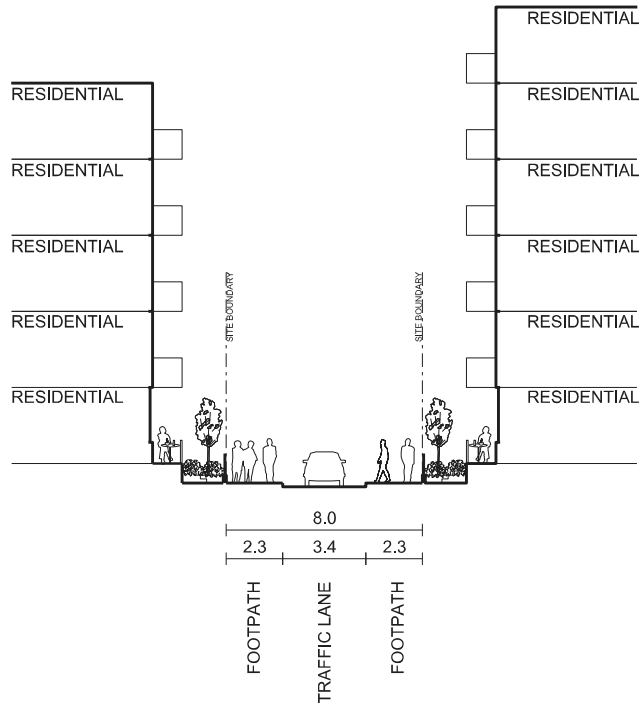
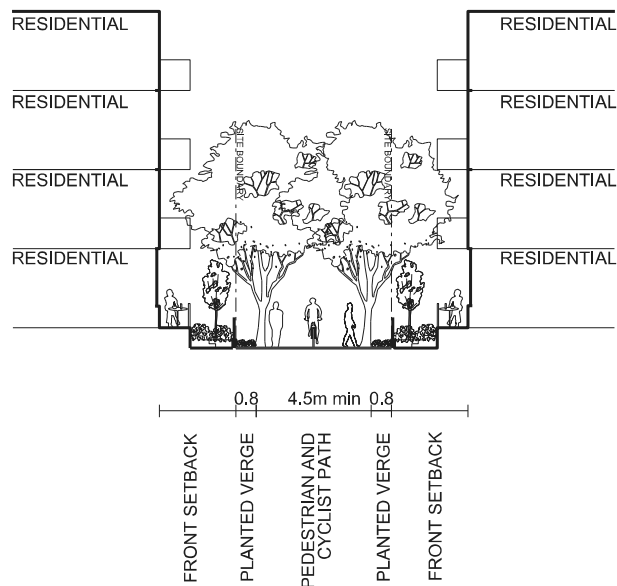


Figure 5.130
Pedestrian/cyclists
link - Section H



5.5.3.2 Movement and connectivity

Provisions

- (1) Major access and egress points are to be consistent with Figure 5.131 Ashmore Circulation and Access.
- (2) Circulation is to be consistent with Figure 5.131 Ashmore Circulation and Access.
- (3) Introduce traffic signals at the junction of Mitchell Road and Maddox Street following the extension of MacDonald Street in accordance with Figure 5.120 Ashmore Street Hierarchy.
- (4) Bollards or other measures that restrict vehicle access but allow pedestrian and cycle access are to be installed in the following locations. Measures must comply with Council requirements:
 - (a) Between Kooka Walk and Ashmore Street
 - (b) Corner of new Bridge Street extension and Victoria Street; and
 - (c) Between Coppersmith Lane and Victoria Street.
- (5) Vehicle access to the retail/commercial centre is to be from Alpha Street. Sufficient space for turning vehicles is to be provided.
- (6) The shared zone on Kooka Walk between MacDonald Street and Alpha Street and Coulson Street and Alpha Street are designed to reduce traffic speed and create a pedestrian friendly space.
- (7) Access to the Sydney Water Pumping Station at the intersection of Bridge Street and Victoria Street must be retained.
- (8) Driveways and car park entries must be in accordance with Figure 5.131 Ashmore Circulation and Access.
- (9) Underground car parking entries are to be set back from the building line to reduce their visual dominance in the streetscape.
- (10) It is preferred that driveway access is not from MacDonald Street, however, due to staging constraints, alternate access points are shown in Figure 5.131 Ashmore Circulation and Access.

Figure 5.131 Ashmore Circulation and Access



5.5.3.3 Bike routes and facilities

- (1) Bike facilities, including bike routes and bike-parking facilities are to be designed as part of the public domain and in accordance with the Council's Cycle Strategy, the Ashmore Public Domain Strategy and Figure 5.131 Ashmore Circulation and Access.
- (2) Introduce a separated cycleway along MacDonald Street in accordance with Figure 5.132.
- (3) Kooka Walk must be designed as a green link. It must be a shared path for cycles and pedestrians only. It must be a minimum of 20 metres wide for its full length and connect Ashmore Street to Coulson Street, and be in accordance with Figure 5.134 Ashmore Open Space and Setbacks.

5.5.3.4 Public open space

Provisions

- (1) Where required to be provided, introduce an open space network that is consistent with Figure 5.134 Ashmore Open Space and Setbacks.
- (2) The design of all open spaces is to be in accordance with the Ashmore Public Domain Strategy.
- (3) The landscaping and materials used for open spaces is to respond to the neighbourhood's character, to unite and relate to the wider Ashmore Neighbourhood.
- (4) Public open space is to include:
 - (a) sub-surface drip irrigation systems controlled by timers using soil moisture or rainfall sensors;
 - (b) drought tolerant plants and grasses;
 - (c) water retaining media mixed into soil; and
 - (d) tree planting and landscaping using elements such as indigenous tree species, interesting sculptural elements and pavement design.
- (5) McPherson Park is to be one contiguous space with a minimum area of 7400 square metres. It must be designed so that it provides opportunities for passive and active recreation. McPherson Park is to:
 - (a) have a dual use function as a flood/stormwater detention basin, but primarily be a soft landscaped area to complement the public domain in particular Kooka Walk through Ashmore;
 - (b) integrate with Kooka Walk and is designed to provide the dual function of a pedestrian and bike path (connecting Sydney Park to Erskineville Oval) and stormwater detention system;
 - (c) be of a high quality design that creates interest, using landmark sculptural elements and other appropriate elements, that particularly reference the former historic uses;
 - (d) McPherson Park and Kooka Walk are to respond to an integrated design, whilst clearly defining the function of each space; and
 - (e) use indigenous plant and tree species.

Figure 5.132
Example of dual
function park,
Zetland



- (6) Carter's Park is to be a minimum of 500 square metres and is to be high quality, create interest and add character to Ashmore. The design of the Carter's Park is to provide passive recreation space with adequate seating.

Figure 5.133
Example of dual
function park,
Zetland



- (7) All plant species and structures are to be able to withstand temporary flood inundation in those areas designed as a detention basin.

Figure 5.134 Ashmore Open Space and Setbacks



5.5.4 Accessibility and amenity in the public domain

Objective

- (a) Provide generous footpaths, local access and connectivity both within Ashmore and the surrounding existing neighbourhoods;
- (b) Design all public space and landscaping to be of the highest quality and a consistent design, that is accessible and safe for all people; and
- (c) Provide a pleasant and safe environment for the enjoyment of pedestrians and cyclists, and improve amenity for residents, workers and visitors through provision of solar access in the public domain.

5.5.4.1 Solar access

Provisions

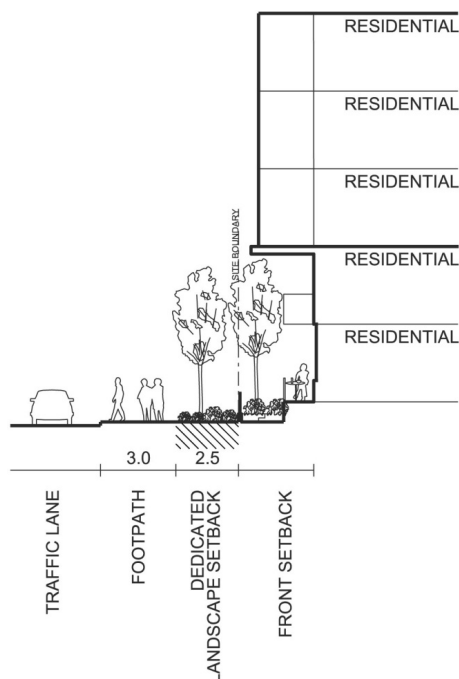
- (1) New development must ensure that it provides a minimum of three hours of direct sunlight between 11am and 2pm on 21 June to the public square (within the Sydney Park Village development) in the southwest corner of Coulson Street and Mitchell Road.
- (2) A minimum of 60% of the total area of McPherson Park is to have direct solar access between 10am and 2pm at the winter solstice.

5.5.4.2 Quality of landscaping and landscaped setbacks

Provisions

- (1) A minimum of 1 metre of soil is to be provided in planting beds above car parking structures.
- (2) Landscaping, plant species and structures such as walls are to withstand temporary flood inundation in those areas designated as detention basins.
- (3) All setbacks are to be provided in accordance with Figure 5.134 Ashmore Open Space and Setbacks Map.
- (4) All 3 metre landscaped setbacks must be in accordance with the City's Landscape Code and must remain in the private domain with the maintenance the responsibility of the body corporate/strata.
- (5) That a 2.5 metre landscaped setback is to be provided on the corner of Goddard Street and Coulson Street. This setback is required to ensure visibility for vehicles leaving Goddard Street and is to be dedicated to Council. The landscaping of this setback is to be appropriate to ensure it does not block visibility for cars, and is to be in accordance with Figure 5.135 Goddard Street and Coulson Street Section.

Figure 5.135
Goddard Street
and Coulston Street
Section

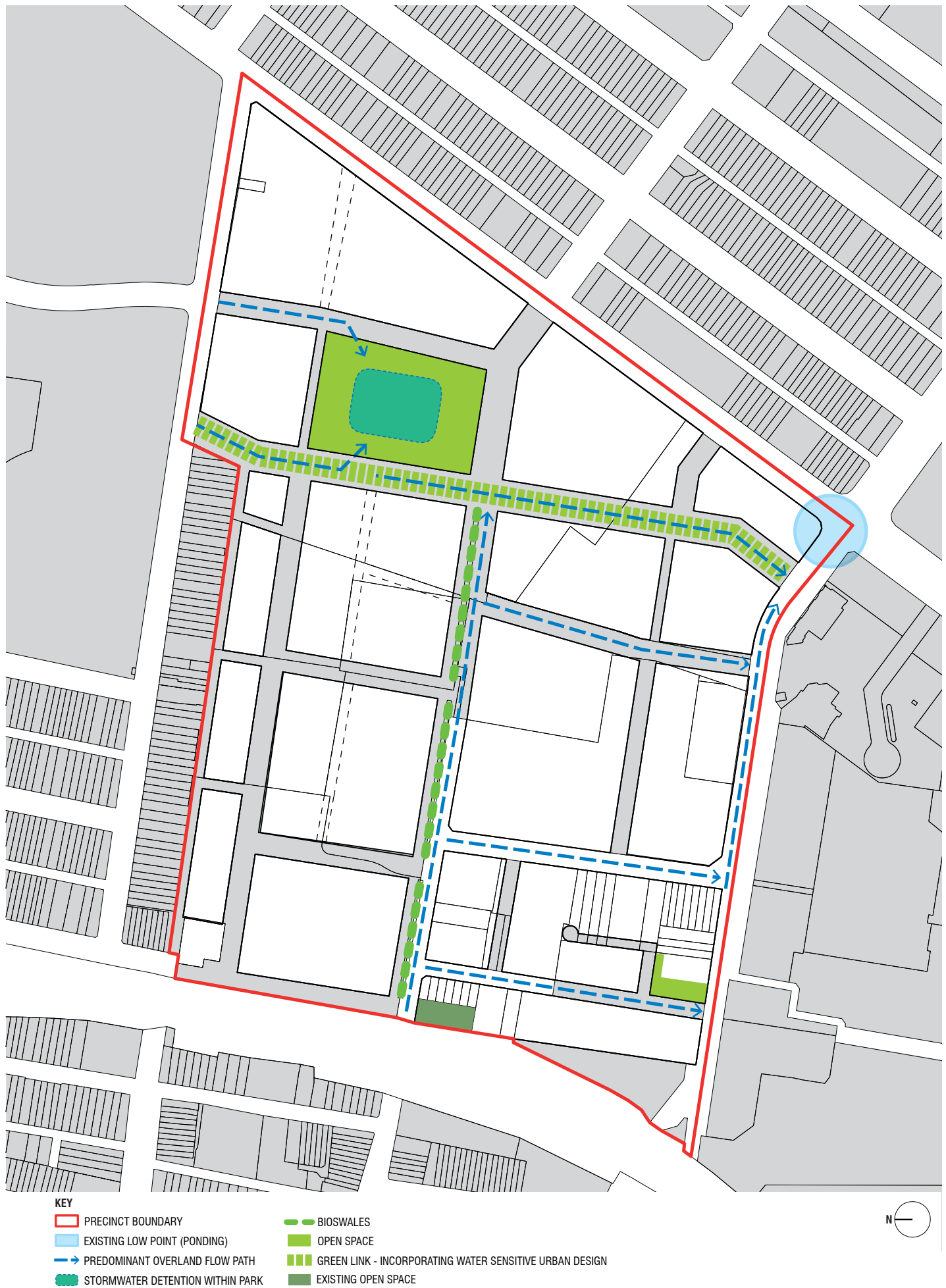


5.5.4.3 Stormwater management

Provisions

- (1) McPherson Park is to be one contiguous space with a minimum area of 7400 square metres. It must be designed so as to have a dual use function as a stormwater detention basin and public open space.
- (2) Introduce swales in the design of overland flow paths along MacDonald Street (including the proposed extension) and Kooka Walk as detailed in Figure 5.136 Ashmore Stormwater Management.
- (3) The location of Kooka Walk is to be consistent with Ashmore Street Hierarchy, Ashmore Open Space and Setbacks and Ashmore Stormwater Management, Figures 5.120, Figures 5.134 and 5.136 to assist with the management of stormwater.
- (4) Kooka Walk is to incorporate the following:
 - (a) a stormwater channel to enable the flow of stormwater;
 - (b) formal (paved area with grassed swale) and natural (grassed area/detention) landscaping into the stormwater corridor;
 - (c) consistent tree planting along the length of the stormwater corridor to create a legible space;
 - (d) a walkway that is consistent with the Ashmore Public Domain Strategy; and
- (5) All open spaces are to maximise the infiltration of rainwater by maximising the provision of deep soil.

Figure 5.136 Ashmore Stormwater Management



5.5.5 Staging

It is envisaged that the urban design strategy for Ashmore will be progressively implemented as each property is redeveloped.

Objectives

- (a) Ensure that the redevelopment of Ashmore is coordinated in an orderly manner to ensure activities of adjacent sites are not adversely impacted upon.
- (b) Ensure that development can occur independently, without reliance on infrastructure from adjacent sites.
- (c) Address stormwater management upon the outset of construction works, to ensure adjacent areas are not adversely affected.

Provisions

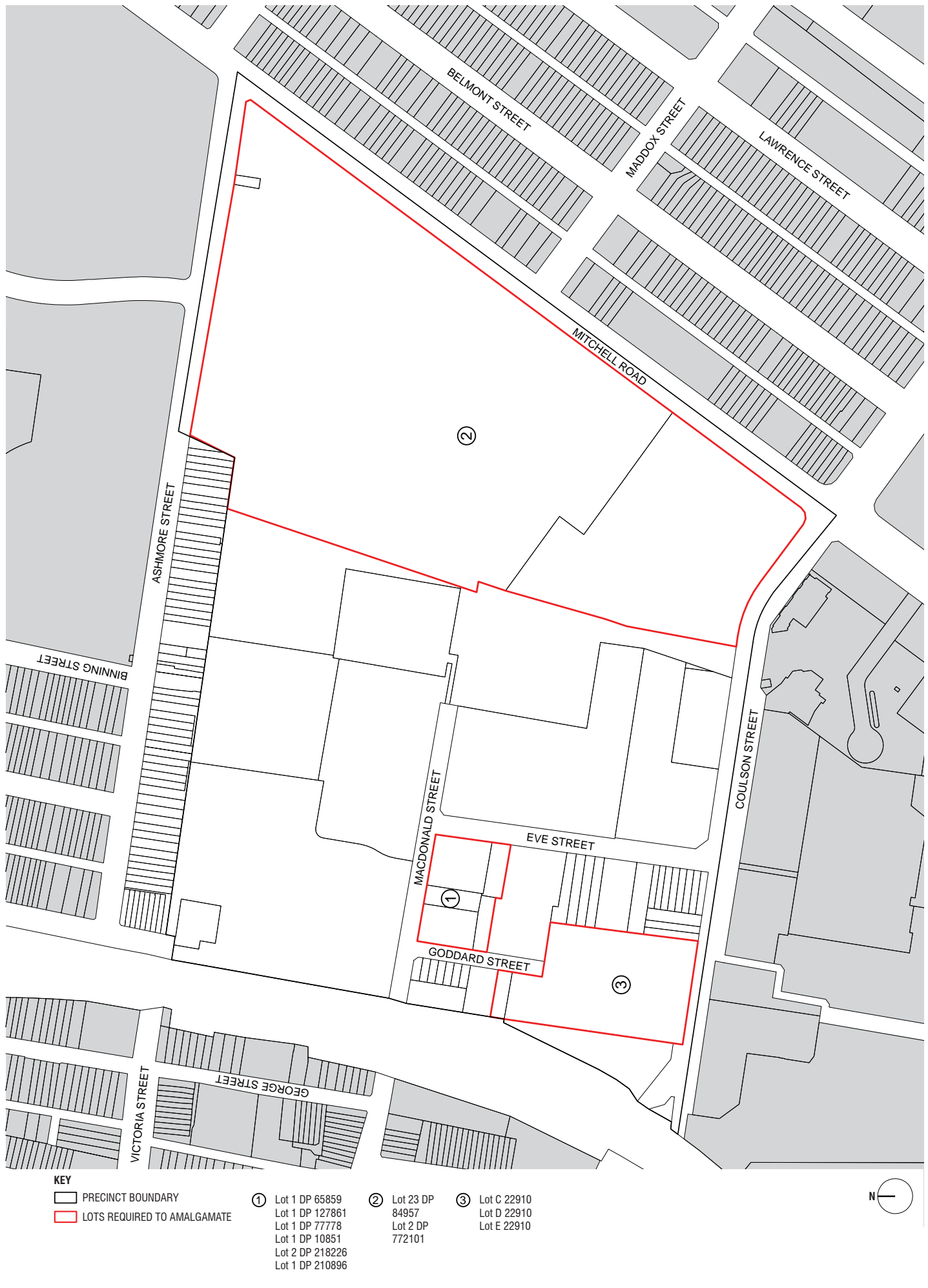
- (1) A staging plan is to be submitted to Council with a development application.
- (2) A temporary connection between Stovemaker Lane and Metters Street (through Kooka Walk) is permitted for access to residential development, but it must be a 'shared zone' and is only until the development of Metters Street in the adjacent lot (Lot 3 DP788543, Lots 1-3 SP74596) is realised. The re-instatement of the bike and pedestrian link is to be to the satisfaction of Council and comply with the Ashmore Public Domain Strategy.
- (3) Measures are to be put into place to protect the amenity of new development without affecting the existing light industrial uses.
- (4) All sites to be redeveloped are to have a public road frontage and be accessible via a public street.

5.5.6 Floor space ratio

Provisions

- (1) Consolidation of land identified in Figure 5.137 Ashmore Land Amalgamation Map is to occur before a development application can be considered.
- (2) Alternative amalgamation schemes will need to be assessed individually and must be supported by an urban design study.

Figure 5.137 Ashmore Land Amalgamation



5.5.7 Land use mix

Provisions

- (1) A range of retail uses and commercial spaces including one full-line supermarket, fresh food cafes and shops are to be provided on MacDonald Street, adjacent to McPherson Park, as detailed in Figure 5.139 Ashmore Land Use.
- (2) Childcare facilities are encouraged within the precinct. The preferred locations for Childcare facilities considered in the locations identified in Figure 5.139 Ashmore Land Use.
- (3) Ashmore is to be a predominantly residential neighbourhood.

Figure 5.138
Example of
supermarket with
other retail uses,
Waterloo



Figure 5.139 Ashmore Land Use



5.5.8 Building layout, form and design

Refer also to Section 3 Development Types.

Objectives

- (a) Provide a range of building heights, types and architectural styles to create architectural diversity and visual interest;

Figure 5.140
Example of
architectural
diversity, Glebe



- (b) Ensure that terraces complement the built form of terraces in adjoining conservation areas;

Figure 5.141
Adjacent
conservation
area, Erskineville,
Alexandria and
Macdonaldtown
Conservation Area



- (c) Minimise overshadowing to existing and proposed built form and parks;
- (d) Ensure appropriate building lengths, building articulation and individual ground floor entries to reduce the scale of the buildings as perceived from the public domain; and
- (e) Ensure side and rear building setbacks are provided in a manner that does not impede development on adjoining sites.

Figure 5.142
Example of good
building articulation,
Walsh Bay



Figure 5.143
Example of
individual ground
floor entries,
Alexandria



5.5.8.1 Height of buildings

Provisions

- (1) Development is not to exceed the maximum number of storeys for the land as shown in Figure 5.144 Ashmore Height in Storeys.
- (2) A building is not to be located in the view path of the Sydney CBD, the clock at Central Station, and Bondi Junction (see view corridor A on Figure 5.145 View Corridors from Sydney Park) when viewed from both knolls of Sydney Park. Buildings are not to exceed RL.30.2 A.H.D (Australian Height Datum) at the Eastern Knoll (332219e/6246454n), and RL 26.5 at the Western Knoll (332037e/624659n).
- (3) Street frontage heights are not to exceed the maximum height in storeys, shown in Figure 5.144 Ashmore Height in Storeys.

Figure 5.144 Ashmore Height in Storeys



5.5.8.2 Views

Provisions

- (1) New development is to protect the views (refer to Figure 5.145 View Corridors from Sydney Park) to the following locations:
 - (a) the eastern and western knoll in Sydney Park to the City skyline;
 - (b) the King Street ridgeline;
 - (c) the saw tooth roofline of the Eveleigh Rail Sheds towards the railway clock at Central Station; and
 - (d) district views towards the eastern suburbs.

Figure 5.145
View corridors from
Sydney Park

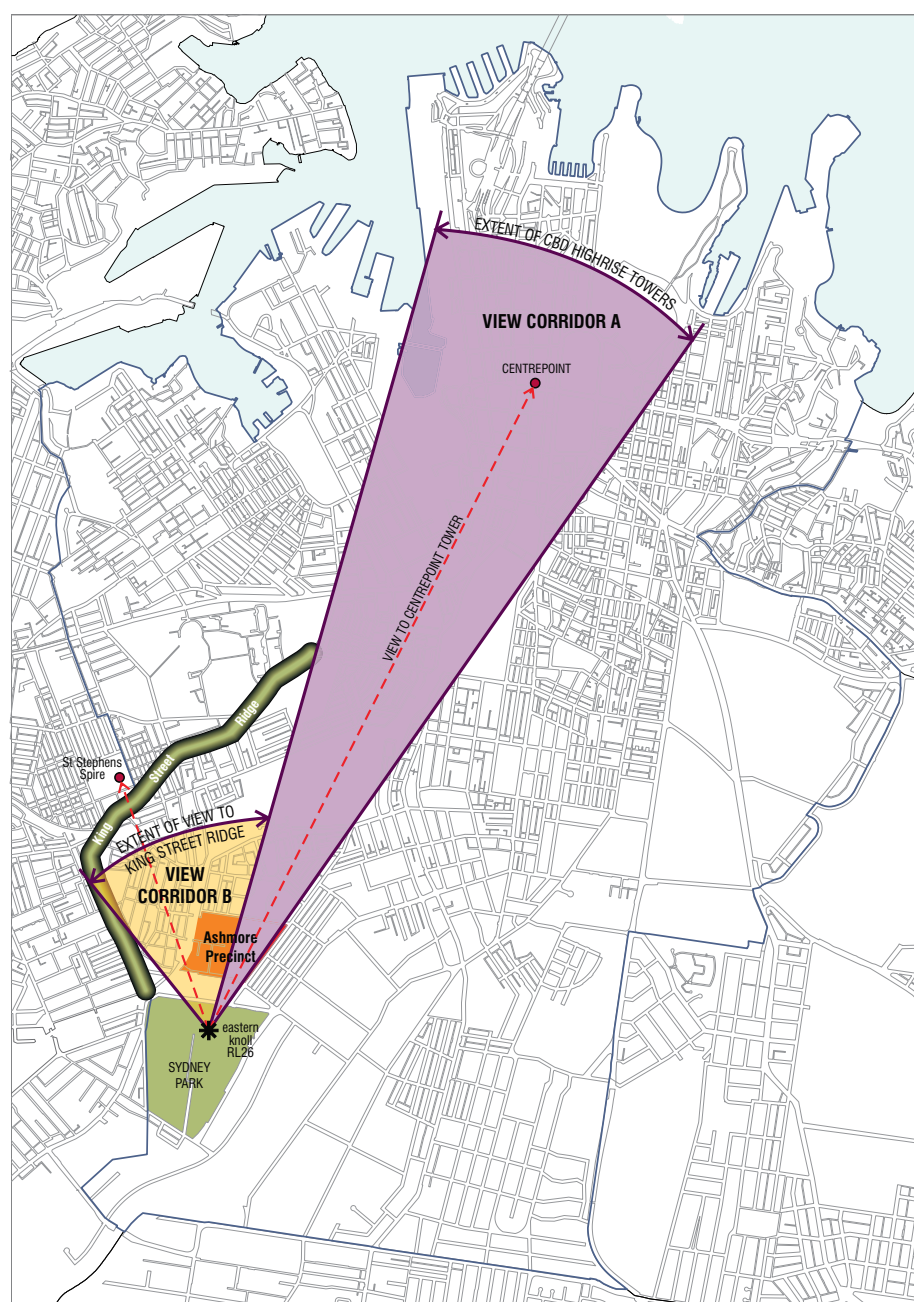


Figure 5.146
CBD views from
Sydney Park,
Alexandria



5.5.8.3 Dwelling type and location

Provisions

- (1) A variety of built form options are possible within each of the street blocks. The preferred building layout is presented in Figure 5.147 Ashmore Building Type. Alternate building layouts may be considered within each street block, where additional public benefit and user amenity is achieved.

Figure 5.147 Ashmore Building Type



5.5.8.4 Building form and design

Provisions

- (1) To achieve architectural diversity and interest in the architectural character of the neighbourhood, buildings that are adjacent to or opposite one another are not to replicate the same design, provide articulation and a range of materials.
- (2) Future development is to reference Ashmore's former industrial heritage and uses, (for example the Metters Factory) through interpretation, materials or public domain elements.

Figure 5.148

Example of former industrial uses in Ashmore, Erskineville Road, Erskineville



- (3) Development at highly visible sites, such as view terminations and street intersections are to be of the highest architectural quality.
- (4) Dwellings on the ground floor facing the street are to have individual entries from the street.

Figure 5.149

Example of individual entries from the street, Alexandria



- (5) Above ground car parking generally is not permitted, and is to be provided underground and located within the extent to the building floorplate above.
- (6) Where topography of the land or constraints result in the basement car parking projecting above ground it is to be designed to:
 - (a) Not project more than 1 metre above ground or as required to comply with Flood Planning Levels and be screened from the street or any public frontage by landscaping; and
 - (b) Be designed with materials, details, proportions to complement the buildings and adjoining buildings.
- (7) Maintain the existing setback of adjacent development where the setback is larger than the recommended minimum.
- (8) All levels above street frontage height are to be setback a minimum of 4 metres from the primary building line.

5.5.8.5 Typical ground floor condition for residential flat buildings

Provisions

- (1) Typical Ground floor residential built form conditions are shown in Figure 5.150 Ashmore Ground Floor Residential Flat. They must provide:
 - (1) Primary building setback, clear full height – minimum 2.5 metres;
 - (2) Deep soil landscape planting area – minimum 3 metres;
 - (3) Ground floor private open space deck - minimum 1.2 metre;
 - (4) Setback from the site boundary to the glass line – maximum 4.2 metres;
 - (5) Site boundary fence - maximum 1.4 metres high; and
 - (6) Ground floor private open space deck - maximum 1 metre above street level.

Figure 5.150
Ashmore Ground
Floor Residential Flat

1. Primary building setback, clear full height - min. 2.5m
2. Deep soil landscape planting area - min. 3m
3. Ground floor private open space deck - min. 1.2m
4. Setback from the site boundary to the glass line - min. 4.2m
5. Site boundary fence - max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

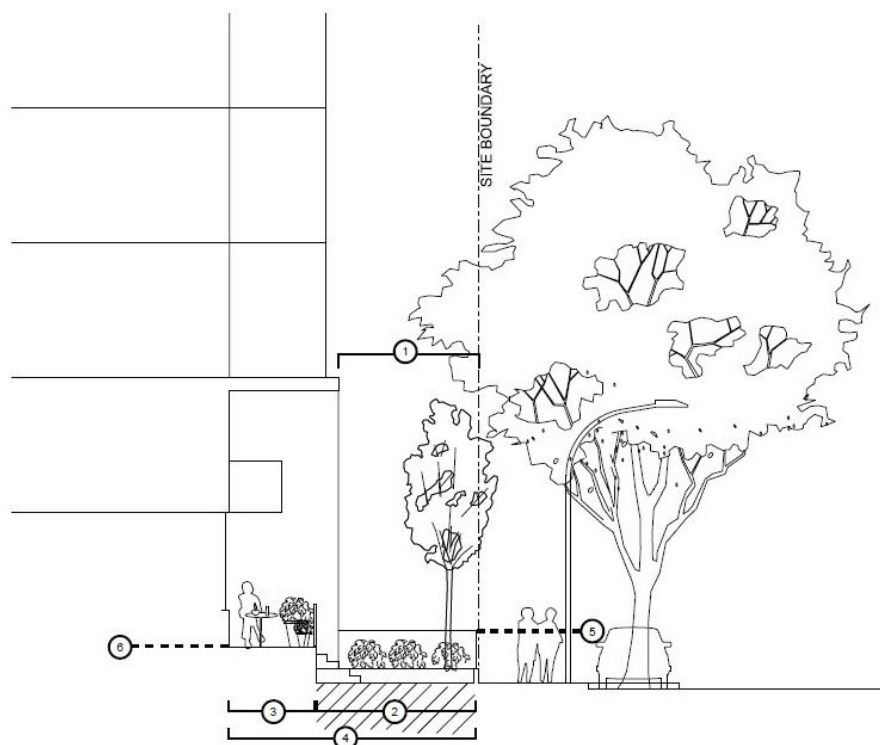
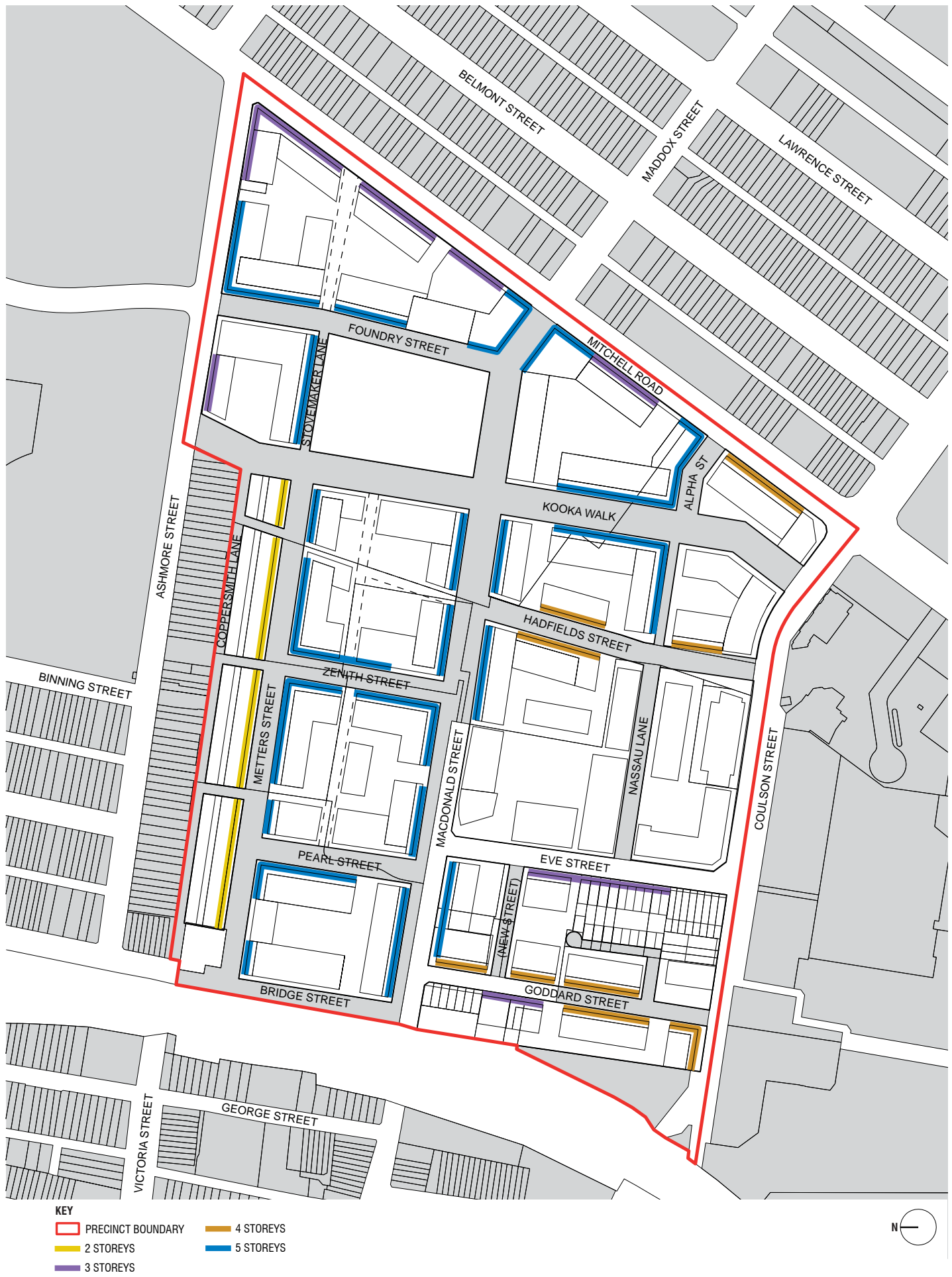


Figure 5.151 Ashmore Street Wall Heights



5.5.8.6 Fences

Provisions

- (1) Fences on front property boundaries are to:
 - (a) Enable some outlook from buildings to the street for safety and surveillance;
 - (b) Assist in high-lighting entrances and in creating a sense of communal identity within the streetscape;
 - (c) Provide visual interest to the streetscape through their design and detail;
 - (d) Are to be a maximum of 1.4 metres high from ground level;
 - (e) All fences must be see through to allow passive surveillance: and
 - (f) Complement the architectural style of the building.

Figure 5.152
Example of front
fences, Alexandria



5.5.8.7 Building materials

Provisions

- (1) External finishes and colour palettes are to complement and include existing materials predominantly used in surrounding areas, including blue, red and brown bricks which were formally made in the Sydney Park Brick Kilns.
- (2) Patterned and mottled bricks are not permitted.
- (3) Residential flat buildings and mixed use building are to:
 - (a) relate sympathetically to existing buildings in the surroundings vicinity;
 - (b) include the local brick type that once characterised the local area, (Sydney Park Brick Kilns are built with Bowral Blue); and
 - (c) provide timber and stone finishes for external structures and paving which relates to the landscape setting of courtyards and street trees.

Figure 5.153
Example of
developments that
use a range of
building materials,
Alexandria



Figure 5.154
Example of
Bowral Blue brick,
Alexandria



5.5.8.8 Potential splay corners

Provisions

- (1) Splay corners should be provided in the location identified in Figure 5.155 Potential Splay Corners, unless further studies do not find them necessary.

Figure 5.155 Ashmore Potential Splay Corners



5.5.9 Terrace housing

Provisions

- (1) Locate new terrace houses as shown in Figure 5.147 Ashmore Building Type. All terraces are to:
 - (a) provide interest and character and be of good quality contemporary design, complementing existing terraces in adjoining conservation areas;
 - (b) minimise monotonous same design. Terraces rows of more than 5 should be broken up by their design, provide articulation and use of different materials and colour;
 - (c) provide car parking only from rear lanes;
 - (d) be sold as torrens title lots;
 - (e) respond to the following built form elements common to terrace houses in adjacent areas and include front verandahs and balconies:
 - (i) Be a maximum of 2 storeys. An attic room is permissible but must include a dormer window;
 - (ii) Minimum depth of terraces is to be 10 metres, measured from the front building line; and
 - (iii) Rear garages and rooms above garages are not permitted.

Figure 5.156
Examples of
contemporary
terrace design,
Glebe and
Alexandria



5.5.9.1 Other development

Provisions

- (1) The primary retail is to be located along the extension of MacDonald Street adjacent to McPherson Park as shown Figure 5.139 Ashmore Land Use where it activates the public domain and limits the potential for land use conflict.
- (2) Retail development is to be located on the ground floor. The finished floor level to retail uses should, where possible, be at the same level as the adjacent footpath level.
- (3) Larger tenancies are to be screened by smaller tenancies to minimise the amount of blank walls adjoining the public domain.
- (4) Internalise, enclosed shopping malls are discouraged. Retail premises and food and drink premises are to open to the public domain.
- (5) Active retail frontages are to be provided to contribute to the liveliness and vitality of the street by maximising entries to display windows to shops and/or food and drink premises to provide pedestrian interest and interaction in accordance with Figure 5.157 Ashmore Active Frontages.

5.5.10 Biodiversity

Objectives

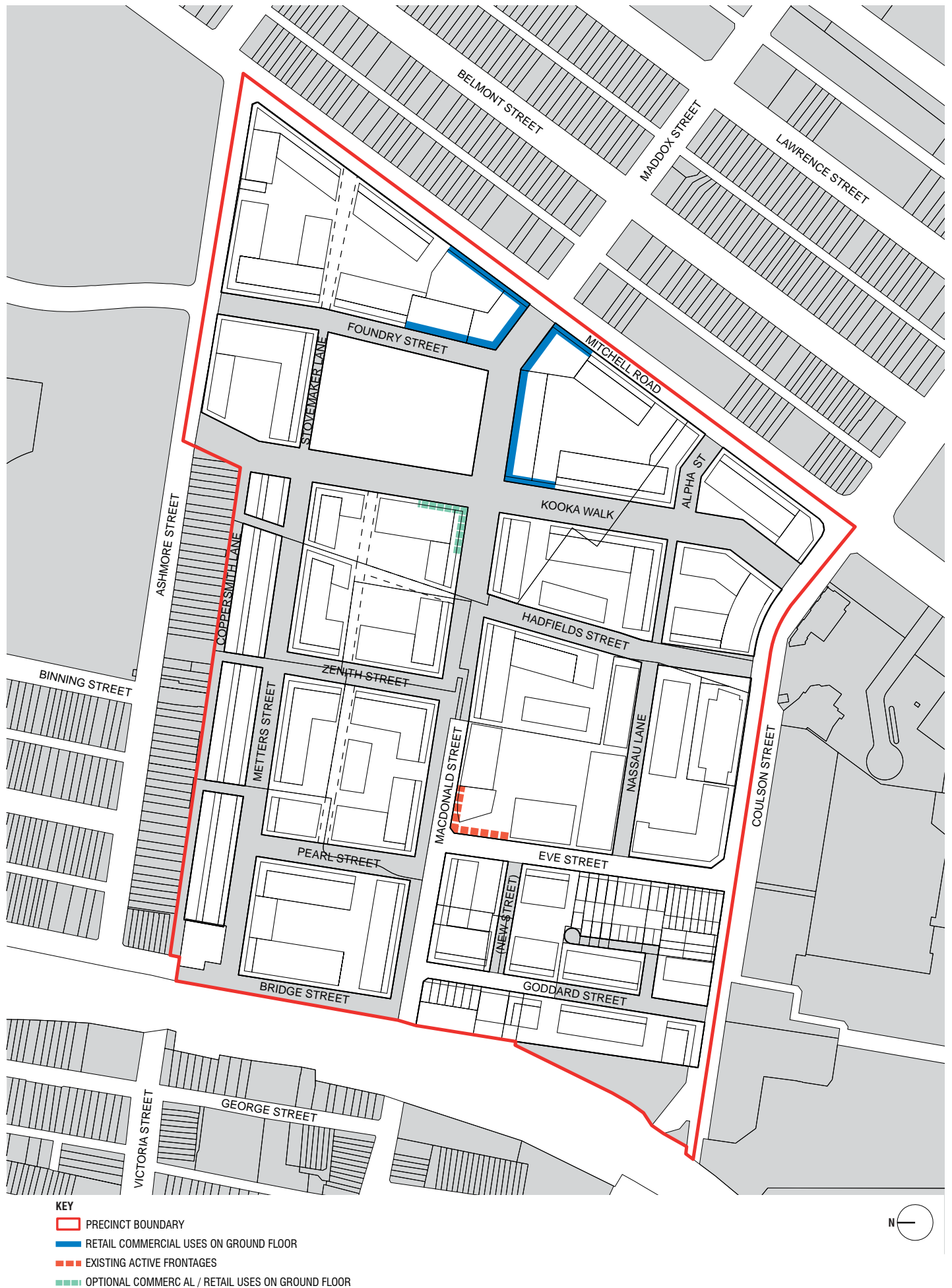
- (a) Ensure the protection of existing habitat features within and adjacent to development; and
- (b) Improve the diversity and abundance of locally indigenous flora and fauna species across the LGA.

Provisions

- (1) Development is to be consistent with the Street Tree Master Plan and Park Tree Master Plans.
- (2) Existing habitat features such as waterbodies, rock features such as sandstone retaining walls, gabion walls and rock piles, trees, shrubs and groundcover vegetation are to be retained, where possible.
- (3) New habitat features are to be incorporated into new developments or other activities, including trees, shrubs and groundcover vegetation, waterbodies, rockeries and/or green roofs and walls where possible.
- (4) Opportunities to link to, extend or enhance existing or potential habitat linkages should be realised for new developments or other activities.
- (5) A mix of locally indigenous tree, shrubs and groundcover species should be incorporated into landscaping associated with development of other activity wherever possible, as outlined in Council's Landscape Code.
- (6) Shrubs should be densely planted where trees should be well spaced, as outlined in Council's Landscape Code.
- (7) Prior to determination of any development adjacent to Coppersmith Lane, an Ecological Assessment report is to be submitted, and prepared by a qualified and appropriately experienced ecologist:
 - (a) To determine the likely impacts on flora and fauna species and communities onsite and in the vicinity during demolition, construction and post-construction stages of the proposed development
 - (b) To outline the mitigation measures that will be undertaken to keep any adverse impacts to a minimum; and
 - (c) To demonstrate consistency with the provisions of this Development Control Plan.

- (8) The Ecological Assessment report should:
 - (a) Document the species present on and adjoining the development site;
 - (b) Identify any species that are of particular conservation significance, including threatened species and locally significant species identified in the relevant Urban Ecology Strategic Action Plan;
 - (c) Determine the nature and extent of impacts to flora and fauna, particularly those of conservation significance, that are likely to result from each stage of development;
 - (d) Outline the mitigation measures that will be employed to avoid or minimise such impacts including:
 - (i) Clearance and location of any onsite indigenous flora and fauna prior to work commencing;
 - (ii) Protection of any significant habitat features;
 - (iii) Restoration/creation of compensatory habitat for any important habitat features removed or disturbed as a result of the development; and
 - (iv) Incorporation of suitable locally-indigenous species in the site landscaping, consistent with the relevant Urban Ecology Strategic Action Plan.
- (9) A Landscape Plan should be submitted to the City that:
 - (a) Incorporates the recommendations of the Ecological assessment report; and
 - (b) Is consistent with the provisions of this Development Control Plan.

Figure 5.157 Ashmore Active Frontages



5.6

Rosebery Estate, Rosebery

The following objectives and provisions apply to the development of single dwellings, terraces and dual occupancies on land identified in Figure 5.1 *Specific Areas* as Rosebery Estate.

This Section should also be read in conjunction with Section 4.1 Single dwellings, terrace and dual occupancies.

Objective

- (a) Protect Rosebery Estate's special character which is defined by a consistent low-scale built form, uniform building setbacks and generous landscaping.

5.6.1 Building height

Objectives

- (a) Retain the single storey appearance of built form from the street.
- (b) Provide some flexibility to modify houses in a manner that does not erode the area's single storey appearance.
- (c) Minimise the impact of rear attic additions.

Provisions

- (1) Building height within 14m of the front lot line is to be single storey and have a maximum building height of 6m as measured to the ridgeline and shown in Figure 5.158 *Height controls*.
- (2) After 14m from the front property boundary, building height may include an attic with a maximum of 7.5m measured to the ridgeline, as shown in Figure 5.158.
- (3) The roof pitch of any new addition must be informed by the architectural style of the existing building.
- (4) Any new roof of an attic addition must be designed to have the same pitch as the existing original roofline, and is to be between 25 and 35 degrees.
- (5) The pitch of the new roof should slope down towards the side boundary to reduce the bulk and scale of the two storey element.

Figure 5.158
Height Controls

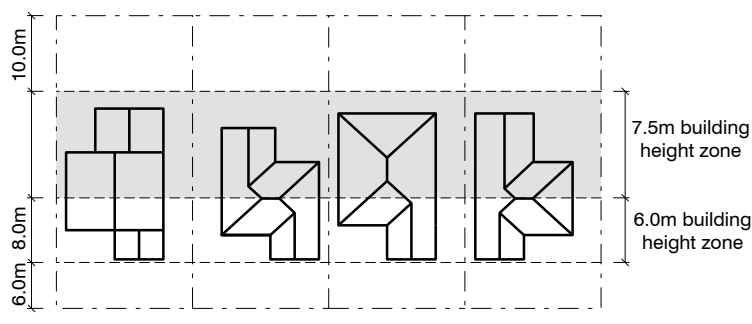


Figure 5.159
Examples of
appropriate 2 storey
additions

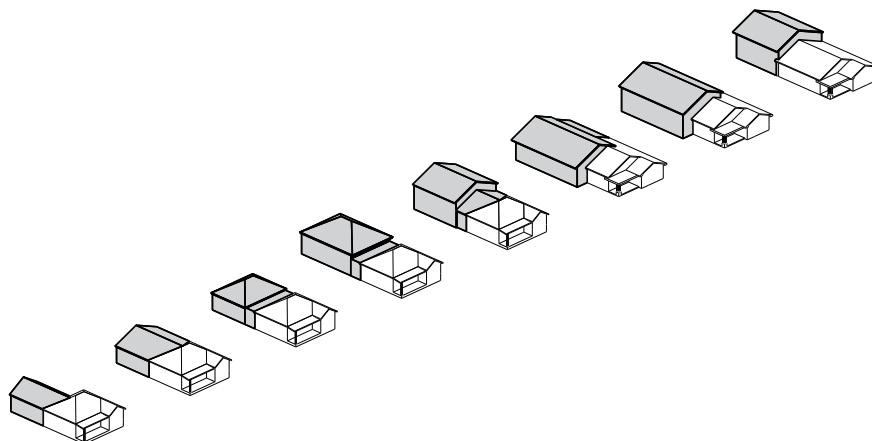
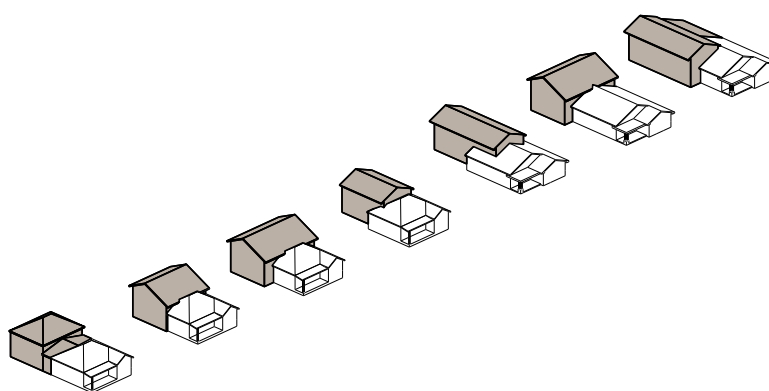


Figure 5.160
Examples of
inappropriate 2
storey additions



5.6.2 Site coverage

Objectives

- (a) Retain the open, spacious character of the Rosebery garden subdivision pattern.
- (b) Retain large areas of planting to the front and rear of properties.

Provisions

- (1) The maximum site coverage for regular allotments is 50%.
- (2) The maximum site coverage for corner lots is 65%.

5.6.3 Dual occupancy development

Objectives

- (a) Increase the diversity of dwelling types in the area.
- (b) Ensure the design of dual occupancies complement the predominantly detached single dwelling character of the Rosebery Estate.

Provisions

- (1) Dual occupancy and subdivision will only be permitted on lots with a front lot boundary greater than 12m.
- (2) Dual occupancy development and subdivision is permitted when development is undertaken as an attached dual occupancy and has the appearance of a traditional single dwelling.
- (3) Where possible, existing dwellings are to be retained and adapted for use as two attached dwellings.
- (4) Attic additions are permitted at the rear of dual occupancy developments, where development is in accordance with the height provisions within Section 5.6.1 Building height.
- (5) The subdivision of existing detached dual occupancy development is not permitted. Detached dual occupancy development is inconsistent with the Estate's character and may result in adverse impacts on adjoining dwelling.

Figure 5.161
Appropriate
attached, dual
occupancy design



5.6.4 Front setbacks

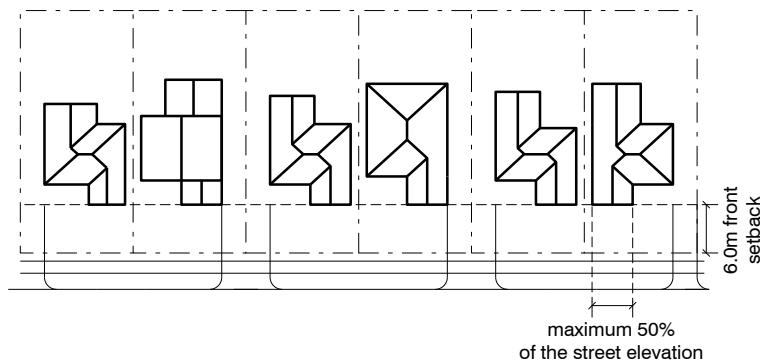
Objectives

- (a) Retain and reinforce the established landscaped front setback.
- (b) Establish a predominant building line.

Provisions

- (1) Development must be set back a minimum of 6m from the front property boundary.
- (2) For single dwellings on regular allotments, a maximum of 50% of the front elevation of the building can be built to the predominant building line, in accordance with Figure 5.162 *Required front setback and building articulation*.
- (3) For development on corner lots, provisions (1) and (2) apply to the primary frontage only.

Figure 5.162
Required front
setback and
building articulation



5.6.5 Side setbacks

Objectives

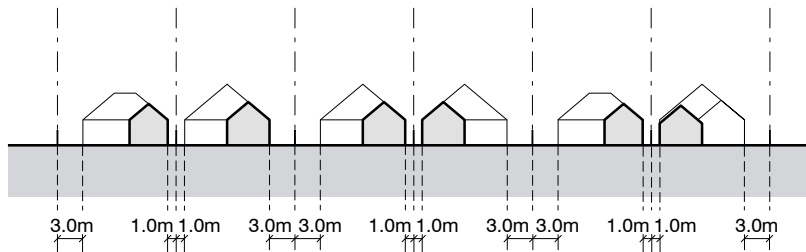
- Retain the established pattern between buildings particularly the rhythm of small and medium gaps that contribute to the character of Rosebery Estate.
- Retain the appearance of detached single dwellings.
- Provide the opportunity for parking behind the predominant building line.

Provisions

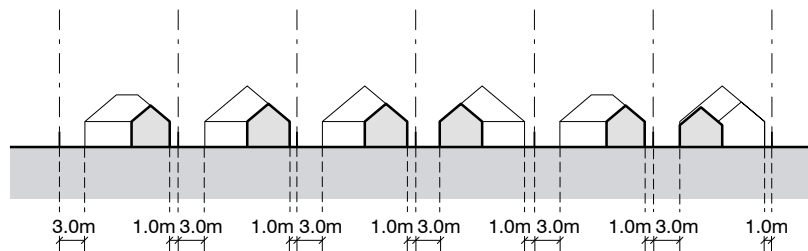
5.6.5.1 Side setbacks for single dwellings

- Buildings are to be set back at least 1m from one side boundary and 3m from the other side boundary.
- The location of the 1m and 3m setback must be consistent with the established predominant side setback pattern in the street. The predominant existing side setback patterns are shown in Figures 5.163 and 5.164.
- A minimum setback of 1m is to be achieved for length of property.
- The 3m setback is to be provided for a minimum of 14m from the front lot line before reducing to 1m, in accordance with Figure 5.165.
- Enclosed car parking is not permitted within 14m of the front property boundary.
- Covered car parking such as a car ports is permitted behind the front building line.

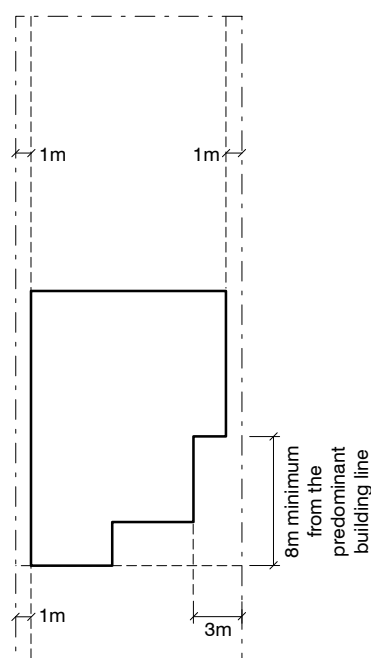
Figure 5.163
One typical side
setback pattern
established in
Rosebery, where the
greater side setback
on neighbouring
properties are
adjoining



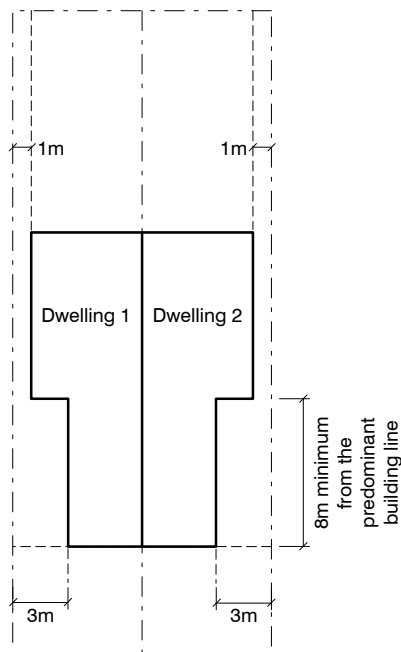
The other typical side setback pattern in Rosebery, where the greater side setback is located on the same side of each property



Minimum side setback requirements for single dwellings and dual occupancy development on sites with a frontage between 12m and 14.5m



Minimum side setback requirements for dual occupancy development on lots with a frontage greater than 14.5m



5.6.5.2 Side setbacks for dual occupancies

- (1) For lots with a frontage between 12m and 14.5m, the building must be setback 3m from one side boundary for a minimum depth of 8m beyond the predominant building line as shown in Figure 5.165 *A minimum setback of 1m is required to the other side boundary.*
- (2) For lots with a frontage of 14.5m or greater, the building must be set back a minimum of 3m from both side boundaries. The 3m setback is to have a minimum depth of 8m beyond the predominant building line, before reducing the side setback to a minimum of 1m, as shown in Figure 5.166.
- (3) Where an existing dwelling is being adapted for dual occupancy, the existing side setbacks must be retained.
- (4) Covered car parking such as car ports, is permitted beyond the building line.

5.6.6 Rear setbacks

Objectives

- (a) Retain existing rear setbacks.
- (b) Minimise the visual bulk, overlooking and overshadowing impacts of development on neighbouring properties.

Provisions

- (1) Built form is to be set back a minimum of 10m from the rear property boundary.
- (2) Garages and sheds may be permissible within the 10m setback.

5.6.7 Architectural design controls

Objectives

- (a) Ensure that new houses are compatible in style and detail with the original houses in the street.
- (b) Allow appropriate contemporary design that respects the existing character of the area.

