

Sydney Development Control Plan 2012

Text



Table of Contents

1.	Introduction
1.1	Purpose of this Development Control Plan
1.2	DCP name and commencement
1.3	Aims of this DCP
1.4	Land to which this DCP applies
1.5	Relationship of this DCP to other plans and policies
1.6	Relationship of this DCP to other DCPs and policies
1.7	Savings Provision
1.8	Interpretation
1.9	Structure of this DCP
1.10	How to use this DCP
1.11	Development contributions and planning agreements
1.12	Monitoring and review
2.	Locality Statements
2.1	Central Sydney
2.2	Rosebery Estate
2.3	Chippendale, Camperdown, Darlington, West Redfern and North Newtown
2.4	City East
2.5	Green Square
2.6	Glebe and Forest Lodge
2.7	Erskineville, Alexandria (west) and Newtown (south)
2.8	Millers Point
2.9	Paddington/Centennial Park
2.10	Southern Enterprise Area
2.11	Surry Hills
2.12	Ultimo/Pymont
2.13	Waterloo and Redfern
3.	General Provisions
3.1	Public Domain Elements
3.2	Defining the Public Domain
3.3	Design Excellence and Competitive Design Processes

TABLE OF CONTENTS

3.4	Hierarchy of Centres, City South
3.5	Urban Ecology
3.6	Ecologically Sustainable Development
3.7	Water and Flood Management
3.8	Subdivision, Strata Subdivision and Consolidation
3.9	Heritage
3.10	Significant Architectural Building Types
3.11	Transport and Parking
3.12	Accessible Design
3.13	Social and Environmental Responsibilities
3.14	Waste
3.15	Late Night Trading Management
3.16	Signage and Advertising
3.17	Contamination
3.18	Acoustic Amenity
4.	Development Types
4.1	Single Dwellings, Terraces and Dual Occupancies
4.2	Residential Flat, Non-Residential+ and Mixed Use Developments
4.3	Industrial Developments
4.4	Other Development Types and Uses
5.	Specific Areas
5.1	Central Sydney
5.2	Green Square
5.3	Green Square - Epsom Park
5.4	Green Square – Lachlan
5.5	Ashmore Neighbourhood
5.6	Rosebery Estate, Rosebery
5.7	Green Square - North Rosebery
5.8	Southern Enterprise Area
5.9	Danks Street South
5.10	Botany Road Precinct
5.11	Oxford Street Cultural and Creative Precinct
5.12	Waterloo Estate (South)

TABLE OF CONTENTS

6.	Specific Sites
6.1	Sites identified in previous DCPs, masterplans or development consents
6.2	Sites identified through Urban Design Studies
6.3	Specific site controls prepared as part of a Planning Proposal
Schedules	
Schedule 1	Advertising and notification Superseded and replaced by the Community Participation Plan 2019
Schedule 2	Information required in a Development Application
Schedule 3	Late Night Trading
Schedule 4	Projections over or into public roads
Schedule 5	Public open space dedication and design criteria
Schedule 6	Signage in The Rocks
Schedule 7	Transport, parking and access
Schedule 8	Green roofs and walls
Schedule 9	Tree management
Schedule 10	Providing community infrastructure in Green Square
Schedule 11	Electronic variable content advertising structures
Schedule 12	Procedures for demonstrating compliance with variation provisions for street frontage height and setbacks, side and rear setbacks, building separations and tapering controls in Central Sydney
Schedule 13	Oxford Street Cultural and Creative Precinct – spatial requirements of specific creative spaces

TABLE OF CONTENTS

Amendments to this DCP

The following amendments to this DCP have been made:

Amendment Name	Date in force	Date approved by council	Notes
87 Bay Street, Glebe	17 December 2013	29 July 2013	Section 6.3.1
Ashmore Neighbourhood	24 December 2013	9 December 2013	Section 5.5
Green Square - North Rosebery	14 February 2014	9 December 2013	Section 5.7
Alexandria Park locality and 287-289 Crown Street, Surry Hills	11 April 2014	18 November 2013	Reported to Council as DCP Amendment No.3 Sections 6.3 and Section 2.5
Amendment No.2	13 June 2014	12 May 2014	New provisions updating existing provisions and adding site specific controls in Section 6
AMP Circular Quay Precinct	13 June 2014	9 December 2013	Section 6.1.12
18 Huntley Street, Alexandria	8 October 2014	15 September 2014	Section 6.2.4
Waterloo Park	28 November 2014	15 September 2014	Section 2.5.11
Epsom Park, Zetland	19 December 2014	25 August 2014	Section 2.5.5 & Section 5.3
Green Square - Lachlan	10 April 2015	3 November 2014	Section 5.4
Southern Employment Lands	12 June 2015	18 May 2015	Section 5.8
904 Bourke Street, Zetland	28 August 2015	18 May 2015	Section 6.3
60 Martin Place	28 August 2015	18 May 2015	Section 6.3
65-79 Sussex Street, Sydney	4 September 2015	27 April 2015	Section 6.3
Green Square Setbacks	17 November 2015	26 October 2015	Section 5.2, 5.3, 5.4, 5.7 & 5.8
230-238 Sussex Street, Sydney	1 April 2016	29 February 2016	Section 6.3
Minor Policy and Housekeeping	6 May 2016	10 August 2015	Section 3.11, Section 4.2, Section 5.2 & Schedule 10