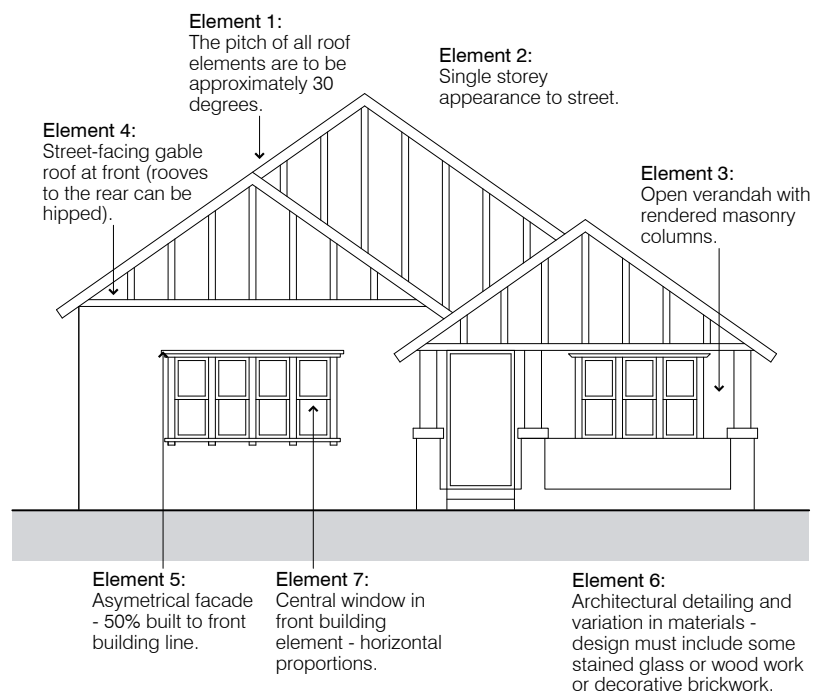
Provisions

5.6.7.1 Facade elements

- (1) New buildings must not replicate existing architectural styles, but are to reflect the following seven design elements as shown in Figure 5.167 that characterise the area.

Figure 5.167

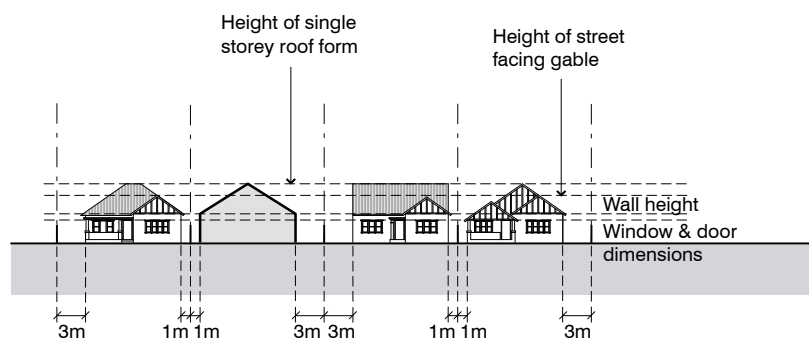
Key architectural elements to be reflected in new dwellings



- (2) Facades of new buildings must reflect the following predominant horizontal elements of houses in the street as shown in Figure 5.168 *Consistent horizontal lines to be reflected in new dwellings*:
- (a) base course, height which is the architectural expression of the base of the house and often in different materials or finishes such as rendered brick or rough-cast stone;
 - (b) ground level;
 - (c) verandah and balustrade heights;
 - (d) window sill and head heights;
 - (e) door heights;
 - (f) eave lines; and
 - (g) ridgelines.

Figure 5.168

Consistent horizontal lines to be reflected in new dwellings



5.6.7.2 Roofs

- (1) The front most part of the dwelling is to have a street-facing gabled roof in a style consistent with surrounding dwellings.
- (2) The pitch of new roofs is to be within the range of 25-35 degree. This will be informed by the angle of the existing roof pitch.
- (3) The remainder of the roof form must be hipped or gabled, and the roof pitch is to follow the predominant roof pitch of the existing house and street, which is generally 30 degrees.
- (4) Roofs are to have eaves with a 450mm overhang.
- (5) One dormer window may be appropriate on the side and rear elevations, provided they are:
 - (a) sympathetic to the design on the building and designed to minimise impact on the streetscape and on adjoining properties;
 - (b) not within 14m of the front property boundary;
 - (c) set down a minimum 300mm from the ridgeline of the main roof form;
 - (d) for Californian bungalows and other inter-war houses, horizontally proportioned 'eyelid' dormers, with a height to width proportion of 1:3, are preferred; and
 - (e) no more than 25% of the width of the roof plane.

5.6.7.3 Driveways and parking

- (1) No more than one driveway with a maximum width of 3m is to be provided on each property developed for a single dwelling.
- (2) Two driveways are only permitted for attached dual occupancy development for lots with a frontage of 14.5m or greater.
- (3) No more than one driveway with a maximum width of 3m is to be provided for dual occupancy development on lots with a frontage between 12m and 14.5m.
- (4) No above ground car parking structures are permitted within the front setback.
- (5) Garages and carports are to be designed sympathetically and be secondary structures to the house.
- (6) A garage can be provided within the building footprint as shown in Figure 5.169 or to the rear as shown in Figure 5.170.
- (7) Driveways are to be gated at the street boundary with a style that is consistent with the front fence design.

Figure 5.169
Possible car parking configuration

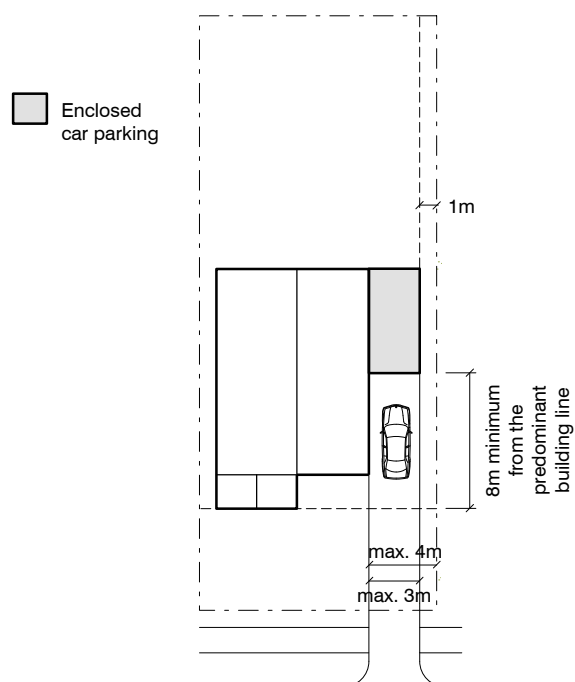
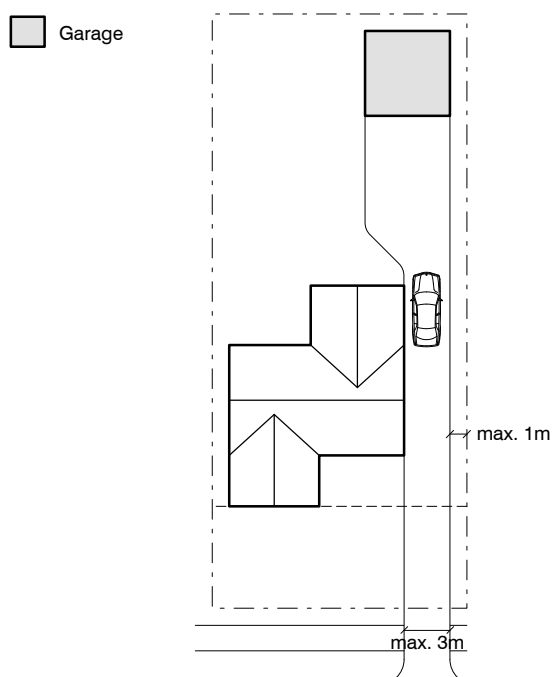


Figure 5.170
Locate garage to the rear outside the building



5.6.7.4 Verandahs and Balconies

- (1) For new dwellings:
 - (a) an open verandah is to be provided in a location, size and style that is typical to houses in the street; and
 - (b) balconies on elevations facing the street are not permitted.
- (2) For existing dwellings to be retained:
 - (a) original front verandahs are to be retained and restored;
 - (b) infilling an existing front porch or verandah is not permitted;

- (c) balconies on elevations facing the street are not permitted; and
 - (d) the width of the verandah columns and the pitch of the roof are to be similar to the traditional bungalows typical to the Rosebery Estate.
- (3) Balconies and decks above the ground floor are to be:
- (a) located and designed to minimise overlooking of surrounding buildings;
 - (b) of a size, location and design appropriate to the proportions of the building; and
 - (c) avoided at the rear and side of a dwelling.

5.6.7.5 Windows and Doors

- (1) For new dwellings:
- (a) window proportions must respect the window sill and head heights of the original houses along the street by continuing the horizontal lines of the original houses and replicating typical window widths. Refer to Figures 5.171 and 5.172; and
 - (b) the use of leadlight windows is encouraged where it is typical in the street.
- (2) For existing dwellings:
- (a) original windows and doors are to be retained where they make a positive contribution to original house and the streetscape;
 - (b) leadlight windows are to be retained and restored.

Figure 5.171

Generally windows for Inter-War dwellings, which are the majority of dwellings in Rosebery, have overall horizontal proportions that are composed of three or four windows. Post war dwellings were designed with similar window dimensions



Figure 5.172

Federation dwellings have more vertically or squarely proportioned windows



5.6.7.6 Fences and Landscaping

- (1) Front fences are to be provided in accordance with Section 4.1.6 Fences.
- (2) Front setbacks are to be soft landscaping except for driveways.

5.6.8 Demolition

Objective

- (a) Retain original houses that contribute to the streetscape character.

Provisions

- (1) The front rooms of houses constructed before 1950 that have much of their original character and where they are significant should be retained.

5.7

Green Square - North Rosebery

This section applies to the land identified as North Rosebery in Figure 5.1 *Specific Areas Map*. It should be read in conjunction with the locality statement and principles in Section 2.5.9 *Locality Statements – North Rosebery*. These principles are illustrated in Figure 5.185 North Rosebery Urban Strategy.

Where land is located in North Rosebery, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency.

5.7.1 Local infrastructure and public domain

The objectives and provisions within this Section must be read in conjunction with the provisions in Section 3 *General Provisions* and Section 5.2 *Green Square*.

Objectives

- (a) Introduce a legible pattern of new streets, lanes and pedestrian links that responds to key connections within and adjacent to the neighbourhood.
- (b) Introduce new areas of public open space that offer opportunities primarily for passive recreation and link with existing and future planned open spaces in neighbouring areas.

Provisions

5.7.1.1 Street network

- (1) Where required by Council, new streets and pedestrian lanes are to be provided in the locations identified in Figure 5.186 *North Rosebery Street Hierarchy and Street Sections* and designed in accordance with Figures 5.173 to 5.184 (Cross Sections A to H).
- (2) An indicative arrangement for the proposed street on the boundary between 22-40 Rosebery Avenue and 42-60 Rosebery Avenue is at Figure 5.174. Arrangements for vehicle and pedestrian access and the final design are subject to further detailed analysis and approval by the City and the relevant Roads authority.
- (3) The proposed street on the boundary between 12-20 Rosebery Avenue and 57-65 Epsom Road should be designed as a 6 metre wide pedestrian and cyclist only lane if one site develops before the other. An indicative arrangement is at Figure 5.175. The long term arrangement and final design is subject to further analysis to be undertaken by the City and approval by the relevant Roads authority. If not approved, the dedicated land is to be designed as a pedestrian and cyclist only lane.

Figure 5.173
Section A - 16m
Street

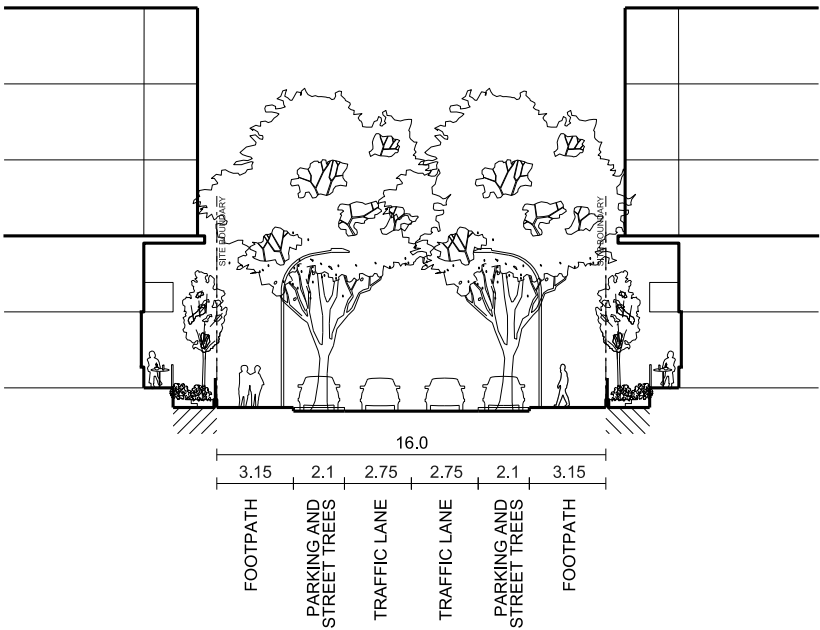


Figure 5.174
Section B - 12m
Street

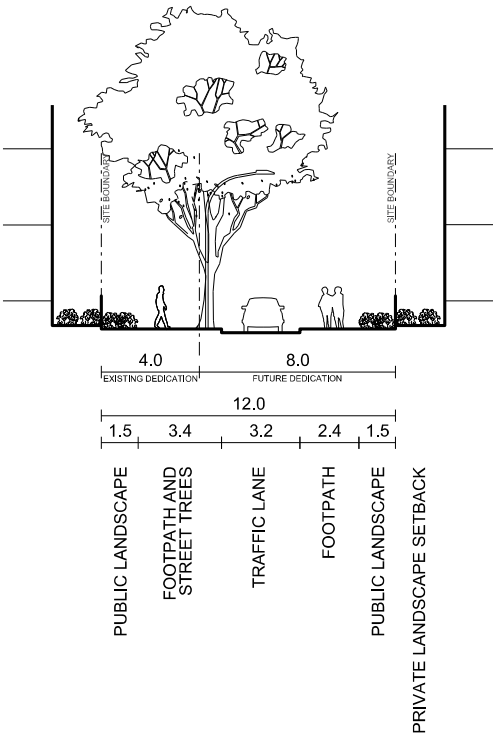


Figure 5.175
Section C - 6m
Pedestrian/Cyclist
Lane (Temporary
arrangement)

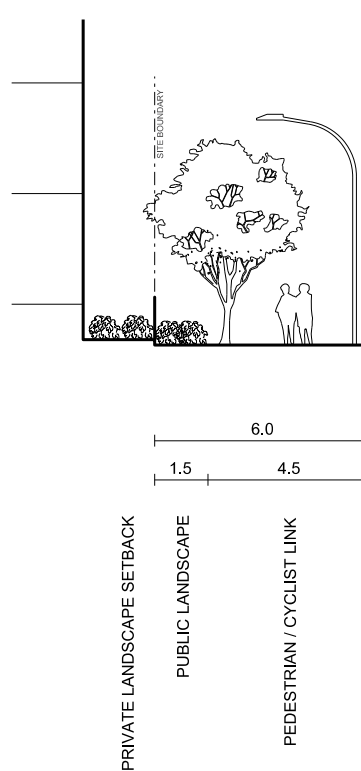


Figure 5.176
Section D - Shared
Path

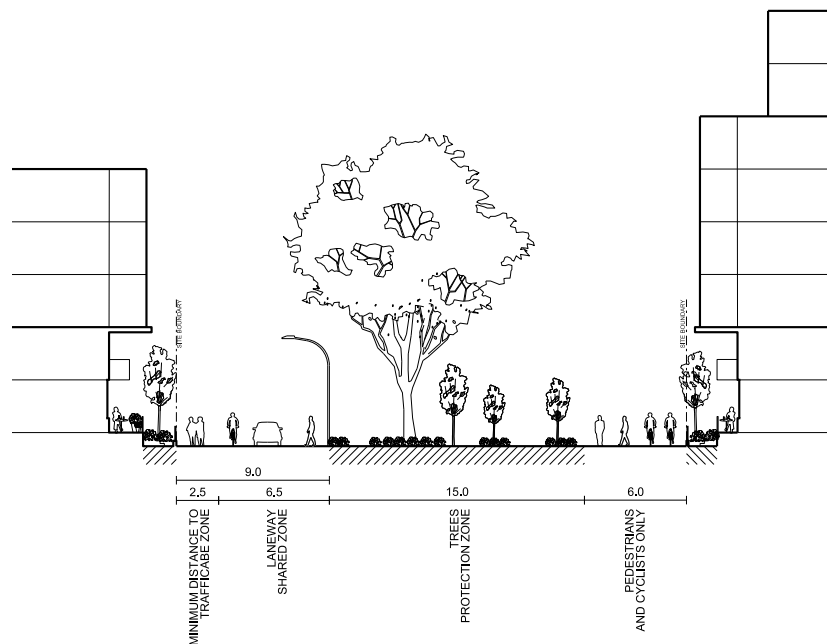


Figure 5.177
Section E – Green
Link

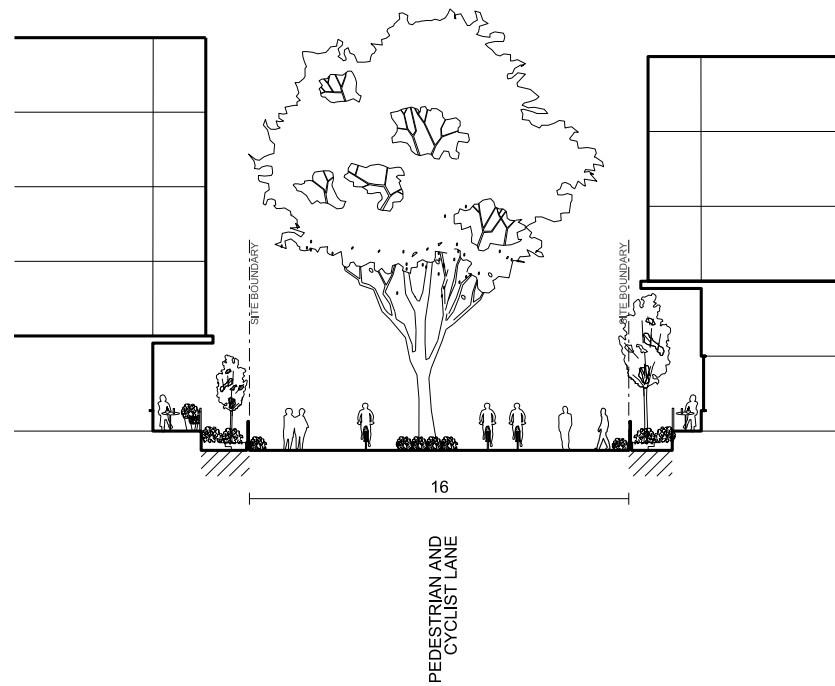


Figure 5.178
Section F
Pedestrian/Cyclist
Lane

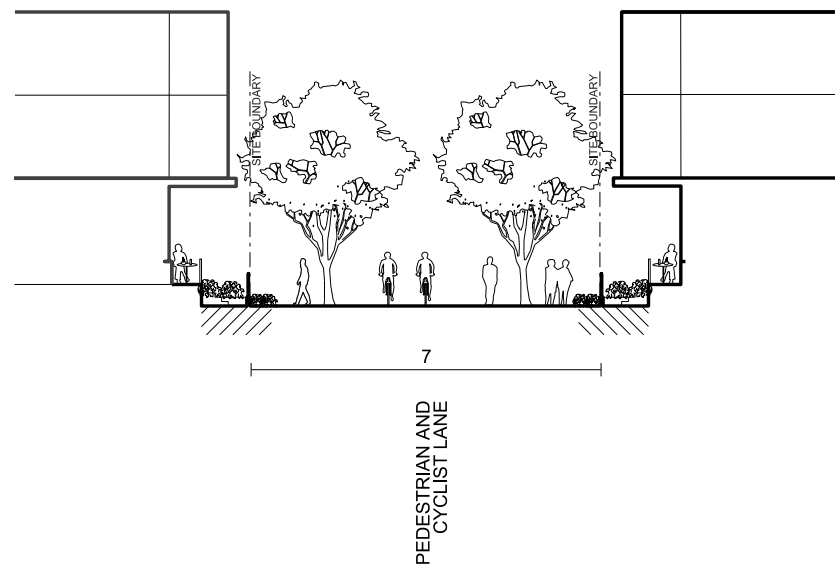


Figure 5.179
Section F1
Pedestrian/Cyclist
Lane

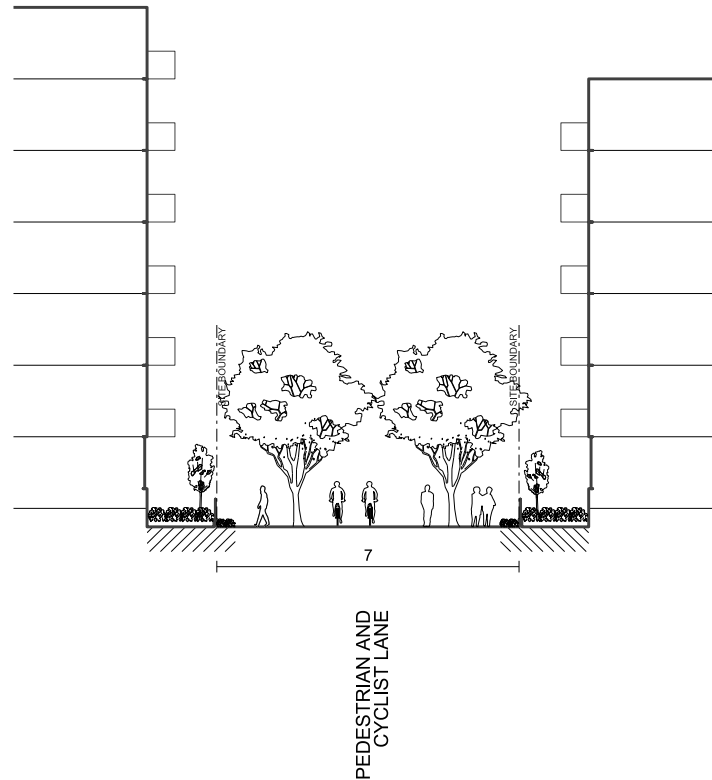


Figure 5.180
Section G - Open
Space Interface



Figure 5.181
Section H1 -
Rosebery Avenue
General (Long Term)

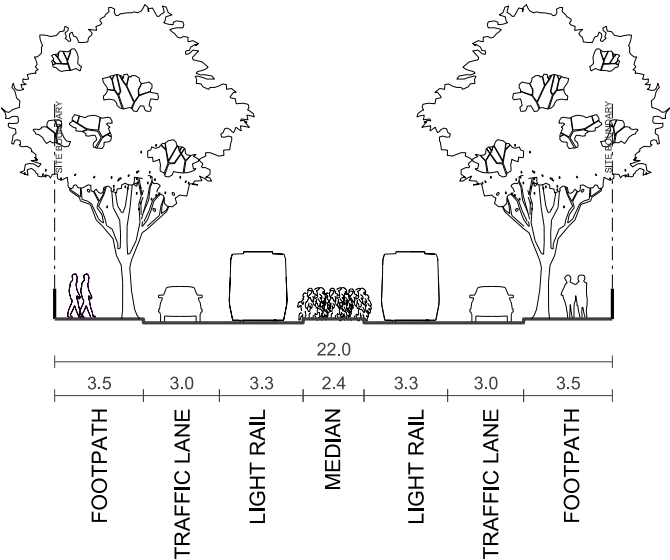


Figure 5.182
Section H2 -
Rosebery Avenue
General (Short
Term)

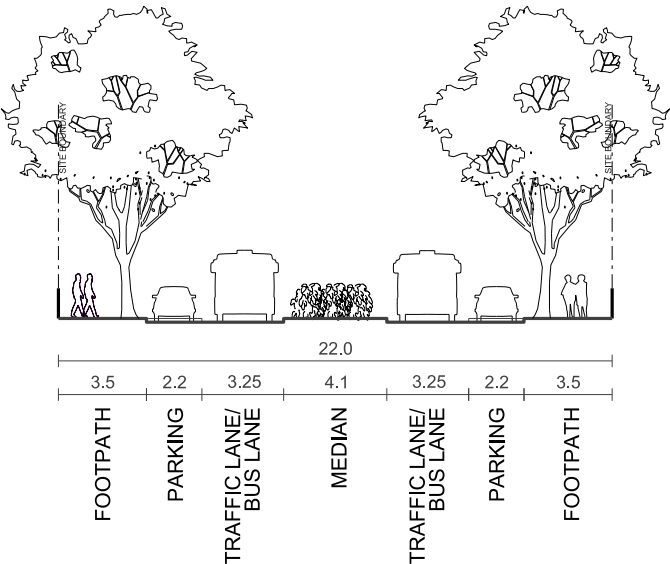


Figure 5.183
Section H3 -
Rosebery Avenue
Light Rail Stop
(Long Term)

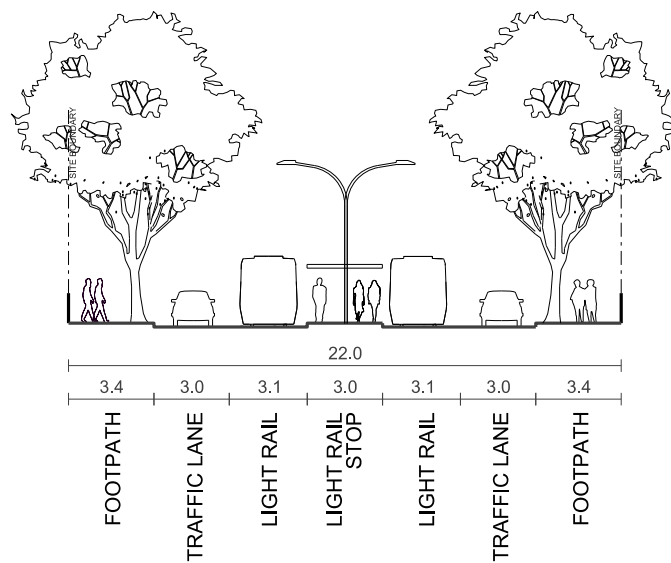
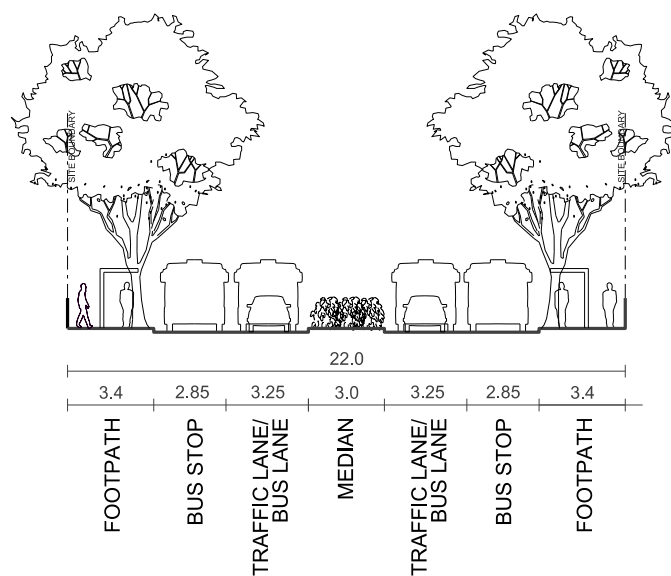


Figure 5.184
Section H4 -
Rosebery Avenue
Light Rail Stop
(Short Term)



KEY

 PRECINCT BOUNDARY	 GREEN LINK - PEDESTRIAN / CYCLE ONLY	 5 STOREY STREET WALL HEIGHT	 HERITAGE BUILDING
 FUTURE TRANSPORT CORRIDOR	 LANDSCAPE SETBACK	 TALL BUILDINGS 7-10 STOREYS	 BUILDING OVER 50 YEARS OLD RETENTION PREFERRED
↔ PEDESTRIAN / CYCLE LANE - NO VEHICULAR ACCESS	 LOW BUILDINGS 2-4 STOREYS	 NON-RESIDENTIAL USES ON GROUND FLOOR	
	 EXISTING DEVELOPMENT	 PROPOSED OPEN SPACE	



Figure 5.186 North Rosebery Street Hierarchy and Street Sections



5.7.1.2 Vehicle Access, Entries and Circulation

- (1) Figure 5.187 *North Rosebery Circulation* indicates the location of future vehicle access points. These locations are indicative only. The final location of vehicle access points should be integrated into the building form, minimise pedestrian and vehicle conflict and avoid the need to remove existing street trees where possible.
- (2) Vehicular traffic circulation is to be consistent with Figure 5.187 *North Rosebery Circulation*.

5.7.1.3 Public open space

The North Rosebery neighbourhood is identified as Catchment Area C 'North Rosebery neighbourhood' in Figure 5.54 Green Square public open space and Table 5.18 *Provisions for open space catchment areas* within Section 5.2 *Green Square*.

- (1) Where required by Council, public open space is to be provided in the locations identified on Figure 5.188 *North Rosebery Public Dedication* and in accordance with the standards set out in Table 5.18 *Provision for Public Open Space in North Rosebery*.
- (2) Figure 5.180 *Section G: Open Space Interface* illustrates an indicative design for the interface between development and the two new areas of open space within the precinct. Future development should consider this indicative design.

Table 5.18: Provisions for Public Open Space in North Rosebery

Type	Reservation width	Design considerations
Local Park	One park of 4,500 square metres to be provided in the centre of the precinct.	The park is to: (a) Provide for deep soil planting. (b) Allow for passive recreation.
Linear Park	One linear park of 1,550 square metres to be provided as an extension to the existing open space along the northern side of Kimberley Grove.	The space is to: (a) Provide for deep soil planting. (b) Serve a similar function to the existing open space along Kimberley Grove which is for passive recreation and as a children's play area.

Figure 5.187 North Rosebery Circulation



Figure 5.188 North Rosebery Public Dedication



5.7.2 Building form and design

The objectives and provisions within this Section must be read in conjunction with the provisions in Section 4.2 *Residential Flat, Commercial and Mixed Use Developments* and Section 5.2 *Green Square*.

Objectives

- (a) Ensure that the height and scale of built form is of a pedestrian scale and contributes to the physical definition of the existing and proposed street network.
- (b) Ensure built form responds to the lower scale of the Rosebery Estate in the southern areas of the precinct.
- (c) Provide a transition from higher buildings in the north to lower buildings in the south.
- (d) Encourage development that draws on the neighbourhood's past industrial uses, particularly in the north and centre of the precinct. This can be through provision of public art, reuse of materials and adaptive reuse of buildings where appropriate.

Provisions

- (1) Development must not exceed the maximum number of storeys indicated in Figure 5.191 *North Rosebery Height in Storeys*.
- (2) The street frontage height of a building must not exceed the maximum indicated in Figure 5.192 *North Rosebery Street Frontage Height in Storeys*.
- (3) A variety of built form options are possible within each street block. The preferred built form layout is presented in Figure 5.192 *North Rosebery Height in Storeys*. Alternate building layouts may be considered within each street block provided they achieve better amenity for new and existing development and the public domain.
- (4) Private open space to all dwellings on the ground floor is to be located to address the street and be accessible from the footpath.

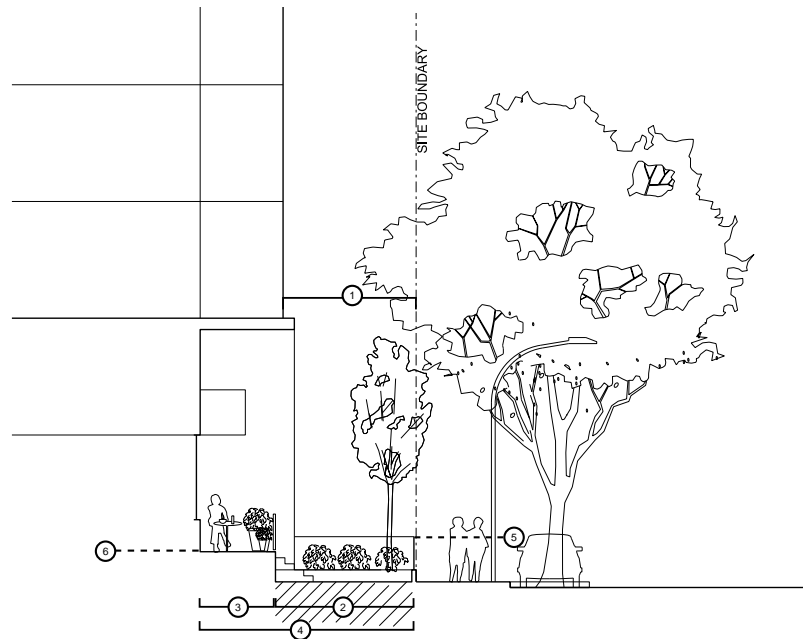
5.7.2.1 Building setbacks

The objectives and provisions within this Section should be read in conjunction with the provisions for residential uses on the ground and first floor in Section 4 *Development Types*.

Provisions

- (1) Setbacks are to be provided in accordance with the *Building setback and alignment map*.
- (2) Further to the above, residential uses at the ground and first floor are to be in accordance with Figure 5.189 *Typical ground floor condition for residential development*.
- (3) Side setbacks are to be provided between new development and the existing dwellings on Rosebery Avenue and Primrose Avenue in accordance with Figure 5.190 *Primrose and Rosebery Avenue Side Setback*.

Figure 5.189
Typical ground
floor condition
for residential
development



1. Primary building setback, clear full height – landscape setback minimum 2m
2. Deep soil landscape planting area – refer to landscape setback in *Building setback and alignment map*
3. Ground floor private open space deck - min. 1.2m
4. Setback from the site boundary to the glass line
5. Site boundary fence – max. 1.4m high
6. Ground floor private open space deck max. 1m above street level

Figure 5.190
Primrose and
Rosebery Avenue
Side Setback

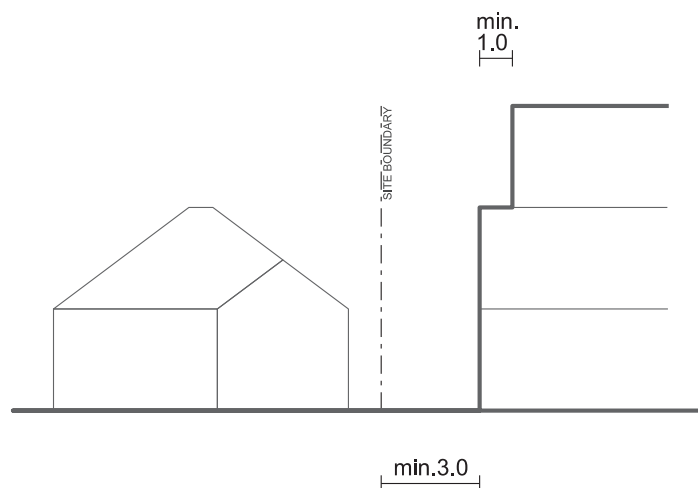


Figure 5.191 North Rosebery Height in Storeys



KEY

- PRECINCT BOUNDARY
- PROPOSED STREET BLOCKS
- PROPOSED OPEN SPACE
- DESIGN EXCELLENCE ADDITIONAL BUILDING ENVELOPES

HEIGHTS IN STOREYS

- | | |
|---|---|
| 2 STOREYS | 6 STOREYS |
| 3 STOREYS | 7 STOREYS |
| 4 STOREYS | 8 STOREYS |
| 5 STOREYS | 9 STOREYS |

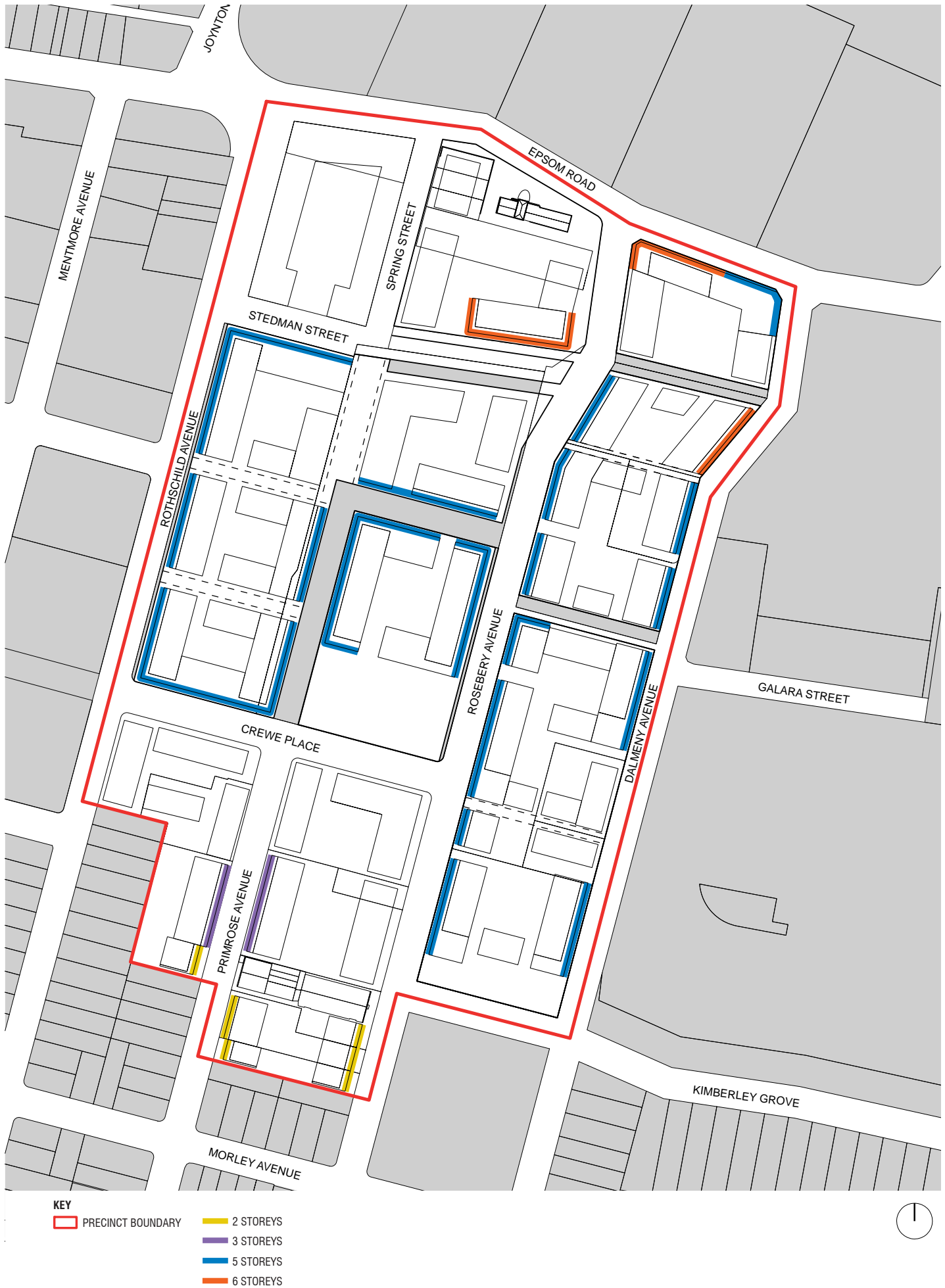
EXISTING

x Number denotes MAXIMUM height in storeys.

Brackets indicate the preferred location of any additional floorspace awarded through a competitive design process.



Figure 5.192 North Rosebery Street Frontage Height in Storeys



5.7.2.2 Above ground car parking

This section should be read in conjunction with Section 5.2.12 *Above ground and adaptable car parking spaces*.

Provisions

- (1) Where above ground car parking is permissible under Section 5.2.12, it should project no more than 1 metre above ground or as required to comply with Flood Planning Levels.

5.7.2.3 Fencing

Provisions

- (1) Fences on front property boundaries must:
 - (a) Be predominantly open to enable some overlooking of the street for safety and surveillance;
 - (b) Assist in highlighting entrances and creating a sense of communal identity within the streetscape;
 - (c) Be designed and detailed to provide visual interest to the streetscape; and
 - (d) Be a maximum height of 1.4 metres from ground level where fronting a street or pedestrian lane.

5.7.2.4 Deep soil planting

Provisions

- (1) The private front gardens required for ground floor apartments are to be included as part of the deep soil area.
- (2) All remaining deep soil areas are to comply with the relevant provisions within Section 4.2.3.6 *Deep soil planting*.

5.7.3 Building type and use

Provisions

- (1) Dwelling types are to comply with Figure 5.193 *North Rosebery Typology and Uses*.
- (2) Retail/Commercial or Non-residential uses are to be provided at ground floor where indicated in Figure 5.193 *North Rosebery Typology and Uses*.
- (3) Modern terrace and maisonette style development is preferred where indicated in Figure 5.193 *North Rosebery Typology and Uses*. An example of appropriate development is at Figure 5.194.
- (4) Figure 5.193 *North Rosebery Typology and Uses* indicates the location of potential childcare centres in the precinct. These locations are indicative only and final locations should take into consideration the provisions at section 4.4.4 of this DCP. Vehicular parking or drop-off areas for the potential childcare centre at 12-40 Rosebery Avenue must not be provided within the proposed adjacent through site link.

Figure 5.193 North Rosebery Typology and Uses

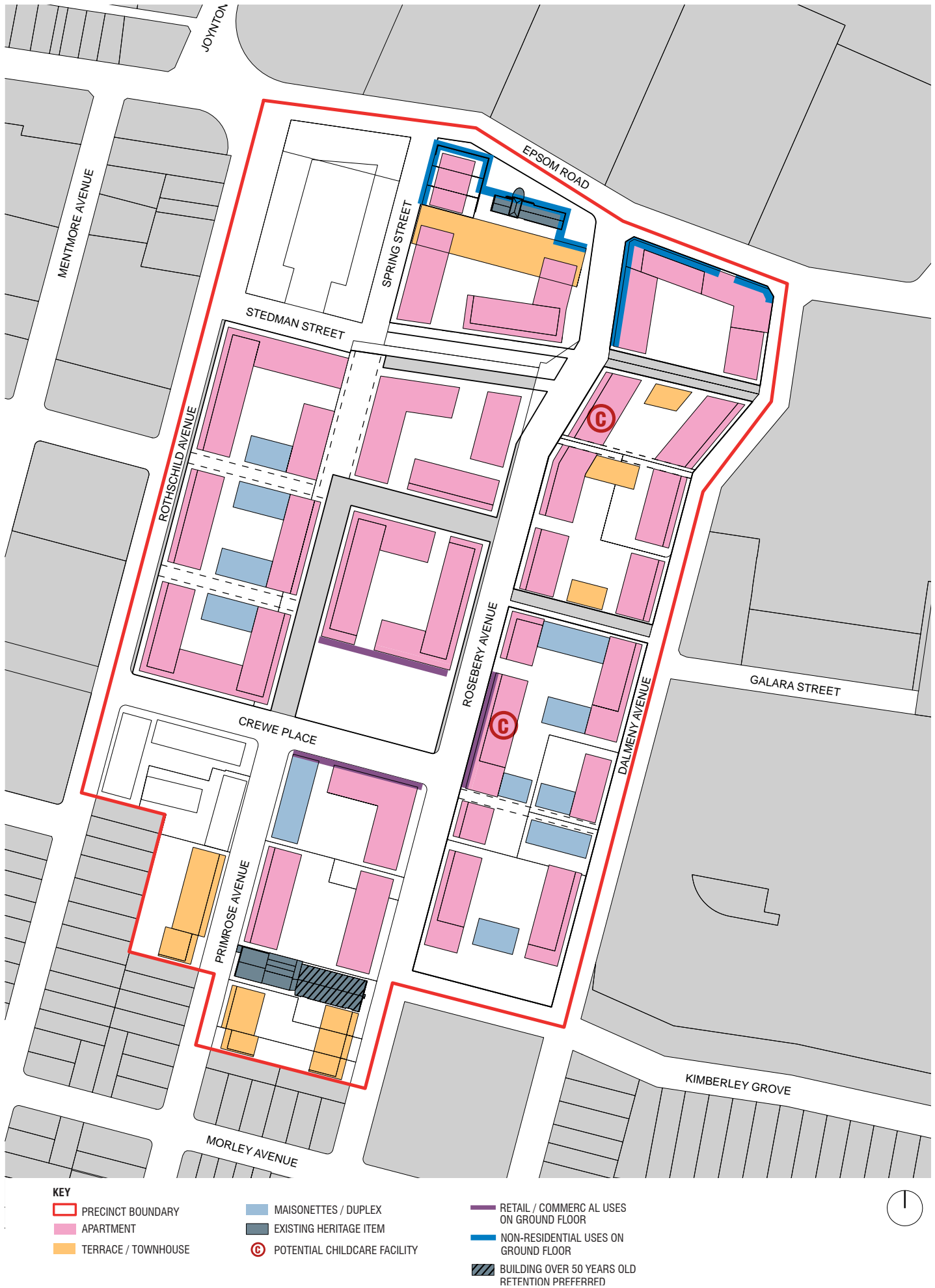


Figure 5.194
Example of modern
terrace typology in
Alexandria



5.7.4 Staging and implementation

Objectives

- (1) To ensure the redevelopment of the North Rosebery neighbourhood is coordinated in an orderly manner and development of sites can occur independently without impeding adjacent sites.

Provisions

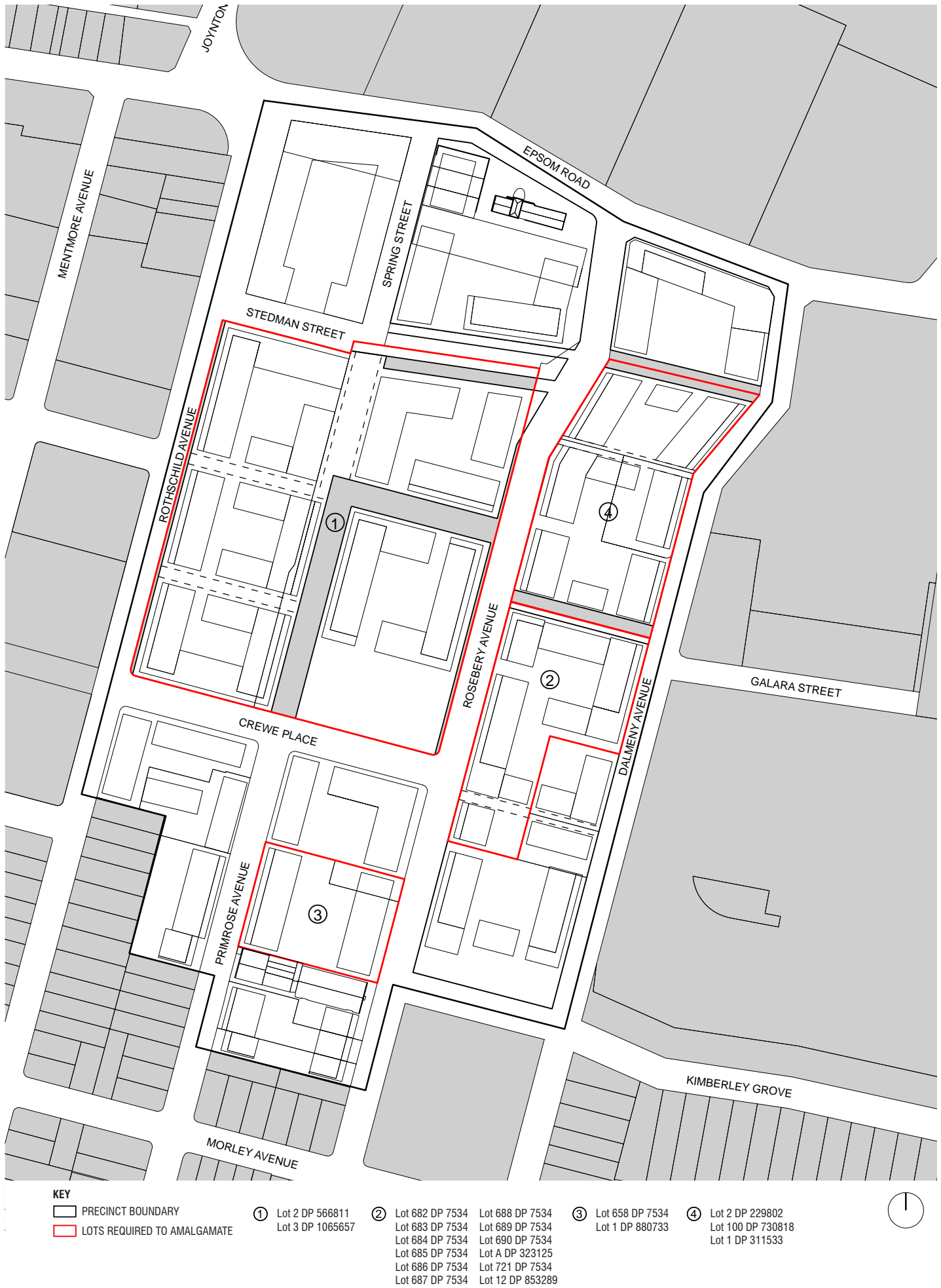
- (1) All sites are to have a public road frontage and be accessible via a public street.
- (2) An interim alternative street block layout or built form layout may be considered on a site by the Consent Authority to allow for staged redevelopment and/or retention and refurbishment of existing industrial/commercial buildings provided that:
 - (a) Any area of proposed redevelopment which impedes the achievement of the public domain infrastructure required in Figure 5.188 *North Rosebery Public Dedication* be of a temporary nature and be conditioned as such; and
 - (b) A staging plan and delivery sequence for the remaining public domain infrastructure in Figure 5.188 *North Rosebery Public Dedication* be submitted with the development application.

5.7.5 Land Amalgamation

Provisions

- (1) The maximum Floor Space Ratio applicable to sites identified in Figure 5.195 *North Rosebery Land Amalgamation* may only be achieved when landholdings are amalgamated in accordance with Figure 5.195 *North Rosebery Land Amalgamation*.
- (2) Any alternative land amalgamation scheme must be supported by an urban design study and will be assessed on its merits.

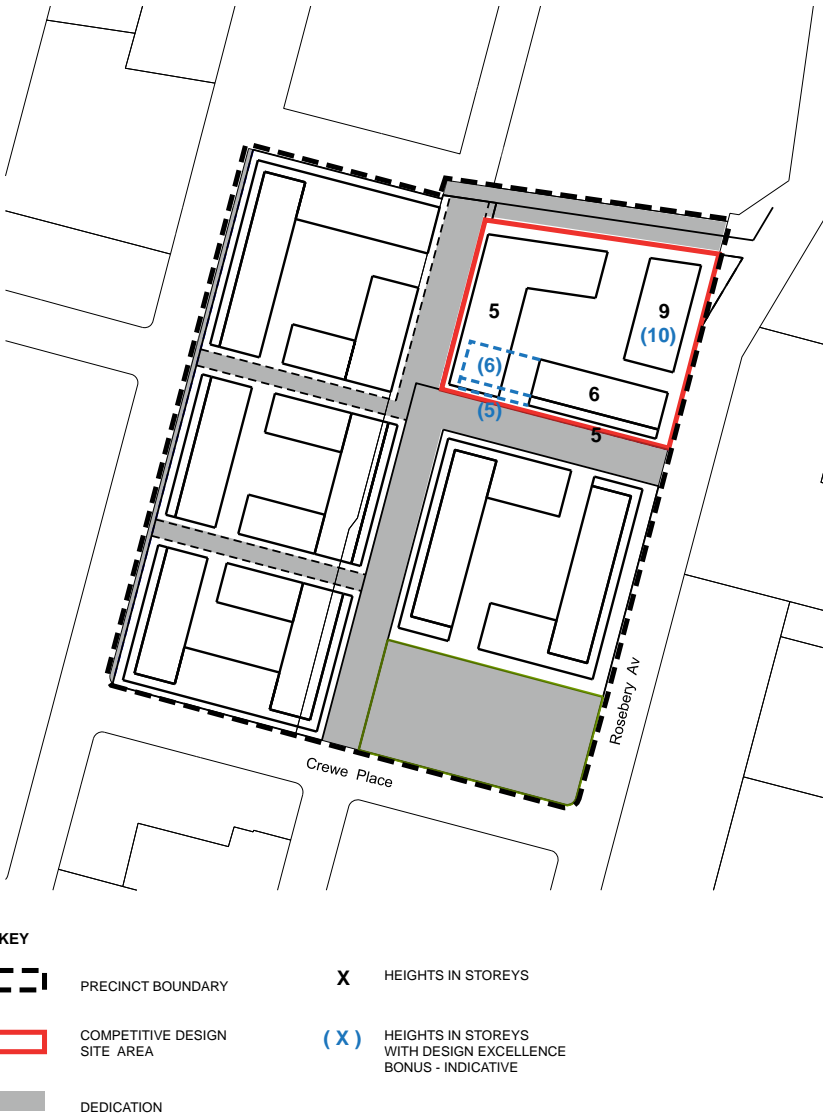
Figure 5.195 North Rosebery Required Land Amalgamation



5.7.6 Design Excellence

- (1) Where a site is the subject of a competitive design process under Clause 6.21D of *Sydney Local Environmental Plan 2012*, which requires such a process for development including tall buildings of 8 storeys or greater (greater than 25 metres), the preferred location of potential additional height is indicated in brackets in Figure 5.191 *North Rosebery Height in Storeys*. Alternative locations for additional height will be assessed on merit.
- (2) Figure 5.196 *5-13 Rosebery Avenue Design Excellence Competition Site* shows as an example the portion of the site at 5-13 Rosebery Avenue that would be subject to a competitive design process under Clause 6.21D(1)(a) of *Sydney Local Environmental Plan 2012*.

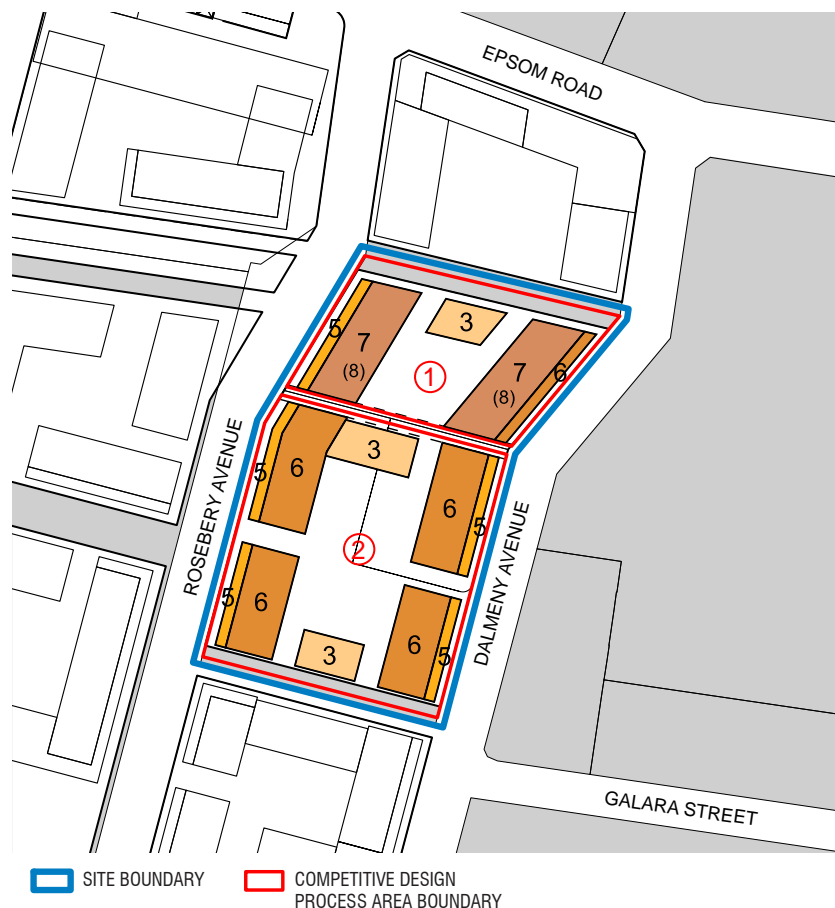
Figure 5.196
5-13 Rosebery
Avenue Design
Excellence
Competition Site



5.7.6.1 Design Excellence Strategy - 12-40 Rosebery Avenue and 108 Dalmeny Avenue

- (1) Two separate competitive design processes are to be undertaken for the site in accordance with Division 4 of Sydney Local Environmental Plan 2012. Each competitive design process is to comprise an invited competitive design alternatives process involving a minimum of three architectural firms. Figure 5.197 illustrates the two separate process areas.
- (2) The total additional floor space across the entire site must not exceed the amount set out in Clause 6.36 of Sydney Local Environmental Plan 2012.
- (3) Any additional floor space awarded is to be accommodated within the proposed envelopes as shown in Figure 5.191 *North Rosebery Height in Storeys*.
- (4) The competitive design alternatives processes are to provide for the following ecologically sustainable development outcomes:
 - (a) All townhouses and terraces are to achieve a BASIX energy score of at least 50 and a BASIX water score of at least 45: and
 - (b) All apartments are to achieve a BASIX energy score of at least 30 and a BASIX water score of at least 40.

Figure 5.197
12-40 Rosebery Avenue and 108 Dalmeny Avenue
Competitive Design
Process Areas



5.8

Southern Enterprise Area

This Section applies to the land identified in Figure 5.1 *Specific Areas* as the Southern Enterprise Area.

Where land is located in Green Square and the Southern Enterprise Area, both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 Green Square and this Section, this Section applies to the extent of the inconsistency.

The Southern Enterprise Area contains strategically important employment lands located between Sydney Airport, Port Botany, the new residential and commercial centres at Green Square and Mascot Town Centres and the Sydney CBD.

The Southern Enterprise Area contains areas that are to be largely maintained and managed for industrial uses over time, while other parts are in transition and will over time accommodate more intense forms of employment generating activities.

5.8.1 General

The Southern Enterprise Area locality statement, provided at Section 2 of this DCP, details the elements that contribute to this area's current and future character and a number of principles that will help to reinforce and enhance that character. The locality statement provides the direction for the development controls and built form guidelines for this area as contained in this section of the DCP.

The Southern Enterprise Area Urban Strategy shows the strategic context within which development in the Southern Enterprise Area is to take place, providing a framework for urban renewal.

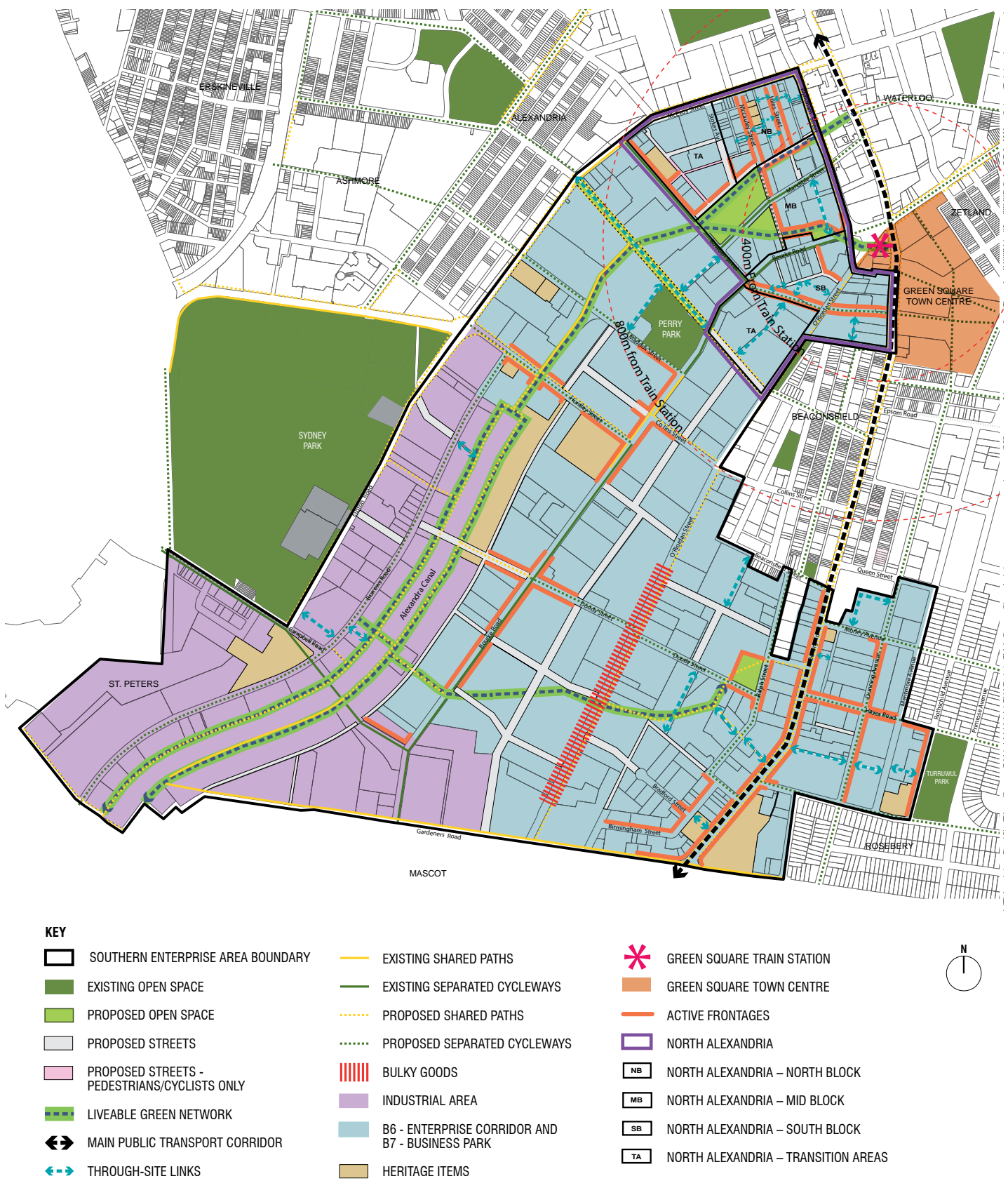
Objectives

- (a) Ensure development in the Southern Enterprise Area satisfies the outcomes expressed in the locality statement and supporting principles.
- (b) Provide a cohesive urban strategy to:
 - i. manage and retain strategic industrial uses and critical urban services in key locations;
 - ii. where appropriate, facilitate a more diverse built form to allow the transition of the area to a mixed-business area; and
 - iii. deliver the uplift in amenity and public domain needed to support the area as it grows.

Provisions

- (1) Development is to be consistent with the locality statement and supporting principles for the Southern Enterprise Area.
- (2) Development in the Southern Enterprise Area is to be in accordance with Figure 5.198 Southern Enterprise Area Urban Strategy.

Figure 5.198 Southern Enterprise Area Urban Strategy



5.8.2 Land Use

The Southern Enterprise Area is strategically important employment land, critical for the growth of the local, state and national economies. Ensuring the long term economic and operational viability of employment generating uses is therefore of primary importance.

Objectives

- (a) Ensure the long term economic, operational and environmental viability of the various employment zones in the Southern Enterprise Area.
- (b) Allow opportunities for land use to evolve into more innovative and knowledge-intensive sectors in appropriate locations.
- (c) Minimise the potential for land use conflict.
- (d) Allow for the provision of affordable housing where it does not negatively impact on the primary functions and role of the Southern Enterprise Area as an employment centre.

5.8.2.1 Non-industrial uses in the industrial zone

This Section applies only to development on land zoned for industrial uses, as identified on Figure 5.198 Southern Enterprise Area Urban Strategy.

Objectives

- (a) Allow for appropriate ancillary uses in association with industrial development.
- (b) Encourage active frontages that contribute to the amenity of the streetscape.

Provisions

5.8.2.1.1 Ancillary uses

- (1) Ancillary office use is to be:
 - (a) directly associated with the industrial use;
 - (b) no larger than 15% of the gross floor area of the development; and
 - (c) located at the street frontage of the development site to provide an active frontage.

5.8.2.1.2 Industrial retail outlets

- (1) Industrial retail outlets are to be:
 - (a) integrated into the design and layout of the industrial building; and
 - (b) located at the street frontage of the development site to provide an active frontage.

5.8.2.2 Land uses in North Alexandria

This Section relates only to development in the mixed business area of North Alexandria, as identified on Figure 5.198 Southern Enterprise Area Urban Strategy.

A diverse built form will support a wide range of economic activities in North Alexandria including industrial, commercial, office, entertainment, creative industries, and other urban services, with affordable spaces for innovation to occur. These complementary uses will be carefully sited, cognisant of existing built form character and heritage, the interface with adjoining areas, the potential for land use conflict and the benefits of co-location.

Objectives

- (a) Encourage a diverse range of economic activities in North Alexandria including industrial, commercial office, entertainment, creative industries, and other urban services.
- (b) Maximise opportunities arising from current and planned built form, heritage and public domain assets to encourage clusters of appropriate land uses.
- (c) Enhance the unique character of North Alexandria to attract business, workers, visitors and events.
- (d) Encourage intensification of commercial office uses in the south-block near Green Square train station which supports but does not compete with Green Square Town Centre.
- (e) Encourage creative industries in and around the heritage conservation area of the north-block and provide for compatible entertainment and night-time uses in a manner complementary to daytime activation.
- (f) Incorporate active frontages to enliven the public domain in key locations and enhance interactions between buildings and adjoining public spaces.
- (g) Encourage a diverse range of uses in the mid-rise, large floor-plate building stock of the mid-block.
- (h) Provide for areas of gradual transition in use and built form towards surrounding zones.

Provisions

- (1) The following uses are encouraged in the locations listed below:
 - (a) North-block: activity-generating, higher-order business uses including innovation, technology and creative industries, and cultural and entertainment uses (including late night entertainment uses);
 - (b) Mid-block: innovation, creative, technology and knowledge-intensive enterprises alongside light industry;
 - (c) South-block: commercial office with ancillary retail; and
 - (d) Transition areas: more 'traditional' industrial uses including warehousing and manufacturing.
- (2) Engaging and activity-attracting uses, which draw visitors and pedestrian traffic or address and enliven adjoining streets through design detail, lighting and alfresco events, are to be incorporated wherever possible at ground level in the lanes within the north-block and adjoining sites fronting the southern side of McEvoy Street.

5.8.2.3 Affordable housing

'Affordable housing' is permitted on some land in the Southern Enterprise Area.

This Section is to be read in conjunction with Section 4.2 Residential Flat, Commercial and Mixed Use Developments of this DCP.

Objectives

- (a) Ensure affordable housing provides high levels of amenity for its residents.
- (b) Ensure affordable housing does not reduce the potential of the zone to accommodate employment uses.

Provisions

- (1) Affordable housing is only to locate where it will not unreasonably restrict existing or planned employment uses in the zone. When determining an application for affordable housing, the consent authority will consider:
 - (a) the proximity of the site to existing and approved employment generating activities;
 - (b) the likelihood that the proposed affordable housing would constrain the operational potential of employment generating uses in proximity to the site;
 - (c) the impact existing and approved employment generating activities in the zone may have on the health, wellbeing and amenity of future residents;
 - (d) the likely impact of the built form, including consideration of:
 - i. its ability to meet State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and the land use and planning controls provided by the Sydney LEP 2012 and the Sydney DCP 2012; and
 - ii. the likely impact on the public domain;
 - iii. the contribution of the development to the objectives of the land use zone; and
 - iv. the suitability of the site for residential use.
- (2) Development for the purposes of affordable housing is to assume non-residential development on adjacent blocks. Amenity requirements for visual privacy, solar and daylight access and natural ventilation for affordable housing must be accommodated within the development site, without requiring building separation or design restrictions on future development on adjacent sites.
- (3) In addition to any other setbacks required by this DCP the minimum setbacks from side and rear development site boundaries (excluding new streets, open spaces, through-site links and the like) are to be:
 - (a) habitable rooms – 12m
 - (b) habitable rooms with windows perpendicular to the boundary – 9m
 - (c) non-habitable rooms – 6m
 - (d) non-habitable rooms with windows perpendicular to the boundary – 4m
- (4) Side and rear setbacks should be landscaped and provide a high-quality visual buffer from adjacent development.
- (5) Communal and private open spaces should, where possible, be located away from busy roads and employment uses.
- (6) Residential entries are to be separate to commercial/retail entries and located on local streets away from busy roads where possible.

5.8.2.4 Addressing land use conflict

The Southern Enterprise Area contains a high proportion of industrial activities whose operations can be adversely affected when lower impact employment uses or sensitive land uses locate nearby.

It is important that as development occurs, it does not undermine the efficient function of existing uses. Equally, as the area changes, new development must remain cognisant that lower impact, more sensitive uses may seek to locate in the area in the future and that land use conflicts must be managed to allow this transition.

Definitions

'Sensitive land uses' are references to buildings for residential use (including mixed use buildings), places of public worship, hospitals, educational establishments or childcare centres.

Objectives

- (a) Minimise land use conflict and its potential impacts on the operational viability of all employment uses.
- (b) Ensure that development for sensitive land uses does not undermine the long-term viability of the Southern Enterprise Area to accommodate industrial uses.
- (c) Ensure sensitive uses are designed and built to mitigate against the potential impacts that existing and planned industrial uses, or other employment uses, may have on them.
- (d) Ensure new industrial development, or other development for employment uses, is designed and built to mitigate any potential impacts they may have on existing and planned sensitive uses.
- (e) Minimise the exposure of sensitive uses to air and noise pollution from busy roads and industrial sources.

Provisions

- (1) Where sensitive uses are proposed, Council may require an Air Quality Assessment report to be prepared by suitably qualified consultants to be submitted with development applications. The Air Quality Assessment report is to demonstrate that air quality is within acceptable limits and/or impacts can be mitigated.
- (2) Where sensitive uses are proposed, development is to be appropriately designed to minimise any impact of air pollution. Design considerations provided in the *NSW Government's Development near Rail Corridors and Busy Roads – Interim Guidelines* are to be addressed.
- (3) New development should not limit the operation of approved truck routes. Where located on an approved truck route, new development is to appropriately mitigate against the 24 hour, 7 days a week operation of that route.
- (4) A Noise Impact Assessment, prepared by a suitably qualified acoustic consultant, is to be provided when submitting a development application for sensitive land uses located in close proximity to existing industrial activities. The Noise Impact Assessment should include mitigation strategies, which must be implemented, that manage noise at the new development. Mitigation strategies may include, for example, landscape buffers, screened and acoustically sealed balconies, green walls, and the use of specific building materials or sound walls.
- (5) Sensitive uses are not to locate where the noise generated by an established industrial activity cannot be appropriately mitigated at the new development.

- (6) A development application for a new building or for a change of use of an existing building, for a land use that is likely to generate external noise, must be accompanied by a Noise Impact Assessment prepared by a suitably qualified acoustic consultant. The Noise Impact Assessment is to include mitigation strategies, which must be implemented, to mitigate the impacts of noise generated by the new development on other activities in the vicinity. Mitigation strategies may include, for example, landscape buffers, sound locks, the use of specific building materials or sound walls.

5.8.3 Development

This Section should be read in conjunction with Section 4 Development Types of this DCP. In the event of any inconsistency, this Section applies to the extent of the inconsistency.

5.8.3.1 Subdivision

The Southern Enterprise Area includes land zoned for industrial purposes as well as land zoned for more flexible employment generating uses including light industrial, commercial and retail uses. It is important that the subdivision of land, including strata subdivision, continues to support the objectives of the employment zones and does not inhibit the delivery of new essential infrastructure.

Objectives

- (a) Ensure lot sizes and street frontages can support the desired building types and uses and achieve internal spaces appropriate to their function.
- (b) Ensure the subdivision of land does not impede the provision of new streets, through-site links, open spaces or the Liveable Green Network.
- (c) Ensure the subdivision of land zoned for industrial purposes does not impede the efficient operation of the industrial zone that is essential to the operation of the City.
- (d) Ensure that the subdivision of land does not impede the future conservation and adaptive reuse of heritage items.
- (e) Ensure the mid-block of North Alexandria can support flexible, generous building layouts for a range of business activities of different scales and with different operational needs.

Provisions

- (1) Subdivision is not to impede setbacks, new streets, pedestrian and cycling routes or through site links where identified on the *Streets and lanes map*, the *Building setback and alignment map*, the *Public domain setbacks map*, *Proposed open space map* or the *Through-site link map*.
- (2) Where located on land zoned for industrial purposes, the minimum lot size for a Torrens title subdivision is 2,500sqm and the minimum street frontage of lots is to be 35m.
- (3) Battle-axe subdivisions are not permitted.
- (4) The minimum allotment size permitted for a strata title subdivision of a single industrial development, a single industrial unit, or the gross floor area of any industrial unit forming part of a multi tenanted development, is 150sqm.
- (5) Where identified on the *Streets and lanes map*, the *Building setback and alignment map*, the *Public domain setbacks map*, *Proposed open space map* or the *Through-site link map*, setbacks, new streets, Liveable Green Network connections, through-site links or open space is to be provided as part of any subdivision or strata subdivision of a lot.
- (6) Subdivision is not permitted in the mid-block of North Alexandria.

5.8.3.2 Building height

Objectives

- (a) Ensure the height in storeys and street frontage height in storeys reinforces the existing or future neighbourhood character.
- (b) Ensure appropriate floor to ceiling heights that promote daylight access into buildings and contribute to the flexible use of buildings.

Definitions

A storey is the space between a floor and the next floor level above, or if there is no floor above, the ceiling or roof above. It does not include an attic, a mezzanine or a space that contains only a lift shaft, stairway or meter room.

Street frontage height in storeys is the vertical height of the primary facade.

Provisions

- (1) Development is not to exceed the maximum number of storeys as shown in the *Building height in storeys map* and *Building street frontage height in storeys map*.
- (2) The maximum may only be achieved where it can be demonstrated that the proposed development reinforces the neighbourhood character.
- (3) Where the *Street frontage height of buildings map* does not indicate a maximum height, the maximum street frontage height is to be consistent with the street frontage height in storeys of adjacent buildings, or the predominant street frontage height in storeys in the vicinity of the proposed building.
- (4) Height of buildings and the street frontage height in storeys are not to match anomalous tall neighbouring buildings that are inconsistent with the neighbourhood.
- (5) Buildings that are primarily for an industrial purpose are to have a minimum floor to ceiling height of 5m on the ground floor.
- (6) In the mid-block and transition areas of North Alexandria, buildings are to have a minimum floor to ceiling height of 4.5m for at least 30% of the ground level of the building.

5.8.3.3 Building alignment and setbacks

This section should be read in conjunction with Section 5.8.4.2.3 Street, Pedestrian and Cycle Network and Section 5.8.4.3 Liveable Green Network of this DCP.

Objectives

- (a) Ensure development provides an appropriate presentation to the public domain through landscaping and setbacks.
- (b) Ensure setbacks to all lot boundaries provide a high-quality frontage and relationships to the public domain and/or adjoining properties.

Provisions

- (1) Primary setbacks, upper level setbacks and landscape setbacks are to be provided in accordance with the *Building setback and alignment map* and the *Building street frontage height in storeys map*.
- (2) Where a setback is not identified on the *Building setback and alignment map*, the building setback from any existing and future street is to:
 - (a) where it is identified on the *Active frontages map* and/or is an office building type of more than three storeys – have no setback from the street boundary (i.e. be built on the street boundary); or
 - (b) in all other circumstances – have a landscape setback open to the sky of 6m between the building and the street boundary.

- (3) Setbacks required to the front of buildings are to form a visual extension of the public domain and include landscaping which complements the streetscape to enhance the appearance and reduce the bulk of industrial buildings.
- (4) Landscaped setbacks are to be provided clear to the sky and clear of built obstructions including storage areas, signage, parking and building overhangs, including sun control devices.
- (5) Dedication of landscape setbacks is generally not required.
- (6) Fences are not permitted along street frontages.
- (7) Provide side and rear setbacks that:
 - (a) create high quality frontages to adjoining properties, the Liveable Green Network connections, through site links and open spaces where applicable;
 - (b) create visual interest where public access will occur on that frontage;
 - (c) ensure overland flow paths are not blocked or diverted;
 - (d) locate contiguous areas of soft landscaping and tree planting with vegetation on neighbouring properties; and
 - (e) are generally level with adjoining properties and public domain.

5.8.3.4 Active frontages and street level design

Amenity in the public domain is linked with activity and visual interest at street level. Key locations in the Southern Enterprise Area are to provide active frontages. Elsewhere, the design of building frontages can add interest and vitality to the public realm and provide a level of comfort for pedestrians.

Objectives

- (a) Activate important streets and corner sites throughout the Southern Enterprise Area.
- (b) Integrate awnings and colonnades into building design to maximise amenity in areas of anticipated activity.
- (c) Optimise the overall activation of the public domain through the design of building frontages.
- (d) Maximise the fine grain activation of North Alexandria's public domain through use, size and design of street level tenancies.
- (e) Provide colonnades in North Alexandria to maximise pedestrian amenity and create opportunities for comfortable seating and outdoor dining.

Provisions

General

- (1) Active frontages are to be provided in accordance with the *Active frontage map*.
- (2) Provide awnings over all building entrances and in accordance with the *Footpath, awnings and colonnades map*.
- (3) Buildings on a proposed street (still to be built) are to provide an appropriate frontage to that future street.
- (4) All ground level building frontages to public spaces and through-site links are to have:
 - (a) building entries at least every 20m; and
 - (b) large windows to spaces with high occupancy rates (like offices and showrooms) comprising at least 50% of each frontage.

- (5) Loading docks and roller doors must not be visible from the primary street frontage.
- (6) Industrial and warehouse components of mixed developments are to be screened behind active uses or a commercial component of the development.
- (7) Ensure building foyers are oriented to the street and are appropriately scaled to allow sufficient ground floor space for fine grain active frontages and retail uses as appropriate.

North Alexandria

- (1) Building frontages along the active frontages in North Alexandria's north-block are to achieve a fine grain, provide visual interest and create opportunities for interactions with pedestrians appropriate to their use.
- (2) The building frontages along the southern edge of the Liveable Green Network north of Mandible Street and along both edges of the Ashmore Connector are to be provided as arcades in accordance with Figures 5.216, 5.223 and 5.224 Indicative cross sections.

5.8.3.5 Building layout and design

Objective

- (a) Encourage flexible building design to ensure buildings can be converted for a range of uses.
- (b) Encourage new development to respond to design elements of traditional industrial and commercial development.
- (c) Ensure appropriate landscaping, external break out spaces, drainage and parking.
- (d) Ensure site planning results in high quality, safe and legible spaces that have a positive address to adjoining properties and the public domain.

Provisions

General

- (1) Development involving perpendicular orientation of buildings to the street (gun-barrel development) is not permitted. Narrow lots less than 20m in width are, as far as practicable, to be consolidated to enable the orientation of buildings parallel to the primary street frontage.
- (2) Building design is to maximise the use of natural lighting and ventilation.
- (3) Internal courtyards are to be incorporated where floor plates are greater than 2,500sqm.
- (4) Blank walls must be screened with landscaping or treated as sculptural elements incorporating public art, variation in materials and other methods reflecting contemporary architectural design.
- (5) The facade of the development is to:
 - (a) be articulated using architectural elements and a variety of design languages for functional zones within building groups; and
 - (b) use a proportion of solid surfaces, preferably masonry material, which reflects the established character of the surrounding area.
- (6) Buildings located on corner sites must reinforce the corner by massing and facade orientation.
- (7) Office-type buildings of more than three storeys are to be designed to be built boundary to boundary for the first four floors of that development.

- (8) The area's heritage and former industrial past is to be recognised through public art in the private domain.
- (9) Rooftop structures such as plant rooms, solar panels, air conditioning and ventilation systems are to be incorporated into the design of the building and concealed within the roof form or located within a well-designed, integrated roof top element.
- (10) Above ground water tanks are to be located behind the front facade and screened from the public domain. Details, including elevations showing the location and screening method are to be submitted with the development application.
- (11) Where there is a commitment to provide a recycled water network, all buildings are to be constructed to be capable of providing a dual reticulation water system for water services and be capable of fully connecting to a non-potable recycled water network and configured to supply all toilets, washing machine taps, car wash bays, cooling towers and irrigation usage.

North Alexandria – North-block

- (1) Heritage listed and contributory buildings are to be sensitively adapted for reuse, with attention given to:
 - (a) conserving historic facades;
 - (b) minimising the extent of alterations to structural walls;
 - (c) achieving a flexible layout of internal space which conserves floor structures, internal walls and interfloor heights;
 - (d) any new walls or floor plates not intersecting significant openings; and
 - (e) maintaining a substantial portion of any significant roof form(s).

Note: applications will be assessed individually for retention of the building's heritage significance and compatibility of new works with the building and area.

- (2) New buildings are to be sensitive and complementary to the surrounding area's scale, form and materiality.
- (3) Development is to enhance and preserve the fine grain, textured character and low scale industrial heritage fabric.
- (4) Sites facing on to McEvoy Street are to announce the heritage character area to the street through materiality and design.
- (5) Ground floor design is to contribute to 24 hour pedestrian comfort, passive surveillance and indirect lighting.
- (6) Development is to encourage use of the adjoining laneways as flexible, shared, programmable spaces through frequent openings which address the laneway and increased permeability through private sites.
- (7) The internal arrangement of spaces in buildings in the north-block is to be flexible to allow for a variety of creative and knowledge-based industries.
- (8) Development adjoining the Mandible Street Park is to enhance the public domain through well-designed massing and facades.

North Alexandria – Mid-block

- (1) Development is to enhance the surrounding public domain through well-designed massing and facades which responds to the scale of and continues the fine grain character of the north-block.
- (2) Facades are to be of face brick, including brick detailing and articulation with a depth of at least 350mm to provide visual interest.

- (3) Structural timber framed buildings (with more than 50% of the structure as timber) are encouraged.
- (4) New buildings are to activate and engage with nearby laneways and the Liveable Green Network including, where appropriate, the incorporation of roof terraces to provide activation and passive surveillance.
- (5) The use of coloured panels or cladding to achieve visual interest is not permitted.
- (6) Existing larger floor plates are to be retained and designed with generous, flexible layouts to support enterprise of different scales and activity including light industrial, creative and commercial spaces.
- (7) Buildings exceeding 45 metres continuous frontage are to employ different architectural expressions.
- (8) Development adjoining the Mandible Street Park is to enhance the public domain through well-designed massing and facades.

5.8.3.6 Landscape and fencing

Objectives

- (a) Enhance visual amenity by providing high quality landscaped setbacks and private communal open space.
- (b) Provide spaces for workers to socialise and recreate outdoors.
- (c) Deliver increased green coverage on roofs in excess of that achievable with trees and ground level landscaping alone.
- (d) Improve thermal performance of buildings through passive cooling.

Provisions

5.8.3.6.1 Landscaping

- (1) Deep soil planting is to be provided for a:
 - (a) minimum of 15% of a site where it is located in the B6 Enterprise Corridor or the IN1 General Industrial zones; or
 - (b) minimum of 10% of a site for other areas.
- (2) Deep soil planting is to be provided in the front landscape setback and external breakout spaces.
- (3) The minimum dimension for deep soil planting is to be 3m in any direction.
- (4) Landscape design is to be generally consistent with Section 4.2.3.5 of this DCP and:
 - (a) include plant species local to the Sydney region;
 - (b) be compatible with the flood risk, for example dense planting is not to be located in a flow path;
 - (c) have water permeable paving for low traffic and pedestrian areas;
 - (d) include water efficient irrigation systems installed below mulch level;
 - (e) enhance the appearance of the building and car parking areas without creating opportunities for concealment;
 - (f) clearly delineate paved surfaces of different uses including pedestrian areas, car parking spaces and driveways; and
 - (g) create attractive views to and from the public domain and help reduce the visual bulk and scale of the development.

5.8.3.6.2 On-structure plantings

- (1) Where it is demonstrated that the deep soil planting (including tree canopy) requirements of 5.8.3.6.1(1) cannot be provided, development is to incorporate green roofs (as defined by schedule 9 of this DCP).
- (2) On long span structures that cannot support green roofs (for example the long span roof structures typical of warehouse buildings) Council may accept the substitution of green roofs with solar panels.

5.8.3.6.3 Fences

- (1) Fences are not permitted between the building and the primary street frontage. Where front fencing is required for security purposes, it is to be integrated into the overall design of the development and screened by the landscaped setback.
- (2) Solid fences are not permitted. Palisade fences are preferred.
- (3) The maximum height of side and rear fences is to be 1.8m.
- (4) Fences are to be constructed in a dark colour to reduce visual impact.

5.8.3.6.4 Private communal open space

- (1) Where development is located in the B6 Enterprise Corridor or the IN1 General Industrial zones, and where the site area is greater than 5000sqm, it is to provide at least one area of private communal open space unless located within 400m of existing public open space.
- (2) Private communal open space is to:
 - (a) be directly accessible from the main office component of the development;
 - (b) include appropriate landscaping, shading, paving and a place for tables and chairs;
 - (c) where provided at grade, be one area of level, visible open space outside the front setback area; and
 - (d) have a minimum contiguous area of 100sqm and a minimum dimension of 8m in any direction.
- (3) Private communal open space may be accommodated on a green roof or roof terrace, provided that space is accessible to all building users.
- (4) Front landscape setback areas are not to be included as part of the calculation of private open space.

5.8.3.7 Parking, access and loading and servicing

This Section should be read in conjunction with Section 3.11 Transport and Parking of this DCP.

Objectives

- (a) Minimise visual impact of parking and loading areas on the public domain.
- (b) Encourage parking, vehicle access, loading and servicing areas that are:
 - (a) integrated with the use, form and arrangement of buildings on the site;
 - (b) safe, functional, accessible and easy to maintain; and
 - (c) landscaped to minimise large expanses of hard paving and provide an area of high amenity.
- (c) Maximise pedestrian and cyclist safety inside and around developments by slowing vehicles and/or separating areas for pedestrians, cyclists and vehicles.

Provisions

- (1) No parking is permitted in the landscape setback.
- (2) All vehicles are to enter and leave the site in a forward direction.
- (3) The design of parking and servicing areas is to:
 - (a) enable uninterrupted two way vehicle movements to and from the site where required by Australian Standards Parking Facilities: Off-street Parking;
 - (b) slow vehicles to <30 km/hr;
 - (c) separate parking and loading areas;
 - (d) provide separated pedestrian access routes to the main entries to the building both from the public domain and within the site from parking areas;
 - (e) provide a separated pedestrian walkway for the main pedestrian flows from customer carparks with greater than 50 car spaces; and
 - (f) locate parking access ramps within the building footprint.
- (4) Where shared access and turning areas are proposed, a single development application is required for all development which will use the shared arrangements, and it is to address how the land is to be subdivided and resulting easements.
- (5) Design all major vehicular circulation, including strata industrial circulation, generally to be 'street like' in appearance and include a carriageway, kerbs, footpaths and tree planting.
- (6) Development is to be consistent with the Street Tree Master Plan, Park Tree Management Plans and the Landscape Code.
- (7) Where at grade car parking is proposed, at least one tree of medium size (or larger) is to be planted and maintained in deep soil, in addition to perimeter planting. In addition, for every four car parking spaces provided (or part thereof), another tree of medium size (or larger) is to be planted and maintained in deep soil. This planting is to:
 - (a) be planted in bays that contain deep soil with a minimum dimension of 3m bays are to be provided with a raised kerb barrier that facilitates passive irrigation, and native ground cover planting;
 - (b) be planted in soil with a suitable rooting volume for the required number of trees;
 - (c) use trees that develop a clear trunk height greater than 4.5m to provide adequate shade and vehicle clearance;
 - (d) improve pedestrian amenity;
 - (e) not to hinder the visibility of either drivers or pedestrians, with open sightlines maintained between parking areas, public streets and paths;
 - (f) not conflict with lighting and services; and
 - (g) break up large areas of impervious surfaces.
- (8) Minimise the visual impact of vehicular access and servicing areas on the public domain by:
 - (a) minimising the size of the vehicular access (width and height);
 - (b) setting roller shutters back from the street frontage of the building; and
 - (c) providing landscaping to screen views to the roller shutter.

- (9) Locate vehicular access points away from active pedestrian areas on secondary streets or lanes.
- (10) Minimise the width of driveway footpath crossings and maximise the width of pedestrian clear paths of travel.

5.8.3.8 Adaptable parking

This Section is to be read in conjunction with Part 7, Local Provisions – General, Division 1 ‘Car parking ancillary to other development’ under Sydney LEP 2012 and with the provisions of Section 3.11 Transport and Parking of this DCP.

This Section does not apply to development in North Alexandria, where above ground floor parking is not permitted due to its potential impact on that area’s desired character.

Objectives

- (a) Allow for flexibility in the provision of car parking spaces where below ground car parking is demonstrated to be significantly constrained by a high water table, acid sulphate soils or contamination.
- (b) Ensure the design of above ground car parking spaces and associated vehicular circulation areas are easily adaptable to other future uses, for example retail, commercial or residential.

Provisions

- (1) Above ground car parking must be screened along the street frontages.
- (2) The minimum proportion of above ground car parking spaces that are to be designed and laid out to be easily adaptable for other uses in the future is to be consistent with Table 5.19 Adaptable Parking.

Table 5.19: Adaptable parking

Category of land shown on the Public Transport Accessibility Level (PTAL) Map and the Land Use Transport Integration Map (LUTI) in <i>Sydney LEP 2012</i> :	Percentage of above ground car parking spaces to be designed for future adaptation:
A or D	100%
B or E	80%
C or F	65%

Note: As an example, a development proposes 150 car parking spaces. Due to the high water table 50%, or 75 car spaces can be located above ground. The site is shown as Category E on the PTAL map, therefore, at least 80%, or 60, of the above ground car parking spaces must be designed so they can be adapted to another use. For the purpose of this provision the PTAL Map applies to commercial development and the LUTI Map applies to residential development.

- (3) Adaptable car parking spaces must remain on common title, and not be strata titled and have a minimum clear height of 3.3m.
- (4) Adaptable car parking spaces are to be designed so that once adapted the space will:
 - (a) be accessible from lift lobbies, the street or public domain;
 - (b) have access to sunlight and ventilation; and
 - (c) be provided with appropriate services.

- (5) The applicant must designate which consolidated group of spaces and including associated vehicular circulation are the adaptable spaces and provide an indicative plan showing the proposed alternative use layout.
- (6) Council may deem above ground spaces to be 'required' for the purposes of calculating GFA where it is satisfied that the development meets other provisions of this DCP.

5.8.3.9 Storage areas

Objective

- (a) Mitigate the visual and environmental impact of storage areas.

Provisions

- (1) Locate storage within the primary building.
- (2) Open storage areas that are visible from the public domain are not permissible.
- (3) Where materials are to be stored outside the primary building, storage areas are to be located next to the primary building and fully enclosed with solid fencing, surrounded by mature vegetation.
- (4) Open storage areas must not compromise truck or vehicle manoeuvring and car parking areas.
- (5) Ancillary buildings and storage sheds are to be located behind setback and front building lines, and must be consistent with the design of the main building and the design of the entire development.
- (6) Details of proposed ancillary buildings, open storage, service areas, solid and liquid waste storage and collection areas are to be provided with the development application.

5.8.4 Public domain

This section should be read in conjunction with section 3.1 Public Domain Elements of this DCP.

5.8.4.1 Public open space

Public open space is relatively scarce in the Southern Enterprise Area and new open space is needed to support the transition of the area from mostly 'low demand' industrial activity to higher employment, higher value land uses that demand greater amenity in the public domain and better connections to infrastructure, such as public transport.

Public open space is to support a range of recreational and cultural activities, both active and passive.

Objectives

- (a) Increase the amount of publicly accessible open space in the Southern Enterprise Area.
- (b) Provide a network of high quality, publicly accessible and safe open spaces that meet the active and passive recreational needs of both workers and residents in and around the Southern Enterprise Area and encourage a sense of community.
- (c) Maximise opportunities for increasing the amount of public open space by enabling a flexible approach to its required locations, configurations and elements.
- (d) Ensure that the location and size of open spaces assist with stormwater management.

Provisions

- (1) Public open space is to be provided and designed in accordance with:
 - (a) the Public Open Space Map;
 - (b) Schedule 5 - Public open space dedication and design criteria; and
 - (c) Table 5.20: Provisions for open space by locality in the Southern Enterprise Area.
- (2) Landscaping and public domain design is to be of high quality and include indigenous species, landscape sculptural elements and reference to the area's industrial heritage.
- (3) Public art is to recognise the heritage and former industrial past of the area.
- (4) Public open spaces are to have good solar access and protection from wind and noise.
- (5) Public open space is to provide shade and seating for passive recreation.
- (6) Small pocket parks are to function as small break out parks linked to linear spaces. Pocket parks may incorporate:
 - (a) outdoor gym equipment; and
 - (b) landscaping using indigenous species.
- (7) Linear parks are to function as open space corridors that link larger open spaces. Linear parks may incorporate:
 - (a) pedestrian and cycle paths;
 - (b) facilities for dog walking;
 - (c) outdoor gym equipment; and
 - (d) where appropriate, a minimum of 1.5 metres of continuous landscaping using indigenous species.
- (8) Local parks are to function as larger recreation spaces for workers and residents. Local parks may incorporate:
 - (a) play equipment and free play areas for informal activities; and
 - (b) continuous landscaping using indigenous species.
- (9) Active parks are to provide spaces for physical and recreational activity. Active parks may incorporate:
 - (a) spaces for ball sports, including multi use sports fields, half sports fields or multi-purpose courts; and
 - (b) play equipment and free play areas for informal activities.
- (10) Where open space performs a dual recreation and stormwater detention function, the design of the detention basin is to:
 - (a) include appropriate stormwater management measures to restrict gross pollutants from entering the basin;
 - (b) allow the release of detained water within 24 hours of the end of the stormwater event to protect the soft landscaping within the basin;
 - (c) have one or more embankment batters of not more than a 1 in 6 gradient to allow for the safe exit of persons from the basin after a stormwater event; and
 - (d) provide an appropriate balance between the stormwater management and recreation functions.

Table 5.20: Provisions for open space by locality in the Southern Enterprise Area

Locality	Requirements	Guidelines
North Alexandria (note localities overlap with Area A of Section 5.2.6)	One active park/s with a combined area of about 23,000sqm.	To include one sports field, subject to flooding/stormwater management restrictions. Provide for amenities and explore provision of space for sports courts and urban sports. Carefully design boundaries to interface well with the Liveable Green Network and pedestrian connections. Where appropriate, adapt and re-use existing industrial buildings within proposed Mandible Street Park to facilitate sports courts, amenities, bike hub or other community uses. Consider the need for flexible paved public space, capable of hosting public events, which engages with the park-lands and the Active precinct in the north block. Consider inclusion of space for community events.
	The Liveable Green Network will operate as a Linear Park with an area of about 1,200 sqm being in the McEvoy East and East Alexandria locality.	Refer to provisions for Liveable Green Network in Section 5.8.4.3.
Rosebery West	One local park with an area not less than 4,000 sqm, or two parks, with the size of one park no less than 3,000sqm.	Ideally to be located west of Botany Road. Location and configuration of open space to be determined by Council.
Enterprise Corridor	One local park located at the corner of Ralph and Doody Streets with an area not less than 5,500sqm.	Where possible it is to be located adjacent to the Liveable Green Network via Alexandria Canal. To include landscaping for habitat enhancement.
	At least 3 pocket parks, ideally connected to the Liveable Green Network, totalling no less than 600sqm.	Location and configuration to be determined by Council.
	Sydney Pipes Park (10,000sqm) a 20-metre wide linear park or ecological reserve located in the existing location of Sydney water pipeline, or alternative linear park of minimum width 15m.	Location and configuration to be determined by Council.
	One active park of at least 6,000sqm, incorporating a half-sized sports field.	Location and configuration to be determined by Council.
	The Liveable Green Network will operate as a Linear Park with an area of about 11,500 sqm in the Enterprise Corridor locality.	Refer to provisions for Liveable Green Network in Section 5.8.4.3.
Alexandra Canal	At least 3 pocket parks connected to the Alexandra Canal, totalling no less than 600sqm.	Location and configuration to be determined by Council.
	The Liveable Green Network will operate as a Linear Park with an area of about 30,000 sqm in the Alexandra Canal locality.	Refer to provisions for Liveable Green Network in Section 5.8.4.3.
Outdoor courts in all localities	Multiple outdoor courts, including rooftop courts.	Location and configuration to be determined as opportunities arise. Courts should generally be 31x 18m to allow for multiple uses. Courts can be co-located with community hubs and/or sports fields. They may also be accommodated on rooftops in some circumstances.

5.8.4.2 Street, pedestrian and cycle network

The Southern Enterprise Area are near a number of Australia's major trip generators such as the airport, port and Sydney CBD. The area is divided by the major transport and economic corridor between the airport and port and the Sydney CBD with thousands of people passing through every day. This corridor also contains two new planned centres, including the Green Square Town Centre and Mascot Town Centre precinct, which will also generate substantial demand for road space, public transport seats and pedestrian and cycling infrastructure.

As the area grows, new streets and pedestrian and cycling routes are essential to increase permeability and connectivity within and through the area, providing for greater and more direct route choices and the opportunity for additional future public transport connections. The movement of vehicles, pedestrians and cyclists around the Southern Enterprise Area is critical to its success as an efficiently functioning employment area and as a pleasant place to spend time.

Where required by Council, street closures and one-way systems can provide legible circulation patterns for movement and access, whilst shared streets can enhance street amenity and provide opportunities for alfresco activation. Through-site links provide more direct and pleasant walking routes for pedestrians and cyclists.

This Section should be read in conjunction with any other relevant provisions for streets and pedestrian and bike networks and building alignment and setbacks of this DCP.

Objectives

- (a) Ensure new streets, pedestrian and cycling routes and through-site links are provided to improve permeability and walkability and support the growing worker population.
- (b) Ensure new streets, pedestrian and cycling routes and through-site links respond to key connections within and adjacent to the Southern Enterprise Area.
- (c) Ensure new development does not impede the delivery of proposed roads, pedestrian and cycling routes and through-site links.
- (d) Provide connections through street blocks and large sites to provide street addresses for new development where necessary.
- (e) Provide a legible and safe circulation pattern for vehicular movement which responds to access requirements and encourages safe vehicle speeds.
- (f) Create a safe, well designed and accessible network for cyclists and pedestrian movements that links with existing networks and promotes public use.

Provisions

5.8.4.2.1 Street network - General

- (1) Where required by Council, the street network is to be provided and dedicated in accordance with:
 - (a) the Streets and lanes map and the Public domain setbacks map;
 - (b) Figure 5.199: Southern Enterprise Area Street Hierarchy and Layout; and
 - (c) Figure 5.200: North Alexandria Public Domain Dedications and Easements.

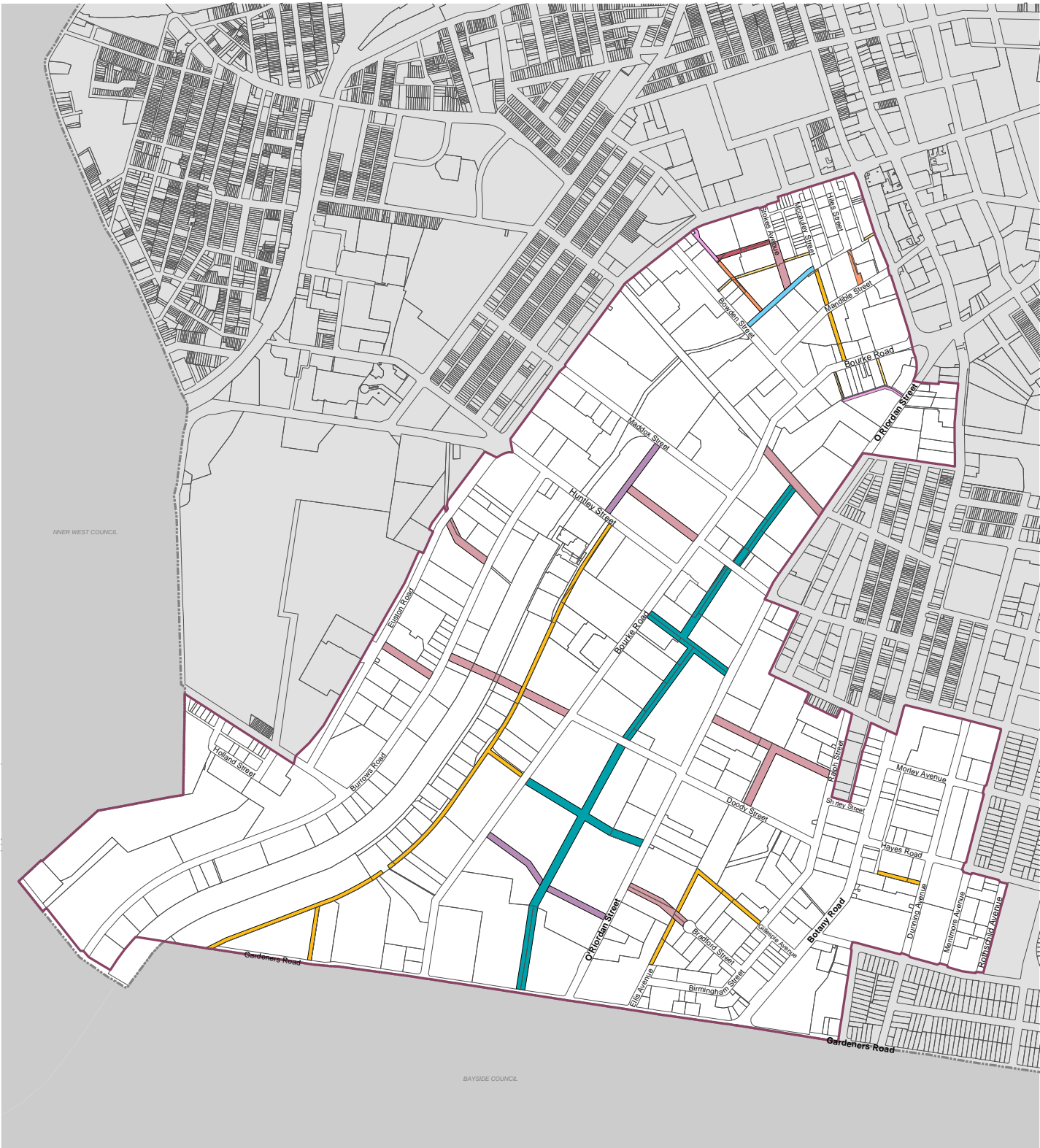
- (2) Streets are to:
 - (a) be provided generally in accordance with Figures 5.201 – 5.227 Indicative street sections;
 - (b) where practicable include bio-retention swales or rain gardens, either centrally located or to the side of the roadway, to filter polluted low flow water run-off prior to entering the stormwater system;
 - (c) provide landscaping along both sides of the street to enhance the pedestrian environment;
 - (d) where practicable, provide street tree pits for passive irrigation via stormwater run-off and harvest;
 - (e) where appropriate, design tree pits soil specs and tree selections for enhanced bio-retention capacity and tree performance;
 - (f) utilise strata cell systems or similar to expand harvest opportunity and treatment within available planting areas;
 - (g) provide grassed/ planted verges where practicable to reduce extent of hard stand within footways; and
 - (h) provide for improved street lighting appropriate to levels of anticipated night-time activity.
- (3) New development is not to be located where a new street, pedestrian and cycling route and/or through-site link is proposed unless it is of a temporary nature.
- (4) Where only part of a collector road can be achieved, it is to be provided generally in accordance with Figures 5.201 Indicative half local street section.
- (5) Proposed streets are generally to be dedicated to Council at the time of development, however an alternate approach may be agreed where Council does not intend to provide the road in the short to medium term.
- (6) Where a site comprises three or more buildings, staged delivery of streets may be considered to allow for partial or staged redevelopment of the site or retention/refurbishment of existing buildings.
- (7) Staged delivery of streets may only be supported where an access staging plan is provided that demonstrates a long-term strategy for delivering vehicular, pedestrian and cycle movement on and connections through the site. An access staging plan is to demonstrate:
 - (a) layout of all buildings showing locations of primary and secondary entries and extent of active frontages;
 - (b) provision of all existing and future streets, Liveable Green Network connections, through-site links and open spaces including setbacks from existing and future boundaries;
 - (c) vehicular, servicing and pedestrian circulation systems within and through the site;
 - (d) site grading strategy; and
 - (e) indicative development staging.
- (8) An alternative street arrangement may be considered by the Consent Authority to that shown in Figure 5.199: Southern Enterprise Area Street Hierarchy and Layout for 138 -196 Bourke Road, Alexandria, provided that satisfactory north-south and east-west connectivity is still achieved across the site.

- (9) In North Alexandria, and where required by the Consent Authority, street closures, one-way systems, shared zones and new traffic signals are to be provided in accordance with Figure 5.228 North Alexandria Movement of Vehicles and Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists.
- (10) Traffic management devices are not to impede cycle or pedestrian movements.

5.8.4.2.2 Street network - North Alexandria

- (1) Where required by the Consent Authority, street closures, one-way systems, shared zones and new traffic signals are to be provided in accordance with Figure 5.228 North Alexandria Movement of Vehicles and Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists.
- (2) Circulation and major vehicle access and egress points are to be consistent with Figure 5.228 North Alexandria Movement of Vehicles.
- (3) The following lanes in the north-block are to be treated and operate as shared zones to increase amenity, improve walkability and enable alfresco activation:
 - (a) McCauley Lane;
 - (b) Hiles Lane;
 - (c) Balaclava Lane

Figure 5.199 Southern Enterprise Area Street Hierarchy and Layout



KEY

- SOUTHERN ENTERPRISE AREA BOUNDARY
- CITY OF SYDNEY LGA
- LANE 6M WIDE
- LANE 9M WIDE
- LOCAL STREET 9M WIDE

- LOCAL STREET 10M WIDE
- LOCAL STREET 12M WIDE
- LOCAL STREET 12.6M WIDE
- LOCAL STREET 16M WIDE
- LOCAL STREET 20M WIDE

- COLLECTOR ROAD 21M WIDE
- COLLECTOR ROAD 22M WIDE



Figure 5.200 North Alexandria Public Domain Dedications and Easements

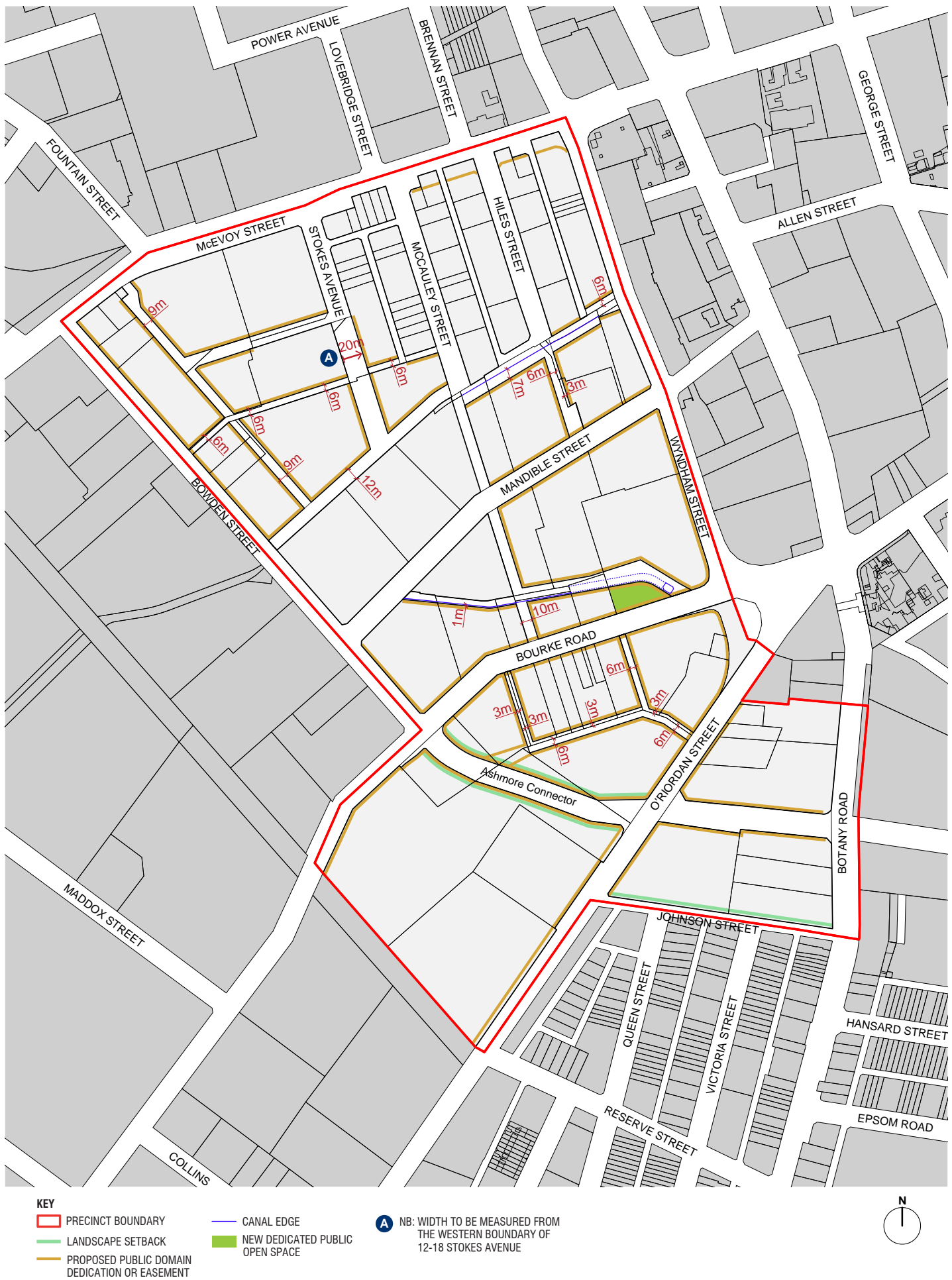


Figure 5.201
Indicative street
section – Half local
street (10.5m)

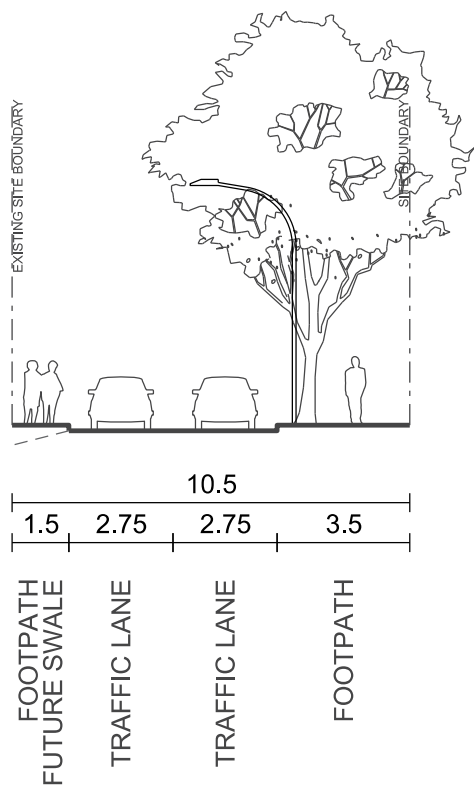


Figure 5.202
Indicative street
section – Local
street (10m)

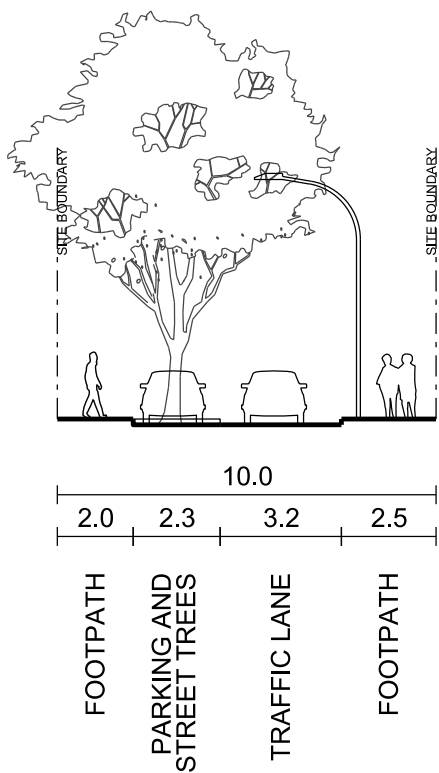


Figure 5.203
Indicative street
section – Local
street (12.6m)

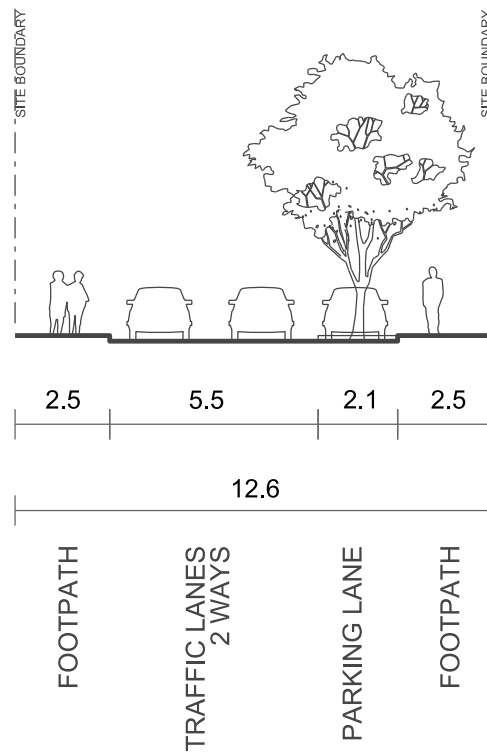


Figure 5.204
Indicative street
section – Local
street along canal
(16m)

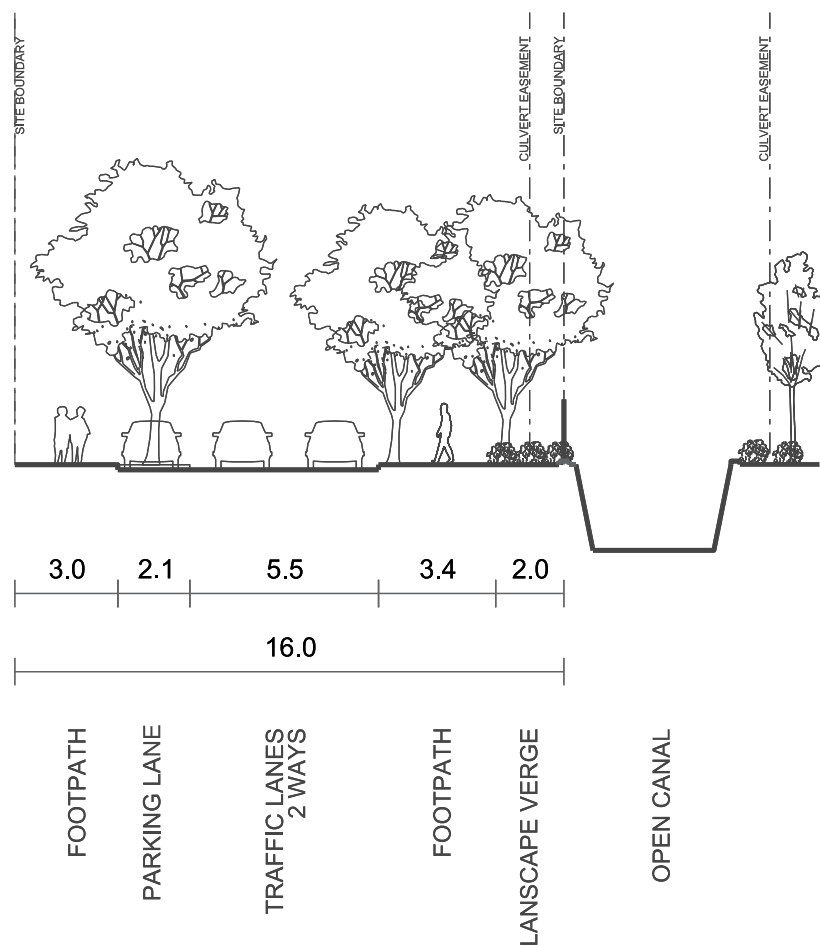


Figure 5.205
Indicative street
section – Local
Street (20m)

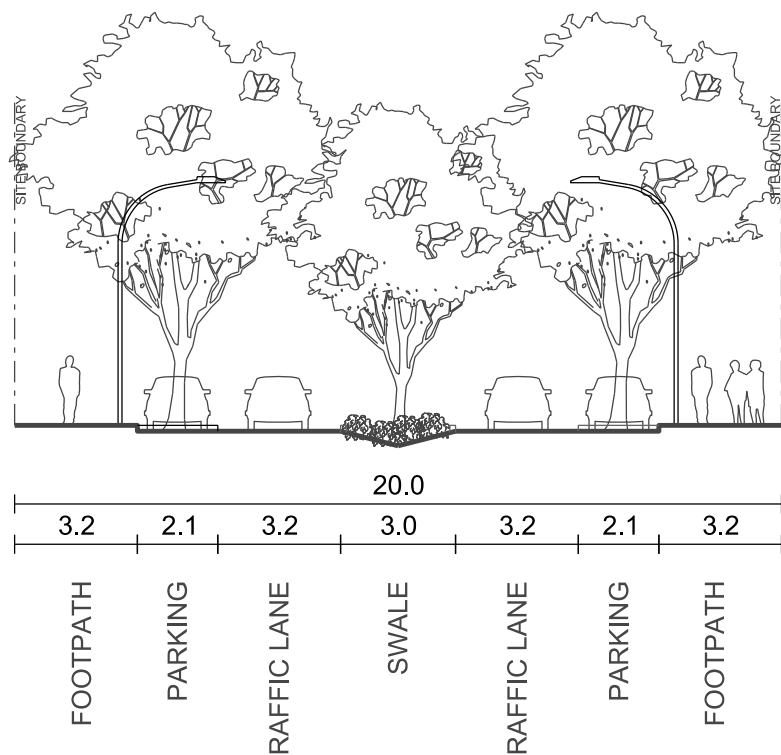


Figure 5.206
Indicative street
section – Collector
Road (21m)

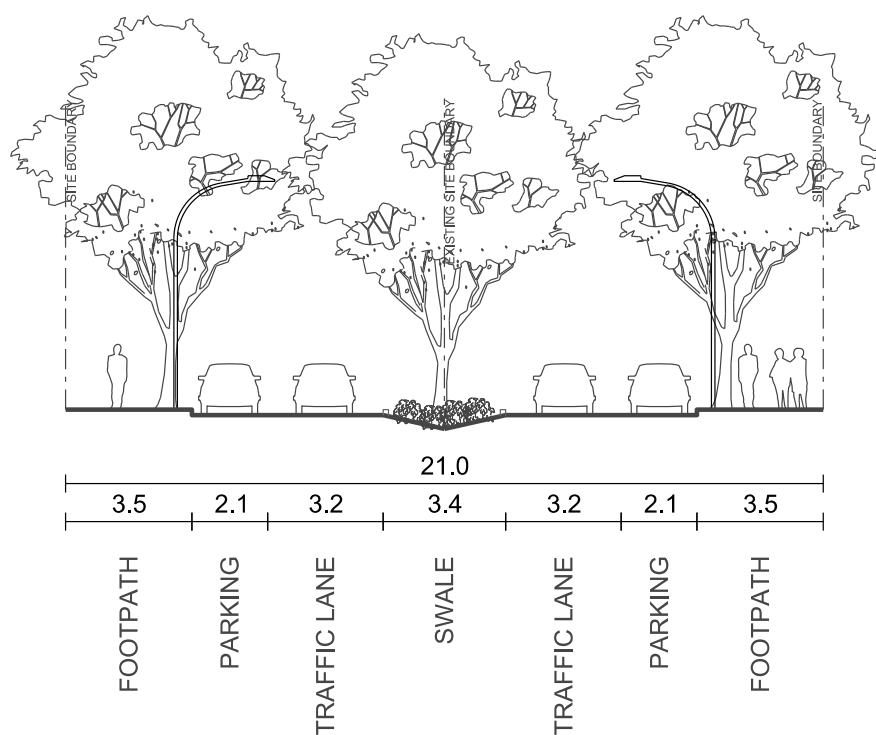
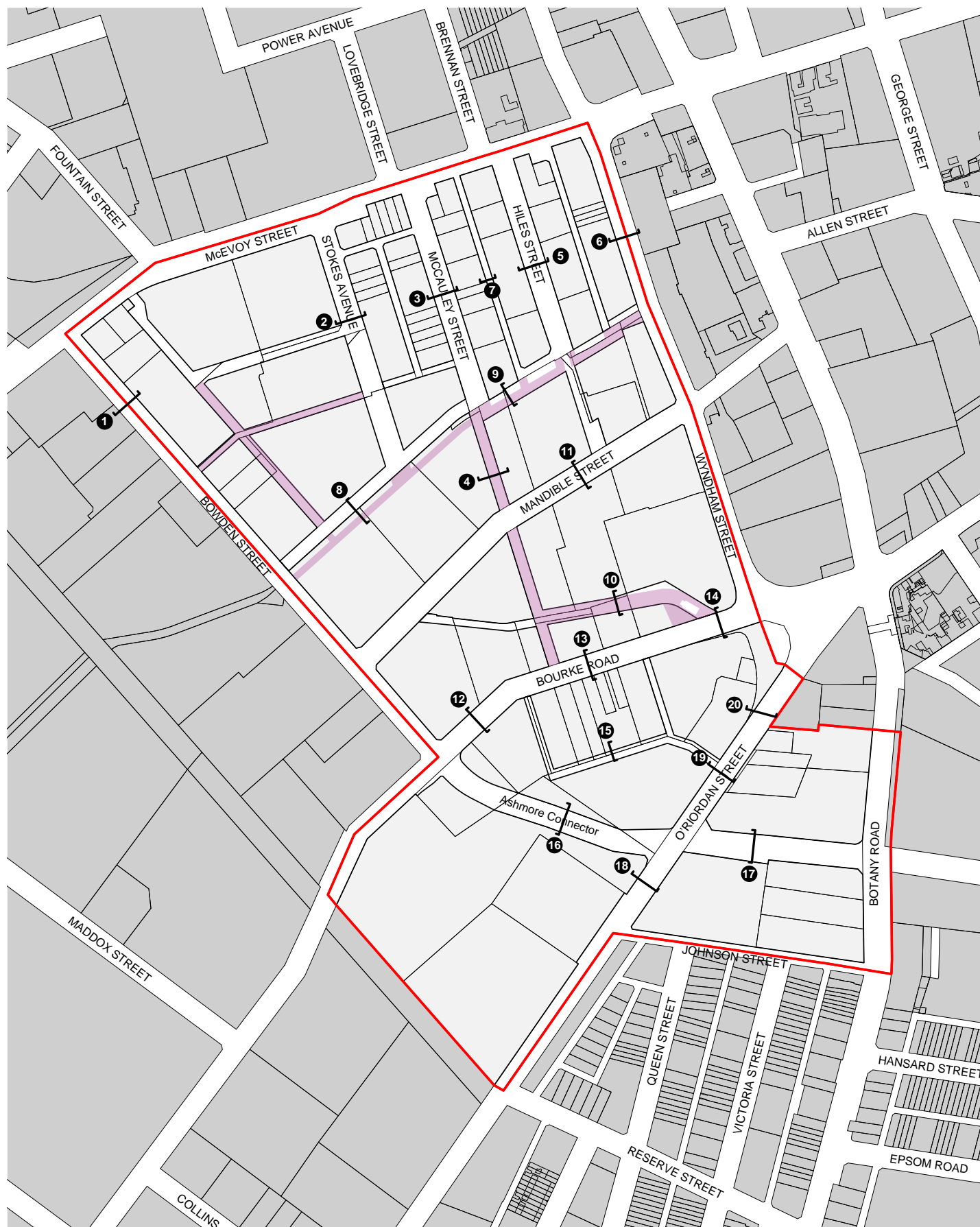


Figure 5.207 Index of indicative street sections - North Alexandria



KEY

- ▬ PRECINCT BOUNDARY
- 1 BOWDEN STREET
- 2 STOKES AVENUE
- 3 MCCAULEY STREET
- 4 MCCAULEY STREET EXTENSION
- 5 HILES STREET

- 6 WYNDHAM STREET
- 7 NORTH-BLOCK LANEWAYS
- 8 CANAL STREET
- 9 LIVEABLE GREEN NETWORK (NORTH)
- 10 LIVEABLE GREEN NETWORK (SOUTH)
- 11 MANDIBLE STREET

- 12 BOURKE ROAD (A)
- 13 BOURKE ROAD (B)
- 14 BOURKE ROAD (C)
- 15 SOUTH-BLOCK LANEWAY
- 16 ASHMORE CONNECTOR (WEST)
- 17 ASHMORE CONNECTOR (EAST)

- 18 O'RIORDAN STREET (A)
- 19 O'RIORDAN STREET (B)
- 20 O'RIORDAN STREET (C)



Figure 5.208
Indicative street
section – Bowden
Street, North
Alexandria

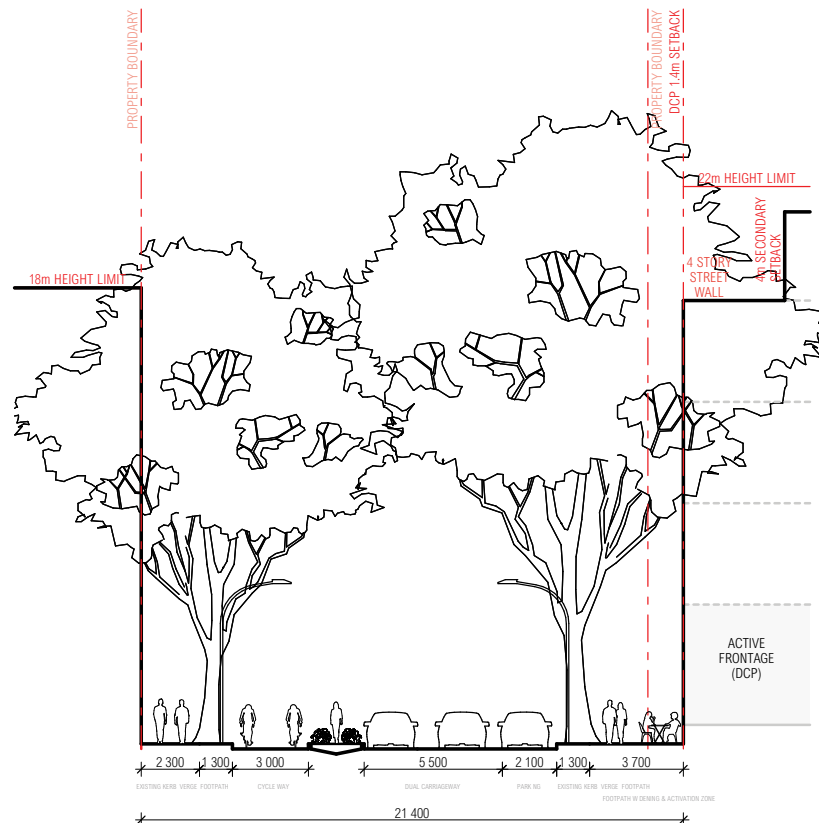


Figure 5.209
Indicative street
section – Stokes
Avenue, North
Alexandria

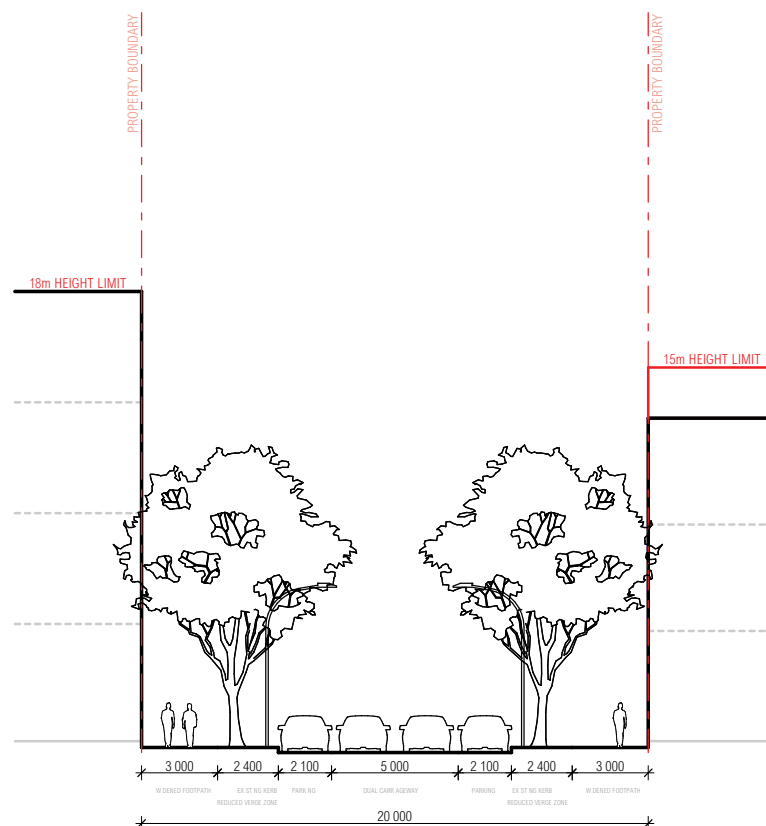


Figure 5.210
Indicative street
section – McCauley
Street, North
Alexandria

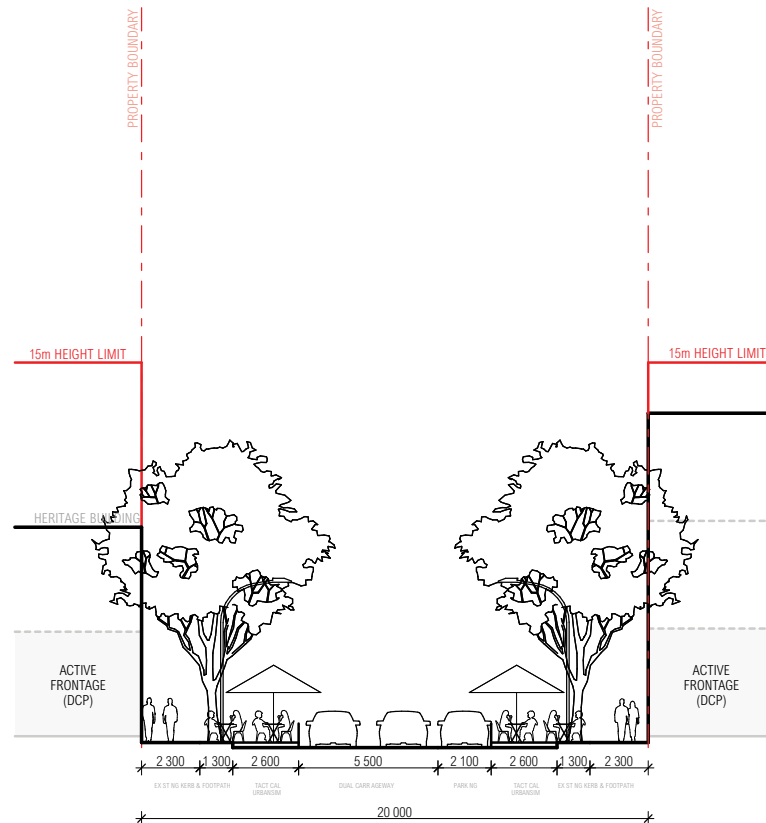


Figure 5.211
Indicative street
section – McCauley
Street extension,
North Alexandria

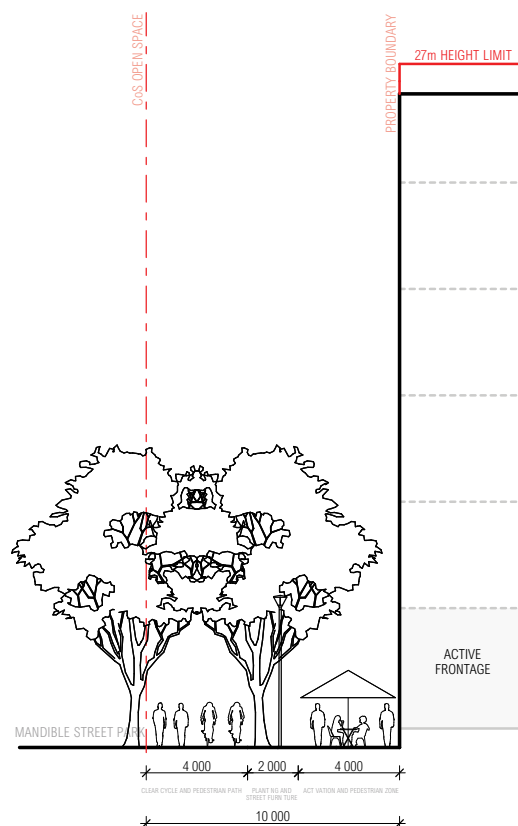


Figure 5.212
Indicative street
section – Hiles
Street, North
Alexandria

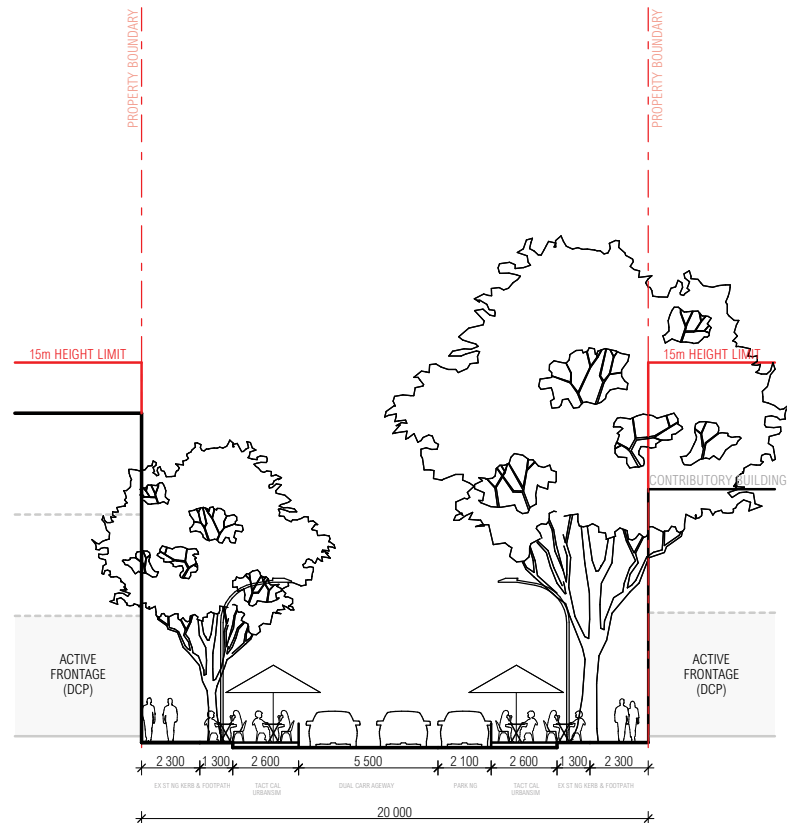


Figure 5.213
Indicative street
section – Wyndham
Street, North
Alexandria

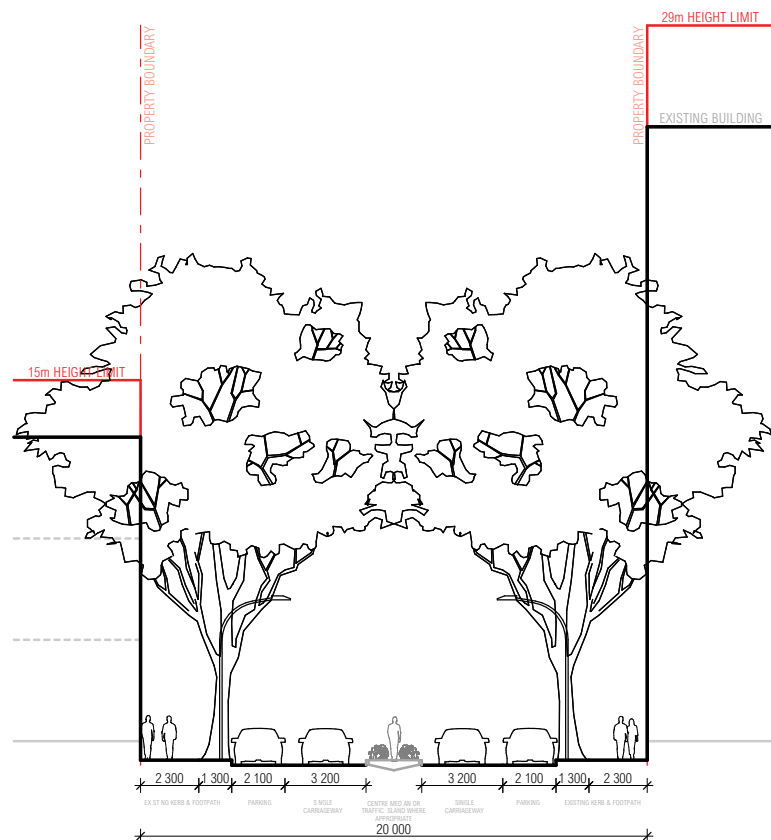


Figure 5.214

Indicative
street section
– north-block
laneways - North
Alexandria

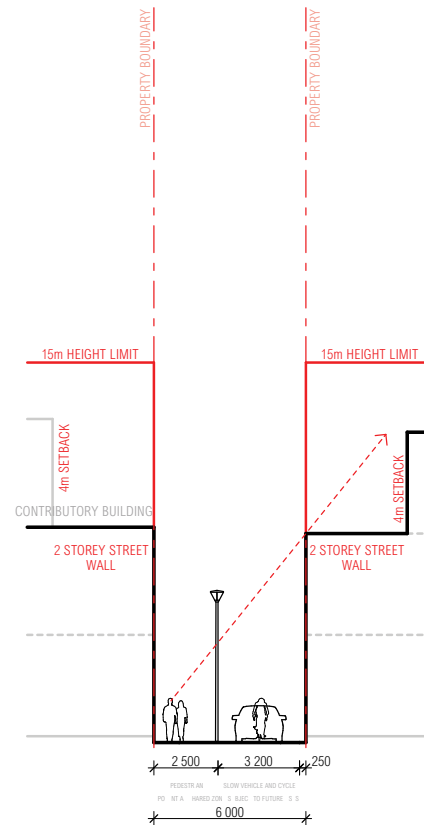


Figure 5.215

Indicative street
section – Canal
Street, North
Alexandria

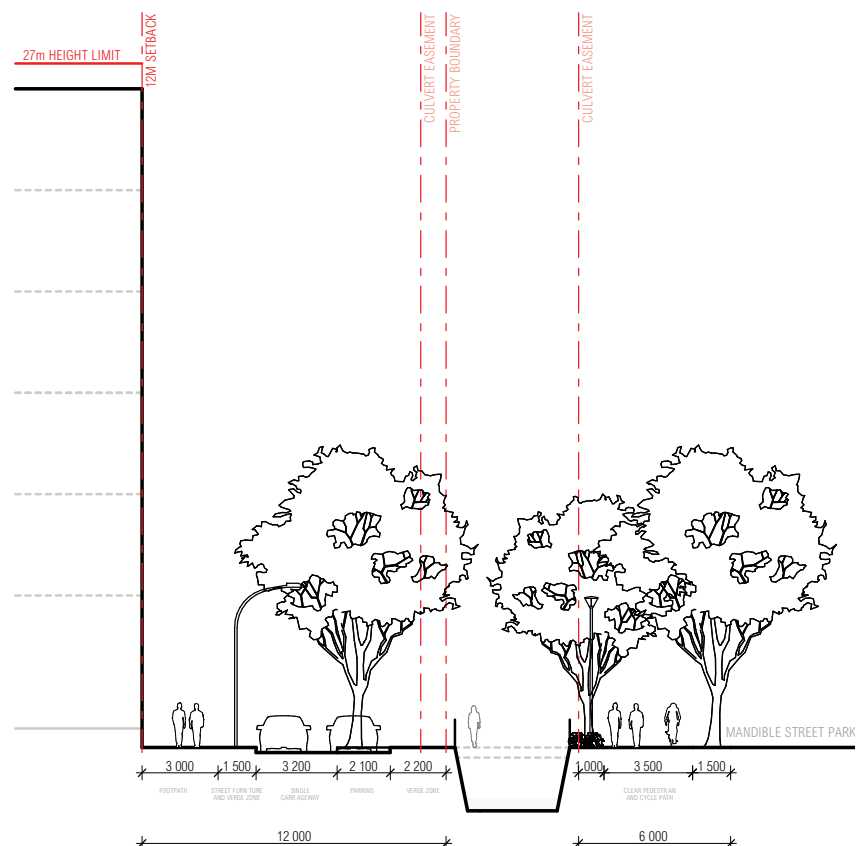


Figure 5.216

Indicative street section – Liveable Green Network North, North Alexandria

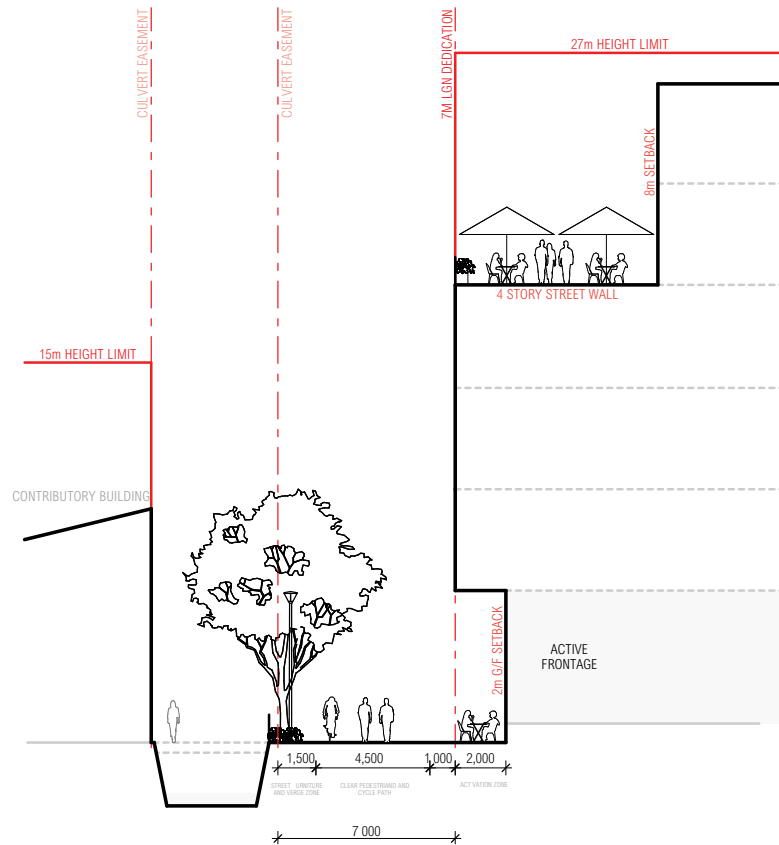


Figure 5.217

Indicative street section – Liveable Green Network South, North Alexandria

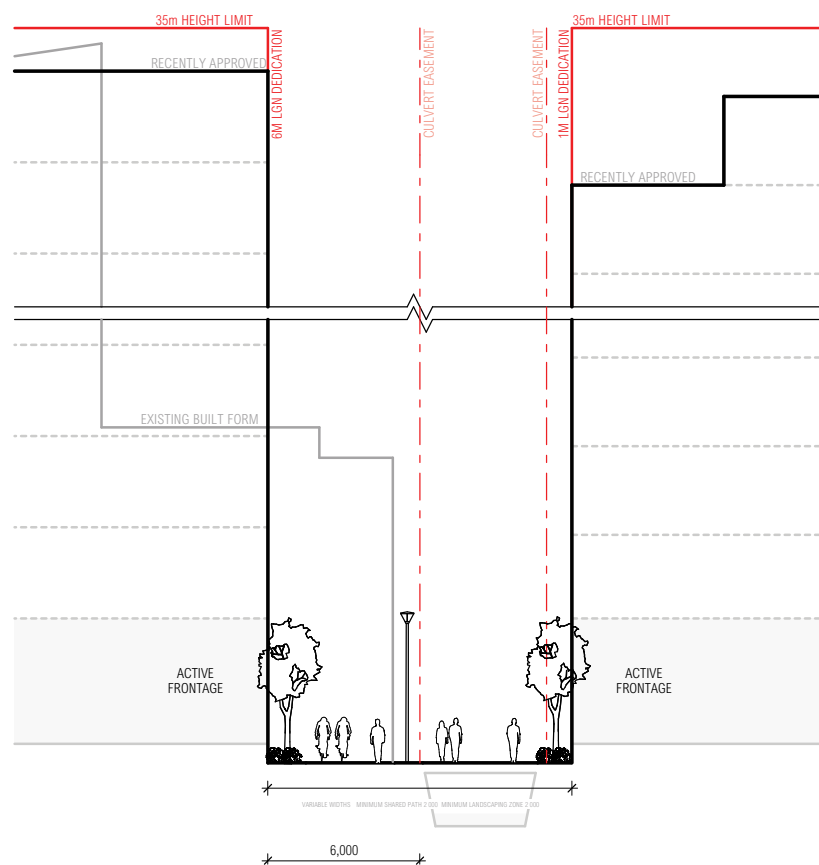


Figure 5.218
Indicative street
section – Mandible
Street, North
Alexandria

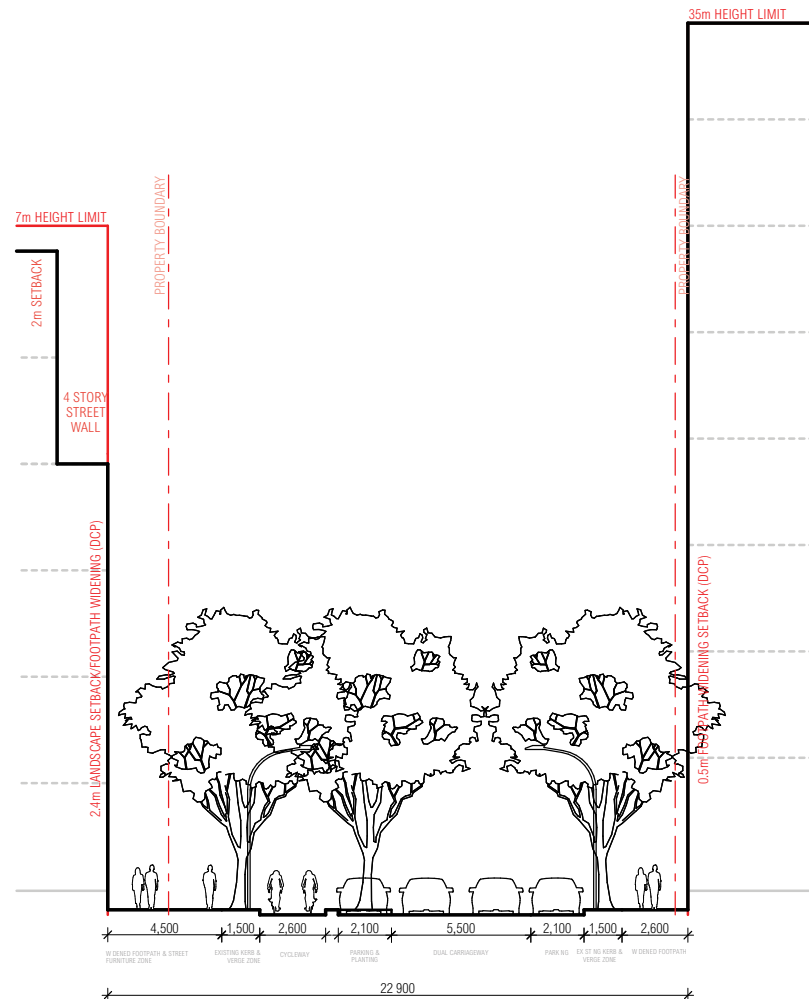


Figure 5.219
Indicative street
section – Bourke
Road (A), North
Alexandria

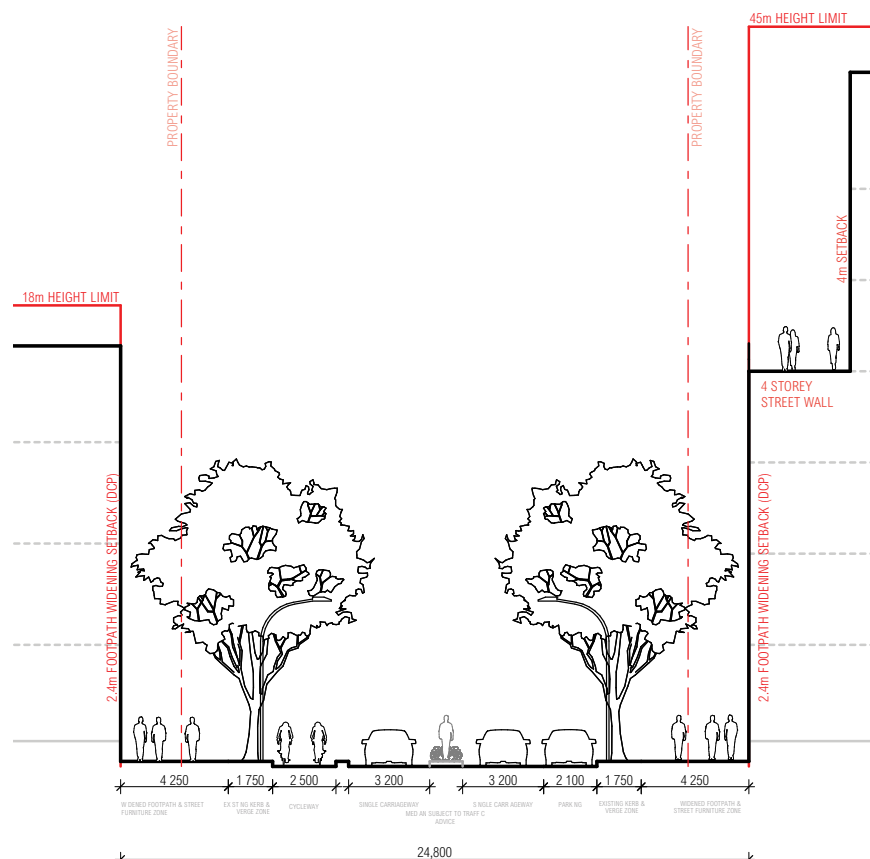


Figure 5.220

Indicative
street
section –
Bourke Road
(B), North
Alexandria

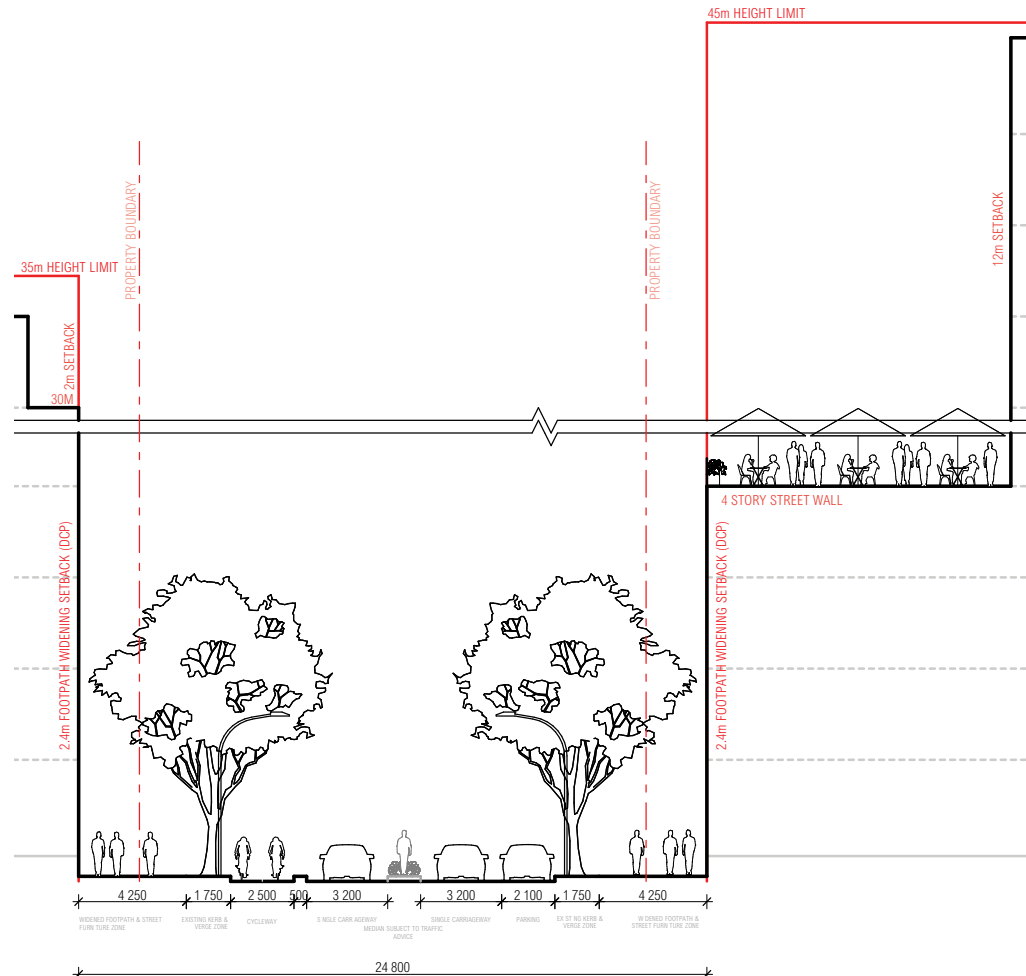


Figure 5.221

Indicative street
section – Bourke
Road (C), North
Alexandria

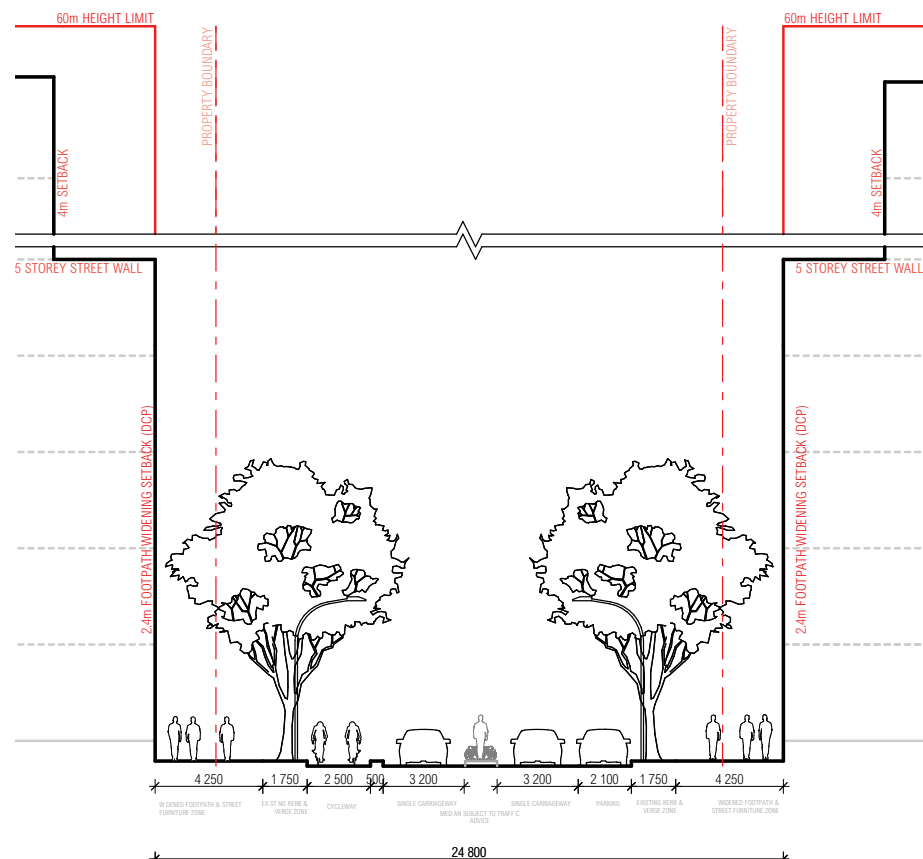


Figure 5.222

Indicative
street section
– South-block
laneway, North
Alexandria

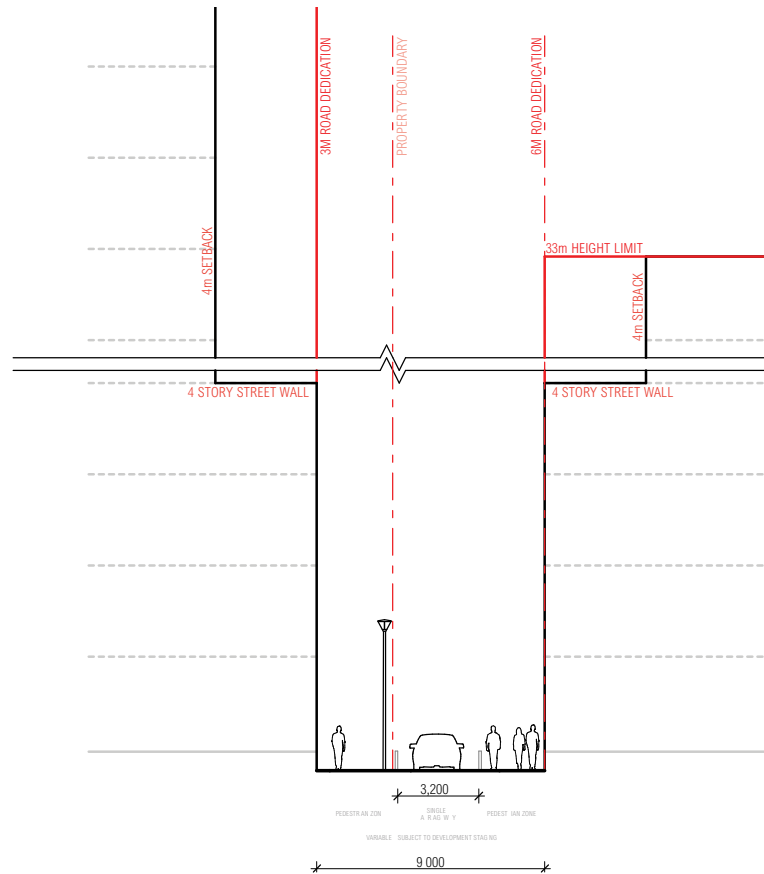


Figure 5.223

Indicative street
section – Ashmore
Connector East,
North Alexandria

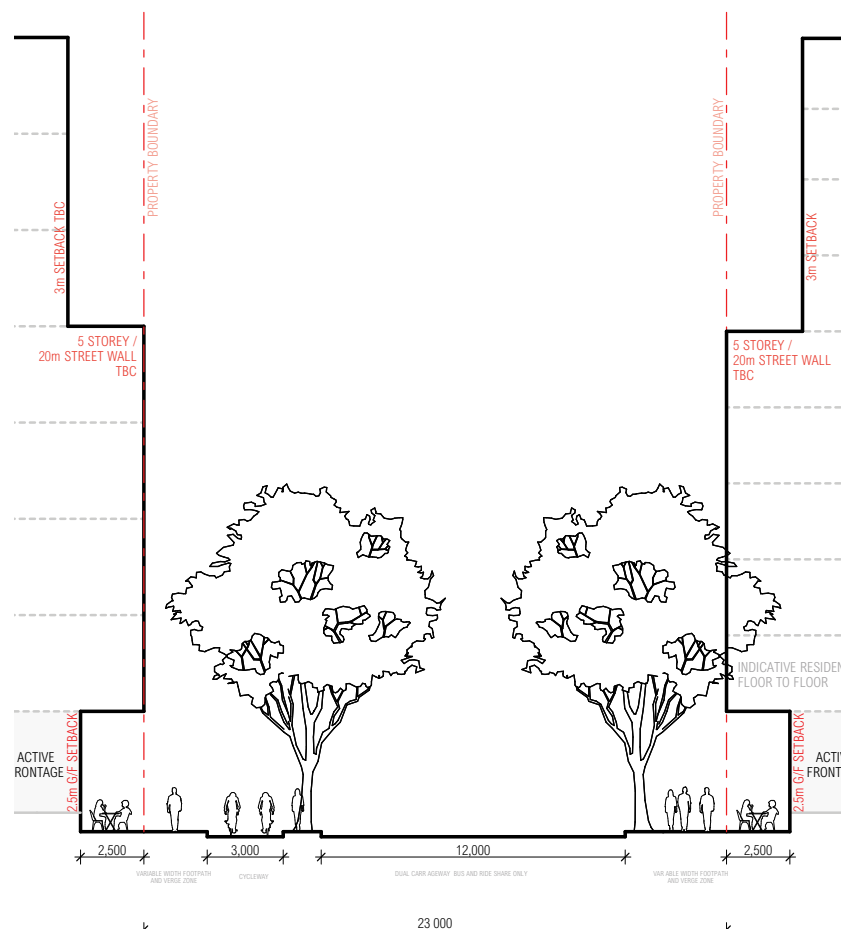


Figure 5.224
Indicative street
section – Ashmore
Connector West,
North Alexandria



Figure 5.225
Indicative street
section – O’Riordan
Street (A), North
Alexandria

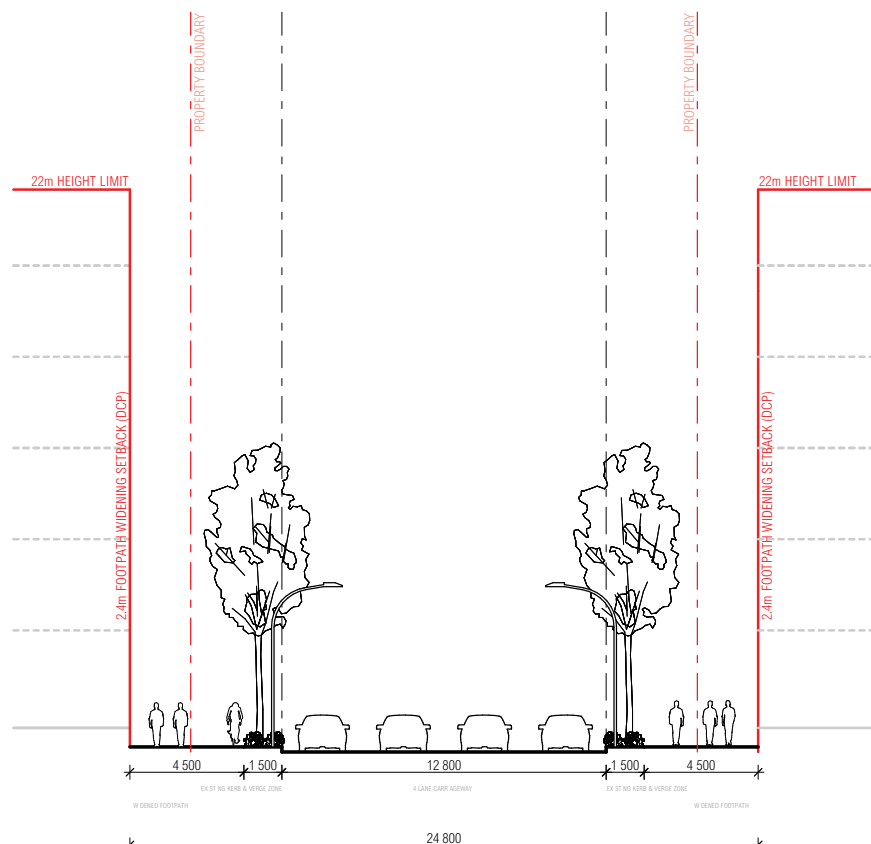


Figure 5.226
Indicative street
section – O’Riordan
Street (B), North
Alexandria

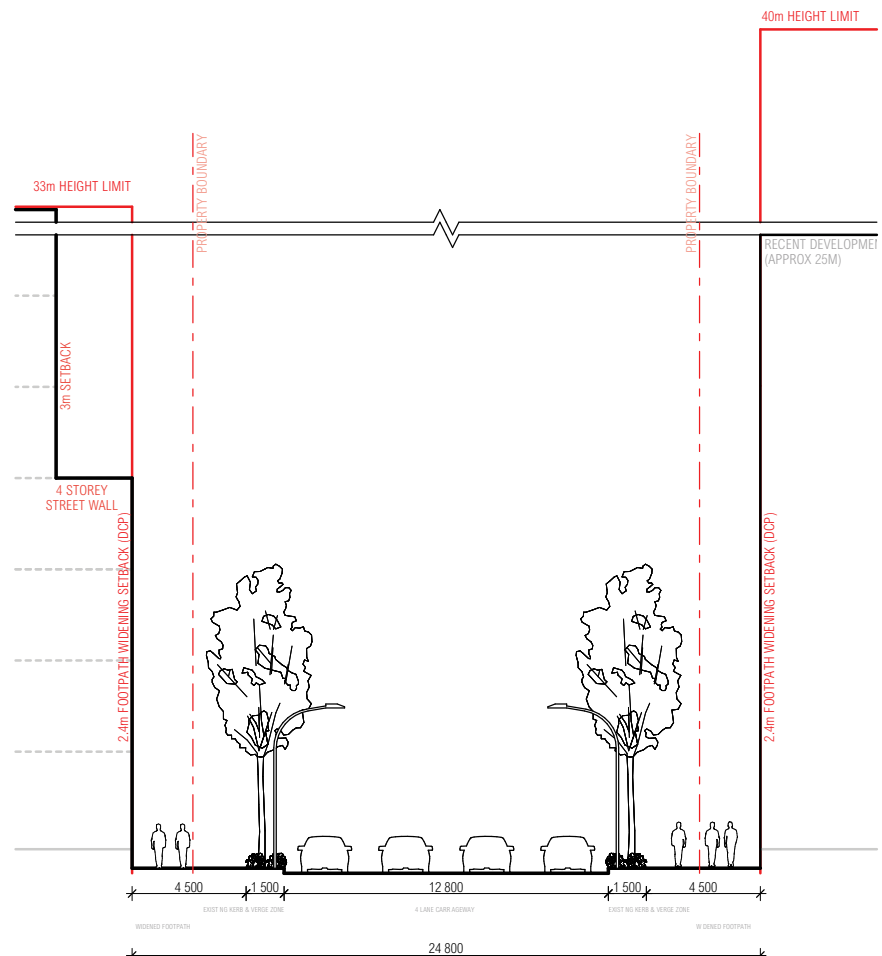


Figure 5.227
Indicative street
section – O’Riordan
Street (C), North
Alexandria

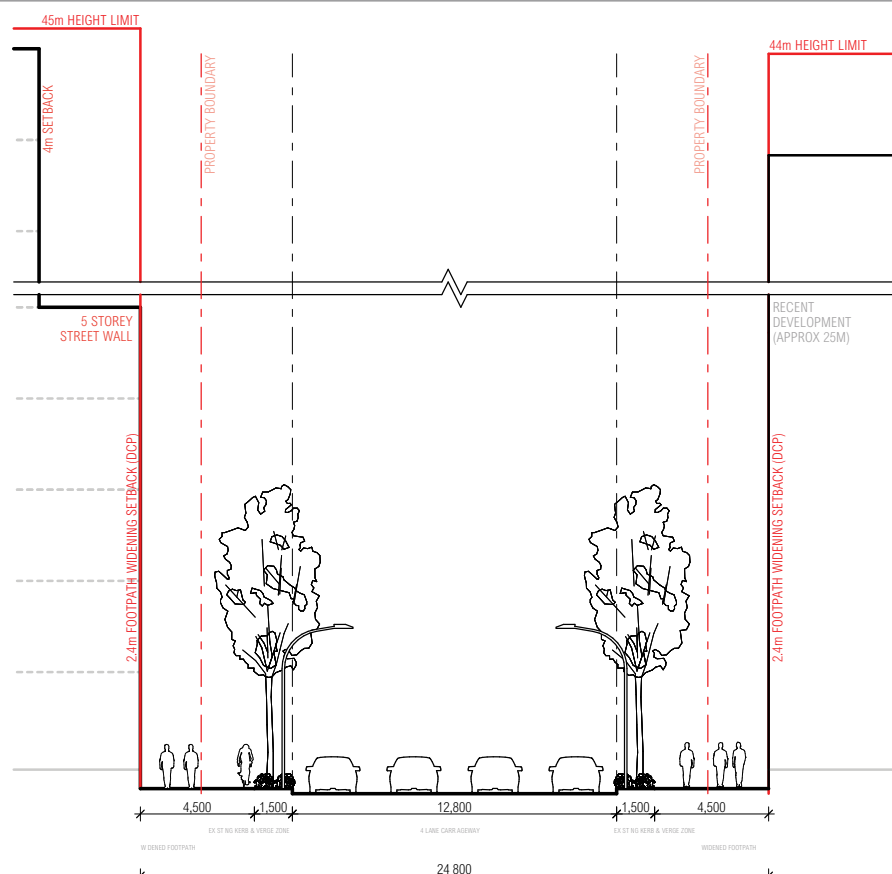


Figure 5.228 North Alexandria Movement of Vehicles

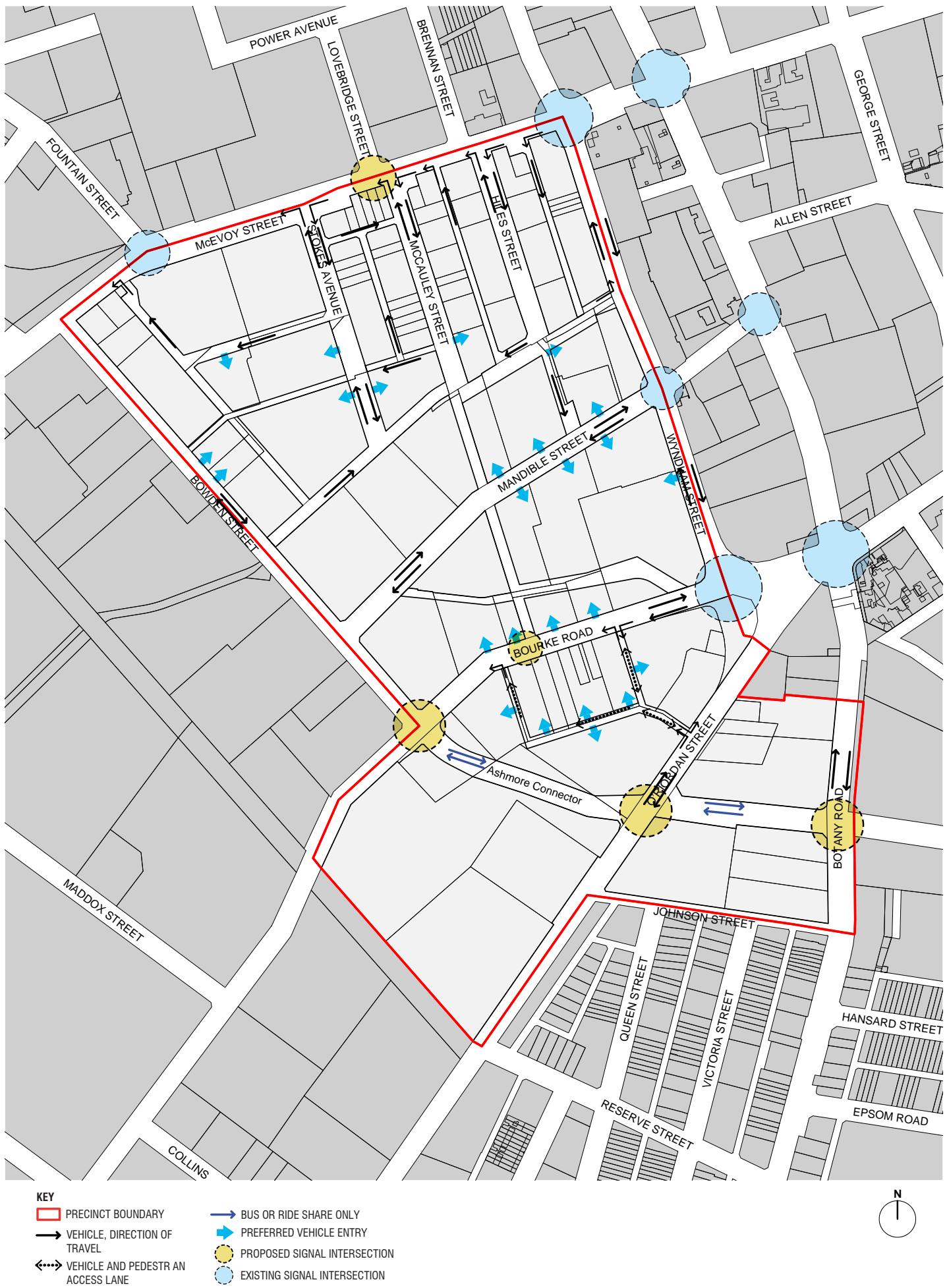
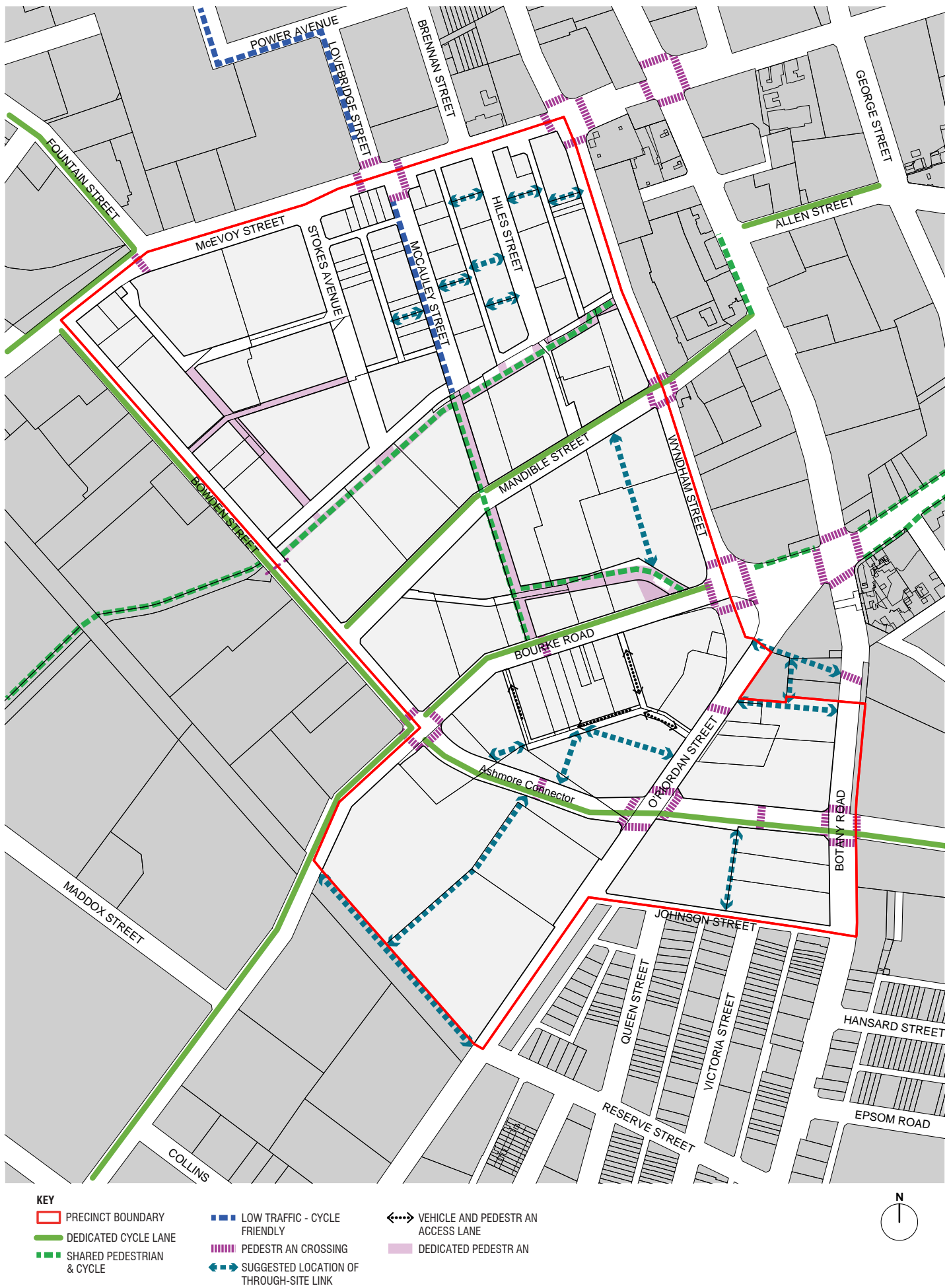


Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists



5.8.4.2.3 Pedestrian and Cycle Network

- (1) Where required by Council, through-site links, pedestrian and cycle routes and pedestrian crossings are to be provided and/or dedicated in accordance with:
 - (a) Public domain setbacks maps and Through site links map; and
 - (b) Figure 5.229 North Alexandria Movement of Pedestrians and Cyclists.
- (2) New development is not be located where a new pedestrian and cycling route and/or through site link is proposed, unless it is of a temporary nature.
- (3) Land required for the purpose of footpath widening as identified in Public domain setbacks maps is to be dedicated to Council and provided clear to the sky. An additional building setback may be required from the site boundary as detailed in Section 5.8.3.3 Building alignment and setbacks in this DCP.
- (4) Through-site links are to be designed:
 - (a) with a minimum width of 6m, or 8m where bike access is proposed;
 - (b) to be open to the sky;
 - (c) to be level with any adjoining footpath and fully accessible;
 - (d) to be accessible to pedestrians and cyclists 24 hours a day;
 - (e) to provide a safe environment including lighting and clear sightlines; and
 - (f) be activated and surveyed through the design of adjoining buildings.
- (5) Design of the public domain is to provide sufficient space for cyclists and pedestrians to move around each other and is to be consistent with the City of Sydney Street Design Code.

5.8.4.3 Liveable Green Network

The Liveable Green Network forms part of the City's pedestrian and cycling network that connects people to the City Centre, village centres and neighbourhoods, public transport, education and cultural precincts and major parks and recreation facilities. The network extends from the Alexandra Canal, along its tributaries and throughout the City.

This Section relates to development along the Liveable Green Network that is within the Southern Enterprise Area. This section should be read in conjunction with the various sections of this DCP that relate to public domain, pedestrian and cycle links, built form and urban ecology.

Objectives

- (a) Facilitate a Liveable Green Network along the Alexandra Canal and its tributaries that provides opportunities for walking, cycling and active and passive recreation.
- (b) Ensure future development positively addresses the Liveable Green Network.
- (c) Improve and increase pedestrian and cycle connections to centres, public transport nodes, open spaces, facilities and services both in and around the Southern Enterprise Area.
- (d) Ensure the Liveable Green Network is legible and safe.
- (e) Ensure the Liveable Green Network includes landscaped spaces that provide habitat.
- (f) Increase the proportion of trips made by walking and cycling in and through the Southern Enterprise Area.

Provisions

General

- (1) New development along the Liveable Green Network is to:
 - (a) maximise opportunities for surveillance;
 - (b) provide interest and minimise blank walls and incorporate building entries and large windows at least every 20m;
 - (c) provide a minimum of 25% of any frontage on to the Liveable Green Network as active frontage;
 - (d) provide direct access, locating entries to the building along the Liveable Green Network.
- (2) Setbacks and building alignments are to be consistent with the *Public domain setbacks map*, *Through-site links map*, Figure 5.200 *North Alexandria Public Domain Dedications and Easements* and Table 5.21 Landscape setbacks for the Liveable Green Network.
- (3) Setbacks to facilitate the Liveable Green Network are generally required to be dedicated to Council with new development being built to the new site boundary.
- (4) New development is not to be located where the Liveable Green Network is proposed unless it is of a temporary nature.
- (5) Landscaping is to incorporate locally indigenous species and features such as rockeries to provide habitat.

North Alexandria

- (1) Opportunities to re-invigorate the Sheas Creek canals are to be explored in North Alexandria, including:
 - (a) covering the canal between Hiles Lane and Wyndham Street to provide space for a potential public plaza at the threshold to this section of the network;
 - (b) covering over the canal to create additional public spaces where recent development has restricted the width of the Liveable Green Network corridor;
 - (c) preserving the open canal at the Bourke Road junction where it is visible from Green Square Train Station plaza;
 - (d) providing frequent footbridges to maximise pedestrian connectivity, particularly between the north- and mid-blocks;
 - (e) allowing space between buildings and public domain to encourage increased activation and alfresco dining;
 - (f) investigating opportunities to expose the canal elsewhere for visual amenity and character; and
 - (g) connecting the cycle and pedestrian path over Bowden Street to the continuation of the Liveable Green Network.

Table 5.21: Landscape setbacks for the Liveable Green Network

Condition	Setback
Where located along the Alexandra Canal i.e. Gardeners Road to south of Huntley Street (for indicative section see Figure 5.230: Alexandra Canal section)	10 metres measured from the edge of the canal.
Where located along the Liveable Green Network length between Mandible Street and Bourke Street (for indicative section, see Figure 5.231: Mandible Street to Bourke Road section)	6m on the north side of the canal and 1m setback on south side. Setback to be measured from the edge of the open channel.
Where the located in the Liveable Green Network length between Bourke Road and Doody Street (for indicative section see Figure 5.232: Bourke Road and Doody Street section)	10 metres measured from the edge of the open channel on both sides of the channel.
Where not detailed above, and where the existing water channel (pipe) is closed (for indicative section see Figure 5.233: Closed channel section)	5 metres measured both sides of the centreline of the pipe.
Where not detailed above, and where the existing water channel is open (for indicative section see Figure 5.234: Open channel section)	6 metres measured from the edge of the open channel on both sides of the channel.

Figure 5.230
Alexandra Canal
section

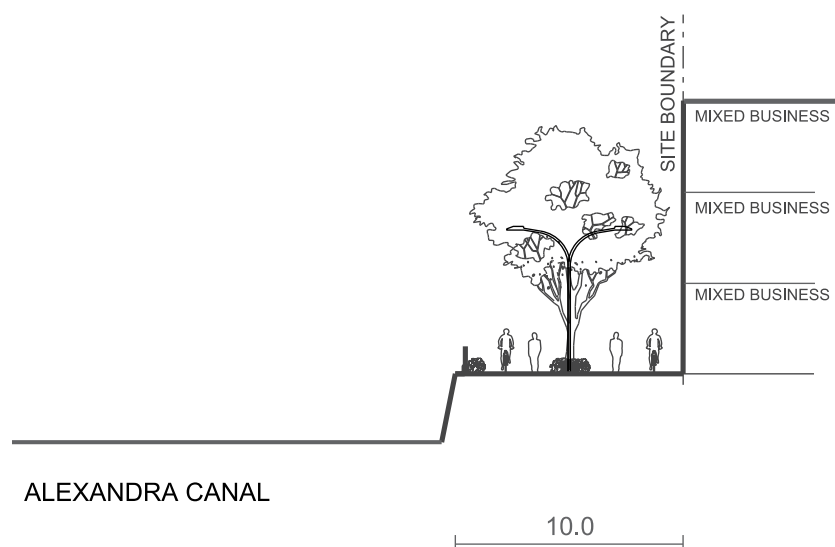


Figure 5.231
Mandible Street
to Bourke Road
section

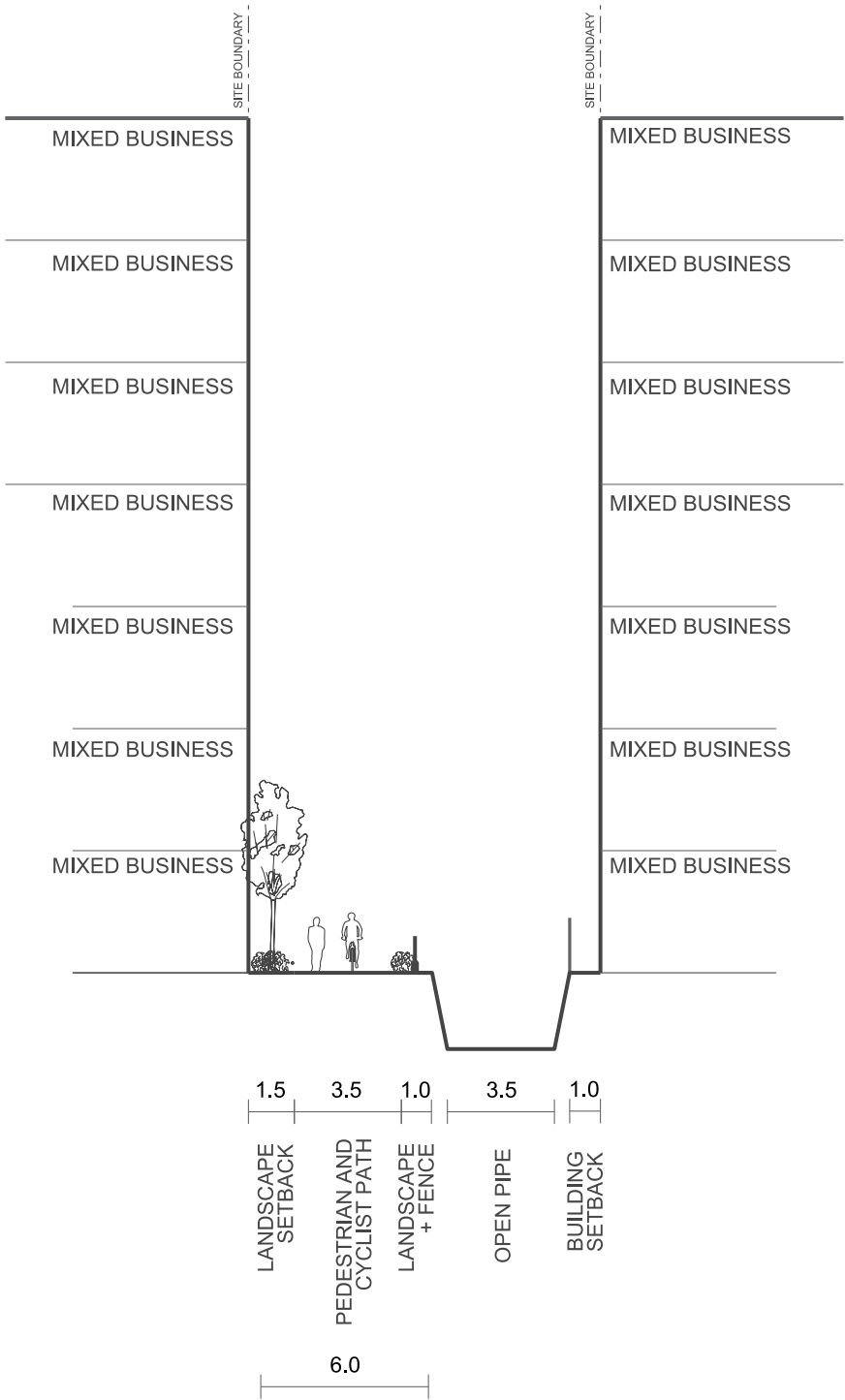


Figure 5.232
Bourke Road
to Doody Street
section

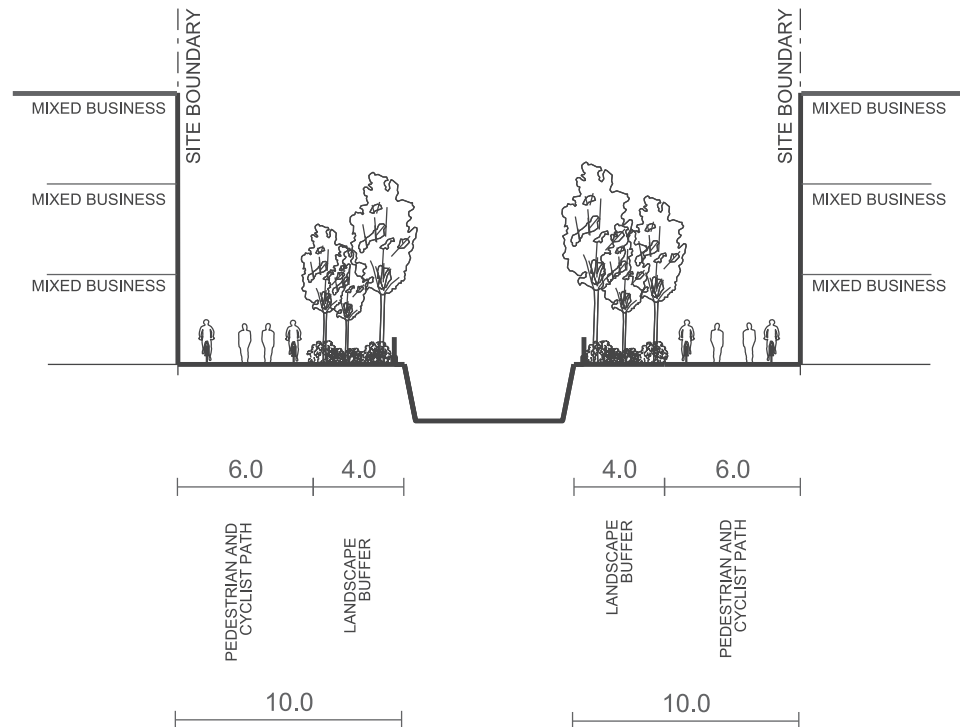


Figure 5.233
Closed channel
section

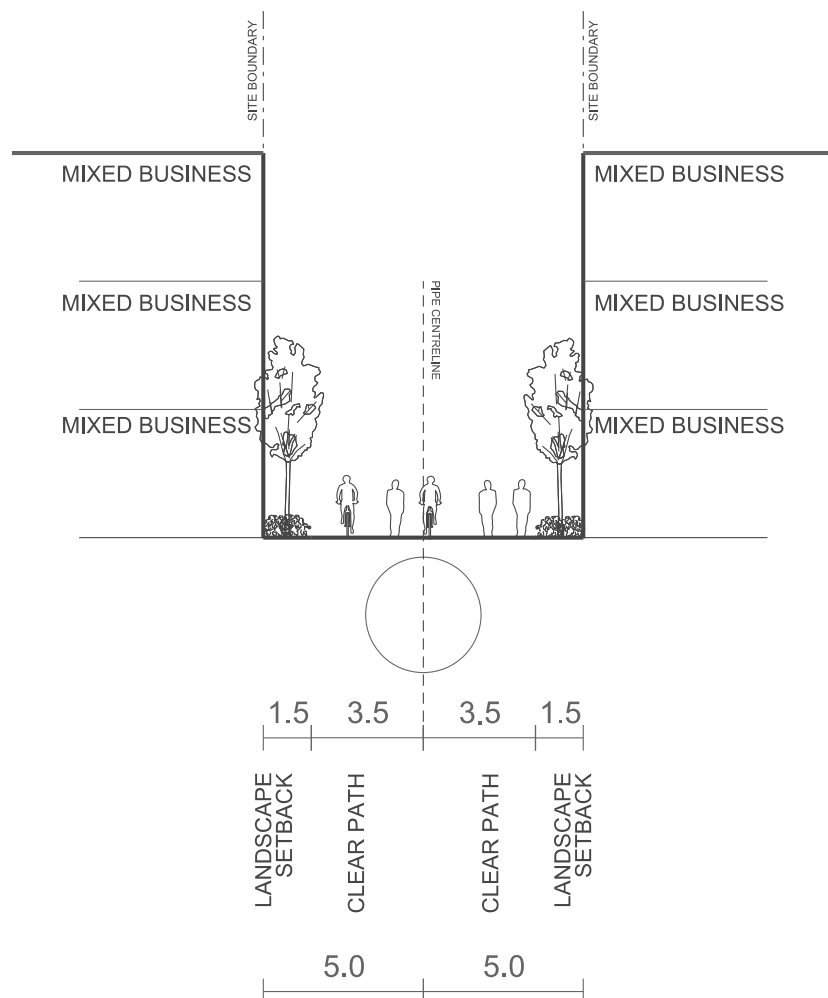
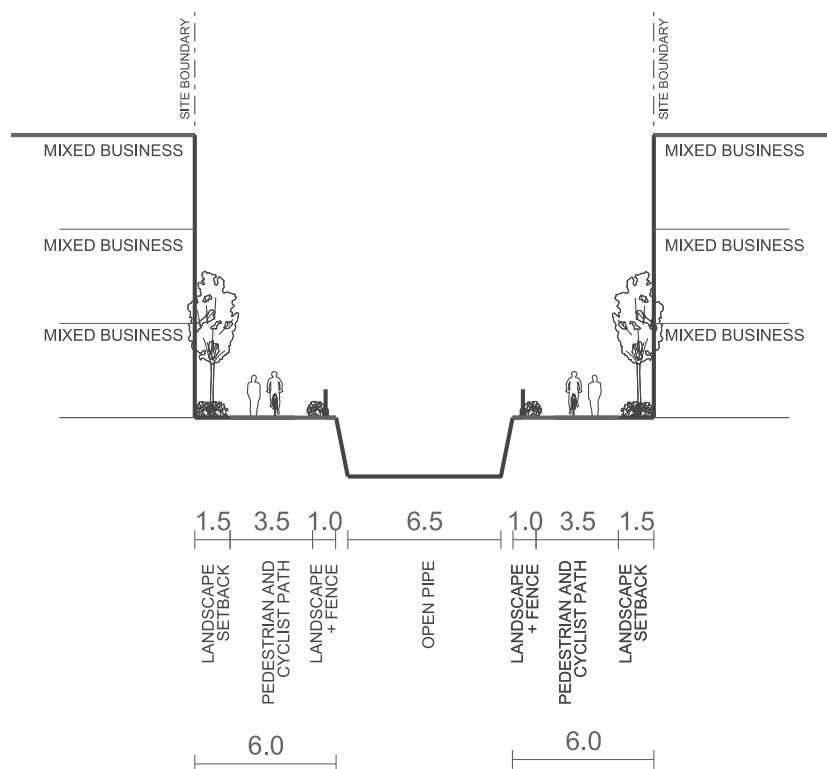


Figure 5.234
Open channel
section



5.8.4.4 Public domain in the Enterprise corridor

This Section applies to the land in the Enterprise corridor in *Sydney LEP 2012*. It is to be read in conjunction with Clause 6.28 of the *Sydney LEP 2012*.

This Section identifies how additional height or floor space may be achieved where the development proposes the dedication of land for public domain in the Southern Enterprise Area.

Objectives

- (a) Ensure a high level of amenity and an appropriate level of public domain is achieved in the Southern Enterprise Area.
- (b) Establish the circumstances under which development may achieve additional height or additional floor space pursuant to Clause 6.28 of the *Sydney LEP 2012*.

Provisions

- (1) Where land is proposed to be dedicated for the purpose of public domain then development may achieve additional height or floor space in accordance with Clause 6.28 of the *Sydney LEP 2012*, but only where Council determines there is a need for public domain.
- (2) The additional height or floor space can only be achieved under Clause 6.28 of the *Sydney LEP* where:
 - (a) the development contributes to the desired character of the locality in which it is located and has little or no adverse impacts on the amenity of that locality; and

- (b) development:
 - i. dedicates land for a public road identified on the Streets and lanes map,
 - ii. dedicates land for a footpath widening or Liveable Green Network setback identified on the Public domain setbacks map;
 - iii. dedicates land for substantial public open space; or
 - iv. dedicates land for or provides a public access easement for a through-site link identified on the Through-site links map.
- (3) Where this DCP identifies multiple public domain requirements, the development may achieve additional height or floor space in accordance with Clause 6.28 of *Sydney LEP 2012*, but only where all public domain is proposed to be dedicated, and where the consent authority determines there is a need for public domain.
- (4) Additional height or floor space cannot be achieved under Clause 6.28 of *Sydney LEP 2012* for public domain works undertaken by the developer where no land is dedicated or otherwise provided to Council for public domain.

5.8.5 Managing transport demand

To address high levels of traffic congestion in the Southern Enterprise Area it is essential that sustainable transport use is actively promoted.

This Section should be read in conjunction with Clause 7.26 under Sydney LEP 2012 and the requirements of Section 3.11 Transport and Parking and Schedule 7, of this DCP.

The requirements of Section 3.11.1 are superseded by this Section.

Objectives

- (a) Promote sustainable transport use to reduce traffic congestion on local and regional roads in and around the Southern Enterprise Area.
- (b) Achieve a minimum mode share target of people arriving at work by sustainable transport modes of:
 - i. 45% of workers in North Alexandria are to arrive at work by public transport or active transport; and
 - ii. 40% of workers in the remaining mixed business areas are to arrive at work by public transport or active transport.

Provisions

- (1) Development is to actively promote sustainable transport modes.
- (2) Where development increases the amount of carparking on a site:
 - (a) a Transport Impact Study is required to address the potential impact of the development on surrounding movement system;
 - (b) a Green Travel Plan is to be prepared which includes initiatives to promote sustainable transport modes. Green Travel Plans are to be prepared in accordance with Schedule 7 and demonstrate how initiatives to promote sustainable transport options are to be implemented and maintained over time; and
 - (c) a Transport Access Guide and a strategy is to be prepared and made available for employees and visitors.

5.8.6 Environment

5.8.6.1 Stormwater management and waterways

This Section should be read in conjunction with provisions of Section 3.7 Water and Flood Management of this DCP.

Objectives

- (a) Assist in the management of stormwater to minimise flooding and reduce the effects of stormwater pollution on receiving waterways.
- (b) Ensure that development manages and mitigates flood risk and does not exacerbate the potential for flood damage or hazard to existing development and to the public domain.
- (c) Ensure that flood risk management addresses public safety and protection from flooding.

Provisions

- (1) Development applications are to be prepared in accordance, and be compatible with, the assumptions and flood information documented in the Alexandra Canal Catchment Floodplain Risk Management Study and Floodplain Risk Management Plan available from the Council as it applies to the Southern Enterprise Area.
- (2) Development is to comply with Council's floodplain management policies and flooding provisions of this DCP.
- (3) Any portion of the building or structure lower than the 1% AEP + .50 metre freeboard is to be built from flood compatible materials (i.e. materials that will not experience any significant damage as a result of the ingress or passage of floodwaters, including debris).
- (4) All services associated with the development are to be flood proofed to the 1% AEP + .50 metre freeboard or, where associated with critical services, the Probable Maximum Flood (PMF). Flood proofing is to be undertaken using a combination of measures sufficient to ensure that the structure and building contents are able to withstand the forces due to the ingress or passage of floodwaters, including debris.
- (5) A suitably qualified engineer is to certify that the structure can withstand the forces of floodwater, debris and buoyancy for the 1% AEP + .50 metre freeboard or the PMF in cases with significant safety or evacuation issues.
- (6) Overland flowpaths and other stormwater management systems must be designed such that personal safety is not compromised and damage to property is minimised. In designing for the PMF flood vertical evacuation procedures must be considered.
- (7) All buildings that are accessible to the public, and where the depth of the PMF at the site access is greater than 0.8m, are to provide temporary refuge for persons escaping floodwaters.

5.8.6.2 Urban ecology

This section should be read in conjunction with the provisions of Section 3.5 Urban Ecology of this DCP.

The large industrial sites, warehouses and generally less intensely used sites that characterise much of the Southern Enterprise Area can provide habitat for a range of plant and animal species, including birds, bats and reptiles. This is particularly the case where sites have remained vacant or unused for an extended period of time.

Landscaping associated with new development will serve many purposes including enhancement of amenity and air quality, managing stormwater runoff and protecting and enhancing the urban ecology.

Objectives

- (a) Protect and enhance existing habitat and create new areas of habitat in the Southern Enterprise Area, contributing to the wider urban biodiversity of the City.
- (b) Ensure landscaping improves, protects and enhances urban biodiversity.
- (c) Protect and promote the recovery of priority species and groups of fauna and flora and reinstate original locally indigenous vegetation.

Provisions

- (1) New development is to retain and enhance existing habitat and create opportunities for new areas of habitat.
- (2) Buildings and structures should be sited to protect existing areas of vegetation and habitat.
- (3) Landscaped areas are to be designed and located to create a buffer between potential habitat and development, for example along property boundaries.
- (4) Where development is proposed on sites with substantial vegetation and/or sites and buildings that have remained undisturbed for 1 or more years, Council may require an ecological assessment of priority species or groups as identified in the City of Sydney Draft Urban Ecology Action Plan. In the Southern Enterprise Area, relevant species include the:
 - (a) long-nosed bandicoot;
 - (b) small birds such as the Superb Fairy Wren, New Holland Honeyeaters;
 - (c) reptile species; and
 - (d) microbat species.
- (5) Where development is in close proximity to known sightings of a threatened or endangered species, population or community, an assessment of significance is required.
- (6) Where a priority species or habitat is identified, Council may require protection or species relocation measures to be undertaken.
- (7) When undertaking stormwater works along the Alexandra Canal, any impacts on habitats must be assessed and appropriately mitigated.

5.9

Danks Street South

This Section applies to the land identified as Danks Street South in Figure 5.1 Specific Areas. It should be read in conjunction with the locality statement and principles in Section 2.5.3 Danks Street and Section 2.13.7 Young Street.

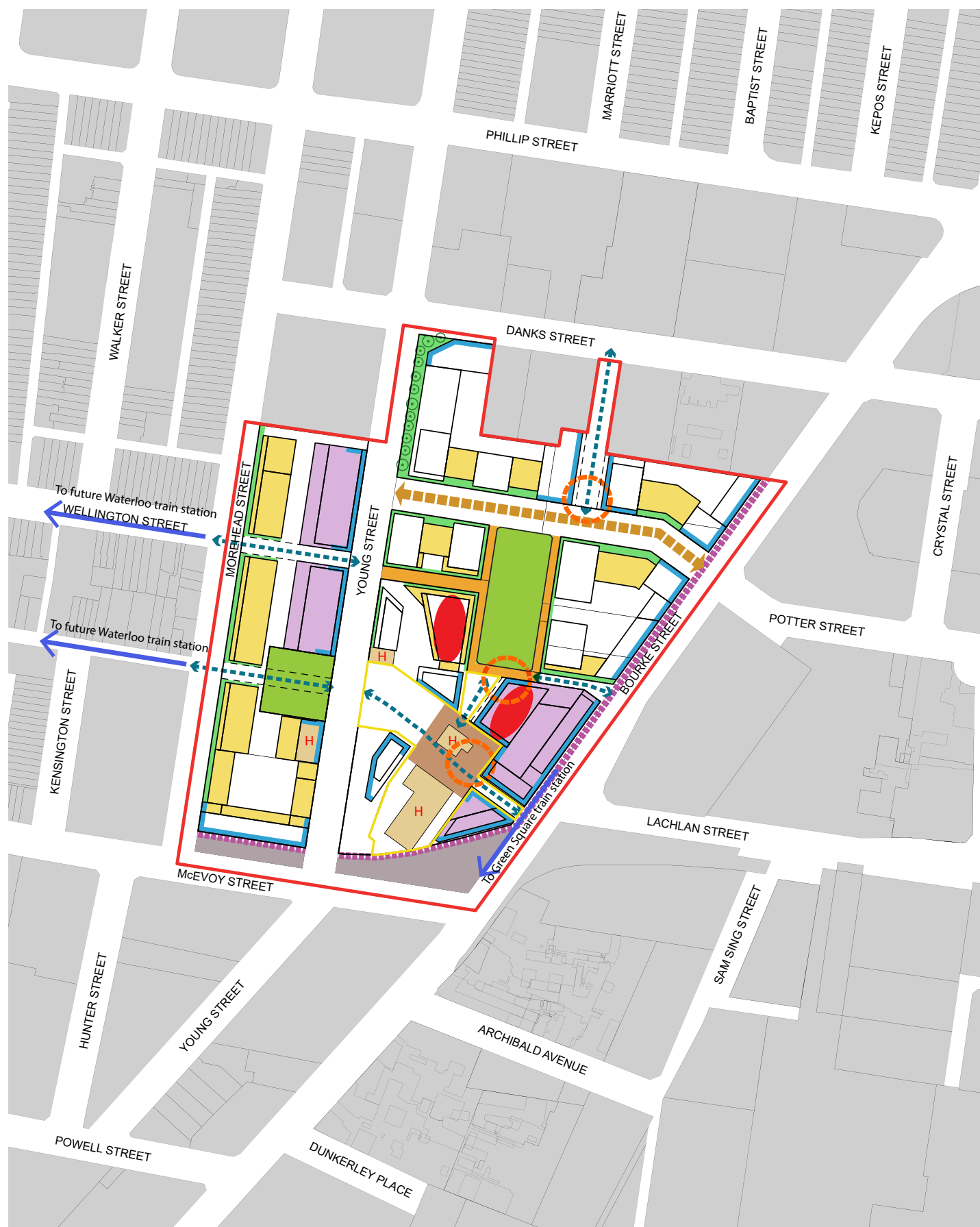
Where land is located in Danks Street South both Section 5.2 Green Square and this Section of the DCP apply. Where there is an inconsistency between Section 5.2 and this Section, this Section applies to the extent of the inconsistency.

5.9.1 Danks Street South urban strategy

Objectives

- (a) Development in Danks Street South is to be undertaken in accordance with the following objectives and Figure 5.235 Danks Street South Urban Strategy.
- (b) Ensure development is of the highest quality, and responds to the existing surrounding local character and its history, particularly its former industrial uses.
- (c) Ensure that redevelopment is coordinated and effectively managed to provide appropriate community facilities and services as required.
- (d) Introduce a mix of dwelling types to provide flexibility and choice for a diverse community.
- (e) Provide a variety of building heights and forms which respond to the hierarchy of streets and open spaces, residential amenity and solar access.
- (f) Ensure towers are designed to minimise wind impact and overshadowing to the public domain, including the use of setbacks and podiums.
- (g) Introduce a permeable network of streets and pedestrian links that respond to key desire line connections and maximise opportunities for walking and cycling.
- (h) Design new streets to prioritise pedestrians and cyclists and slow traffic speeds.
- (i) Ensure all streets include tree planting. Large street trees species should be located in central medians to provide shade, amenity and reduce the scale of surrounding buildings.
- (j) Use landscaping to assist in the management of stormwater quality.
- (k) Provide one central park within the precinct of 3,900 square metres (including shared zones) and one smaller park on Young Street of 1,500 square metres. The design of the parks should allow for passive recreation.
- (l) Provide one new heritage plaza area around the heritage listed Sydney Water buildings for passive recreation, social interaction opportunities and small scale community events.
- (m) Provide a pedestrian and cycle connection between Danks Street and the central park.
- (n) Create a strong and consistent landscape character throughout the precinct. Retain and protect established trees in the area. Native plants should be a characteristic feature of new planting.

Figure 5.235 Danks Street South Urban Strategy



KEY

- PRECINCT BOUNDARY
- SHARED ZONE
- > THROUGH SITE LINKS
- ACTIVITY NODE

- NOISE CONSIDERATION
- TALLER ELEMENTS
- LARGE FLOORPLATES
- LOW BUILT FORM

- HERITAGE BUILDING
- RMS ACQUISITION
- PUBLIC OPEN SPACE
- PUBLIC SQUARE

- EAST-WEST CONNECTION
- ACTIVE FRONTAGES
- HERITAGE PLAZA
- LANDSCAPE SETBACKS

- TREES



- (o) Introduce a mix of land uses with commercial and retail uses at ground level on Danks Street, Bourke Street, McEvoy Street, Young Street and around the heritage plaza.
- (p) Provide large floorplate buildings to accommodate commercial / retail uses particularly along Bourke and Young Streets.
- (q) Provide local shops and services (including childcare facilities) to meet the needs of the population.
- (r) Provide Sydney Water 24-hour vehicular and pedestrian access to their assets, namely the Valve House and Pump House.
- (s) Minimise the exposure of habitable areas of buildings and public spaces to traffic noise and ensure dwellings can be naturally ventilated while not exceeding appropriate internal noise levels.

5.9.2 Urban design principles

Principle 1: Connections

- Provide a north-south connection from Danks Street to the new central park and heritage plaza.
- Increase permeability with new east-west connections through the precinct.
- Incorporate pedestrian and cycle links between Morehead Street and Young Street.
- Provide clear and direct access to public transport routes.
- Integrate the precinct with surrounding neighbourhoods.

Principle 1 Connections



Principle 2: Land uses

- Locate commercial/retail uses at ground level along Danks Street, Bourke Street, McEvoy Street, parts of Young Street and around the new heritage plaza.
- Carefully locate residential uses cognisant of noise and other potential land use conflicts.
- Provide one central park for passive recreation.
- Provide one heritage plaza area for interaction and passive recreation, associated retail uses and access to Sydney Water's Pump House and Valve House.
- Provide a public square within the heritage plaza around the Valve House.
- Provide an additional park adjacent to the heritage item at 198-222 Young Street.
- Ensure sites are appropriately remediated to a condition suitable for their proposed use.

Principle 2 Land Use



Principle 3: Built form

- Provide a variety of building types and scales.
- Taller buildings are to be located in the centre of the precinct and are to minimise overshadowing impact to open space and surrounding residential properties.
- Provide street frontage heights that provide a human scale to buildings.
- Provide building heights that transition down to meet the Waterloo Heritage Conservation area to the west of Morehead Street.
- East-west oriented buildings are to be of low scale to maximise solar access to site.

- Minimise overshadowing and wind impact to open space and surrounding developments.
- Protect, maintain and respond to the heritage listed buildings within the precinct.

Principle 3
Built Form

- TALL BUILDINGS
- MEDIUM BUILDINGS
- LOW BUILDINGS
- H HERITAGE BUILDINGS
- LARGE FLOORPLATES



5.9.3 Local infrastructure and public domain

The objectives and provisions within this Section must be read in conjunction with the provisions for streets, lands and footpaths in Section 3.1.1 under the General provisions, and Section 5.2 Green Square, which set out specific provisions for local infrastructure.

Objectives

- (a) Introduce a main east-west street that connects Young Street to the intersection of Bourke Street and Potter Street.
- (b) Introduce a central park with frontage to the new east-west street that accommodates passive recreation.
- (c) Introduce a north-south pedestrian/ cycle link from Danks Street to the heritage plaza through the central park.
- (d) Introduce an east-west pedestrian/ cycle link through the heritage plaza connecting Young and Bourke Streets.
- (e) Introduce a legible, open and permeable pattern of streets, lanes and generous footpaths that respond to key connections to the adjacent neighbourhoods and within Danks Street South and are designed for pedestrian and cycle priority.
- (f) All public open space and landscaping is to be designed to be the highest quality, and of consistent design throughout that is accessible for all people.
- (g) Provide a pleasant and safe environment for the enjoyment of pedestrians and cyclists, which encourages interaction and improves the amenity of the area for residents, workers, and visitors through provision of solar access and mitigation of noise in the public domain.

Provisions

5.9.3.1 Public open space

Section 5.2 Green Square locates part of the Danks Street South precinct within Catchment Area G 'Danks Street neighbourhood' in Figure 5.54 Green Square Public Open Space and Table 5.10 Provision for open space catchment areas.

- (1) Where required by Council, public open space is to be dedicated to Council in the locations identified on Figure 5.236 Danks Street South Open Space, and Figure 5.237 Danks Street South Dedication and Easements.
- (2) Provide one central park no less than 3,900 square metres (including shared zones) and one park of no less than 1,500 square metres as identified in Figure 5.236 Danks Street South Open Space.
- (3) Provide a heritage plaza as identified in Figure 5.236 Danks Street South Open Space to provide curtilage to the two heritage listed Sydney Water buildings – the Valve House and Pump House. The plaza is to include a public square of around 1,400 square metres around the Valve House.
- (4) Design of the parks, heritage plaza and through site links is to incorporate and be in accordance with the requirements set out in Table 5.24: Danks Street South - Open Space Design Requirements and relevant Council public domain plans, including *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.
- (5) Provide a high quality landscape setting that enhances the built form, public domain and heritage of the precinct.
- (6) Create active, engaging and unique spaces that respond to the site, context and sense of place, and respect, enhance, and celebrate the Sydney Water heritage listed buildings.
- (7) Create spaces that foster informal encounters, community participation and understanding of the local environment, including influences from the past occupants of the site, natural history and landforms, past uses, location and climate.
- (8) Ensure all existing significant trees and heritage curtilages are protected and enhanced as part of the public domain design.
- (9) Create public spaces that are flexible, adaptive and positively address environmental performance and sustainability.
- (10) Maximise visual permeability and opportunities for passive surveillance including improving views from the surrounding streets and identified view corridors.
- (11) All public spaces are designed to be inclusive and universally accessible, to cater for all ages, enrich the community and provide infrastructure that promotes leisure time and maximises social interaction.
- (12) Meeting places, points of interest, shade and grouped social seating opportunities are to be located at predicted nodes of activity.
- (13) Seamlessly integrate new public spaces with streets, access requirements and through site links in adjacent development sites.
- (14) Utilise a broad range of distinctive place making elements.

Key site considerations

- (15) Achieve a consistent and integrated precinct-wide design of public art and public domain, guided by relevant Council plans, including *Open field agency: Public domain and public art strategy for Danks Street South* and related public domain concept plans as they apply from time to time.
- (16) The central park is to provide flexible spaces that provide for a range of passive recreation activities and interests.
- (17) Ensure the interface between the central park and surrounding buildings is clearly delineated with a laneway/ shared zone to invite public use of the park.
- (18) Provide an open and legible route for pedestrian/cycle movement through the precinct between Danks Street in the north and McEvoy Street in the south.
- (19) Provide legible links to the Bourke Street cycle network.
- (20) Respond to the planned future road widening and signalised intersection upgrades along Lachlan and McEvoy Street, in particular noise and high level vehicular movement, to maximise pedestrian amenity.

Heritage Plaza

- (21) The heritage plaza, as shown in Figure 5.238 Danks Street South Heritage Plaza, is to include:
 - (a) A public square of around 1,400 square metres surrounding the Valve House, which will predominantly be dedicated to Council, as identified in Figure 5.237 Danks Street South Dedications;
 - (b) A publicly accessible private plaza space around the Pump House;
 - (c) An east-west through site link which provides a pedestrian and bicycle connection between Bourke Street and Young Street;
 - (d) A north-south through site link connecting the public square and the central park; and
 - (e) Small areas of private open space, adjoining the public square, associated with the development blocks to the north of the heritage plaza.
- (22) Ensure a holistic approach to the design and experience of the heritage plaza across public, publicly-accessible and private spaces within the whole.
- (23) Celebrate the history of the Sydney Water site, the living function of the heritage buildings and the raw, unfinished quality of the space to respect the past of the site whilst making it a living place.
- (24) The heritage plaza area may include seating and spaces for outdoor dining where the plaza interfaces with adjacent buildings, where appropriate and sensitively designed, whilst allowing for Sydney Water and essential services vehicular access. (See also 5.9.4.4 Land Uses.)
- (25) The heritage plaza must be designed to provide vehicular access for essential services and Sydney Water vehicles only and must not impede ongoing Sydney Water operations.
- (26) The north-south through site link is to read as a transitional plaza space to the north of the Valve House which links the softer, green central park and the hard heritage plaza and maximises visual connections between the two spaces. It is to incorporate some planting elements, permeable pavers and active edges.

Table 5.22: Danks Street South - Open Space Design Requirements

Type	Requirement	Guidelines
Central park	2,830sqm (excluding shared zones)	<ul style="list-style-type: none"> (a) Provide for deep soil planting (b) To be used for passive recreation (c) Where appropriate provide informal active spaces, such as fitness stations, that complement the public domain and provide activity in the park (d) Provide a clear link from the heritage plaza area to the park (e) Park design should accommodate passive recreation spaces and some areas of mass planting (f) Tree species should be native species with good tree canopy cover.
Young Street park	1,500sqm	<ul style="list-style-type: none"> (a) Explore opportunities for community garden (b) Provide for deep soil planting (c) Be used for passive recreation (d) Tree species should be native species that provide good tree canopy cover.
Heritage Plaza	To include a public square of around 1,400sqm, generally dedicated to Council	<ul style="list-style-type: none"> (a) Limit vehicular access to essential services and Sydney Water vehicles only (b) Provide a seamless public domain that integrates with adjacent areas and buildings (c) Provide outdoor dining opportunities at the interface with adjacent buildings for local cafes and restaurants, where appropriate in the context of the need for vehicle access and which do not interrupt visual connections throughout the public domain network (d) Predominantly hard surface, with careful definition between public and private areas within the heritage plaza (e) Open and flexible space able to cater for a range of gatherings, day and night (f) Provide for clear and legible pedestrian and cycle through-site links; one east-west, connecting Bourke and Young Streets and one north-south, connecting the central park and the public square (g) Be designed holistically across public and private ownership within the heritage plaza having regard to the heritage listed Pump House and Valve House (h) Utilise suitable paving materials which retain an industrial character.
Danks Street through site link	1,170sqm	<ul style="list-style-type: none"> (a) Provide a safe pedestrian and cycle connection between Danks Street to the main east- west street (b) Provide a tree lined walkway using native tree species (c) Provide soft landscaping with mass planting and good tree canopy cover (d) Allow private vehicular entry to the existing car park at 9-15 Danks Street, if no other option is possible (e) Design the through site link to ensure landscape is maximised considering the need to provide vehicular access, if it arises from (e) above.

Figure 5.236 Danks Street South Open Space

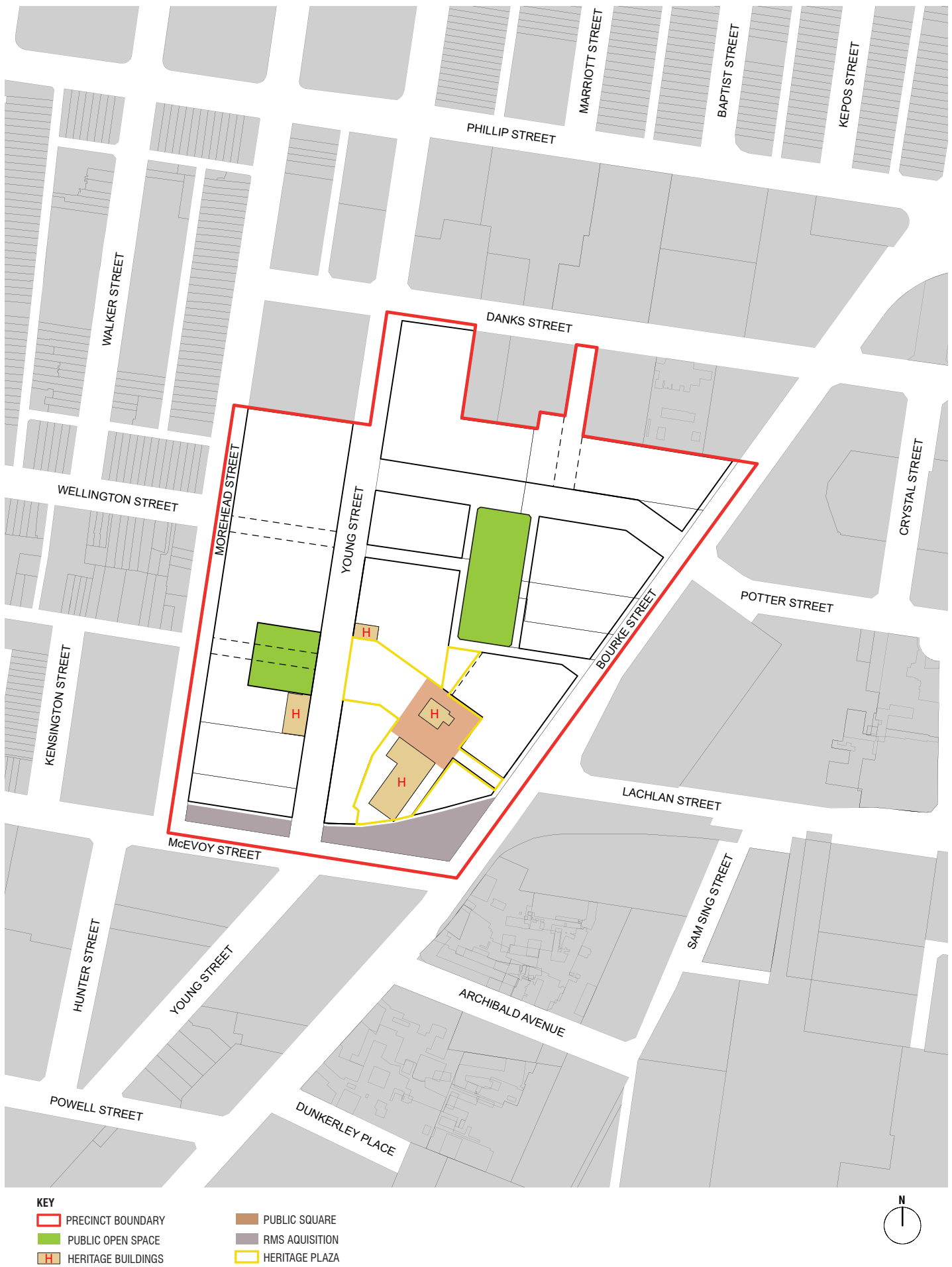
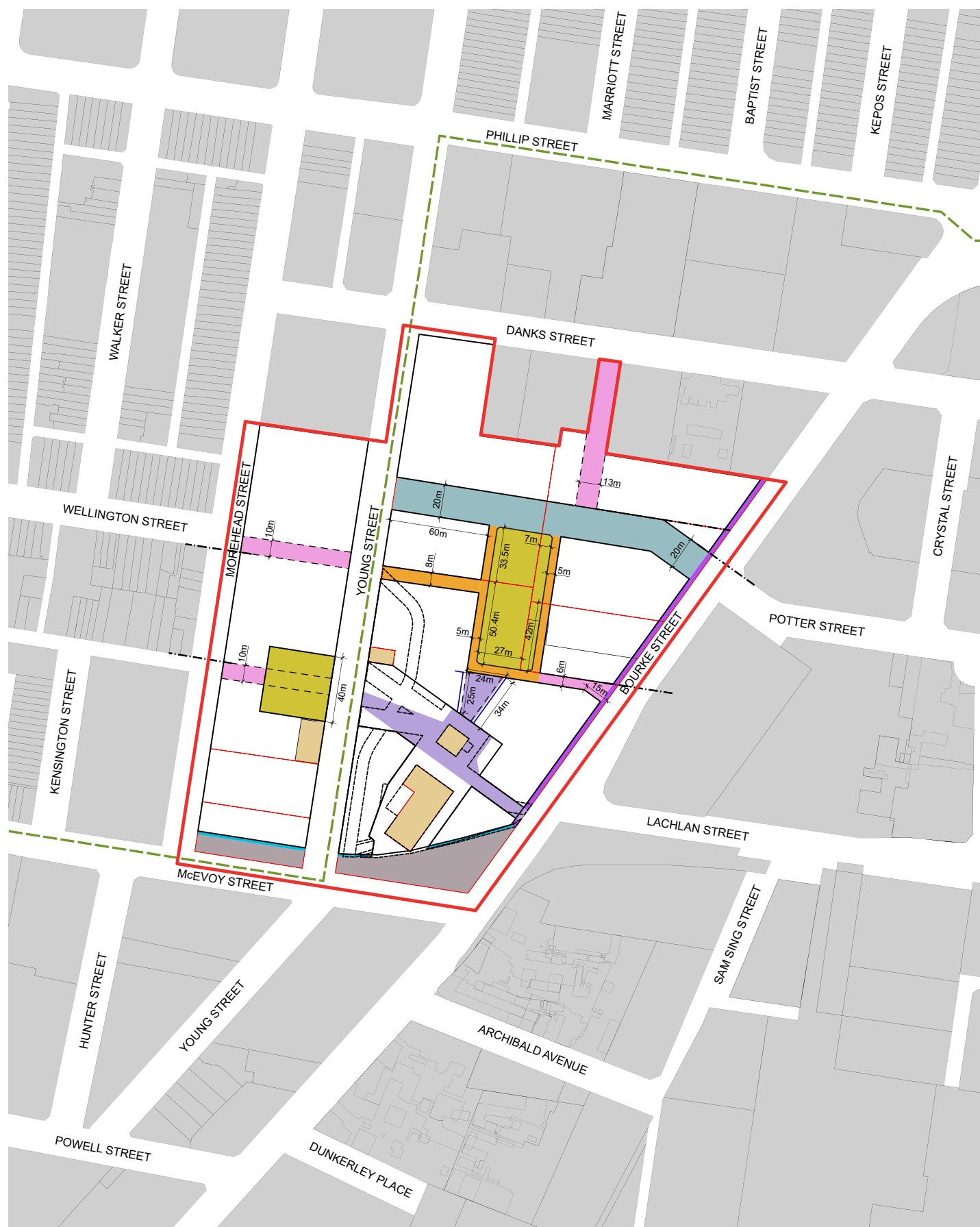


Figure 5.237 Danks Street South Dedications



KEY

- PRECINCT BOUNDARY
- DEDICATED PUBLIC OPEN SPACE
- DEDICATED 2M FOOTPATH WIDENING
- DEDICATED 3M FOOTPATH WIDENING

- DEDICATED STREET
- DEDICATED SQUARE OPEN TO PUBLIC 24HRS - OPEN TO SKY
- DEDICATED SHARED ZONE

- ROAD WIDENING - ROAD AND MARITIME SERVICES
- DEDICATED THROUGH SITE LINKS - OPEN TO SKY
- DEDICATED SHARED ZONE

- HERITAGE BUILDING
- SYDNEY WATER EASEMENT
- PROPERTY BOUNDARIES

- BUILDING EDGE
- ALIGNMENT
- GREEN SQUARE BOUNDARY



Figure 5.238 Danks Street South Heritage Plaza

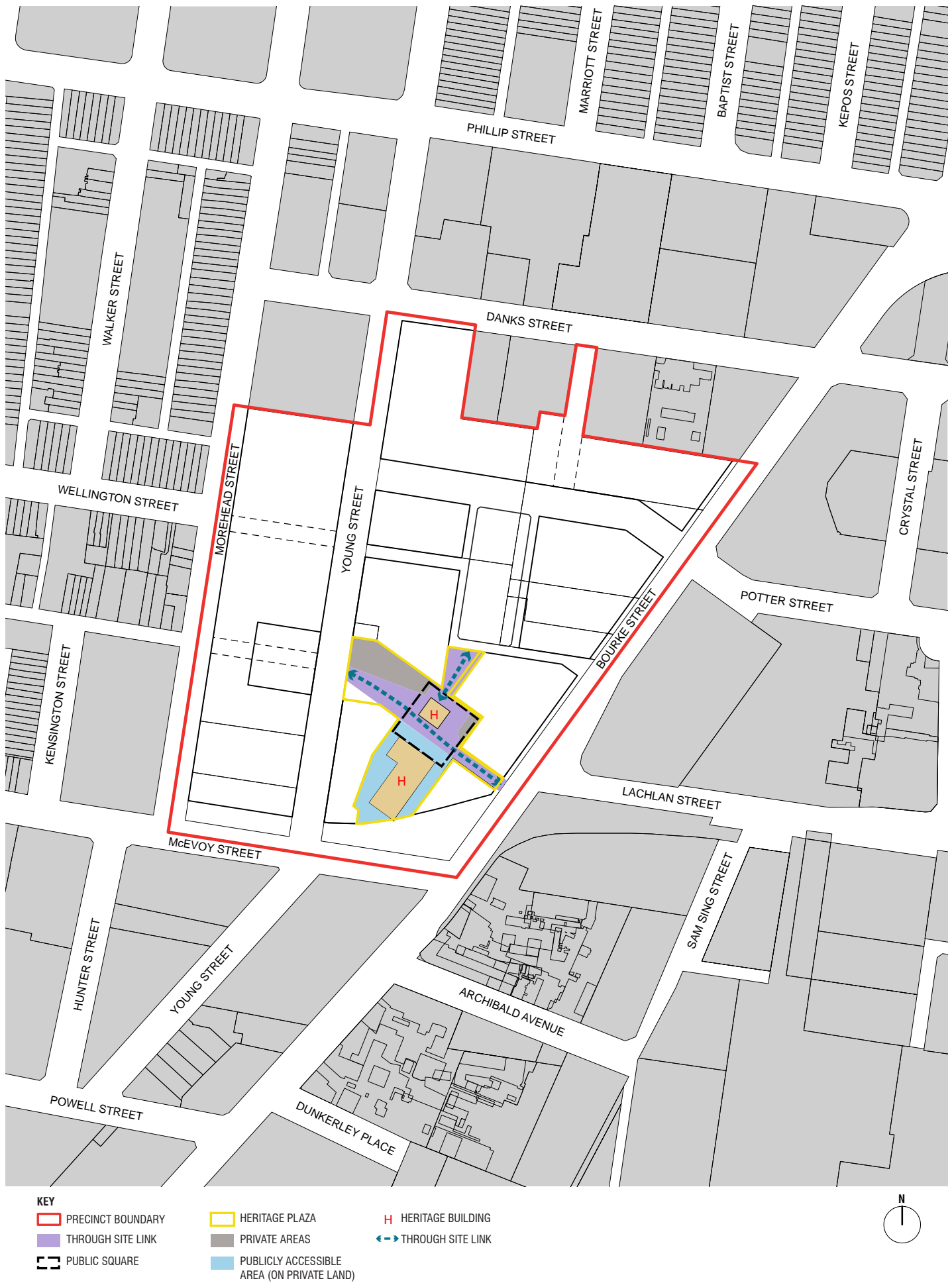
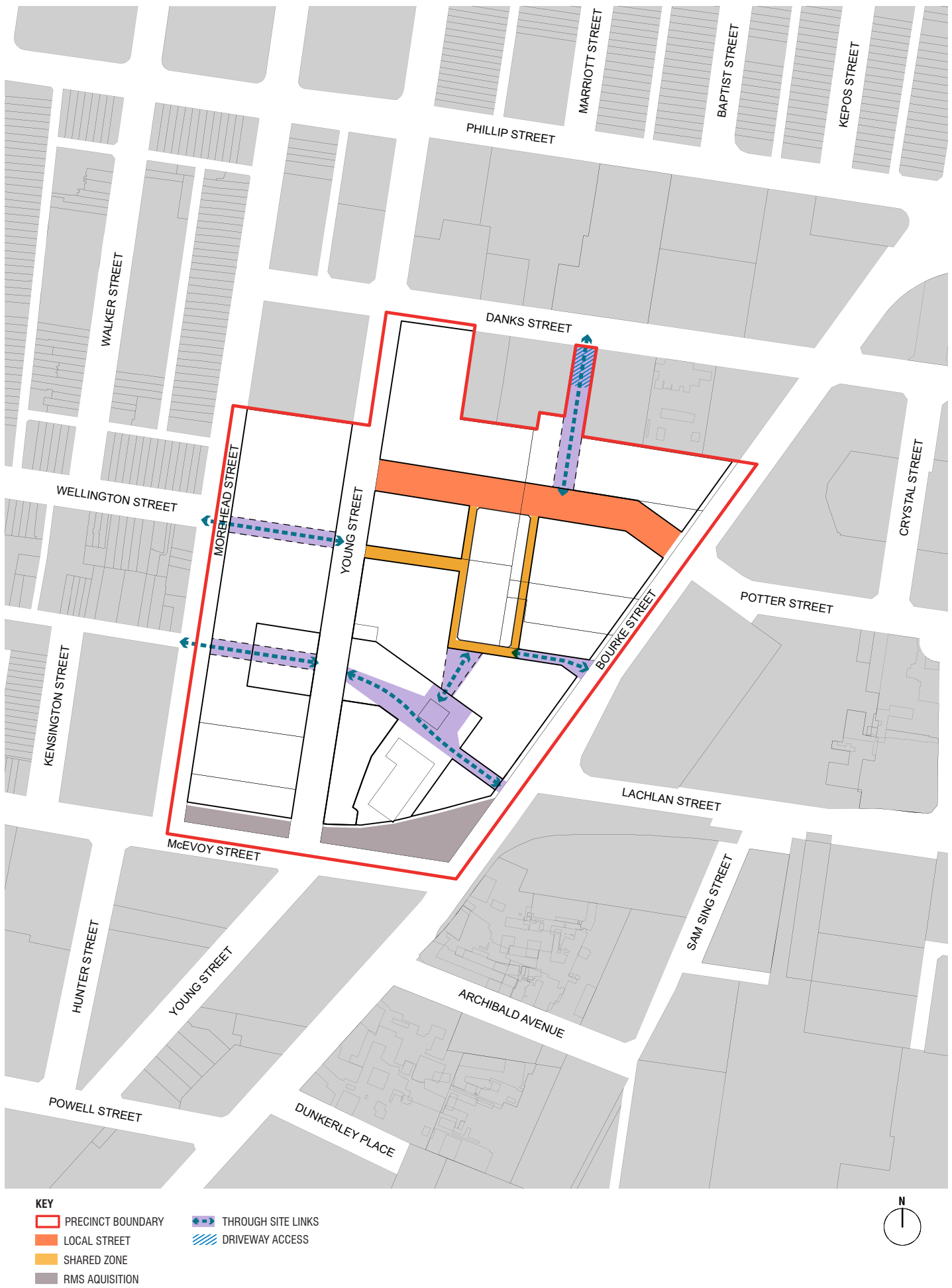


Figure 5.239 Danks Street South Street Hierarchy



5.9.3.2 New streets

The following provisions for streets within Green Square are to be read in conjunction with Section 3.1.1 General provisions for streets, lanes and footpaths.

- (1) Where required to be provided, new streets and lanes, are to be:
 - (a) introduced and dedicated to Council in the locations identified in Figure 5.237 Danks Street South Dedications and Figure 5.239 Danks Street South Street Hierarchy; and
 - (b) designed in accordance with the standards set out in Figure 5.240 – 5.241 Danks Street South Street Sections.
- (2) Street furniture elements and material palettes are to be consistent with the City of Sydney design code and relevant Council public domain strategies and plans as they apply from time to time, including *Open field agency: Public domain and public art strategy for Danks Street South*.
- (3) A three metre setback is to be dedicated along Bourke Street in accordance with Figure 5.237 Danks Street South Dedications to provide a shared cycle/ pedestrian zone, and is to be designed as part of the public domain and in accordance with the *City of Sydney Cycle Strategy and Action Plan 2007-18*.
- (4) The new street surrounding the central park is to be one-way (clockwise) and be provided as a shared zone.
- (5) The design of the shared zone along the new park's edge should be incorporated into the overall design of the park.
- (6) If necessary, in the short term, traffic may be permitted on the pedestrian/ cycle link (from Bourke Street) for construction staging requirements only.

Figure 5.240
Danks Street South
– Street Section
– Park Edge (9m
shared zone)

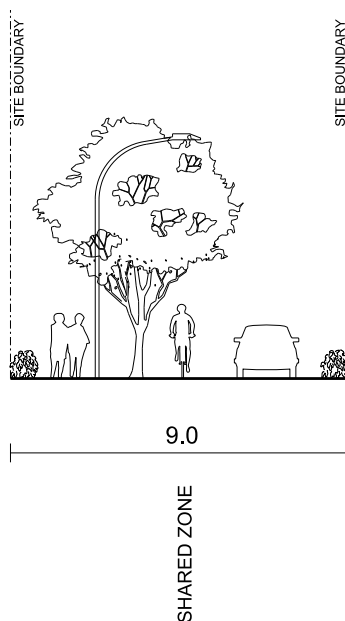


Figure 5.241
Danks Street South
– Street Section –
Pedestrian/cycle link
(width varies)

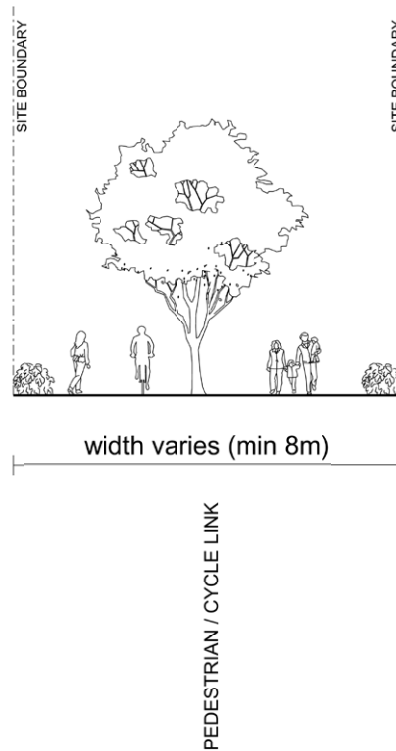
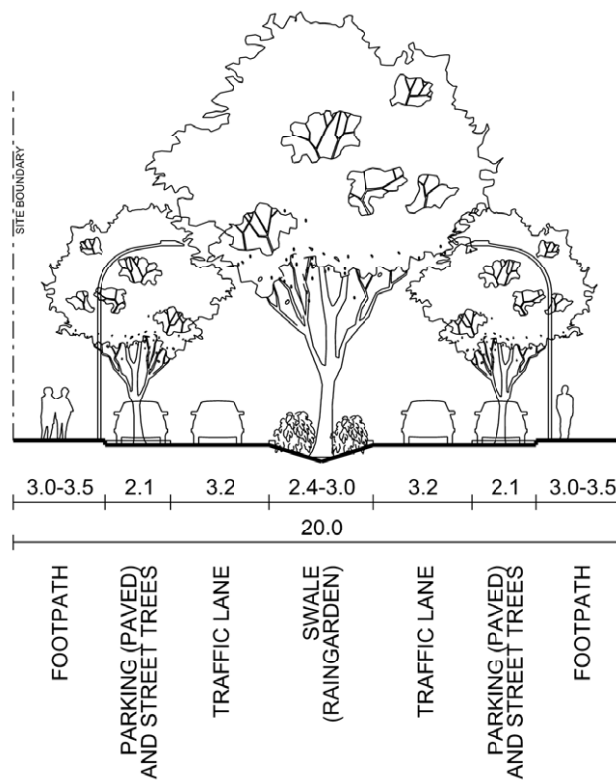


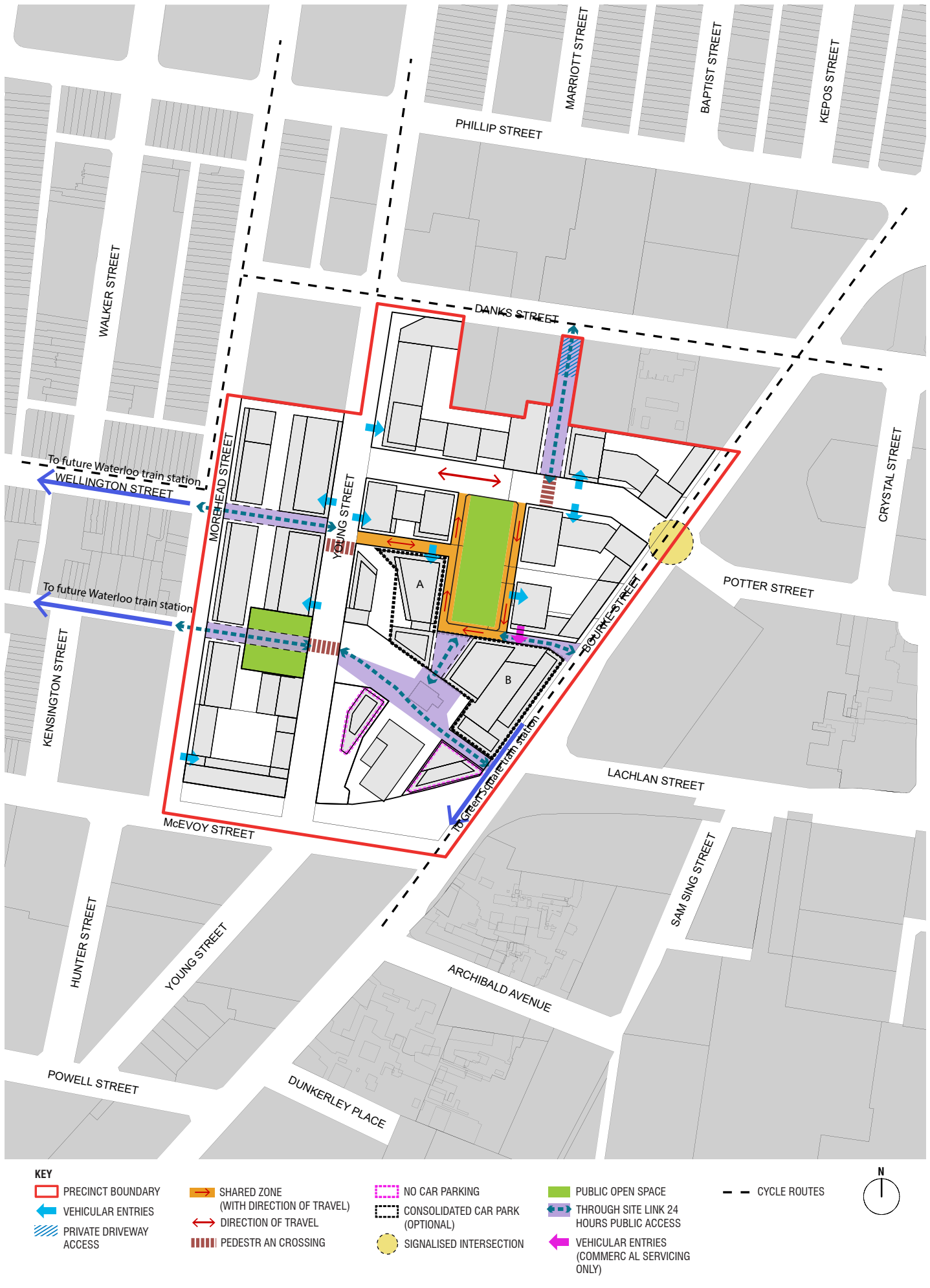
Figure 5.242
Danks Street South
– Street Section –
East - West Street
(20m)



5.9.3.3 Movement and connectivity

- (1) Circulation and major vehicular access and egress points are to be consistent with Figure 5.243 Danks Street South Circulation and Access.
- (2) Introduce new traffic signals at the junction of the new main east-west street and Bourke Street in accordance with Figure 5.243 Danks Street South Circulation and Access.
- (3) Car parking is not permissible in the buildings identified in Figure 5.243 Danks Street South Circulation and Access.
- (4) Driveways and car park entries are to be consolidated and minimised in accordance with Figure 5.243 Danks Street South Circulation and Access.
- (5) Consolidated car parks are not to be built under proposed parks or other public domain identified for dedication in Figure 5.237 Danks Street South Dedications. Cut throughs under the public domain between Blocks A and B are permitted to facilitate the consolidated basement carpark identified in Figure 5.243 Danks Street South Circulation and Access.
- (6) At grade or above ground car parking is not permissible.
- (7) All basement car parks are to be setback 3 metres from the property boundary.
- (8) The short term carpark entry for the City West Housing development (895-901 Bourke Street) is to be provided off Bourke Street until the new north-south shared zone adjacent to the central park is provided. Long term carpark entry is to be provided off this shared zone.
- (9) To ensure that the laneway around the central park can operate safely as a shared zone, any short term carpark entry to Block B on the site at 903-921 Bourke Street (shown in Figure 5.243 Danks Street South Circulation and Access), which is required for staging purposes, is to be closed following development of a long term entry from Block A at 903-921 Bourke Street via a consolidated basement.
- (10) A permanent vehicular access point into Block B on the site at 903-921 Bourke Street may be considered, where necessary for commercial servicing requirements only, providing that:
 - (a) the access can be designed to be restricted to non-residential users;
 - (b) there is no access to any car parking connected with the residential component of the development; and
 - (c) it can be demonstrated that the laneway around the central park can still operate safely as a shared zone.
- (11) Private vehicle usage of the pedestrian and cycle link from Bourke Street to the central park may be considered in connection with the commercial servicing requirements of Block B on the site at 903-921 Bourke Street, providing that:
 - (a) It can be demonstrated that a vehicular access point in this location along Bourke Street can operate safely and not impact on traffic flows at the Bourke/McEvoy/Lachlan Street intersection;
 - (b) The link is designed as a shared zone and is clearly demarcated for use for commercial servicing purposes only; and
 - (c) Vehicular traffic is prevented from driving beyond the access point to Block B and no through-routes to or from the central park are created as a result.

Figure 5.243 Danks Street South Circulation and Access



- (12) Private vehicular access to the entry of 9-15 Danks Street may be considered along part of the pedestrian and cycle link between Danks Street and the central park providing that the green, landscaped nature of the link can be maximised and safe pedestrian and cycle movement can be accommodated.
- (13) Design of the public domain is to provide sufficient space for cyclists and pedestrians to move around each other, and be consistent with the Sydney Street Design Code requirements for Activity Strips and mid to high activity Local Streets.
- (14) A clear and open east-west pedestrian and cycle through site link is to be achieved across the heritage plaza to provide an alternate connection between Bourke and Young Streets away from busy roads. It is to be carefully designed and demarcated so as to prevent conflict with Sydney Water vehicles within the plaza.
- (15) Provision of parking spaces for Sydney Water maintenance vehicles only is to be provided adjacent to the Sydney Water heritage buildings and is not to interfere with pedestrian movement.

5.9.3.4 Bike routes and facilities

- (1) Bike facilities, including bike routes and bike parking facilities, are to be designed as part of the public domain in accordance with the Council's *Cycle Strategy 2007-2018*, Figure 5.243 Danks Street South Circulation and Access and relevant Council public domain plans as they apply to the precinct from time to time, including *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.
- (2) A three metre setback clear to the sky is to be dedicated in accordance with Figure 5.237 Danks Street South Dedications along the full length of Bourke Street for a shared footpath extension for bicycles and pedestrians.
- (3) A bicycle and pedestrian link from Danks Street is to connect Danks Street through to the central park and the heritage plaza. Its design must fully cater for bikes and pedestrians with crossing points in accordance with Figure 5.243 Danks Street South Circulation and Access and Figure 5.236 Danks Street South Open Space.
- (4) Bicycle and pedestrian links are to be provided connecting Morehead Street to Young Street. Where there are changes in level, ramps may be considered to provide for bicycle connections.
- (5) All pedestrian and bicycle through site links are to be clear to the sky with windows and entries to ground floor apartments providing passive surveillance and activation.

5.9.3.5 Quality of landscaping and landscape setbacks

- (1) All setbacks are to be provided in accordance with Figure 5.252 Danks Street South Setback and Alignment.
- (2) All landscaped setbacks are to be designed in accordance with the City's Landscape Code and are to remain with the maintenance responsibility of the body corporate/strata.
- (3) A minimum dimension of 2 metres of the private front gardens required for ground floor apartments is to be included as deep soil.
- (4) Private open spaces to all dwellings on the ground floor are to be located to address the street and be accessible from the footpath.

5.9.3.6 Street trees

- (1) Tree planting details and spacing requirements must be in accordance with the City's *Street Tree Master Plan*.
- (2) The minimum pot size for new trees should be 100 litres for smaller growing species and between 200–400 litres for larger growing species.

Species Type:

- (3) The following species are indicative of the size and form of tree for each street/location.
 - East West Street Median:
 - Brush Box (*Lophostemon confertus*)
 - East West Street footpath:
 - Maple (*Acer buergarianum*)
 - Shared zones:
 - Water Gum (*Tristania laurina*)
 - Tulip Tree (*Liriodendron tulipifera*) or
 - Ash (*Fraxinus pennsylvanica*)

Soil Volume:

- (4) The minimum volume of soil available to support the growth of each tree is to be not less than 30 cubic meters. The following is to be considered in the calculation of available soil volumes:
 - (a) the space occupied by rock (structural soil) or other structural pavement supports is generally to be excluded from the soil volume calculation;
 - (b) existing site soil is included in soil volume calculations only if it can be demonstrated that the soil has acceptable physical and chemical qualities to sustain long term tree growth and tree roots have unrestricted access to it; and
 - (c) the alignment of service trenches, the space they occupy, and their possible restriction of natural root spread and development is considered in the calculation of available soil volumes.

5.9.4 Building layout, form and design

The objectives and provisions within this Section must be read in conjunction with Section 4 Development types.

Objectives

- (a) Provide a range of building heights, types and architectural styles to create architectural diversity and visual interest.
- (b) Ensure the design of the built form and heights contribute to the physical definition of the existing and proposed street network.
- (c) Retain important views in and out of Danks Street South by extending vistas along new streets, parks and plazas.
- (d) Achieve variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens the public realm.
- (e) Ensure excellent and varied design through the use of competitive design processes for prominent developments.

- (f) Ensure the use of high quality façade design and finishes throughout the precinct, with particular attention to tall buildings and built form that terminates a vista or is highly visible.
- (g) Provide a transition of building heights to the built form in adjacent precincts.
- (h) Ensure new development is designed to minimise negative impacts on surrounding development in terms of privacy and solar access. Ensure buildings provide articulation and a human scale to the public domain.
- (i) Ensure new development appropriately addresses noise and wind impacts.
- (j) Ensure ground floor entries are clearly demarcated and distinguishable from the rest of the development.
- (k) Create pockets of mixed uses across the precinct to activate the precinct during the day and in the evenings.
- (l) Ensure land uses cater to the needs of the local community.
- (m) Provide active frontages along nominated streets and public places to encourage a vibrant urban environment that facilitates community activity, safety, natural surveillance and territoriality.
- (n) Reduce the visibility of attics from the street.

Provisions

5.9.4.1 Floor Space Ratio

- (1) Consolidation of land identified in Figure 5.244 Danks Street South Land Amalgamation is to occur before a development application can be considered by the consent authority.
- (2) Alternative amalgamation schemes are to be assessed individually and are to be supported by an urban design study.
- (3) Site amalgamation may not be necessary for simple refurbishment of existing buildings.
- (4) Any land that is identified for acquisition by the NSW Government's Roads and Maritime Service is not to be included in the developable site area calculations.
- (5) Any staged development application or application for subdivision is to identify how the gross floor area will be distributed through the site.

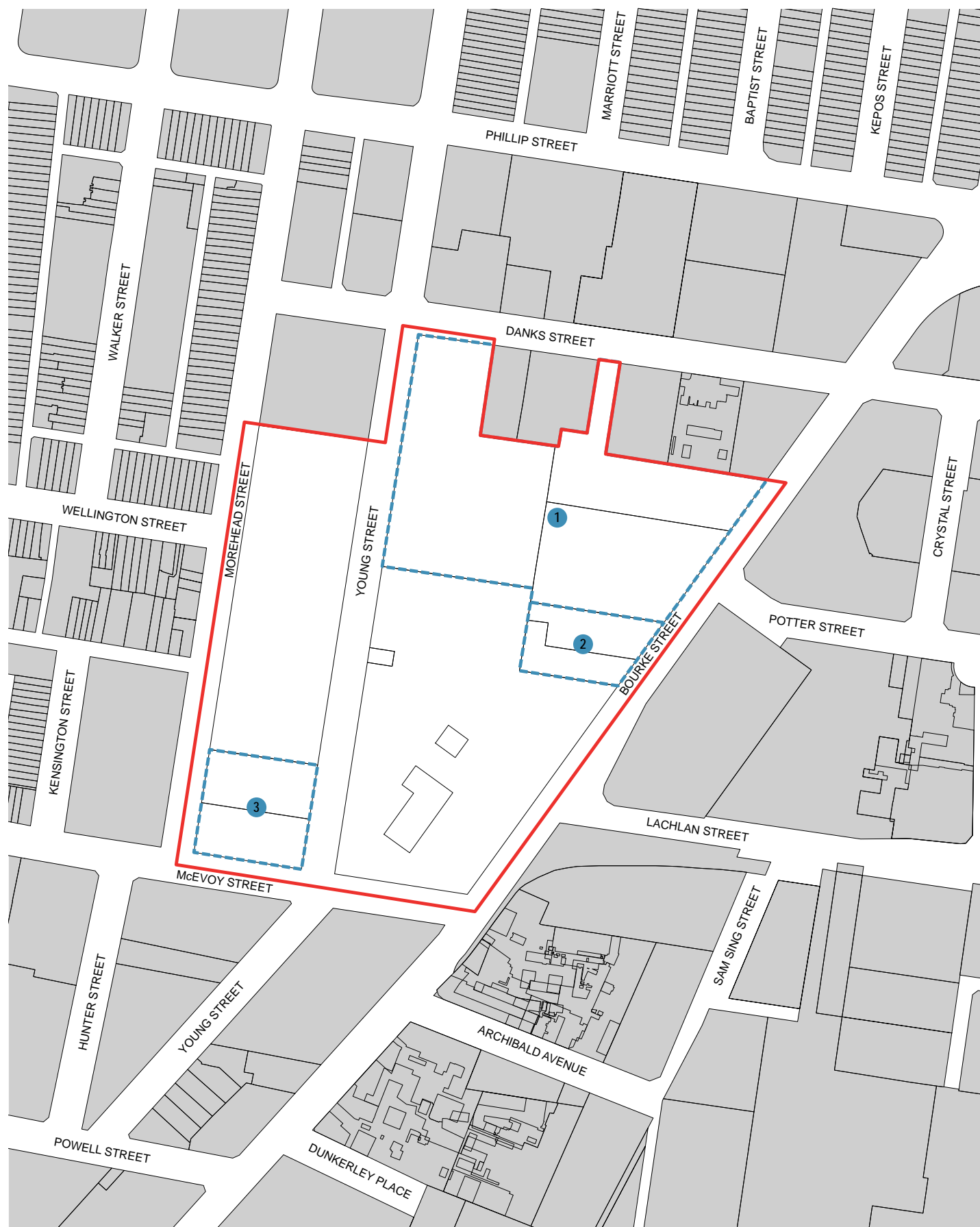
5.9.4.2 Height of buildings

- (1) Development is not to exceed the maximum number of storeys as shown in Figure 5.245 Danks Street South Height in Storeys.
- (2) Street frontage heights are not to exceed the maximum height shown in Figure 5.246 Danks Street South Street Frontage Heights. Above this, additional storeys are to be set back in accordance with 5.9.4.9(1).
- (3) Plant and lift overruns are to be incorporated within the roof form.

5.9.4.3 Indicative built form

- (1) A variety of built form options are possible within each of the street blocks. An indicative built form is presented in Figure 5.247 Danks Street South Indicative Built Form which responds to the objectives and constraints noted in this Development Control Plan. Alternate building layouts may be considered within each street block provided they respond to the Danks Street South Urban Strategy (Section 5.9.1) and Urban Design Principles (Section 5.9.2) and demonstrate better amenity for the development, neighbouring developments and the public domain in relation to sunlight, daylight, wind and noise.

Figure 5.244 Danks Street South Land Amalgamation



KEY

PRECINCT BOUNDARY

LOTS REQUIRED TO AMALGAMATE

1 LOT 3 DP 775039, LOT 4 DP 600884, LOTS A & B DP 438772 and LOT 1 DP 89250

2 LOT 1 DP 88482 and LOT B DP 88095

3 LOT 1 DP 68206 and LOT 2 DP 592165







Figure 5.245 Danks Street South Height in Storeys



Figure 5.246 Danks Street South Street Frontage Height



[illegible]

 PRECINCT BOUNDARY
 PROPOSED STREET BLOCKS
 PUBLIC OPEN SPACE
 HERITAGE

 1 STOREY	 4 STOREYS	 8 STOREYS
 2 STOREYS	 6 STOREYS	 12 STOREYS
 3 STOREYS	 7 STOREYS	 20 STOREYS

a ATTIC
(x) HEIGHTS IN BRACKETS REPRESENT HEIGHTS BEFORE DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESS



5.9.4.4 Design excellence

This Section applies to competitive design processes in Danks Street South. Competitive; Design Process sites, identified in Figure 5.248 Danks Street South Competitive Design Process Sites are required to undertake a competitive design process. Where there is an inconsistency between Section 3.3.5 Awarding additional floor space and this Section, this Section applies to the extent of the inconsistency.

The following provisions complement Clause 6.43 under Part 6, Division 5 of Sydney LEP 2012.

- (1) Each competitive design process site in Danks Street South is to be the subject of a separate competitive design process. The number of competitive design processes and the location and extent of each is to be in accordance with Figure 5.248 Danks Street South Competitive Design Process Sites.
- (2) A Design Excellence Strategy is required for each development site as shown in Figure 5.248 Danks Street South Competitive Design Process Sites, and is to be approved by Council prior to the commencement of a competitive process, unless already detailed in this Section.
- (3) The sequencing of competitive design process sites is to be commensurate with the project staging plan prepared for each development site.
- (4) Floorspace is not to be transferred across competitive design process sites.
- (5) Only additional building height is to be awarded as a result of a competitive design process. It is to be accommodated within the building heights as shown in Figure 5.245 Danks Street South Height in Storeys.
- (6) If design excellence is not demonstrated, a reduction in building height commensurate to the lower building height in storeys shown in brackets in Figure 5.247 Danks Street South Indicative Built Form is required.
- (7) No additional floor space is to be awarded as a result of a competitive design process.
- (8) To achieve diversity across a development site, no architectural practice which is selected a winner for a competitive process may be invited to participate in any other competitive process.

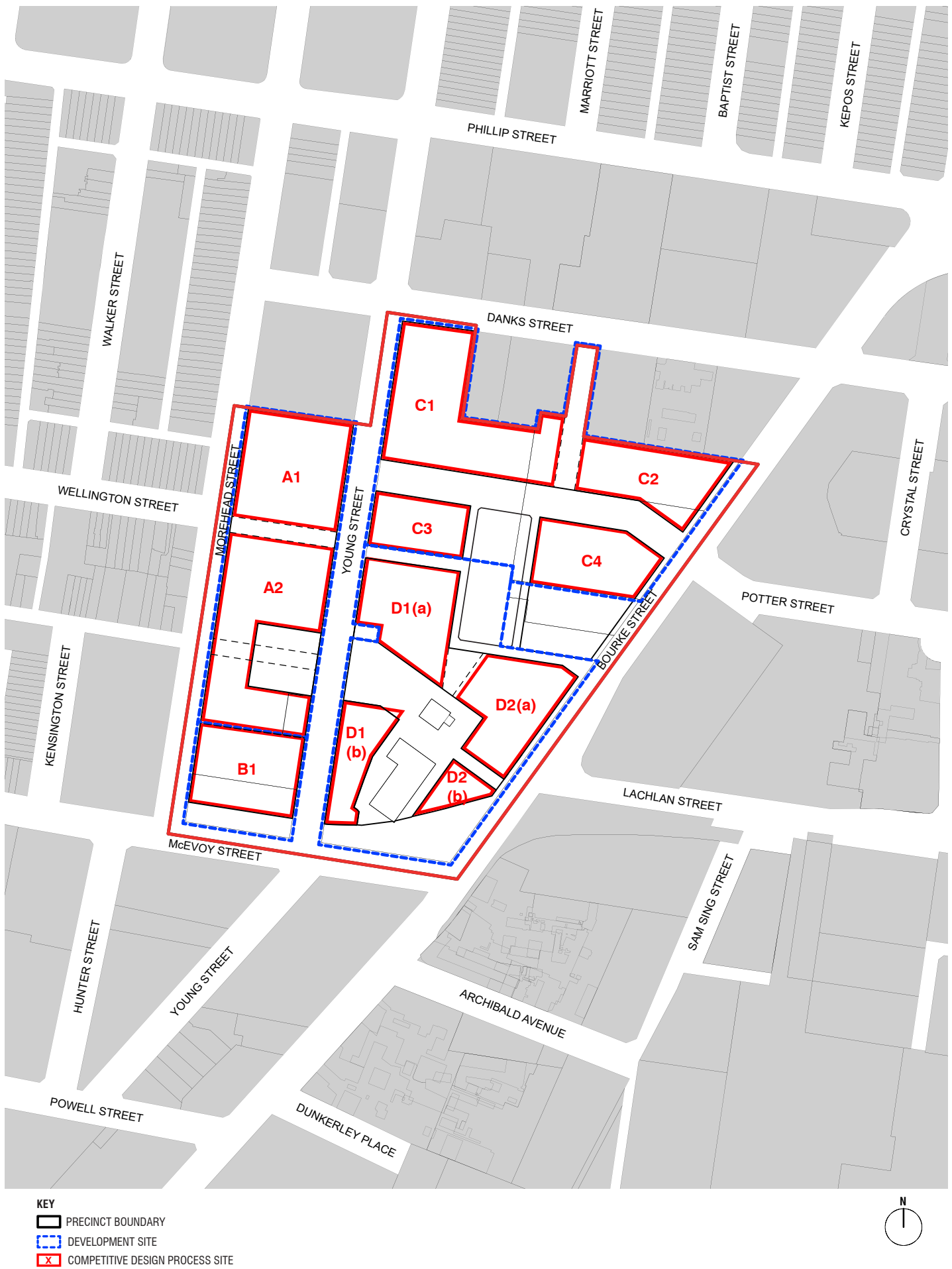
Design Excellence Strategy – 903-921 Bourke Street, Waterloo

In addition to provisions (1) to (8) above, the competitive design processes to be undertaken on the site at 903-921 Bourke Street, Waterloo are to be in accordance with the following site-specific Design Excellence Strategy.

- (9) Two separate invited competitive design alternatives processes are to be undertaken for the development site. The location and extent of each competitive design process site is shown in Figure 5.248 Danks Street South Competitive Design Process Sites, identified as D1(a) + D1(b) and D2(a) + D2(b).
- (10) For each competitive design process site, a minimum of 3 competing consortiums must participate, comprised of the following:

Competitive Design Process Site	Block Reference	Constitution of Each Competing Consortium
1	D1(a) + D1(b)	Emerged and established Competitors for Block D1(a) and an emerging architectural firm for Block D1(b)
2	D2(a) + D2(b)	Emerged and established Competitors for Block D2(a) and an emerging architectural firm for Block D2(b)

Figure 5.248 Danks Street South Competitive Design Process Sites

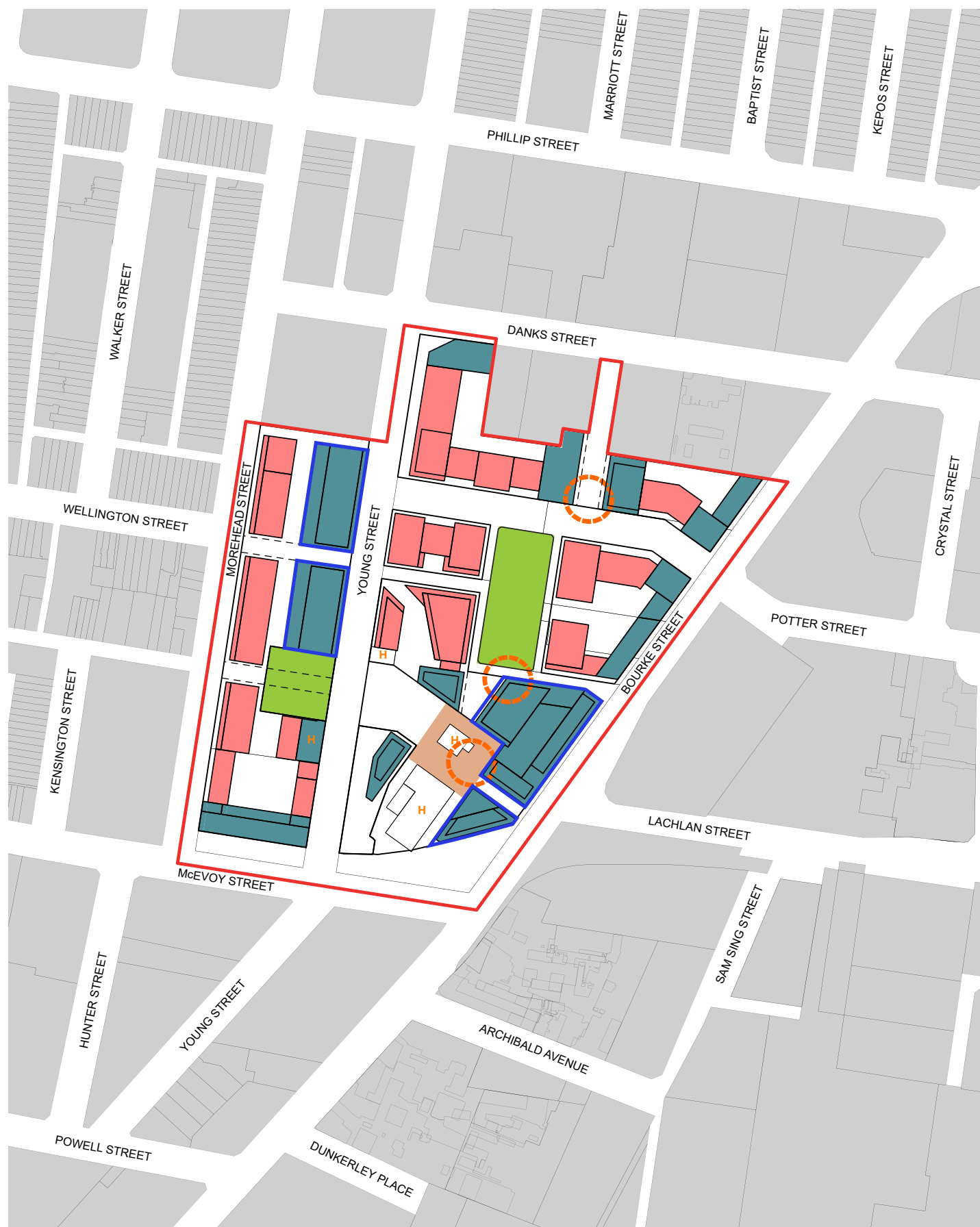


- (11) The Selection Panel for each competitive design process is to comprise a total of six (6) members. The proponent is to nominate three (3) panel members and the City of Sydney is to nominate three (3) panel members.
- (12) Any additional building height that results from a competitive design process is already accommodated within the building heights Figure 5.245 Danks Street South Height in Storeys and the upper building heights shown in Figure 5.247 Danks Street South Indicative Built Form. No additional floor space is to be awarded as a result of a competitive design process.
- (13) Each competitive design process is to be coordinated to ensure the integration of individual development blocks to achieve whole of site planning and design excellence.
- (14) Each competitive design process is to provide for the following ecologically sustainable development outcomes:
 - (a) BASIX Energy 50 for residential buildings below 6 storeys;
 - (b) BASIX Energy 40 for residential buildings above 6 storeys;
 - (c) BASIX Water 45 for all residential development; and
 - (d) 5.5 stars NABERS Energy rating for any commercial office premises with a net lettable area of 1,000sqm or more.

5.9.4.5 Uses

- (1) Ground floor land uses are to be consistent with Figure 5.249 Danks Street South Ground Floor Level Uses in location and extent.
- (2) Active uses including retail and commercial uses are to be provided in the locations identified in Figure 5.250 Danks Street South Active Frontages with a minimum tenancy depth of 10 metres from the line of enclosure.
- (3) A range of retail and commercial spaces are to be provided at ground level throughout the precinct, in accordance with Figure 5.249 Danks Street South Ground Floor Level Uses.
- (4) Large footprint buildings are to be provided in accordance with Figure 5.249 Danks Street South Ground Floor Level Uses and Figure 5.251 Danks Street South Building Typology to ensure commercial and retail uses can be accommodated.
- (5) Showrooms, fresh food, small scale supermarkets, and tenancies to accommodate dentists, accountants and medical practices are encouraged in the precinct to serve the future and existing community.
- (6) Dwelling types are to comply with Figure 5.251 Danks Street South Building Typology.
- (7) Childcare and community facilities are encouraged to be located within the precinct.
- (8) At grade or above ground car parking is not permissible.
- (9) The privately owned plaza area around the Sydney Water Pump House shown in Figure 5.238 Danks Street South Heritage Plaza is to be publicly accessible during daylight hours.
- (10) Use of the privately-owned sections of public square to the north of the through-site link may be acceptable in the locations shown in Figure 5.238 Danks Street South Heritage Plaza provided that:
 - (a) The nature of the use and any enclosure or installation is sufficiently temporary in nature so as to be compatible with occasional disruption due to Sydney Water operations;
 - (b) The scale and form of any physical installation is in-keeping with the overall heritage character of the plaza;

Figure 5.249 Danks Street South Ground Floor Level Uses

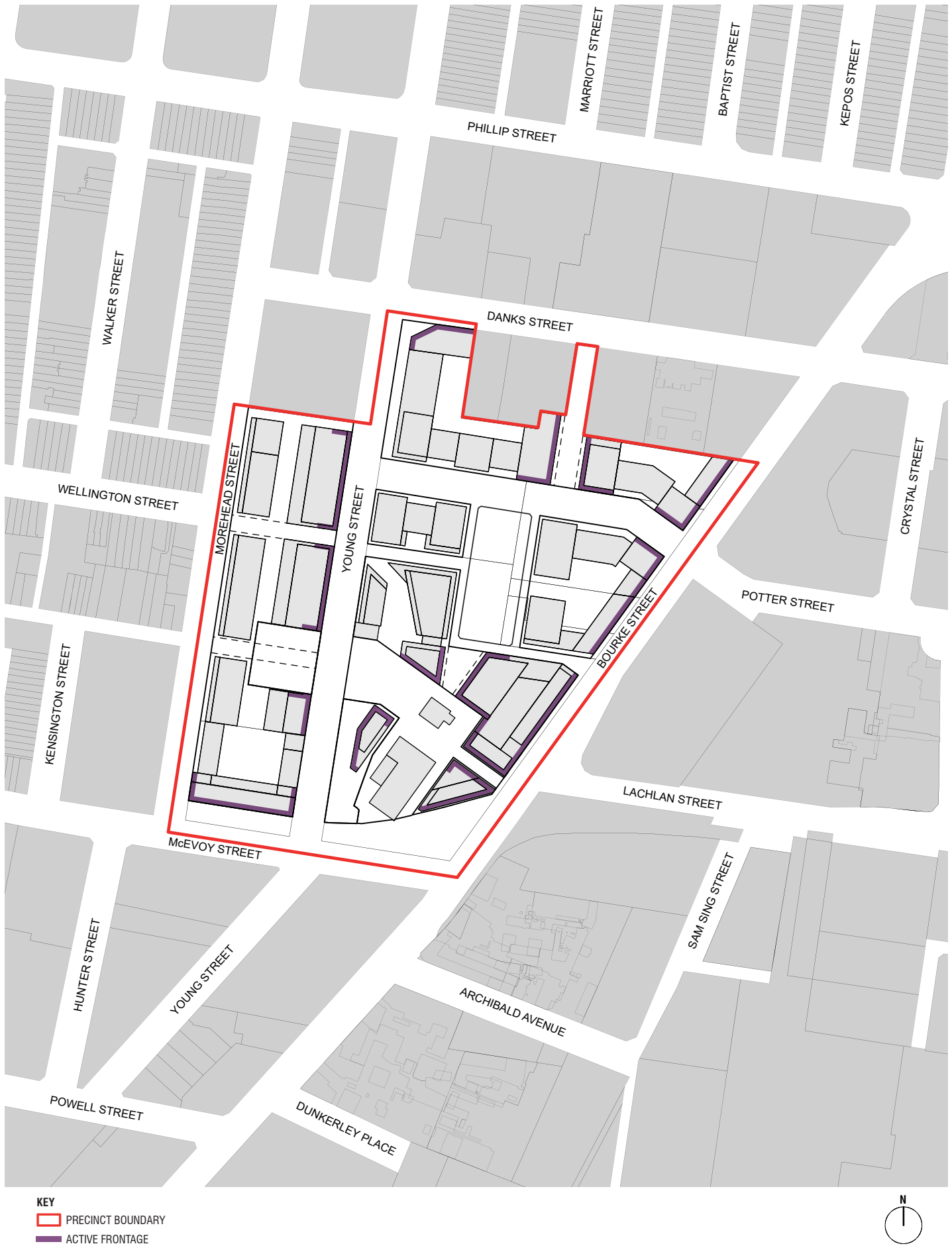


KEY

- | | |
|---|--|
| PRECINCT BOUNDARY | PUBLIC OPEN SPACE |
| COMMERCIAL/RETAIL USES | H HERITAGE BUILDING |
| ANY USE EXCEPT PARKING | LARGE FLOORPLATES |
| PUBLIC SQUARE | ACTIVITY NODE |



Figure 5.250 Danks Street South Active Frontages



- (c) The height and positioning of any enclosure does not interrupt views to or from the heritage buildings or impede visual connections and sightlines through the heritage plaza to the wider public domain network;
 - (d) Any method of demarcation between the public square, the wider heritage plaza and any private use is sensitively designed and subtly achieved cognisant the heritage context and wider heritage plaza public domain treatment;
 - (e) The grading of the overall heritage plaza is consistent throughout; and
 - (f) Any method of enclosure does not exacerbate the noise impact to adjoining development associated with surrounding roads or operation of the Sydney Water buildings on the site.
- (11) The habitable areas of residential development are to be oriented away from high traffic impact and potential land use conflicts, both horizontally and vertically.
- (12) Where required by Council, appropriate noise studies to quantify the potential impact associated with road traffic or other potential land use conflicts are to be undertaken to assist with the design, layout and form of new development.

5.9.4.6 Design and architectural diversity

- (1) Provide diversity and interest in the architectural character of the precinct. Buildings that are located adjacent to or opposite to one another are not to be of the same or similar design.
- (2) Large development sites which have multiple buildings or building cores are to be designed to provide individual character so that each core is recognisable from the street (including different architectural languages for elements such as building entrances, balconies and balustrades, awnings, planters, pergolas, boundary walls and fences.
- (3) Development adjacent to the heritage listed Pump House and Valve House is to include the use of traditional materials, preferably face brick in a mod brown colour, similar to those used in the now-demolished Central Workshops.
- (4) The articulation and design of the buildings fronting the new east-west street between Bourke Street (at Potter Street) and Young Street is to respond to the rhythm of the varied building setback and the achievement of carefully designed landscaping within this setback.

5.9.4.7 Public art

- (1) Public art is to be provided in accordance with the City's Public Art Policy, City Art Strategy and Interim Guidelines for Public Art in Private Developments as they apply from time to time.
- (2) To ensure a consistency of approach across the neighbourhood, all public art is have regard to *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*, and to any associated public domain concept plans.

Public Art Strategy – 903-921 Bourke Street, Waterloo

In addition to provisions (1) and (2) above, public art to be provided within the site at 903-921 Bourke Street, Waterloo is to be in accordance with the following site-specific Public Art Strategy.

- (3) Public art is to be provided within the site and the fabric of new buildings on the site which recognises and responds to:
 - (a) The traditional custodians of the land and their cultural practices;

- (b) The history of the site, including past natural environments, land uses and industry, with a particular celebration of the site's contemporary utility-based uses, the living function of the pumps, old building outlines and the raw, unfinished quality of the site;
 - (c) The site's ability to provide an accessible and inclusive common space for established and emerging communities;
 - (d) Opportunities to retain the unique and increasingly rare vast open spaces within the locality to provide areas of visual stillness and quiet contemplation;
 - (e) Opportunities for a sense of place to evolve through exploratory and experimental interplay between people, architecture, urban design, heritage and landscape over time and throughout development.
- (4) Opportunities for high quality public art to be integrated within the architectural and public domain design are to be identified for each stage of development and are to be included in the brief for each competitive design process on the site. In any design competition, submissions must respond to *Open Field Agency: Public Domain and Public Art Strategy for Danks Street South*.
 - (5) A Preliminary Public Art Plan is to be submitted and approved with any Stage 2 development application on the site in accordance with the City's Guideline for Public Art in Private Development.
 - (6) The approved Preliminary Public Art Plan is to inform a Detailed Public Art Plan which reflects the public art elements chosen for each development stage and/or designed through any associated competitive design process and which is to be submitted and approved by the City of Sydney Public Art Advisory Panel prior to the issue of a Construction Certificate for that relevant stage.

5.9.4.8 Development sites and building layout

- (1) The layout of buildings within the development sites is to be consistent with the following principles:
 - (a) The built form layout is generally consistent with that shown in Figure 5.251 Danks Street South Building Typology. Changes to this built form will only be considered where an improved public benefit and design excellence is demonstrated.
 - (b) Building forms and depths must respond to noise from busy roads and allow habitable spaces to be naturally ventilated whilst meeting internal noise criteria, where cross ventilation cannot be achieved in line with Apartment Design Guide criteria.
 - (c) Buildings face the street or heritage plaza to provide street address to apartments.
 - (d) Full height gaps are provided between buildings for solar access and visual connections between street and private open spaces, but not adjacent to busy roads to minimise noise intrusion within sites.
 - (e) Low angle views between buildings are maximised to allow orientation throughout the precinct and to reduce the effects of visual enclosure.
 - (f) All ground floor building entrances integrate with the shared cycleway on Bourke Street.
 - (g) Building entries are clearly demarcated for residents of buildings and pedestrians.
 - (h) Building entrances are not located adjacent to bus stops.

Figure 5.251 Danks Street South Building Typology



KEY

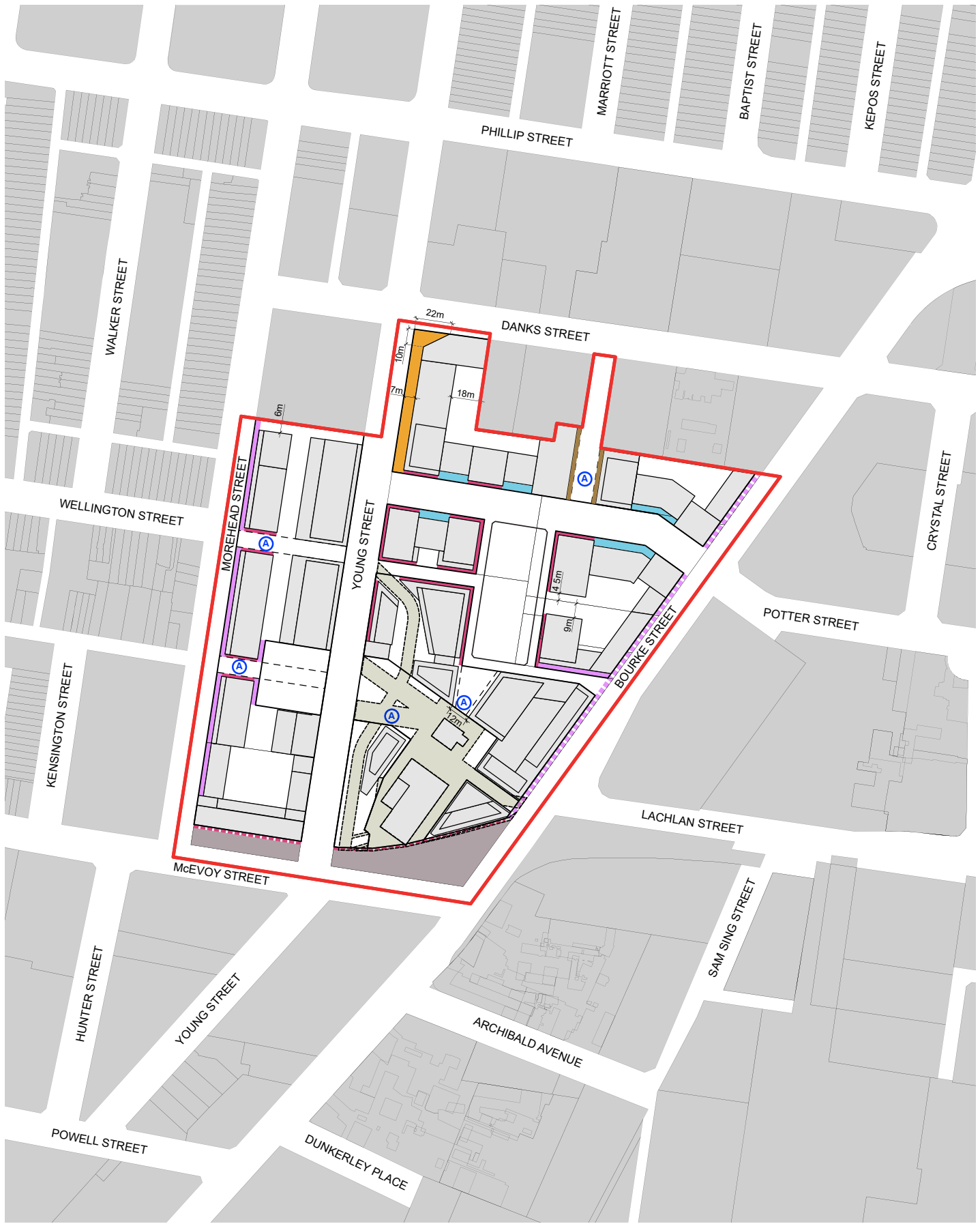
- PRECINCT BOUNDARY
- APARTMENT
- MAISONNETTES / DUPLEX

- GROUND FLOOR COMMERCIAL/RETAIL
USES WITH APARTMENTS ON TOP
- H HERITAGE BUILDINGS

- LARGE FLOORPLATES



Figure 5.252 Danks Street South Setback and Alignment



KEY

- PRECINCT BOUNDARY
- EASEMENTS (REFER TO PUBLIC DOMAIN + EASEMENTS PLAN)

- LANDSCAPE SETBACK**
- 2M LANDSCAPE SETBACK
 - 3M LANDSCAPE SETBACK
 - 4M LANDSCAPE SETBACK
 - 7M LANDSCAPE SETBACK

- BUILDING SETBACK**
- 2.5M BUILDING SETBACK
- FOOTPATH WIDENING**
- 2M FOOTPATH WIDENING
 - 3M FOOTPATH WIDENING

- ROAD WIDENING - ROAD AND MARITIME SERVICES**
- SYDNEY WATER EASEMENT**



5.9.4.9 Building alignment and setbacks

- (1) All levels above the street frontage height are to be setback a minimum of 3 metres from the primary building line in accordance with Figure 5.246 Danks Street South Street Frontage Height.
- (2) Ground floor apartments are to provide a minimum of 2 metre landscape setback clear to the sky for the full height of the building and/or in accordance with Figure 5.252 Danks Street South Setback and Alignment, whichever is the greater.
- (3) Ground and first floor residential street setbacks may be delineated by vertical fin walls to mark individual dwellings.
- (4) Side and rear building setbacks are to be provided in a manner that does not impede development on adjoining sites and maximises privacy.

5.9.4.10 Attics

- (1) All attic spaces are to have a maximum coverage of 50% of the floor below.
- (2) Lift and plant overrun is to be accommodated within the attic space.
- (3) Attics in apartments are to be setback a minimum of 3 metres from the edge of the floor below.

5.9.4.11 Fences

- (1) Fences at the front of a property are to:
 - (a) Be sufficiently transparent to enable some outlook from the front doors of ground level apartments to the street for safety and surveillance.
 - (b) Assist in highlighting entrances and in creating a sense of communal identity within the streetscape.
 - (c) Be designed and detailed to provide visual interest to the streetscape.
 - (d) Be a maximum of 1.4 metres high from footpath level.

5.9.4.12 Substations

- (1) Substations are to be integrated into the design of buildings and landscaped where appropriate, to minimise their visibility and intrusion in the public domain.

5.9.4.13 Contamination and remediation

Given the current and historic land uses within the precinct, there is a high likelihood of contamination in Danks Street South. Development applications for changes of use of existing buildings or construction of new buildings must be supported by information sufficient to allow Council to meet its obligations under State Environmental Planning Policy No.55, as it applies from time to time, to determine the suitability of land for redevelopment. In addition, the following clauses apply:

- (1) A contamination study and remediation strategy demonstrating that contaminants can be reduced to a level appropriate for the proposed land use(s) is to be submitted with any site specific DCP or a Stage 1 development application.
- (2) The use of long term Environmental Management Plans to secure an appropriate remediation outcome is generally unacceptable to Council. Remediation of the site to a suitable condition for the proposed use is to be achieved without reliance on a long term Environmental Management Plan.

5.9.4.14 Noise and ventilation

The Danks Street South Precinct is highly impacted by noise associated with surrounding busy roads, Sydney Water pumping infrastructure and a nearby active Hillsong Church campus. The provisions in this Section must be read in conjunction with the NSW Apartment Design Guide objectives on noise and ventilation.

- (1) Residential apartment buildings are to respond to both noise criteria in this DCP and natural ventilation criteria in the NSW Apartment Design Guide. Maximum noise levels, in a naturally ventilated state, must not exceed the following levels:
 - (a) LAeq 1 hour 35dB for bedrooms between 10pm and 7am;
 - (b) LAeq 40dB at any time for all other habitable space and;
 - (c) LAeq 1 hour 45dB at any time for all other habitable space in development in all other locations.
- (2) A noise study is required to be undertaken to establish the level of noise pollution affecting any residential development site in the Danks Street South precinct.
- (3) If the noise study indicates the likelihood of a noise issue, the impacts of external noise and pollution are in the first instance to be minimised, while achieving natural ventilation, through careful siting and layout of buildings. Where it is proposed to address noise and natural ventilation through the siting and layout of apartments, alternative approaches to the following design criteria of the NSW Apartment Design Guide are permitted for noise-affected apartments:
 - (a) Solar and daylight access
 - (b) Private open space and balconies
 - (c) Natural cross ventilation
- (4) Acoustic attenuated natural ventilation devices may be used where siting and layout cannot mitigate noise.
- (5) Noise mitigation measures in the operational Sydney Water buildings are to be completed prior to the occupation of any surrounding buildings. These can include, but are not limited to, upgrades to roof cladding, glazing, facades and doors. Any mitigation measures are not to detract from the heritage significance of the building.

5.9.4.15 Wind testing

- (1) Development is to provide wind tunnel testing that demonstrates that all streets comply with the following wind standards:
 - (a) Wind Safety Standard, being an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.
 - (b) Wind Comfort Standard for Walking, being an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.
- (2) Development is to provide wind tunnel testing that demonstrates that all non-active use areas of public open spaces comply with the following wind standard:
 - (a) Wind Comfort Standard for Sitting in Parks, being an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of 4 metres per second.
- (3) Development is to provide wind tunnel testing that demonstrates that all active use areas of public open spaces comply with the Wind Comfort Standard for Walking (as defined in provision 1(b) above).

5.9.5 Heritage

There are four heritage listed buildings within Danks Street South. These are an electricity sub-station (still operational), two operational buildings housing key infrastructure owned by Sydney Water (the Valve House and Pump House) and 198-222 Young Street. These provisions apply to these heritage items and development within the vicinity of these items.

Depending on the degree of subsurface and historical disturbance, there is potential for Aboriginal or historical archaeology in the precinct. Development proposals will need to undertake further detailed archaeological assessments of their own sites and, if required, ensure monitoring during construction to ensure that there is no impact upon archaeology.

The following provisions should be read in conjunction with the provisions in Section 3.9 Heritage.

Objectives

- (a) Ensure development is undertaken in accordance with the principles of the Burra Charter (ICOMOS Australia) and appreciates the Conservation Management of this precinct.
- (b) Ensure development maintains the heritage significance of the individual buildings and the group of buildings as a whole.
- (c) Ensure development in the vicinity of the heritage items is designed and sited to minimise impact on the heritage significance of the item and its setting.
- (d) Ensure the indigenous and European cultural heritage is conserved and development impact is minimised.
- (e) Ensure development is appropriately designed to protect and manage the potential archaeological resources.

Provisions

- (1) Development affecting a heritage item is to retain an appropriate setting to allow for the continued appreciation, prominence and integrity of the item including the following minimum setbacks:
 - (a) 3 metre setback around the Sydney Water Pump House.
 - (b) 3 metre setback around the Sydney Water Valve House.
- (2) Development affecting a heritage item is to achieve the following:
 - (a) Minimise the extent of exterior alterations.
 - (b) Use traditional techniques and materials, unless contemporary techniques and materials result in a better conservation outcome.
 - (c) Provide interpretation of each building including their significance, history and ongoing use.
 - (d) Where required to be adapted, to meet contemporary needs or safety standards, alterations should be reversible and minimal, where possible.
- (3) Where practicable, development should enhance the heritage items by:
 - (a) Removing unsympathetic additions, alterations, particularly the area facing the heritage plaza and central park.
 - (b) Face-brick and sandstone not to be rendered, painted or otherwise coated.

- (c) Noise mitigation measures in the Sydney Water buildings to be completed prior to the occupation of any surrounding buildings. Mitigation measures to not detract from the heritage significance of the building.
- (d) Provide interpretation of each building including their significance, history and ongoing use.
- (4) Development proposals across the precinct are to undertake detailed Aboriginal and historical archaeological assessments regarding their site prior to detailed design development.
- (5) Any new interventions are to be carefully designed so as to avoid any disturbance of potential archaeological items located within these areas.
- (6) In the event of any disturbance to the site having to take place, a suitable heritage consultant or archaeologist is to be engaged to assess, record and monitor the works. Archaeologists are to meet the current Heritage Council requirements for an Excavation Director and obtain appropriate approvals, exemptions to or excavation permits required under Section 57(1) or sections 139-146 of the Heritage Act 1977 prior to any excavation of areas of identified archaeological potential.
- (7) Any archaeological evidence uncovered on the site is to be retained in situ wherever possible, so long as it will not be damaged by any works on site.
- (8) Any archaeological finds retained in situ are to be appropriately catalogued for future reference.

5.9.6 Staging and implementation

It is envisaged that development in Danks Street South will be delivered in stages, progressively implemented as each property is redeveloped.

Objectives

- (a) Ensure the redevelopment of Danks Street South is coordinated in an orderly manner to ensure the activities on adjacent sites and amenity of residential neighbours are not adversely impacted on.
- (b) Secure high quality, legible and useful public domain at the earliest opportunity, in particular the shared zone between Morehead Street and Young Street, the through-site link across the heritage plaza and the 3 metre setback on Bourke Street.
- (c) Provide 24 hour access for Sydney Water maintenance vehicles on the site at 903-921 Bourke Street.
- (d) Ensure the heritage plaza can accommodate all users appropriately.
- (e) Ensure that as far as practicable, the development of sites can occur independently, without reliance on infrastructure from adjacent sites.
- (f) Provide vehicular access during the construction phase of sites.
- (g) Address stormwater management upon the outset of construction works, to ensure adjacent areas are not adversely affected.

Provisions

- (1) A staging plan is to be submitted to Council with a staged development application.
- (2) All sites are to have a public road frontage and be accessible via a public street or shared zone.
- (3) Development is to ensure any necessary flood / stormwater management solutions or required decontamination / remediation works are co-ordinated appropriately across each stage of development.

- (4) An interim alternative street block layout or built form layout may be considered on a site by the Consent Authority to allow for staged redevelopment and/or retention and refurbishment of existing industrial/commercial buildings, provided that:
 - (a) the development secures at least some elements of the required public domain infrastructure for that site as identified in Figure 5.237 Danks Street South Dedications; and
 - (b) any area of proposed development which impedes the achievement of the public domain infrastructure required for the precinct in Figure 5.237 Danks Street South Dedications be of a temporary nature and be conditioned as such; and
 - (c) a strategy outlining a likely development staging plan and delivery sequence for the remaining public domain infrastructure required in Figure 5.237 Danks Street South Dedications be submitted to accompany the development application.
- (5) Access to the Sydney Water buildings is to be maintained for Sydney Water and Ausgrid maintenance vehicles, as well as emergency vehicle, throughout all construction phases.
- (6) Appropriate acoustic treatments and noise mitigation measures to operational Sydney Water buildings are to be completed prior to the occupation of any surrounding buildings.
- (7) A Plan of Management detailing arrangements for essential vehicular access, private use and public accessibility in the southern half of the heritage plaza area surrounding the heritage listed Pump House is to be submitted and approved as part of any Stage 2 development application associated with the land.

5.10

Botany Road Precinct

This section applies to the land identified as Botany Road Precinct (the Precinct) in Figure 5.1 Specific Areas map. It should be read in conjunction with:

- other requirements of this DCP; and
- the locality statement and principles in section 2.13.13 Botany Road Precinct.

Where land is also located in the Precinct, as well as in Green Square (and therefore subject to section 5.2), both sections of the DCP apply. Where there is an inconsistency between section 5.2 and this section, this section applies to the extent of the inconsistency.

5.10.1 General

Objectives

- (a) Provide a cohesive urban strategy for future development within the Precinct.

Provisions

- (1) Development is to be in accordance with the locality statement at section 2.13.13 and supporting principles for the Botany Road Precinct.
- (2) Development is to be in accordance with Figure 5.253 Botany Road Precinct Urban Strategy.

5.10.2 Land use

The Precinct is an area in transition and will evolve into a vibrant commercial precinct, supporting a diverse range of businesses and employment generating land uses. Housing, including affordable housing, is supported where it can provide amenity for residents, does not impede delivery of employment floorspace on adjoining lots or disrupt the continuous commercial environment at ground level.

5.10.2.1 Land-use diversity

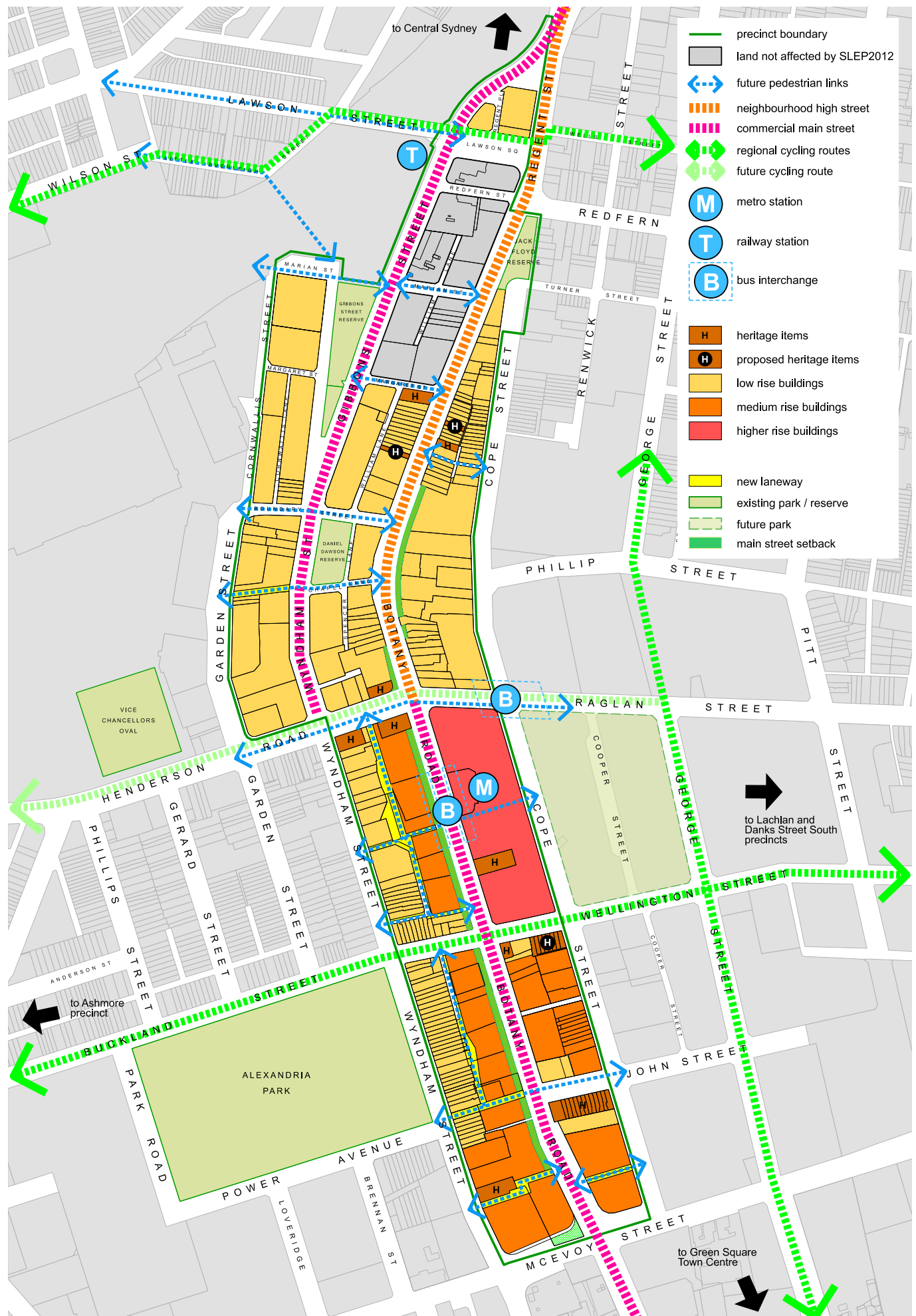
Objectives

- (a) Maintain and reinforce the primacy of commercial and business uses in the Precinct.
- (b) Facilitate diversity in the land-use mix.
- (c) Retain and enhance the presence and visibility of Aboriginal and Torres Strait Islander peoples, businesses and organisations.

Provisions

- (1) A diverse range of commercial and business land uses are encouraged within the Precinct.
- (2) Development comprising residential uses is permitted where it does not undermine the employment generating function of the Precinct.
- (3) Entertainment uses are encouraged to locate on Botany Road and Gibbons Street.
- (4) Development on sites with services, businesses or dwellings that are important to Aboriginal and Torres Strait Islander communities is encouraged to enable those to remain within the Precinct during and after construction.

Figure 5.253 Botany Road Precinct Urban Strategy



5.10.2.2 Mixed-use development

Objectives

- (a) Facilitate the delivery of housing so it is complementary to a range of non-residential uses.
- (b) Ensure development comprising residential uses does not impact on the ability of adjoining sites to develop for a range of employment generating uses.
- (c) Ensure sensitive uses, including residential uses, are protected from noise and/or air quality impacts from major road corridors and surrounding employment and entertainment uses.

Provisions

5.10.2.2.1 General

- (1) Development comprising residential uses must mitigate noise and pollution impacts of major roads.
- (2) Habitable rooms in apartments are to be naturally ventilated.
- (3) In meeting the requirements of section 4.2.5.3 'Development on busy roads and active frontages' development must consider possible future changes to the road network, including the potential reintroduction of two-way traffic on Gibbons Street and Regent Street.
- (4) Any noise and air quality assessment must consider the displacement of traffic that may result from the conversion of Regent Street to a two-way single lane of traffic in each direction.
- (5) For development on Botany Road and Regent Street, noise impact assessments must take into consideration possible future non-residential land uses, including entertainment uses, on the ground and first floor and on adjoining lots.
- (6) For residential development on Botany Road, Wyndham Street, Cope Street, Gibbons Street or Regent Street, dwellings are to receive solar and daylight access from the primary street frontage and not from a laneway, side, rear or interior facing facade.

5.10.2.2.2 Affordable housing

Definitions

Affordable housing has the same meaning as the Environmental Planning and Assessment Act 1979.

Aboriginal and Torres Strait Islander housing is housing occupied by Aboriginal or Torres Strait Islander peoples.

Culturally appropriate housing is housing that is designed in consultation with the occupier/s so that it is suited to their specific needs.

Objectives

- (a) Ensure affordable housing is provided in accordance with the principles of the City of Sydney Affordable Housing Program.
- (b) Ensure affordable housing meets the needs of the local community.

Provisions

- (1) 10 per cent or more of the total number of dwellings in affordable housing developments is to be provided for Aboriginal and Torres Strait Islander housing.

- (2) Aboriginal and Torres Strait Islander housing is to be culturally appropriate housing.
- (3) Affordable housing must be provided in accordance with the City of Sydney Affordable Housing Program adopted by Council on 24 August 2020.

5.10.2.3 Ground and first floor uses, active frontages and awnings

This section is to be read in conjunction with the provisions in section 3.2.3 Active frontages and section 2.3.4 Awnings of this DCP.

Objectives

- (a) Ensure street frontages are active and create interest at the street level.
- (b) Ensure the needs of workers are met with supporting retail, services and food and drink premises.
- (c) Facilitate safe and comfortable pedestrian environments, including protection from direct sun, rain and wind, and passive surveillance.

Provisions

- (1) Ground floor and first floor uses are to be in accordance with Figure 5.254 Ground Floor Uses.
- (2) Ground floor uses fronting Botany Road and Regent Street are to provide windows and entrances to provide passive surveillance of the public domain and indirect lighting at night time.
- (3) Large signs and other elements at ground level that block views into ground floor tenancies must not occupy more than 15% of any glazed areas.
- (4) Sites identified in the *Active street frontages map* must give consideration to managing flooding and stormwater impacts while maintaining an active frontage with minimal setbacks and direct street access.
- (5) Continuous awnings are to be provided in accordance with the *Footpath, awnings and colonnades map*.

5.10.2.4 Managing change

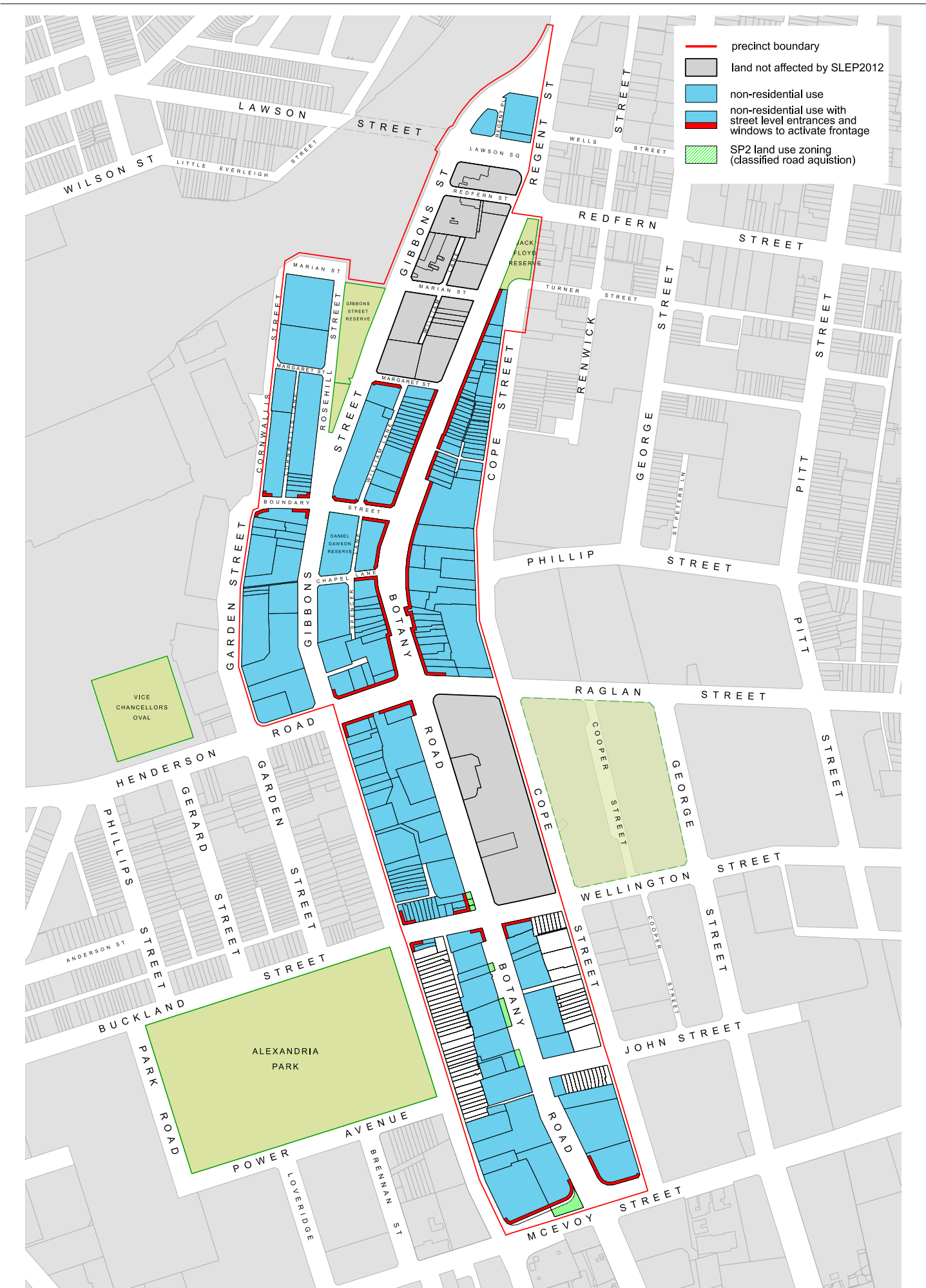
Objectives

- (a) Ensure existing built form and land uses do not unreasonably constrain growth and change in the Precinct.
- (b) Ensure development comprising residential uses does not constrain non-residential development potential.

Provisions

- (1) Section 4.2.9 'Non-residential development in the B4 Mixed Uses zone' does not apply to development in the Precinct.
- (2) Any development comprising residential uses is not to impact on the potential of adjoining sites to be developed for a non-residential purpose.
- (3) Amenity requirements for visual privacy, solar and daylight access and natural ventilation for development comprising residential uses must be satisfied within the development site, without requiring building separation or design restrictions on future development on adjoining sites.
- (4) Any development comprising residential uses cannot rely on an existing or future form of development on adjoining sites that is not consistent with the development outcomes of this DCP to achieve amenity outcomes.
- (5) Amenity impacts that may arise from non-residential development on existing or possible future residential development, such as loss of daylight or sunlight access, acoustic privacy or visual privacy, are to be considered in the context of the locality statement and objectives for the Precinct.

Figure 5.254 Ground Floor Uses



5.10.3 Movement and local infrastructure

Objectives

- (a) Interpret the pre-colonial function of Botany Road as a key walking track.
- (b) Create a walkable and pedestrian friendly street network to improve connectivity between sites within the Precinct and with nearby centres, residential areas, other employment zones and open space.
- (c) Deliver a continuous laneway network to facilitate rear building servicing and vehicle access.
- (d) Prevent driveways and car park entries on main roads.
- (e) Increase visibility of, and access to, key public transport nodes.
- (f) Encourage sustainable transport modes over private car usage.
- (g) Increase permeability of large street blocks and reduce walking distances to key destinations.
- (h) Deliver canopy cover and greening within road corridors and reservations.
- (i) Extend and improve connections to the regional cycling network.

Provisions

5.10.3.1 Laneway network

- (1) Where required by Council, laneways are to be provided in accordance with the *Streets and lanes map*.
- (2) Where possible, laneways are to be designed to facilitate movement of medium rigid vehicles to enable loading and servicing of buildings.
- (3) Laneways that do not have footpaths are to be designed as shared zones to ensure pedestrian safety.
- (4) Where new laneways enable rear access to existing developments with vehicle access points from a primary street, conversion to laneway access is encouraged.

5.10.3.2 Vehicle access and car parking

This section is to be read in conjunction with section 3.11.11 of this DCP.

- (1) Driveways and vehicle access points are not to be provided where shown on the *Pedestrian priority map*.
- (2) Temporary vehicle access arrangements may be provided if a laneway identified in the *Streets and lanes map* will not provide access at the time of development completion.
- (3) Any temporary car park and/or service vehicle area must be designed to be capable of future conversion to vehicle access via the planned laneway, and for permanent closure of the temporary access arrangement.
- (4) The area used for temporary vehicle access arrangements must be capable of conversion to another use.
- (5) At grade off-street car parking is not permitted within the Precinct.
- (6) Development on a laneway must provide driveways, vehicle access, loading and servicing from the laneway.

5.10.3.3 Streets

- (1) Street cross sections are to be generally in accordance with figures 5.255 to 5.263.

Figure 5.255
Street Cross
Section - Regent
Street

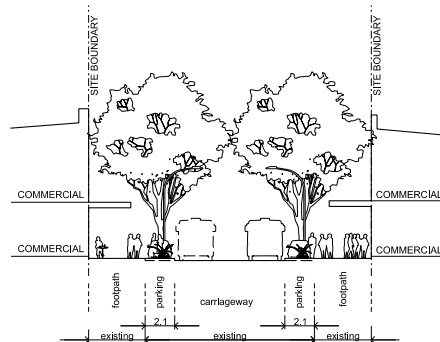


Figure 5.256
Street Cross
Section - Botany
Road (North)

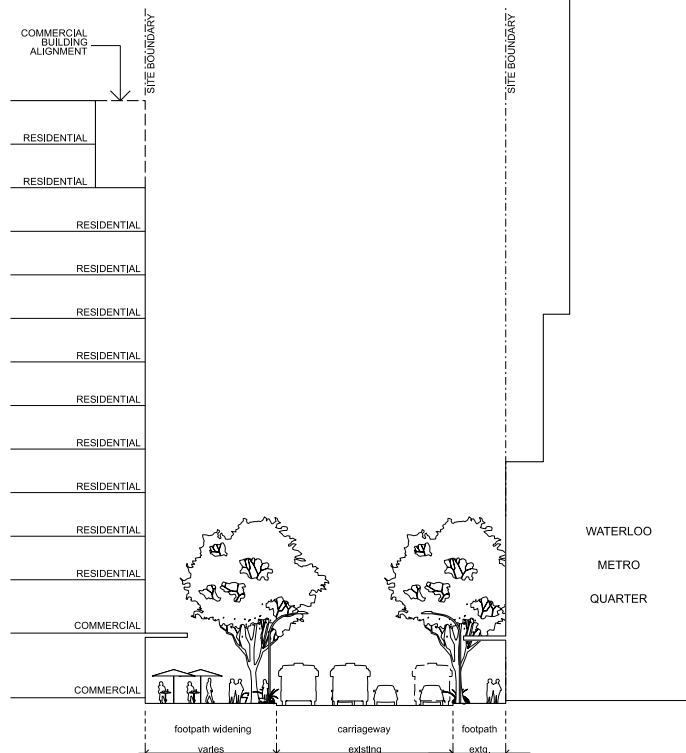


Figure 5.257
Street Cross
Section - Botany
Road (Mid)

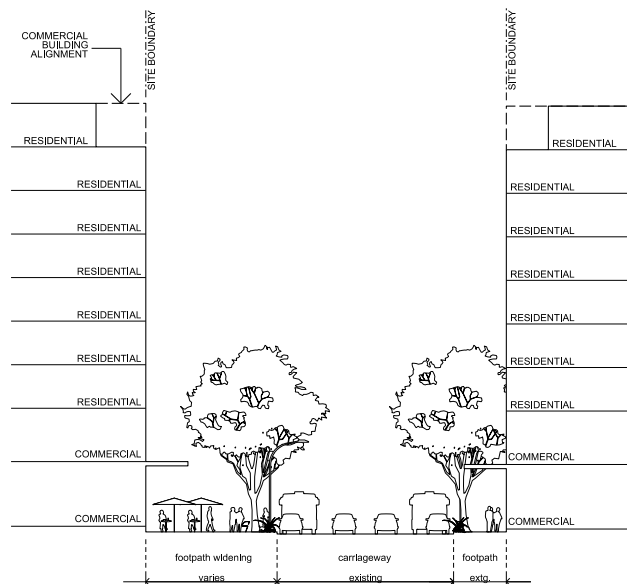


Figure 5.258
Street Cross
Section - Botany
Road (South)

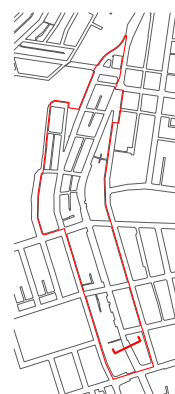
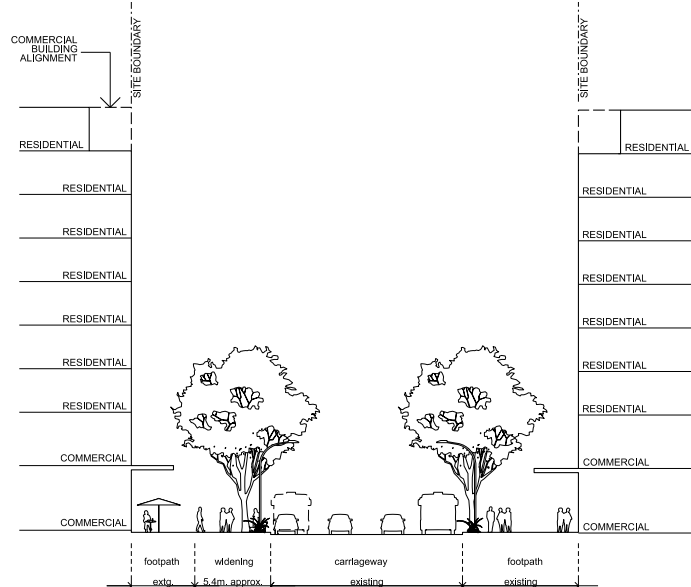


Figure 5.259
Street Cross
Section -
Wyndham Street
(North)

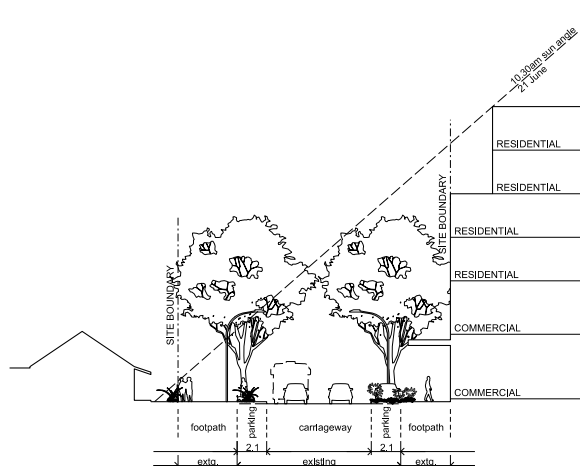


Figure 5.260
Street Cross
Section -
Wyndham Street
(South)



Figure 5.261
Street Cross
Section - Cope
Street

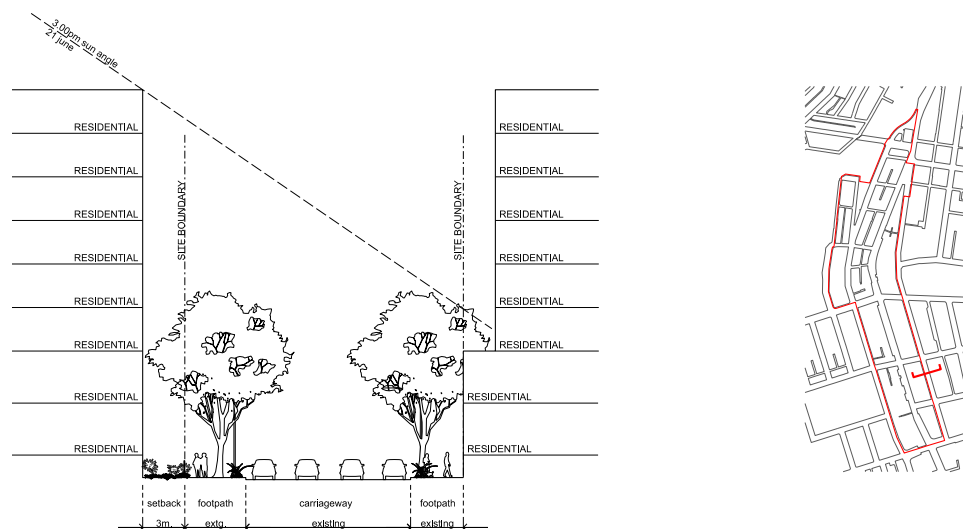


Figure 5.262
Street Cross
Section - Regent
Street Additions
(Pitched roofs)

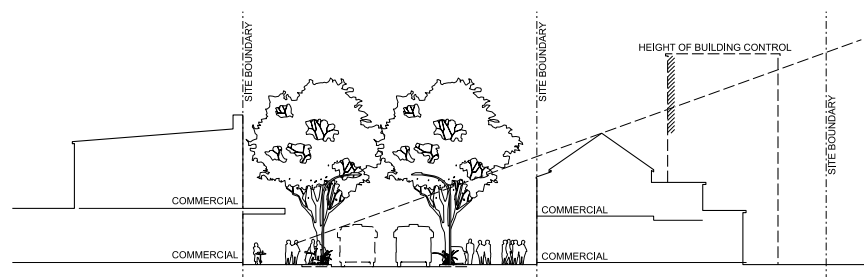
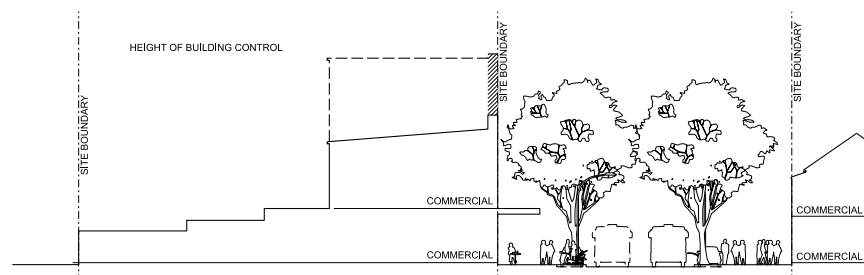


Figure 5.263
Street Cross
Section - Regent
Street Additions
(Parapets)



5.10.3.4 Design and use of SP2 zoned land

- (1) Development is generally not permitted on land that is identified for acquisition in the Sydney LEP 2012.
- (2) Public domain works within SP2 zoned land is to underground utilities within the reservation as agreed with the consent authority and in a manner that facilitates tree planting and growth.

5.10.4 Building layout, form and design

5.10.4.1 Building heights

Objectives

- (a) Incentivise provision of employment floorspace and affordable housing in well located areas.
- (b) Ensure a high level of amenity at street level, enabling sunlight access to streets and a comfortable and safe wind environment.
- (c) Facilitate change and diversity in business activities through provision of flexible and adaptable spaces.
- (d) Ensure existing parks and open space are protected from excessive overshadowing from new development.
- (e) Provide landmark buildings on highly visible sites.

Provisions

- (1) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, maximum height in storeys are to be in accordance with the *Building height in storeys map*.
- (2) On Botany Road Precinct Opportunity Lands, where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012:
 - (a) where development comprises residential uses, maximum height in storeys are to be in accordance with Figure 5.264 Height in Storeys - Residential (Affordable Housing); or
 - (b) where development comprises no residential uses, maximum height in storeys are to be in accordance with Figure 5.265 Height in Storeys - Non-residential.
- (3) Notwithstanding clause (1) and (2), development is to minimise overshadowing to parks and other identified open space in Figure 5.253 Botany Road Precinct Urban Strategy between 10 am and 2pm at the winter solstice.
- (4) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, development is to provide minimum floor-to-floor heights of:
 - (a) Ground floor and first floor: 3.7 metres
 - (b) Second floor and above: 3.1 metres
- (5) Where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012, development is to provide minimum floor-to-floor heights of:
 - (a) Ground floor: 4.6 metres
 - (b) First floor: 3.8 metres
 - (c) Second floor and above (non-residential uses): 3.6 metres
 - (d) Second floor and above (residential uses): 3.1 metres.

Figure 5.264 Height in Storeys where incentive heights are utilised - Residential (Affordable Housing)

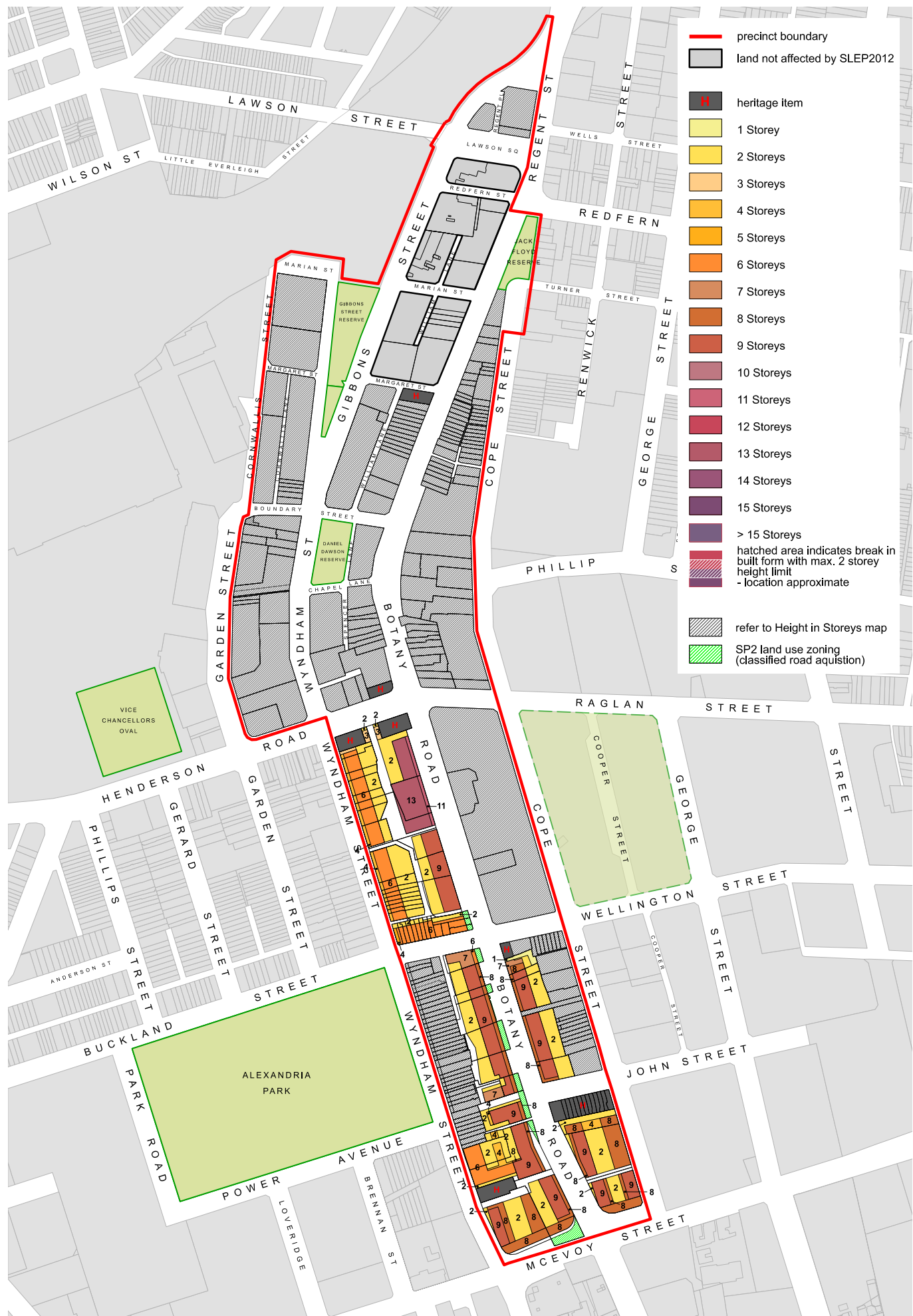
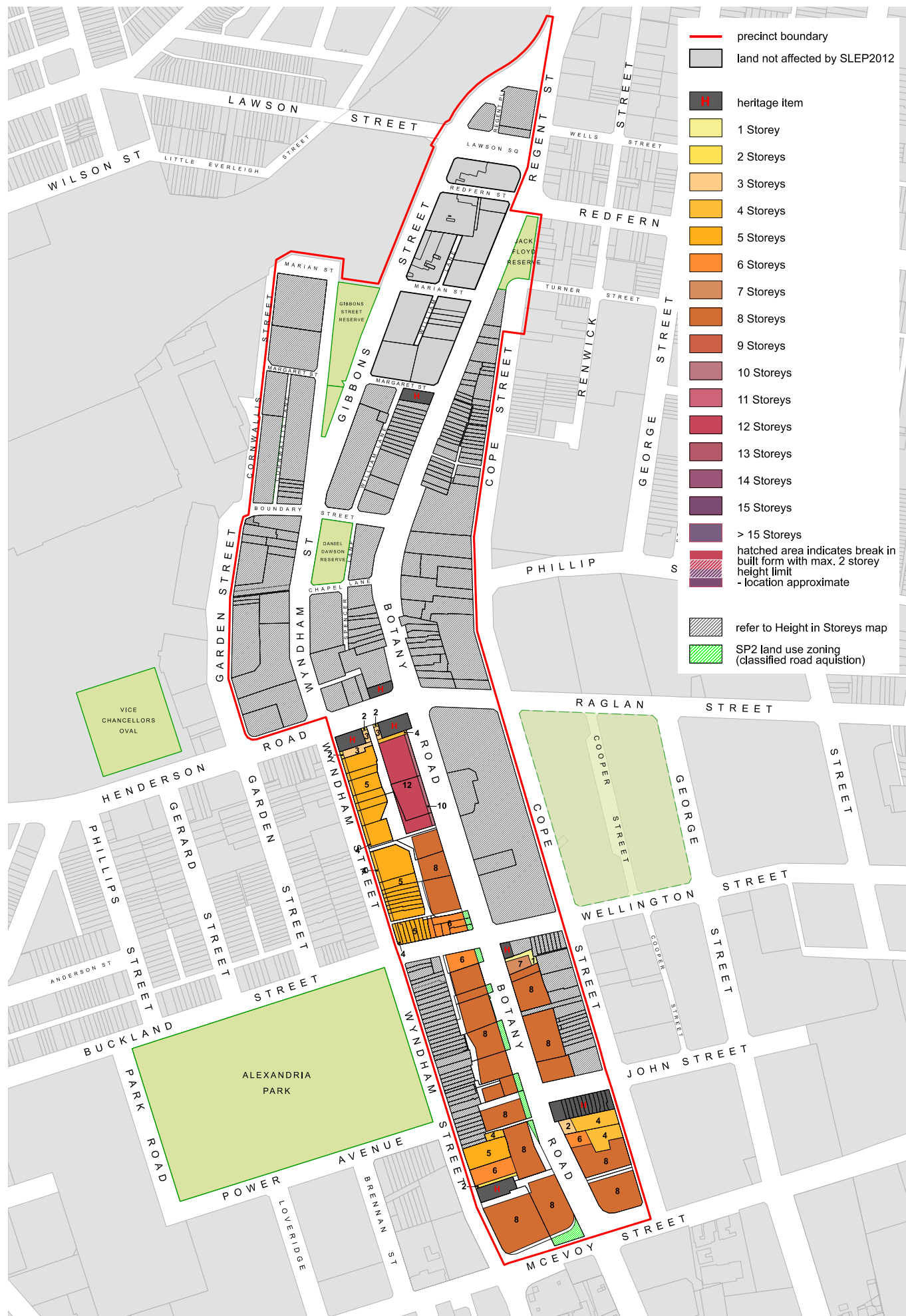


Figure 5.265 Height in Storeys where incentive heights are utilised - Non-residential



5.10.4.2 Building alignment and setbacks

Objectives

- (a) Establish appropriate street wall heights and horizontal articulation.
- (b) Ensure setbacks are provided to transition to nearby heritage items and heritage conservation areas.

Provisions

- (1) Primary setbacks are to be provided in accordance with the *Building Setback and Alignment map* and the *Public domain setbacks map*.
- (2) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012, upper level setbacks are to be in accordance with the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map*.
- (3) On Botany Road Precinct Opportunity Lands, where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012:
 - (a) where development comprises residential uses, upper level setbacks are to be in accordance with Figure 5.267; or
 - (b) where development comprises non residential uses, upper level setbacks are to be in accordance with Figure 5.268.
- (4) Where upper level setbacks are not identified in (2) or (3), buildings are to present a consistent street wall, with no upper level setback to the street frontage.
- (5) Sun shading devices to glazing on walls at the street alignment are permitted to project up to 0.6 metres beyond the building line subject to any required approval under the Roads Act 1997.

5.10.4.3 Materiality and design

Objectives

- (a) Retain and enhance the low scale, fine and medium-grain main street character of Regent Street.
- (b) Ensure the materiality and design of new development contributes to the Precinct being an attractive employment area.
- (c) Ensure heritage items and surrounding heritage context is respected and protected.
- (d) Maximise the use of ecologically sustainable building materials in new development.

Provisions

- (1) Facades facing Regent Street are to be sympathetic to the materiality and diversity of design shown in properties covered by the Redfern Estate Heritage Conservation Area, including face or rendered brick in a variety of matching or complementary colours.
- (2) Where development is not facing Regent Street, facades are to be of face brick for at least 70 per cent of the first four floors. Face brick is to include brick detailing and articulation with a depth of at least 350mm.
- (3) Notwithstanding provision (2) above, structural timber framed buildings (with more than 50% of the structure as timber) are encouraged. Where structural timber framed buildings are provided, a glass curtain wall facade system may be employed.
- (4) The use of coloured panels or cladding to achieve visual interest is not permitted.
- (5) Buildings exceeding 45 metres continuous frontage are to employ different architectural expressions.

Figure 5.267 Upper Level Setbacks where incentive heights are utilised - Residential (Affordable Housing)

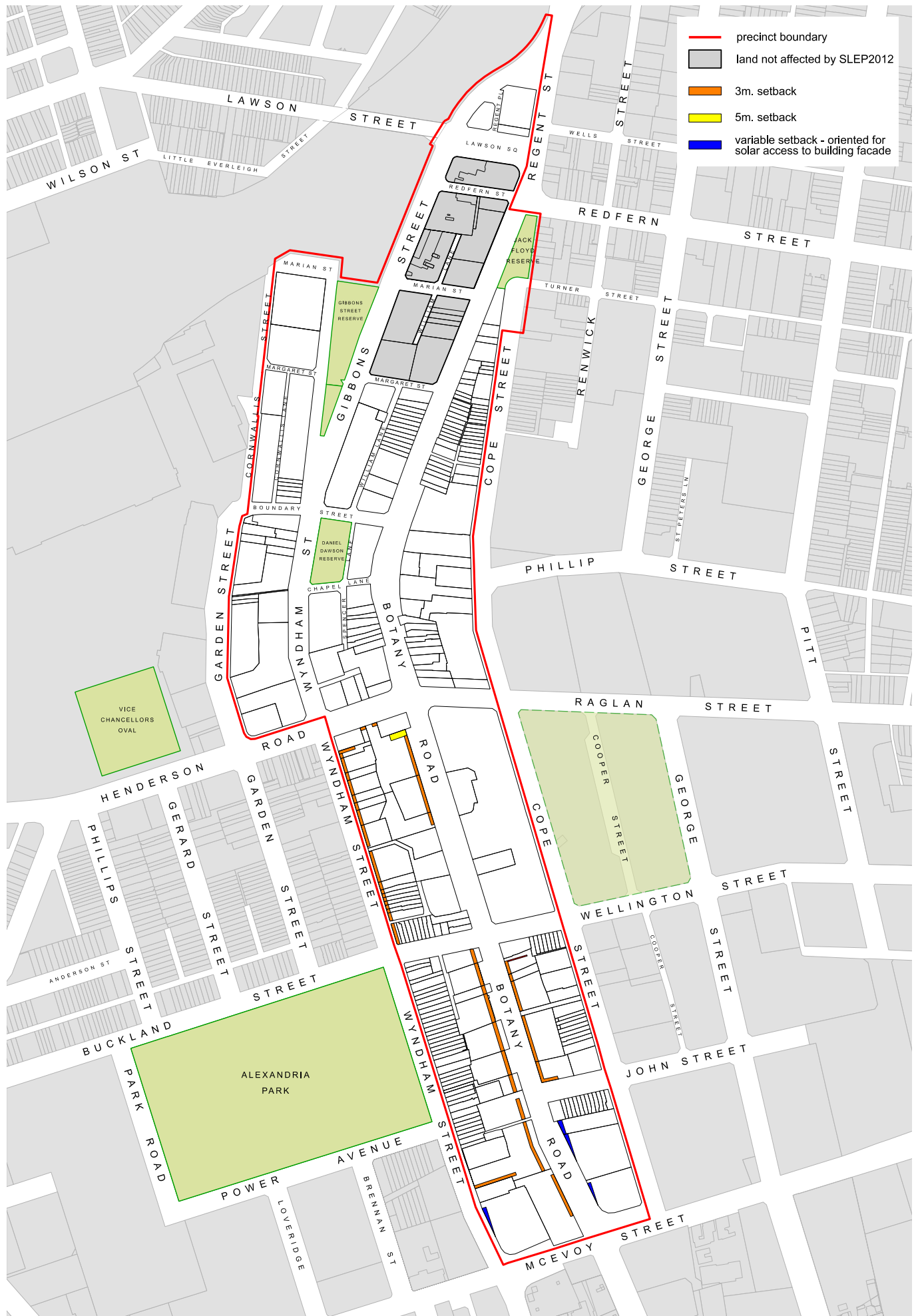
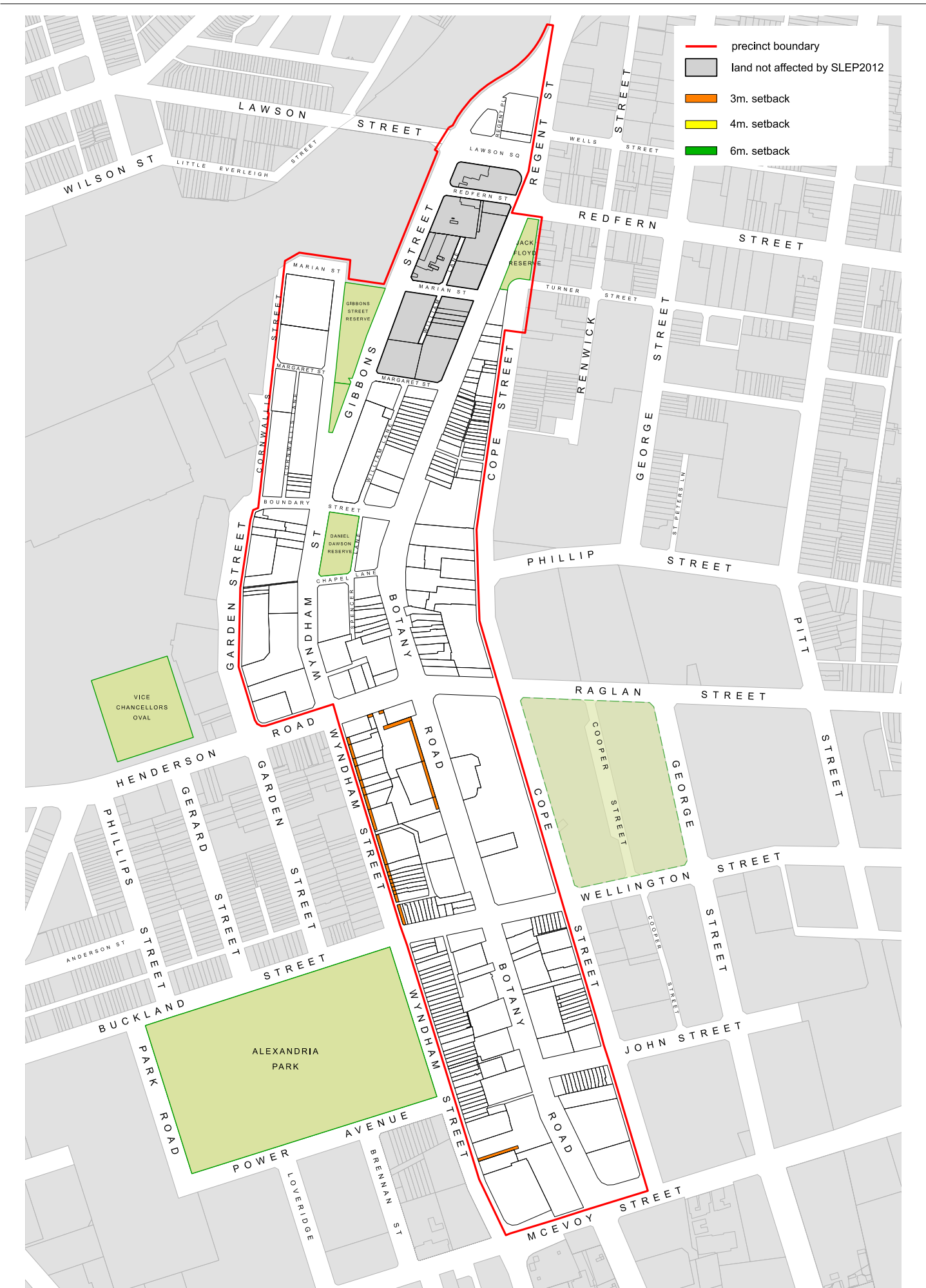


Figure 5.268 Upper Level Setbacks where incentive heights are utilised - Non-residential



5.10.4.4 On-structure plantings

Objectives

- (a) Deliver increased green coverage in excess of that achievable with trees and ground level landscaping alone.
- (b) Improve thermal performance of buildings through passive cooling.
- (c) Ensure development supports biodiversity.
- (d) Ameliorate pollution impacts of main roads.

Provisions

- (1) All non-residential development in the Precinct is to provide green roofs, as defined in schedule 9 of this DCP.
- (2) Where green roofs accessible, they are encouraged to feature local endemic indigenous plant species, including edible species.
- (3) On-structure plantings cannot be relied upon to ameliorate predicted built form-induced wind impacts.

5.10.4.5 Public art

Objectives

- (a) Encourage public art on key sites to promote a sense of place and a distinct cohesive identity for the Precinct.
- (b) Promote the visibility of local Aboriginal and Torres Strait Islander community through public art.

Provisions

- (1) Any inactive walls, service cupboards and the like on ground level secondary and rear frontages should be designed to attract and showcase informal public art.
- (2) Corner sites, particularly those on major intersections, are encouraged to incorporate formal public art commissions by Aboriginal and Torres Strait Islander artists.
- (3) Development with a capital investment value exceeding \$10 million is to provide a detailed public art plan upon submission of a stage 2 DA, consistent with the City of Sydney Guidelines for Public Art in Private Development, and prepared by, or in consultation with, First Nations artists.

5.10.4.6 Visual and Acoustic Privacy

Objective

- (a) Ensure a high level of amenity by protecting the visual and acoustic privacy of dwellings and private open spaces through design and layout of development.

Provision

- (1) Development is to use building orientation, design and layout to manage visual and acoustic privacy to ensure adequate access to daylight and natural ventilation.

5.10.4.7 Energy and water efficiency

Provisions

- (1) On Botany Road Precinct Opportunity Lands, where development utilises incentive building heights available under clause 6.60B of Sydney LEP 2012, any BASIX affected development must exceed the BASIX commitments for water and energy by not less than 10 points for energy and 5 points for water.
- (2) Where a recycled water network is available, development is to be dual reticulated.

5.10.5 Connecting with Country

Note: Indigenous Cultural and Intellectual Property (ICIP) means the rights that Indigenous people have, and want to have, to protect their traditional arts and culture. ICIP includes but is not limited to the following rights:

- right to protect traditional knowledge and sacred cultural material;
- right to ensure that traditional laws and customary obligations are respected;
- right to be paid for use of ICIP;
- right to full and proper attribution or naming of the community connected with the ICIP;
- right to prevent insulting, offensive and misleading uses of ICIP in all media; and
- right to control the recording of cultural customs and expressions, and language which may be essential to cultural identity, knowledge, skill, teaching about Indigenous culture.

More information about ICIP is available from the Arts Law Centre of Australia website.

Objectives

- (a) Ensure local Aboriginal and Torres Strait Islander communities are consulted about major development in the Precinct.
- (b) Provide opportunities for collaboration and co-leadership with Aboriginal and Torres Strait Islander peoples in major development.
- (c) Maintain and enhance the social, cultural and economic presence of Aboriginal and Torres Strait Islander peoples, organisations and businesses in the area.
- (d) Maximise opportunities for acknowledging and continuing the social and cultural significance of “Aboriginal Redfern”.
- (e) Ensure development maintains and contributes to the Precinct having a place of belonging and pride for Aboriginal and Torres Strait Islander peoples.

5.10.5.1 All development

- (1) Development is to consider Indigenous inclusion, comfort and access in the design and operation of publicly accessible areas, including building forecourts, through-site links, retail spaces and hospitality venues.
- (2) Development is encouraged to consider opportunities for acknowledging and celebrating Aboriginal and Torres Strait Islander living cultures through art, performance, architecture, landscaping and other creative expression involving the engagement of suitably qualified Indigenous practitioners and respect for ICIP.
- (3) Development is to identify potential impacts, such as displacement, on Aboriginal and Torres Strait Islander people and organisations.
- (4) Where impacts are identified, development is encouraged to consult with the affected community with an aim to ameliorating or reducing impacts.

5.10.5.2 Major development

Major development and delivery of public domain in the Precinct is subject to Connecting with Country considerations and requirements.

Note: Major development means development defined as major development in Part 4 of the *City of Sydney Act 1988*.

- (1) Major development is to express acknowledgement of the Gadigal people as the Traditional Owners and custodians of the area through the design of built form and public domain.
- (2) Major development is to consider opportunities to revive and enliven pre-development landscapes and traditional uses of Country (including waterways and native vegetation) through design of built form, landscaping, public art and public domain, drawing on knowledge of Country held by local Aboriginal knowledge holders.
- (3) Major development is to contribute to strengthening the sense of Aboriginal and Torres Strait Islander community in the Precinct, and where possible create spaces for the community to meet and connect.
- (4) For major development, targeted consultation with the Aboriginal and Torres Strait Islander community is required to seek community views:
 - (a) on whether the proposed development impacts on existing or recent spaces or activities on the site, or on surrounding properties, that are important for Aboriginal and Torres Strait Islander communities;
 - (b) on whether consider the proposed development impacts on the wider context of the Precinct being a place of belonging and pride for Aboriginal and Torres Strait Islander people; and
 - (c) on how the development may best maximise the presence, visibility and celebration of Aboriginal and Torres Strait Islander peoples, organisations, businesses and living cultures.
- (5) Consultation is required with all relevant groups that may be affected by the development.
- (6) Consultation activities are to be designed and led by Indigenous-owned consultation advisories or by organisations with Indigenous consultation experience.
- (7) Development applications for major development are to include an Aboriginal and Torres Strait Islander consultation report, detailing pre-lodgement consultation activities, the outcomes of consultation, and measures to address issues and concerns raised in consultation. Any ICIP is to be respected and acknowledged in the report.
- (8) Development is to implement the recommendations of the report where they:
 - (a) have evidence of broad support from those consulted;
 - (b) are within the capacity of the development to deliver; and
 - (c) are commensurate with the scale of the development.

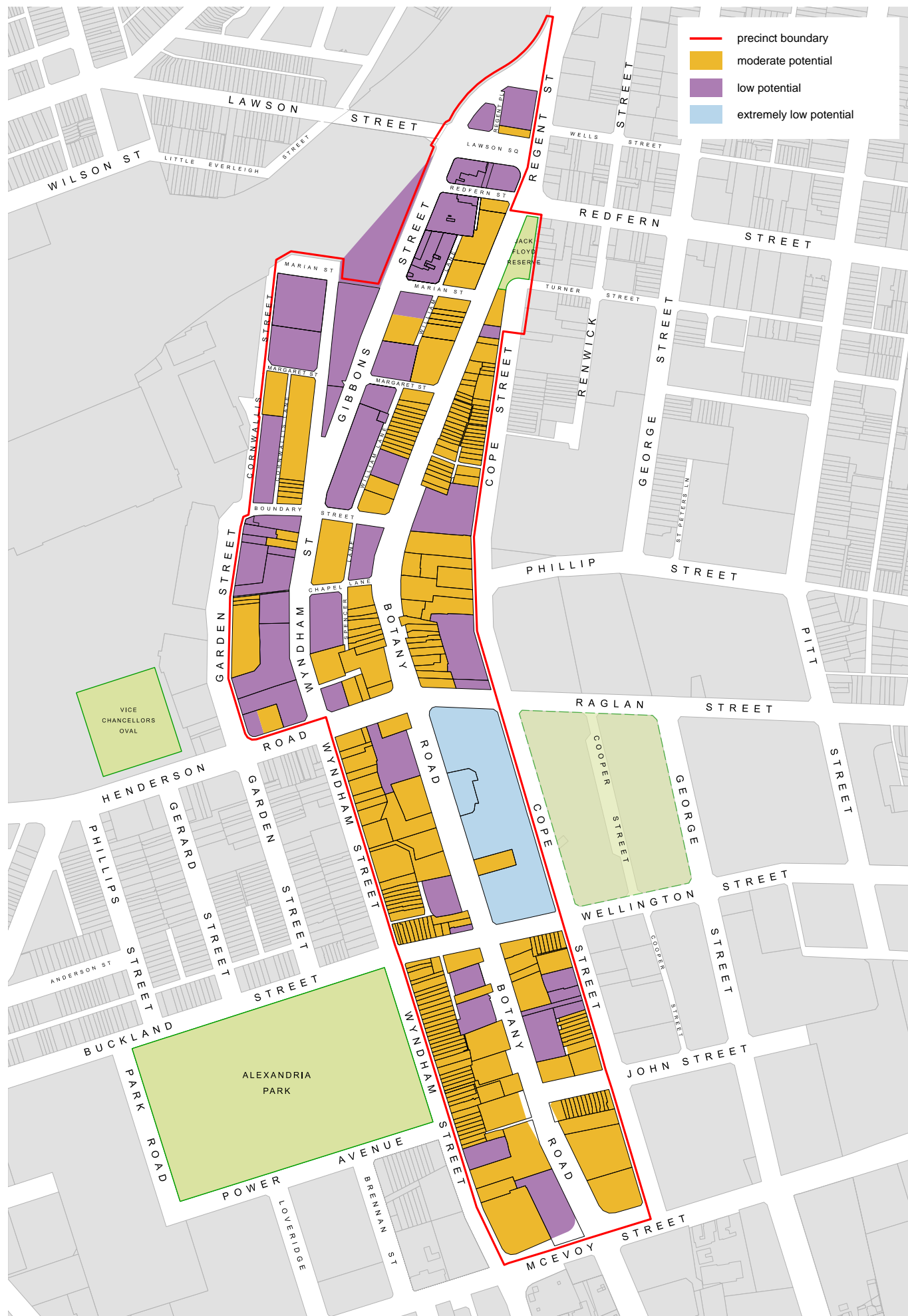
5.10.5.3 Aboriginal archaeology

Note: If the presence of Aboriginal objects are found, all work must be stopped and the find reported to Heritage NSW in accordance with the National Parks and Wildlife Act 1974.

Note: If impact to Aboriginal archaeological resources cannot be avoided, an application for an Aboriginal Heritage Impact Permit under section 90 of the National Parks and Wildlife Act 1974 is required.

Note: The Heritage NSW website includes guidelines on Aboriginal and non-Aboriginal heritage and archaeology.

Figure 5.269 Aboriginal Archaeological Potential



Objective

- (a) Ensure appropriate assessments are undertaken to identify and protect Aboriginal archaeological resources

Provisions

- (1) All development in the Precinct, with reference to Figure 5.269 Aboriginal Archaeological Potential, involving ground disturbance is subject to an Aboriginal Objects Due Diligence Assessment in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010. This assessment must identify the potential for those works to harm Aboriginal objects.
- (2) If recommended by a Due Diligence Assessment, development is to undertake a Baseline Historical Archaeological Assessment which includes processes to avoid, minimise or mitigate impacts and consult with the Metropolitan Local Aboriginal Land Council prior to any physical impact. Should this assessment or consultation confirm potential for archaeological resources an Historical Archaeological Assessment is to be undertaken.
- (3) On sites where Aboriginal archaeological resources exist, new development is to include appropriate interpretation of the local Aboriginal history relevant to the specific resources found. Appropriate interpretation means engagement of suitably qualified Indigenous historians or artists and respect for ICIP rights.

5.10.6 Site-specific provisions

5.10.6.1 Redfern Estate heritage conservation area

Objectives

- (a) Ensure development is complementary with the unique built form characteristics of the heritage conservation area.
- (b) Ensure improvement and restoration of features that are contributory to the heritage conservation area is undertaken through redevelopment.
- (c) Focus new development on locations where it does not detract from the heritage conservation area.
- (d) Ensure development showcases "Connecting with Country" approaches in the context of a heritage conservation area.

Provisions

- (1) For existing buildings with pitched roofs, additional built form must be entirely set back from existing pitched roofs, at a depth equal to the existing rear gutter.
- (2) For other buildings, additional built form must be set back at least 2.5 metres from the existing frontage.
- (3) Terraces fronting Regent Street must have their ground floor and first floor balconies restored to original condition, including removal of detracting awnings, signage and fill-in walls, and replacement of detracting windows.
- (4) Extensions and additional built form must be distinctive from the existing heritage fabric and employ materials clearly distinguishable from the existing building.
- (5) New development is to reflect the siting, scale, lot size, subdivision pattern and street wall height of the existing building and adjoining lots.
- (6) Reflecting the Aboriginal, pre-colonial heritage of the local area and surrounds, and acknowledging Country through design, landscaping, on-structure planting and/or public art overrides non-Indigenous heritage to the extent of any inconsistency.

5.10.6.2 131 Regent Street, Redfern

Objectives

- (a) Ensure development delivers a landmark gateway building for Botany Road Precinct on a visually prominent site.
- (b) Culturally important public art is maintained, and opportunities for additional public art are provided on a visually prominent location.
- (c) Enhance the visibility of “Aboriginal Redfern” and the cultural recognisability of Botany Road Precinct.
- (d) Provide private open space adjoining Jack Floyd Reserve.

Provisions

- (1) Development is to maintain the “Spanish Mission” wall fronting Cope Street and provide a southern extension of the wall at a similar height, for the purposes of informal public art.
- (2) A public art strategy must be provided at Stage 2 DA stage detailing initial and ongoing management of the Cope Street public art site.
- (3) Open space is to be provided adjoining Jack Floyd Reserve.

5.10.6.4 74-88 Botany Road, Alexandria

Objectives

- (a) Ensure development is capable of exhibiting design excellence.
- (b) Ensure sensitive uses, including residential uses, are protected from noise and/or air quality impacts from major road corridors and surrounding employment and entertainment uses.

Provisions

5.10.6.4.1 Design Excellence Strategy

- (1) The following competitive design process must be completed before the lodgement of a detailed development application for the site:
 - (a) A competitive design alternatives process is to be undertaken in accordance with clause 6.21 of Sydney LEP 2012 for the entire site of 74-88 Botany Road.
 - (b) The competitive design alternatives process is to involve a minimum of three invited competitors including at least one emerging architectural firm.
 - (c) The selection panel is to comprise a total of four members. The proponent is to nominate two selection panel members and the City of Sydney is to nominate two selection panel members.
 - (d) No additional height is to be awarded as a result of the competitive design process.

5.10.6.4.2 Built Form

- (1) Residential uses on the first floor are not to address the Botany Road frontage.
- (2) Residential and commercial uses on the first floor are to be sufficiently separated to maintain residential amenity.

5.11

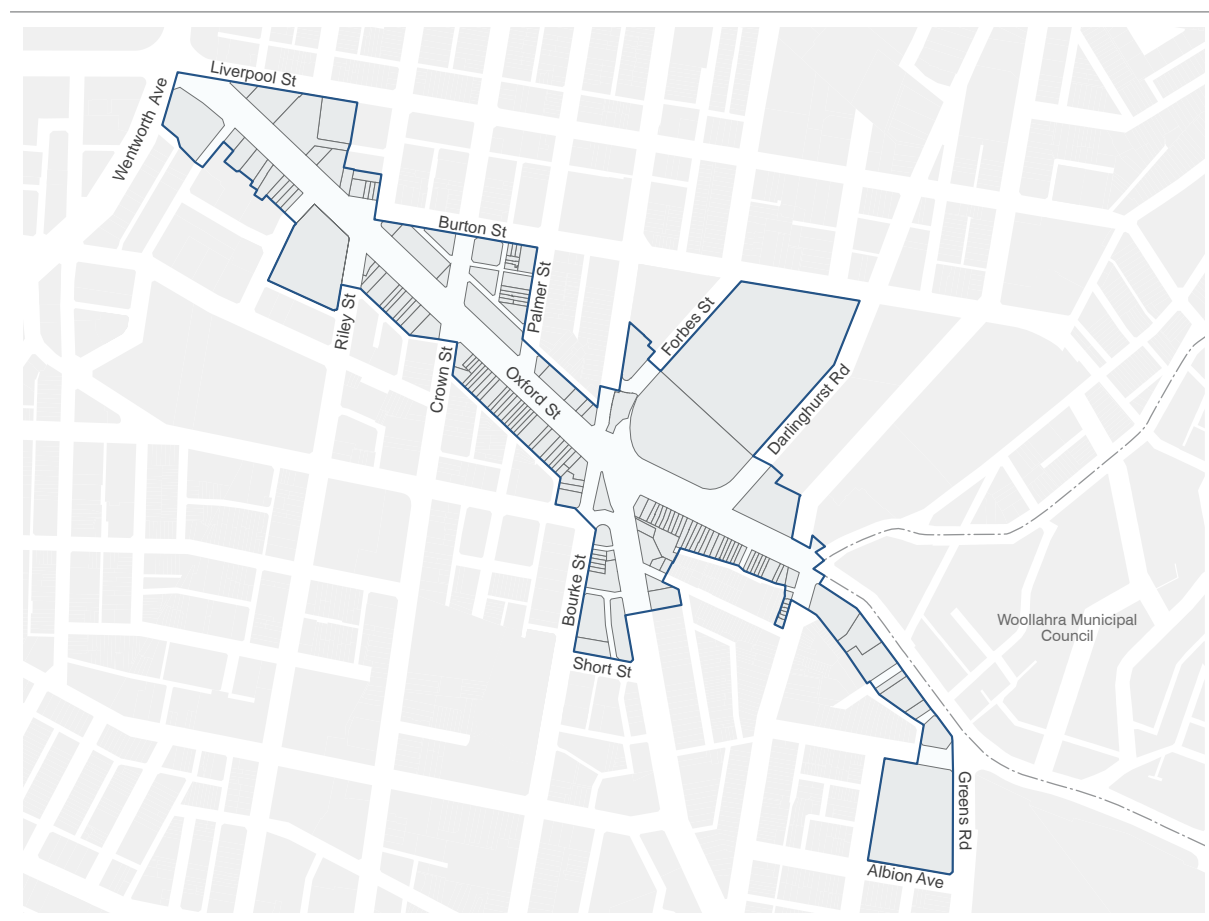
Oxford Street Cultural and Creative Precinct

This Section applies to the land identified in Figure 5.1 Specific areas map as the Oxford Street Cultural and Creative Precinct.

5.11.1 Locality statement

This locality includes the Oxford Street corridor between Whitlam Square and Greens Road in Paddington, with lots fronting Oxford Street and Whitlam, Oxford, Taylor and Three Saints Squares. It incorporates the National Art School, Darlinghurst Court House and former Gaol and the UNSW Art and Design Campus. The land shown in Figure 5.270 is identified as the Oxford Street Cultural and Creative Precinct.

Figure 5.270 Oxford Street Cultural and Creative Precinct



Oxford Street and its surrounding area is one of Sydney's iconic places and has long been appreciated as a creative and cultural precinct both locally and internationally. It follows an ancient path used by the Gadigal people of the Eora Nation and is one of Sydney's earliest main streets, characterised by Edwardian, Victorian, Art Deco, Inter-War and Federation style architecture. It is an important high street and a focus for community activity and for many years has been an iconic destination for nightlife and shopping.

Oxford Street's character is built on its diverse use, activities, heritage and building forms. It hosts a mix of fine grain businesses, educational institutions, health facilities, and spaces for residents, workers, visitors and festivals. Oxford Street is to continue to be a rich and diverse neighbourhood and high street with high quality public domain, a range of fine grain shops, galleries and venues. It provides a focus for infrastructure and the daily needs and services of residents in Darlinghurst and Paddington.

Oxford Street is an important place for the LGBTIQ+ community in Sydney, nationally and internationally and is home to the annual Gay and Lesbian Mardi Gras festival and parade. The precinct is synonymous with LGBTIQ+ life in Sydney and has historically accommodated LGBTIQ+ bars, clubs, restaurants, saunas, sex industry and adult entertainment venues and shops. The character and culture of the precinct is defined by a diversity of uses and a strong association with the LGBTIQ+ community. A rainbow crossing to celebrate the LGBTIQ+ community is located at the intersection of Bourke and Campbell Streets.

New development will reposition Oxford Street and its role in the Eastern Creative precinct by encouraging culture as a driver of creativity and enterprise, a source of job creation, and potential for place-making. It will build upon existing and emerging employment clusters within the area and capitalise on the area's proximity to long term establishments including the National Art School and UNSW Art and Design Campus. Development will aim to celebrate and acknowledge Oxford Street as a walking track of the Gadigal people. It will promote the preservation and strengthening Oxford Street and its surrounding neighbourhoods as a focal point for LGBTIQ+ community life and culture.

Through alternative height and FSR controls, future redevelopment of sites within the precinct will increase the provision of cultural and creative floor space and stimulate activity, encourage mixed uses, increase employment and pedestrian activity and contribute to the overall revitalisation of the local area.

Basements provide ideal and unique spaces for late night trading uses, such clubs and performance spaces, helping to activate a more diverse night-time economy on Oxford Street.

Temporary uses along Oxford Street are also encouraged to activate vacant spaces, stimulate activity and visual interest and improve amenity while permanent uses or development solutions are being sought. Temporary uses could mean the additional use of a premises for art installations or exhibitions, pop-up shops, events, performance, seminars, talks and the like. Some of these activities may be those permitted as exempt development in Schedule 2 of Sydney LEP 2012 or the State Environmental Planning Policy Exempt and Complying Development Code.

Development will conserve the heritage significance and character of the existing built form and streetscape and at a minimum retain the existing quantum of cultural and creative floor space. New development will increase the on-site provision of cultural and creative floor space, and encourage diverse and activated street frontages and lanes which contribute to the vibrancy of the day and night-time economies and the cultural and creative offering of this regionally significant precinct.

Principles

Development must achieve and satisfy the outcomes expressed in the locality statement and supporting principles below. Where there is an inconsistency between Section 5 and Section 2 of this DCP, Section 5 applies to the extent of the inconsistency.

Development is to:

- (1) Support the realisation of the Oxford Street Cultural and Creative Precinct through the strategies shown at Figure 5.271 and Figure 5.272.
- (2) Respond to and reinforce the role of Oxford Street as a local centre and activity street.

- (3) Provide opportunities for acknowledging and continuing the social and cultural significance of Oxford Street as a walking track of the Gadigal of the Eora Nation.
- (4) Enhance the presence, visibility and celebration of First Nations organisations, businesses and cultures.
- (5) Consider opportunities for acknowledging and celebrating Aboriginal and Torres Strait Islander living cultures through art, performance, architecture, landscaping and other creative expression involving the engagement of suitably qualified Indigenous practitioners.
- (6) Ensure that the retention and conservation of significant heritage fabric (including significant interiors), and structural stability of buildings, determines the extent of alterations and additions to heritage items and contributory buildings.
- (7) Retain existing and increase cultural and creative floor space.
- (8) Ensure that vertical additions to certain heritage items and contributory buildings:
 - (a) facilitate an increase in cultural and creative floor space;
 - (b) encourage uses that support Oxford Street's role as a local centre;
 - (c) respond to and complement the character of heritage items, contributory buildings and buildings constructed as a group;
 - (d) are subject to agreed heritage principles from the outset
 - (e) respond to and complement streetscapes and lanes; and
 - (f) minimise overshadowing to neighbouring residential properties.
- (9) Reinforce the individuality of buildings, fine-grain pattern of tenancies, buildings constructed as a group, and different areas that characterises the precinct.
- (10) Strengthen, support and promote Oxford Street's LGBTIQ+ cultural identity and importance.
- (11) Identify and respect buildings and places of social and heritage significance to the LGBTIQ+ community.
- (12) Seek to retain existing and provide new LGBTIQ+ businesses, organisations and venues to ensure that Oxford Street maintains its identity and status as a centre of LGBTIQ+ culture, retail and nightlife.
- (13) Increase public pedestrian access to, and activation of, the National Art School, UNSW Art and Design Campus and the Darlinghurst Court House.
- (14) Provide through-site links in long blocks to increase public access.
- (15) Align buildings with, and activate streets and lanes, at the ground level.
- (16) Retain and conserve shop fronts with heritage significance. The design of new shopfronts should take their cues from traditional shopfronts.
- (17) Encourage cafes and restaurants in buildings on streets, corner sites and laneways to provide outdoor dining where footpath width permits.
- (18) Enhance the local area's night-time offering.
- (19) Encourage late night entertainment uses in new and existing basement levels.
- (20) Provide awnings to the footpath, where appropriate.

- (21) Locate land uses with consideration to:
 - (a) the ability to activate the public domain;
 - (b) access and servicing requirements; and
 - (c) the potential for sound from cultural, creative and night-time uses and other land use conflicts.
- (22) Avoid residential development in locations fronting Oxford Street due to low amenity associated with the main road and the potential conflict with desirable land uses that promote activity and the night-time economy. Residential floor space is not subject to the alternative height and floor space provisions of the Sydney LEP for the Oxford Street cultural and creative precinct.

Figure 5.271 Oxford Street Cultural and Creative Precinct structure plan

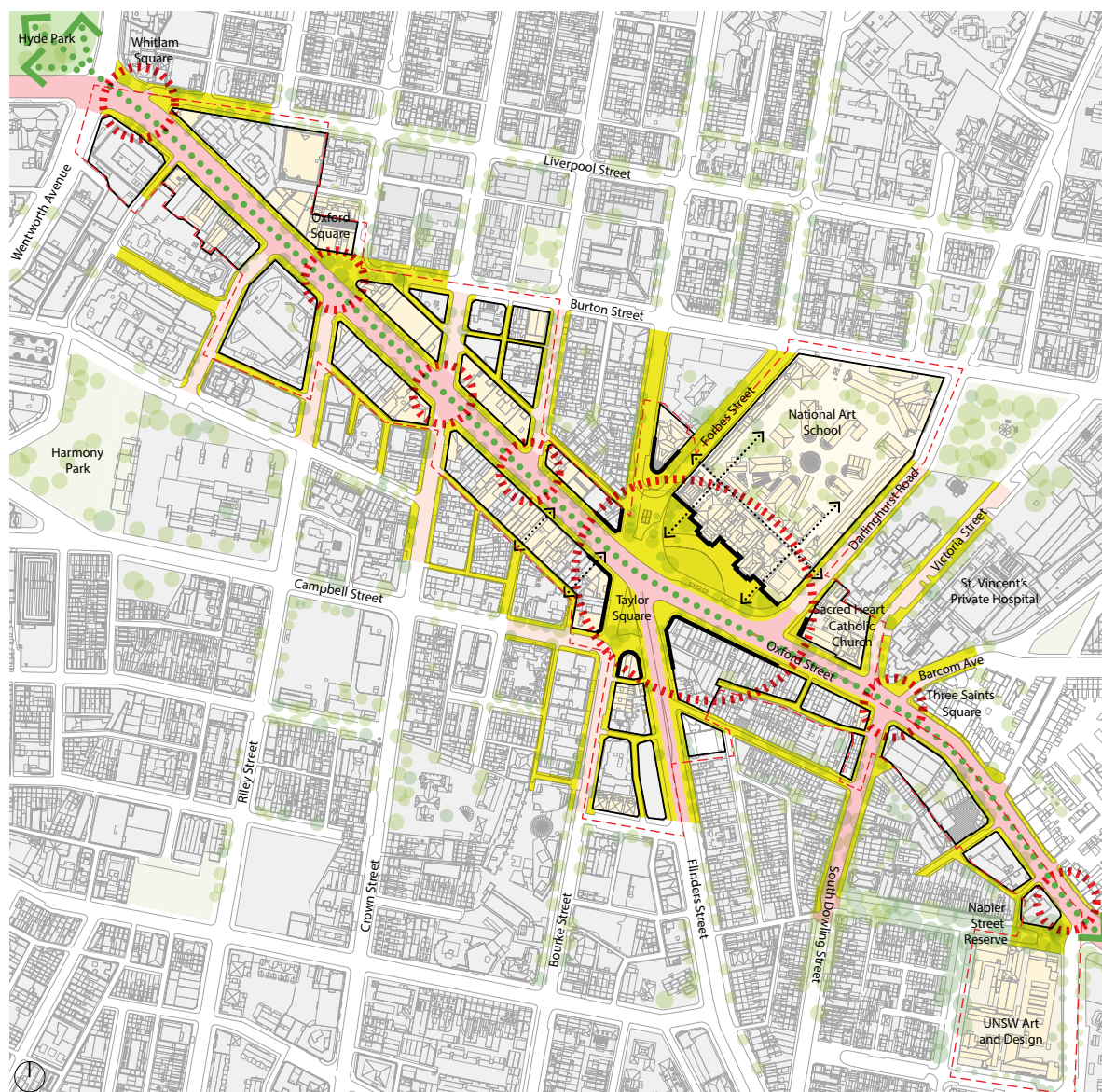
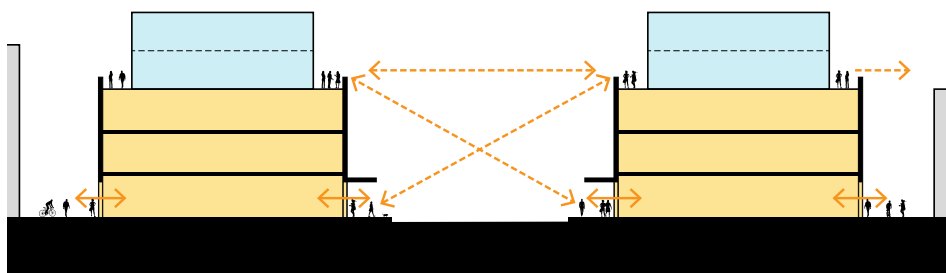


Figure 5.272
Typical section illustrating how development can respond to and reinforce the role of Oxford Street as an activity street, including active uses at street level, rear laneway activation and roof terraces above the street wall



Definitions

Development for a cultural or creative purpose is defined in clause 6.60D of the Sydney LEP 2012 and means development that involves live entertainment, performing arts, fine arts and craft, design (fashion, industrial or graphic), media, film and television, photography or publishing, or museums and archives dedicated to these purposes.

Cultural and creative purposes include facilities for

- live entertainment, including the presentation or rehearsal of music, film, theatre, cabaret/drag shows, spoken word, comedy or dance
- the on-site display, production and sale of an artwork, craft, design, media, film, technology, image or immersive technology, including meet-the-maker style retail spaces and creative enterprises
- training, teaching or discussion of art, craft and design.

Live entertainment described in section 3.15 of the Sydney DCP 2012 and means an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which the performers (or at least some of them) are present in person. Live entertainment does not include that associated with sex industry or adult entertainment uses.

5.11.2 Cultural and creative spaces

Art galleries, creative production and performance spaces and music venues, as well as creative start-ups and social enterprises, are incubators for Sydney's creative life. They diversify both the day and night-time economy, attract tourists and provide places for people to produce and engage with local culture. Oxford Street is identified as a precinct where the entertainment, arts, performance and cultural role, and the provision of space for cultural performance and production is to be strengthened and the loss of arts, creative and cultural floor space prevented.

Objectives

- Prevent the loss of existing cultural and creative floor space in the precinct as a result of redevelopment in the precinct.
- Require new cultural and creative floor space to be provided and existing cultural and creative floor space to be retained in development seeking additional height and floor space.
- Encourage the provision of cultural and creative spaces.
- Ensure that new cultural and creative floor space will have minimal impact on the amenity of neighbouring or sensitive land uses.
- Ensure that the design of new cultural and creative floor space meets appropriate locational and operational requirements.

- (f) Provide a diversity of types and sizes of cultural and creative space in the precinct.
- (g) Clarify how the provision of floor space with a cultural and creative purpose is calculated.
- (h) Encourage the use of basements as floor space used for a cultural and creative purpose where they satisfy heritage requirements of Sydney DCP.
- (i) Ensure that late night trading premises in the Oxford Street cultural and creative precinct support principles of diversity and inclusiveness and incorporate appropriate guidance and training in their operations.

Provisions

- (1) As required by clause 6.60D of Sydney LEP 2012, all development in the precinct is to maintain or increase the quantum of floor space used for a cultural and creative purpose that existed on a single or amalgamated site on 10 September 2021. Existing floor space used for a cultural and creative purpose is calculated excluding spaces that are ancillary to or needed to service the cultural and creative purpose, such as service areas, corridors, offices, retail and sanitary facilities.
- (2) Development accessing the alternative floor space and height permitted by clause 6.60D of Sydney LEP 2012 is to provide a minimum of 10 per cent of the total proposed GFA on the site for a cultural and creative purpose and retain the quantum of cultural and creative floor space that existed on a single or amalgamated site on 10 September 2021.
- (3) The approved floor space for a cultural and creative purpose is to be maintained during the life of the consent or while the additional height and floor space is in existence and is not to be subject to a change of use except to other cultural and creative activities.
- (4) Below ground basement space that is an entertainment facility for live performance or a cinema and which satisfies clause 6.60E of the Sydney LEP may contribute to the requirement to provide 10 per cent of the total GFA of a proposed redevelopment as floor space used for a cultural and creative purpose.
- (5) Below ground floor space which satisfies clause 6.60E of the Sydney LEP is excluded from the GFA used to calculate 10 per cent of floor space used for a cultural and creative purposes. For example, in a proposed development which includes 5000sqm above ground and 1000sqm below ground the 10% of GFA for a floor space for a cultural and creative purpose is calculated $0.1 \times 5000 = 500\text{sqm}$
- (6) The following types of cultural and creative spaces are sought as a priority in the precinct:
 - (a) Performance spaces – 200–500 person capacity
 - (b) Light industrial creative manufacturing, including ceramics, glass, plastics and metalwork
 - (c) Visual arts studios including “wet space”
 - (d) Large rehearsal spaces
 - (e) Music production and recording studios
 - (f) Film, television and new media studios
 - (g) Multi-purpose collaboration and education space

- (7) Notwithstanding subsection (4), a variety of sizes of creative spaces should be provided within each development, as follows, or in accordance with the Creative Spaces guideline in Schedule 13:
- (a) Small – 0-200 square metres
 - (b) Medium – 200-1000 square metres
 - (c) Large – 1000 square metres or more.
- (8) Cultural and creative space may be located on any floor of a building provided that it:
- (a) is designed so that the operation of the cultural and creative activity will minimise impact on neighbouring uses, including noise, vibration, odour, fumes, smoke, vapour, steam or dust;
 - (b) is orientated within the building to locate activities that may generate impacts on amenity towards the Oxford Street frontage and away from rear lanes or residential development on streets other than Oxford Street;
 - (c) accommodates spatial arrangements which are:
 - (i) appropriate to the specific type of space, or
 - (ii) are in accordance with the Creative Spaces guideline in Schedule 13;
 - (d) includes floor to ceiling heights which:
 - (i) for creative production spaces exceed requirements for commercial use, or
 - (ii) are in accordance with the heights outlined in the Creative Spaces guideline in Schedule 13; and
 - (e) accommodates access and servicing requirements which are:
 - (i) appropriate to the specific type of creative space, or
 - (ii) in accordance with the Creative Spaces guidelines in Schedule 13.
- (9) Existing floorspace for a cultural and creative purpose in the Oxford Street cultural and creative precinct as at 10 September 2021 is identified as:

	Address	Cultural and creative business name	Estimated quantum of floorspace used for a cultural and creative purpose (sqm) prior to exclusion of ancillary uses and spaces
1	39 Burton Street, Darlinghurst	Eternity Playhouse	929
2	38-46 Oxford Street, Darlinghurst	Oxford Art Factory	576
3	52-54 Oxford Street, Darlinghurst	Toast Creative	68
4	16 Oxford Street, Darlinghurst	Darlo Drama	185
5	21 Oxford Street, Surry Hills	Broadcast Books, Mullinars Casting, Seymour Design, Akromat	268
6	113-115 Oxford Street, Darlinghurst	Jaxsta, Jungle Entertainment, Canopy	912
7	1-11 Oxford Street, Paddington	Under redevelopment	89

	Address	Cultural and creative business name	Estimated quantum of floorspace used for a cultural and creative purpose (sqm) prior to exclusion of ancillary uses and spaces
8	17 Oxford Street, Paddington	Palace Verona	1726*
9	City owned properties - 60 Oxford Street, 66 Oxford Street, 74-76 Oxford Street, 84 Oxford Street	Various but now vacant	3,055
			Total 7,808
	156 Forbes Street, Darlinghurst	National Art School	16,497
	Oxford Street and Greens Road, Paddington	UNSW Art and Design Campus	16,611
			Precinct total 40,916

* It is understood that the existing cinema is 631sqm when ancillary uses are excluded.

- (10) Plans of Management for all new late night trading premises in the precinct must include Diversity and Inclusion (Aboriginal and Torres Strait Islander and LGBTQIA+) principles, guidelines and a commitment to ongoing staff training within their Plans of Management. This requirement will also apply to existing premises seeking to update their Plan of Managements.

5.11.3 Built form and high quality design on Taylor Square and other public spaces on Oxford Street

Taylor Square is an important public place, and is historically, visually and physically connected to the Darlinghurst Courthouse and former Darlinghurst Police station across Oxford Street to the north. It is a complex public space extending from the courthouse buildings across Oxford Street, edged by heritage buildings on Flinders, Campbell, Bourke and Oxford Streets and the Rainbow Crossing. The angle at which Oxford Street bisects the grid creates a number of triangular or irregular shaped sites and public spaces at Oxford Square, Whitlam Square, Three Saints Square and Taylor Square. New buildings and additions to heritage buildings in these spaces must provide strong visual and physical edges to the public space through high-quality architecture and construction. Their architectural expression must complement the historical context and allow opportunities for contemporary design. Buildings must strongly define and enhance the quality of the space and provide opportunities for ground level activation.

Objectives

- (a) Establish an appropriate scale, massing and modulation for new development facing onto the public spaces listed at (i)-(iv) below, which frame, respect and respond to the place, architectural character, rhythm and grain of the existing built fabric of the high street.
- (i) Taylor Square
 - (ii) Oxford Square
 - (iii) Whitlam Square
 - (iv) Three Saints Square – corner of Oxford Street, Barcom Street and Victoria Street.
- (b) Achieve a street wall height that reinforces the scale and framing of the public spaces listed in (a) and protect the view corridor along Oxford Street towards Hyde Park and the City skyline.

Provisions

- (1) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing Taylor Square and street intersections and define corner sites through appropriate massing and facade design.
- (2) Despite any other provision of the DCP, a reduced upper level setback, which may result in a nil upper level setback on heritage listed and contributory buildings facing Taylor Square, Oxford Square, Whitlam Square, and Three Saints Square may be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:
 - (a) the relationship between the architectural language of the existing building and the addition, which is to enhance and emphasise the qualities of both the existing and new parts of the building; and
 - (b) the design and construction quality of the facades, including exposed side walls and expression of the roof.

5.11.4 Heritage conservation

Development within the Oxford Street precinct takes place within one of Sydney's earliest main streets, characterised by largely intact Victorian, Federation and Inter-War style architecture. The precinct is also almost entirely located in heritage conservation areas and includes 4 state heritage items, 52 locally listed buildings and 132 contributory buildings.

The DCP requires proposals for development on individual sites to demonstrate that heritage significance, retention of fabric and the structural stability on individual sites are a central consideration informing the design of additions and alterations to heritage buildings. The presumption for development is that all significant fabric and spatial arrangements of heritage items and contributory buildings must be conserved.

Objectives

- (a) Ensure development in the precinct conserves and enhances the heritage significance, character, fabric and features of heritage buildings in the precinct and does not result in facadism.
- (b) Ensure that heritage significance of the contributory buildings within Oxford Street and Victoria Street, East Sydney, Oxford Street, Paddington Urban and Victoria Barracks Heritage Conservation Areas is conserved and enhanced by retaining significant elements of the building and restoring or reconstructing altered or missing fabric.
- (c) Ensure that the massing and modulation of the building form is appropriate in response to its context within the Oxford Street and Victoria Street, East Sydney, Oxford Street, Paddington Urban and Victoria Barracks Heritage Conservation Areas, setting of the surrounding heritage items, streetscapes of Oxford Street; Crown Street, Palmer Street, Riley Street, South Dowling Street; Victoria Street; and the surrounding low scale residential context.
- (d) Ensure that the conservation of heritage significance, fabric and features is considered early in the design of additions to heritage listed and contributory buildings in the precinct.
- (e) Ensure that the structural stability of heritage listed and contributory items is considered early in the design process and maintained throughout the design of proposals.
- (f) Ensure that the significance and original character of the heritage listed Courthouse Hotel is retained and enhanced.
- (g) Ensure development in the precinct conserves roofscapes with heritage significance and which are visible from Oxford Street.

Provisions

5.11.4.1 Heritage conservation

- (1) Heritage facades are to be conserved. Alterations to heritage items affecting their original facade or parapet wall are to be limited to:
 - (a) restoration of significant features; and
 - (b) discrete, sympathetic or reversible additions that are compatible with and do not dominate the original or early architectural expression of the heritage item.
- (2) No new openings are permitted in original parapet walls or blank arches of heritage buildings.
- (3) Development affecting heritage items and contributory buildings is to retain:
 - (a) the main structural walls of the entire building;
 - (b) existing external openings;
 - (c) the floor structure and the inter-floor height with new floor plates and walls not to intersect significant openings;
 - (d) any surviving pressed metal ceiling(s) within existing shops and awnings;
 - (e) any further elements identified in a Conservation Management Plan applying to the building.
- (4) Facadism, or demolition of a building except for its facades, is not supported as appropriate conservation of the significance of a heritage item or contributory building. Development must ensure that building facades maintain a relationship with the internal fabric and organisation of the interior of a building.
- (5) Vertical additions to contributory buildings are not to visually dominate or compete with the original building form. They are to be designed to present as a recessive, light- weight addition, including roof form, which is set back in accordance with the provisions in Section 5.11.5.3, except where a design outcome of the highest standard can be achieved in accordance with provision 5.11.5.3(3) in this DCP.
- (6) Any change to a ground floor Oxford Street facade is to respect and respond to the fine-grain nature of the street's architectural scale, character, form, detailing and arrangement of traditional shopfronts.
- (7) Retain and conserve significant shop fronts with heritage significance.
- (8) New development must retain any historic roof form or feature identified in a Statement of Heritage Principles and a Heritage Impact Assessment, and the following specific heritage roof features:

(a)	43,45,47 Oxford Street	Pitched gabled roofs sloped towards and visible from Oxford Street, and iron lacework parapet detailing
(b)	131 Oxford Street	Pitched gable roof and chimney and party wall visible from Oxford street
(c)	173-175 Oxford Street	Slate hipped roof and chimney visible from Oxford Street, historic significant extant roof limited to front
(d)	231 Oxford Street	Extant roofline
(e)	233-237 Oxford Street	Roof form and chimney visible from Oxford Street
(f)	245-261 Oxford Street	Pitched gabled roofs and chimney visible from Oxford Street

5.11.4.2 Statement of Heritage Principles

- (1) Prior to the submission of a development application that affects a heritage item or contributory building in the precinct, a Statement of Heritage Principles should be prepared by a suitably qualified heritage consultant to inform the design development. The Statement of Heritage Principles should be agreed with the City through a pre-DA process. Any existing CMPs are to be updated with these agreed principles as required.
- (2) The Statement of Heritage Principles is to:
 - (a) address the heritage significance of the place, site and building and the contribution of the site and/or building to the conservation area;
 - (b) identify the spatial planning and features of the building, including the grading of fabric, elements, and spaces and which elements are to be conserved;
 - (c) detail the physical structure of the building and propose methods to ensure that its stability is maintained with minimal impact on heritage fabric and spaces; and
 - (d) set out principles to guide the design of the development so that the significance is conserved.

5.11.4.3 Heritage Structural Impact Statement

- (1) For development affecting a heritage item or contributory building in the precinct, a Heritage Structural Impact Statement is to form part of the Heritage Impact Assessment to be submitted with any development application.
- (2) The Heritage Structural Impact Statement is to address:
 - (a) the consistency of the proposals with the Statement of Heritage Principles;
 - (b) the method for retaining significant fabric on site during the demolition and construction stages and for enabling the structural stability of the building and heritage features for their long-term retention; and
 - (c) the method for minimising any impact on the significant heritage features and the integrity of adjoining structures.
- (3) The Heritage Structural Impact Statement is to be prepared with input from a suitably qualified structural engineer experienced with heritage properties.

5.11.5 Built form and design

Careful consideration of the impact of development on the unique built form character of Oxford Street must be demonstrated in all proposals for redevelopment. Oxford Street bisects the predominant street grid and features a series of unusually proportioned and shaped blocks, with many narrow and deep lots, and some which have been consolidated. The buildings fronting Oxford Street have a high quality and continuous fine grain built form with a strong heritage character which flanks the street and creates a clearly framed view corridor down the street towards Hyde Park and the city skyline beyond.

Additions to these buildings are to be predominantly lightweight, simply designed and recessive secondary forms except where they are of exceptional design quality and achieve a strong and complementary relationship with the existing building.

5.11.5.1 Additional building height

The built form on Oxford Street is characterised by a varied and stepped expression of heights which have evolved on the street and create continuous and fine-grain frontages. The existing pattern of stepped heights and the vertical articulation and rhythms along the street is to be reflected in vertical additions that are complementary to existing heritage character.

Objectives

- (a) Define maximum building envelopes for future development to deliver a high-quality built form which ensures an appropriate level of amenity within the site and to surrounding properties.
- (b) Establish an appropriate scale for new development which respects the existing built form of the high street, compatible with heritage items and contributory buildings in the surrounding context.

Provisions

- (1) Development is not to exceed the maximum number of storeys as shown in Building Height in storeys maps.
- (2) On sites which are awarded additional floor space under Clause 6.60D of Sydney LEP 2012, that floor space is to be accommodated within the maximum number of storeys shown in the Building Height in storeys maps.
- (3) Additions of more than two storeys are not permitted except for buildings in Block X, as defined in the Alternative Building Height in Storeys maps, which are to be in accordance with those figures.
- (4) One and two storey additions to existing buildings, roofs, plant, lifts, stairs and associated overruns and equipment are to be no more than 10 metres higher than the uppermost ceiling height of the existing built form as at 1 January 2021. They must not exceed the maximum height plane shown in Alternative Height of Buildings control in Sydney LEP 2012.
- (5) The cumulative impacts on views from additional storeys in accordance with the Alternative Height of Buildings control in Sydney LEP 2012 is acceptable.

5.11.5.2 Architectural detail and materials

Oxford Street is a high street with a diversity of built form with rich architectural styles and detailing, characteristic of the Victorian, Federation and Inter-War periods. Architectural detailing can reinforce the lot pattern, fine grain and individuality of buildings. The detailing and choice of material in new development provides an important opportunity to reflect heritage elements, connect buildings constructed as a group and differentiate and reinforce the distinctive attributes of the built form in the precinct.

Objectives

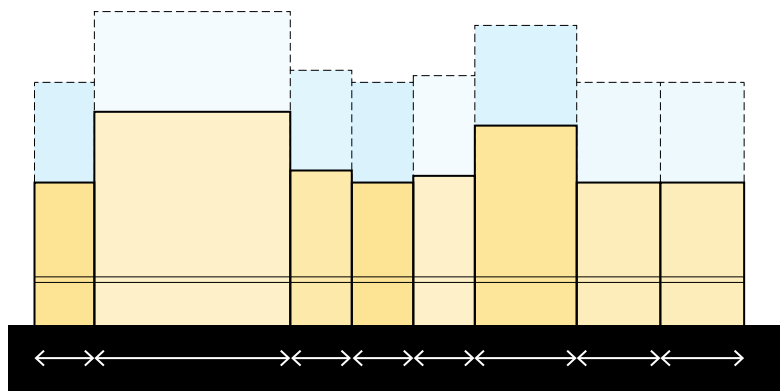
- (a) Ensure building proportion, facade articulation, materials, and architectural detailing that contributes, reinforces and responds to the highest quality heritage and contributory buildings in the surrounding context.
- (b) Ensure that new development fits in with the existing fine-grain pattern of Oxford Street, surrounding streets and laneways, and reflects the historical subdivision pattern.
- (c) Provide visual interest and activation through a fine grain and individually distinctive architectural details.
- (d) Prevent the damage or removal of building parapets on buildings fronting Oxford Street.

Provisions

- (1) Every building on Oxford Street is to have an individually distinctive massing, expression of floor levels, architectural language and fine grain tenancies. (Figure 5.273)
- (2) The design of both the street wall and setback is to reflect the existing pattern of building arrangement and subdivision of Oxford Street.
- (3) Additions may reflect the original phase of development where groups of buildings were developed as a set and then subdivided.

- (4) Building facades are to be characterised by vertical proportions over the full height of the building. Facade elements and window openings above ground floor level are to be vertically proportioned.
- (5) Window openings above any existing or required awning are to be limited to between 20% and 40% of the facade wall area.
- (6) Additions above and behind existing parapets are to be articulated from existing retained facade elements.
- (7) The architectural detail and materials to be used in any additions and new development are to be at least equal in quality and level of detail to the highest quality found in neighbouring contributory buildings. While additions and new buildings are to have a contemporary character, their materials and design detailing must respond to (but not copy) elements and details observed in surrounding buildings, such as face brickwork, decorative string courses, brick bonds, rendered/painted banding and other masonry work. Design detail is to be demonstrated through a comparative analysis of the existing building elevation and the proposed development, documented with 1:50 elevations and 1:10 details.
- (8) All new additions must include climate responsive design including but not limited to natural ventilation and external sun shading to block 80% of direct sun to glazing in summer (Dec- Feb).

Figure 5.273
Additions are to reflect the individually distinctive massing on Oxford Street 5.11.5.2(1)



5.11.5.3 Building alignment, setbacks and street frontage heights

Oxford Street is characterised by a predominantly low scale built form, with a consistent building alignment and strong street edge. Street frontage heights will create the scale and type of built form required to maintain light to the street and manage its character and amenity.

Upper storey additions should be recessive, secondary forms which protect the heritage character of the precinct and reinforce the vista from Taylor Square to Hyde Park. Upper level setbacks will ensure that traditional parapet walls, often ornately detailed and an important heritage element, are protected and retained. They will ensure that new built form provides adequate solar access to neighbouring properties.

Objectives

- (a) Establish a two storey scale, massing and modulation for new development which respects and responds to the architectural character, rhythm and grain of the existing built fabric of the high street.
- (b) Achieve a street wall height that reinforces the human scale in the public domain and protects the view corridor along Oxford Street towards Hyde Park and the City skyline.

- (c) Reduce the visual dominance of upper storey additions and protect the integrity of traditional parapets.
- (d) Ensure any upper storey additions which seek a reduced setback display exceptional design quality which results in a complementary relationship with the architectural language of the existing building.
- (e) Protect solar access in neighbouring residential properties with appropriate building setbacks from all boundaries.

Provisions

- (1) Street frontage heights are not to exceed the maximum height on the Street Frontage Height maps. Above the street wall, additional storeys on heritage listed and contributory buildings are to be set back a minimum of 3 metres (Figure 5.274). Note that the maximum number of storeys shown on the Alternative Building Height in storeys maps includes attics and mezzanines.
- (2) A greater minimum setback than that detailed in 5.11.5.3(1) may be required if identified as part of a Conservation Management Plan or Statement of Heritage Principles.
- (3) A reduced setback, which may include a nil setback on heritage listed and contributory buildings facing the squares referred to in 5.11.3, noted in Objectives (a) may only be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:
 - (a) the relationship between the architectural language of the existing building and the addition, which is to be complementary and enhance and emphasise the qualities of both the existing and new parts of the building;
 - (b) the design and construction quality of the facades, including exposed side walls and expression of the roof.
- (4) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing street intersections and define corner sites through appropriate massing and facade design.
- (5) Subject to appropriate design which protects the integrity of the parapet, the 3 metre upper front setback of a building with frontages onto Oxford Street may be used to provide rooftop balcony space.
- (6) Above the street wall on the southern side of Foley Street, additional storeys are not required to be setback from the street frontage (Figure 5.275).
- (7) Notwithstanding any other provision in this section, building massing to side and rear boundaries is to ensure solar access to the windows of any dwelling, including ground floor habitable rooms, in accordance with the requirements of section 4.2.3.1 of this DCP (Figure 5.276).

Figure 5.274
Above the street wall on Oxford Street, additional storeys are to be set back a minimum of 3 metres 5.11.5.3(1)

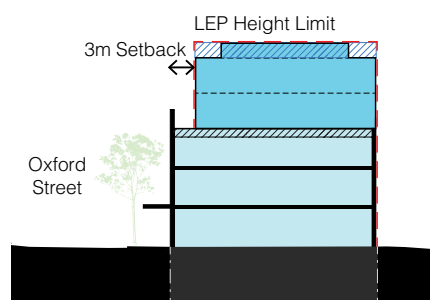


Figure 5.275

Above the street wall on the southern side of Foley Street, additional storeys are not required to be set back from the street frontage 5.11.5.3(6)

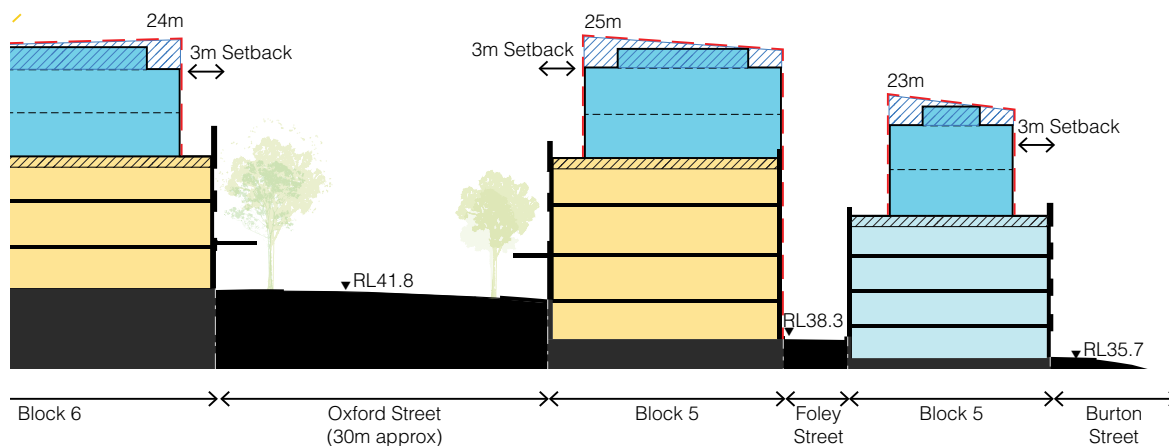
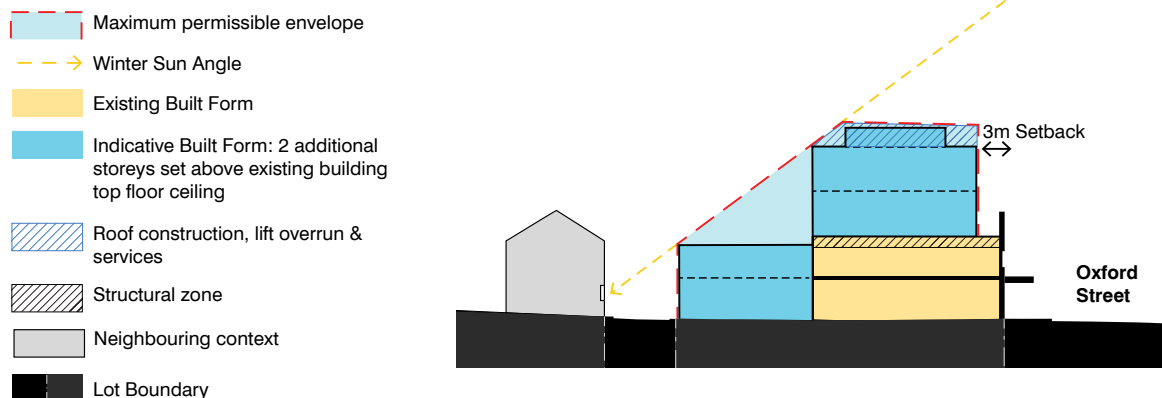


Figure 5.276

Building massing to rear boundaries is to ensure solar access to the windows of any dwelling, 5.11.5.3(7)



5.11.5.4 Awnings

Awnings located at ground level along the street frontage characterise Oxford Street. They define and shelter pedestrian space and have been characteristic of shops, cafes, hotels and other buildings reliant on pedestrian interaction from Sydney's earliest days. This is reflected in their historical association with the busiest pedestrian and commercial streets. Awnings also reduce the perceived scale of tall buildings and focus pedestrian views on street frontages and ground level activities, visually separating street level activity from less active uses above. Their location and design should respond to the surrounding uses and heritage context.

Objectives

- Provide awnings for pedestrian comfort and amenity along active frontages.
- Locate awnings to minimise sunlight, rainfall and wind impacts at building and tenancy entry points.
- Ensure awnings respond and contribute to heritage and contributory items and conserve their significance.

Provisions

- (1) Footpath awnings are to be provided to all buildings on Oxford Street that had awnings on 2 December 2022.
- (2) Continuous awnings are to be provided above retail uses and over entries for commercial uses.
- (3) Contributory buildings must maintain or reinstate awnings which are associated with contributory buildings.
- (4) New awnings are to integrate with and achieve a high degree of compatibility with existing adjacent awnings.
- (5) Where an awning is not compatible with the heritage significance of a contributory building, the existing awning is to be removed and not replaced.

5.11.5.5 Specific sites

Objectives

- (a) Provide guidance for development on specific sites.

Provisions

- (1) Special conditions apply to development proposals for six sites in the precinct as below:
 - (a) 1-19 Oxford Street, Surry Hills (corner of Wentworth Avenue and Oxford Street) – Development in accordance with clause 6.60D of the Sydney LEP 2012 may incorporate a podium up to five storeys high to align with the Old Bank Building at 21 Oxford Street, Darlinghurst on corner of Brisbane Street to better define the corner, improve wind conditions and activate the entrance to Oxford Street at Whitlam Square.
 - (b) 115 Oxford Street, Darlinghurst (the former Arnold and Co Department Store) – Development which seeks a two-storey addition should ensure that the addition is above the original cornice line and not the more recent partial additions.
 - (c) 55-73 Oxford Street (Oxford Village), Darlinghurst – Development which seeks a two - storey addition should be built on the street boundary with no setback. Development is encouraged to create a more vertical rhythm, including predominantly masonry materials in line with the predominant morphology of the blocks to the east and west.
 - (d) 59 Oxford Street, Paddington (service station) – Development of this site is to ensure that upper level setbacks protect and do not reduce the canopies of the existing large Fig trees located to the east of the site and adjacent to the UNSW Art and Design Campus. Consideration is to be given to incorporating these Fig trees into open space associated with a redevelopment proposal, preferably allowing UNSW Art and Design to front Oxford Street with a new public space.
 - (e) 1-5 Flinders Street, Surry Hills – Development of this site in accordance with clause 6.60D of the Sydney LEP 2012 is to include a 3m front setback at level 3 above the existing street wall on Flinders Street, Taylor Square and Bourke Street. Development could achieve a nil setback at levels 4 and 5 in accordance with section 5.11.5.3(3) of this DCP.
 - (f) 163-169 Oxford Street, Darlinghurst - Development of these sites in accordance with clause 6.60D of the Sydney LEP 2012 is to include a 6.5m front setback above the existing street wall.

5.11.6 Active frontages and street level tenancy design

The public quality of Oxford Street is strongly linked to the continuous, fine grain activity and visual interest provided by street level tenancies and numerous entries to tenancies at, above and below street level. All development is required to provide active frontages to all streets and lanes and to minimise the frontage occupied by services, loading and parking access.

Through site links which increase the permeability of large blocks can also be activated by fine grain tenancies. Making building edges or tenancies “active” to the street adds interest and life and vitality to the public realm and could include the facades with windows, doors, bays or porches and lively internal uses visible from or extending into the street.

Objectives

- (a) Maximise the fine grain activation of the public domain through use, size and design of street level tenancies.
- (b) Activate important spaces and corner sites with food and drink premises with associated outdoor dining.
- (c) Provide individual street level entries for tenancies above and below street level.

Provisions

- (1) Street level tenancies on frontages mapped on the Active Frontages Map of the Sydney DCP 2012 are to accommodate uses that maximise pedestrian activity on the adjacent streets and lanes including shops, food and drink premises, customer service areas and activities, including cultural and creative uses, that provide visual interest and interaction with pedestrians.
- (2) Food and drink premises are encouraged in street level tenancies with a frontage to the following public places or on listed properties:
 - (a) Taylor Square
 - (b) Oxford Square
 - (c) 55-73 Oxford Street, Surry Hills (north-west corner)
 - (d) 75-77 Oxford Street, Darlinghurst
 - (e) 117-123 Oxford Street, Darlinghurst
 - (f) 108 Oxford Street, Darlinghurst
 - (g) 134 Oxford Street, Darlinghurst
- (3) The maximum average width of street level tenancies is to be 5 metres, with the maximum width of any one tenancy at the street frontage being 8 metres. Longer tenancy widths at the street frontage may be considered by the Consent Authority in heritage items and contributory buildings where they reflect existing or significant historic tenancies in the building.
- (4) A tenancy or part of a tenancy at street level is to have a maximum floor area of 300sqm at that level with the exception of tenancies provided as cultural and creative floor space. Tenancies on other levels may exceed 300sqm. Larger tenancies at street level may be considered by the Consent Authority in heritage items and contributory buildings where they reflect existing or significant historic tenancies in the building.
- (5) Each street level tenancy is to have its own entry from the street.
- (6) Self-contained lower ground or basement tenancies are to have separate and direct access from the street.
- (7) An entry to upper levels, with vertical circulation core, is to be retained or provided for every building even if lots are amalgamated.

- (8) Street level tenancies and foyers are to support an active street edge with a maximum of 25% opaque surfaces to the facade area and 75% transparent glazing or opening providing visibility to at least 6m into the spaces within.
- (9) Street level tenancies are to have at least 35% of their floor area at the level of the footpath.
- (10) Street level tenancies should achieve a fine grain, shop front design that includes elements of:
 - (a) a stall riser;
 - (b) pilasters; and
 - (c) clerestory window.
- (11) Sites in the block bounded by Oxford, Crown, Campbell and Little Oxford Streets between numbers 147 and 175, with a street frontage length of more than 12m are to provide a through-site link or arcade.
- (12) Sites shown with a black dashed arrow on Figure 5.271 are encouraged to provide a through-site link or arcade.
- (13) Through-site links or arcades are to have a clear width of 3 to 6 metres and arcades are to have a minimum clear height of 1.5 times the width or 6 metres, whichever is less. Open to the sky links are encouraged to provide natural light and opportunities for passive surveillance from upper level windows.
- (14) If a through-site link or arcade exists in a street block then no other through-site link or arcade is required in that street block.

5.11.7 Development fronting laneways

The Oxford Street precinct includes lanes that provide for service access to properties fronting Oxford Street. With careful management these lanes can be transformed into characterful areas that support the activity of Oxford Street, including cafes, small bars, community and exhibition spaces, galleries and shops while continuing their service function.

Objectives

- (a) Provide fine grain activation of laneways on larger development sites.
- (b) Maintain and enhance the intimate environment of lanes and ensure a sense of openness that reinforces a human scale.
- (c) Minimise laneway frontage occupied by vehicular access, loading and services while ensuring servicing needs are managed.
- (d) Ensure building massing on the north side of lanes provides solar access to residential windows on the south side of the lane.

Provisions

- (1) New development on sites with a frontage to Arnold Place, Foley Street, Iona Lane, Verona Street, Rosebud Lane or Little Oxford Street (referred to as a laneway in provisions 1-5) is to:
 - (a) on sites with a laneway frontage greater than 6 metres wide – include small scale retail, food and drink, service and community facilities tenancies and spaces at laneway level with entries from the lane and visual surveillance of it;
 - (b) promote and create the opportunity for the inclusion of art, landscaping, street furniture and activity spaces;
 - (c) improve the pedestrian amenity of the laneway, small street or place through the use of materials, lighting and designated areas for pedestrians and vehicles;

- (d) provide facades that create visual interest, equivalent to the existing buildings fronting Oxford Street that exhibit higher levels of detail at lower levels.
- (2) All development fronting a laneway should orientate windows and balconies to overlook and provide passive surveillance.
- (3) Development and public domain upgrades at ground level are to facilitate and respond to the design and operation of laneways as shared zones, providing for safe and accessible pedestrian movements, compatible site servicing, and laneway activation.
- (4) Loading and servicing facilities are not required to be accommodated on site where there is an adjacent laneway. Loading and servicing vehicles may park temporarily in the laneway providing they can do so without blocking pedestrian access.
- (5) Where this is not possible, or where the length of laneway frontage allows for both servicing and activation, design of new development is to minimise the length of laneway frontage occupied by vehicular access, loading, servicing, building services and the like.

5.11.8 Servicing and access

Many streets and lanes in the precinct provide an important servicing and access function for the adjacent commercial and residential tenancies. The servicing of new development including local centre uses and floor space used for a cultural and creative purpose should be carefully managed to ensure that impacts on residential amenity are minimised.

Objectives

- (a) Ensure that impacts on residential amenity from servicing and access to non-residential premises on Oxford Street are minimised.
- (b) Encourage a consolidated approach to servicing and access within each building with non-residential uses.

Provisions

- (1) The location of vehicle access for the servicing of non-residential uses is to minimise impact on the local street network and residential amenity.
- (2) A transport management plan incorporating all operations and servicing on the site shall be submitted with any development application. The plan should demonstrate a coordinated single building approach to loading, access and servicing which minimises the number of vehicle trips and parking on rear lanes or streets.
- (3) The transport management plan is to address:
 - (a) the anticipated generation of waste, freight, delivery and servicing trips caused by the proposed development, with reference to the proposed uses and quantum of gross floor area,
 - (b) the expected timing of service and freight vehicle movements through the day and the week, and anticipated time slots per vehicle type,
 - (c) anticipated peak and priority time slots by land use, business or activity, and any proposed exclusive operational windows,
 - (d) design details for the proposed loading and servicing facilities, including number of service bays, clearance heights, grades and turning widths, and
 - (e) details of consolidation strategies that will be employed to reduce vehicle movements, including off-site delivery consolidation, waste contract consolidation and procurement-led consolidation.

5.12

Waterloo Estate (South)

5.12.1 General provisions

- (1) This Section applies to Waterloo Estate (South), as shown in Figure 5.1
- (2) The objectives and provisions of the *Waterloo Estate (South) Design Guide* apply to land in Waterloo Estate (South).