TABLE OF CONTENTS

Amendment Name	Date in force	Date approved by council	Notes
505-523 George Street, Sydney	6 May 2016	10 August 2015	Section 6.3
The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)	2 December 2016	25 July 2016	Section 6.1.4, Section 6.1.5, Section 6.1.6 & Section 6.1.7
45 Murray Street, Pyrmont	9 December 2016	25 July 2016	Section 6.3
Signs and Advertisements 2015	13 December 2016	21 November 2016	Section 3.16 & Schedule 11
51-55 Missenden Road, Camperdown	16 December 2016	29 February 2016	Section 6.3
12-40 Rosebery Avenue, Rosebery	24 February 2017	24 October 2016	Section 5.7
Minor Heritage Floor Space	15 September 2017	7 August 2017	Section 5.1
296-298 Botany Road and 284 Wyndham Street, Alexandria	22 December 2017	15 May 2017	Section 6.3
397-399 Cleveland Street and 2-38 Baptist Street, Surry Hills Shopping Village, Redfern	24 August 2018	11 December 2017	Section 6.2.8
Energy and Waste Amendment 2018	28 August 2018	13 August 2018	Section 3.6, Section 3.11, Section 3.14 & Section 4.2
7-15 Randle Street, Surry Hills	5 October 2018	19 March 2018	Section 6.3
2-32 Junction Street, Forest Lodge	18 January 2019	11 December 2017	Section 6.3
102-106 Dunning Avenue, Rosebery	8 March 2019	17 September 2018	Section 6.3
Darlinghurst Road, Potts Point	29 April 2019	8 April 2019	Section 2.4.7 & Section 6.2
Late Night Trading DCP (Amendment No.3)	17 June 2019	13 May 2019	Section 3.15
4-6 Bligh Street, Sydney	27 August 2019	19 November 2018	Section 6.3

TABLE OF CONTENTS

Amendment Name	Date in force	Date approved by council	Notes
Danks Street South Precinct	13 September 2019	10 December 2018	Section 2.5.3, Section 2.13.7, Section 5.2 & Section 5.9
Millers Point Amendment	18 October 2019	11 December 2017	Section 2.8
225-279 Broadway, Glebe	29 November 2019	19 August 2019	Section 6.3
Community Participation Plan 2019	29 November 2019	18 November 2019	Schedule 1
2-22 and 24 Rothschild Avenue, Rosebery	14 February 2020	24 June 2019	Section 6.3
72-84 Foveaux Street, Surry Hills	27 March 2020	9 December 2020	Section 6.3
1-11 Oxford Street, Paddington	7 August 2020	18 May 2020	Section 6.3
1-3 Burrows Road, St Peters	2 July 2021	29 March 2021	Section 6.3
4-44 Wentworth Avenue, Surry Hills	2 July 2021	29 March 2021	Section 6.3
187 Thomas Street, Haymarket	10 September 2021	28 June 2021	Section 6.3
17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe	10 September 2021	29 March 2021	Section 6.3
The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)	22 October 2021	16 November 2020	Section 6.1.4
Central Sydney	26 November 2021	14 December 2020	Section 2.1, Section 3.3, Section 3.16, Section 5.1 & Schedule 12
30-62 Barcom Avenue, Darlinghurst	22 April 2022	15 November 2021	Section 6.3
Southern Enterprise Area	16 May 2022	30 September 2022	Section 2.5.4, Section 2.10, Section 5.2 & Section 5.8

GLOSSARY OF TERMS

Amendment Name	Date in force	Date approved by council	Notes
Botany Road Precinct	11 November 2022	27 June 2022	Section 2.5.1, Section 2.7.1, Section 2.13.8, Section 2.13.13 & Section 5.10
2 Chifley Square, Sydney	25 November 2022	22 August 2022	Section 6.3
Oxford Street Cultural and Creative Precinct	2 December 2022	11 April 2022	Section 5.11 & Schedule 13
Night Time Economy	9 December 2022	29 March 2021	Section 4.4
Waterloo Estate (South)	28 February 2023	20 February 2023	Section 2.13.13 & Section 5.12
Heritage Floor Space amendment	9 March 2023	20 February 2023	Section 5.1.6
757-763 George Street, Haymarket	13 March 2023	28 April 2023	Section 6.3
15-23 Hunter Street & 103-107 Pitt Street, Sydney	16 June 2023	20 February 2023	Section 6.3
Performance Standards for Net Zero Energy Buildings 2021	1 October 2023	22 August 2022	Section 3.6
Retail Review of Southern Sydney	6 October 2023	21 August 2023	Section 2.10, Section 3.4, Section 5.2 & Section 5.8
923-935 Bourke Street, Waterloo	22 March 2024	21 August 2023	Section 5.2, Section 5.8 & Section 6.3
118-130 Epsom Road & 905 South Dowling Street, Zetland	3 May 2024	19 February 2024	Section 5.3.6 & Section 5.4.3
Entertainment Sound Management	1 April 2025	17 March 2025	Section 3.15.4 & Section 3.18
232-236A & 238 Elizabeth Street, Surry Hills	24 April 2025	16 December 2024	Section 6.3

Glossary of Terms

Active Frontage means street frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings. Frequent building entries that face and open towards the street, transparent street frontages, quality materials and refined details, and mixed land uses will make streets more diverse and attractive for pedestrians and increase the perception of safety and encourage higher levels of pedestrian activity.

Architectural character includes massing, articulation, composition of building elements, material use and details including building entrances, fenestration, balconies and balustrades, awnings, planters, pergolas, boundary walls, fences etc.

Commercial Building means any non-residential building, and includes hotels.

Communal Open Space is a useable community open space for the recreation and relaxation of residents which is under the control of a body corporate.

Consent Authority means the City of Sydney Council or the Central Sydney Planning Committee. Both are referred to in this DCP as Council.

Contributory Buildings are buildings that make an important and significant contribution to the character of a heritage conservation area of heritage streetscape and have a reasonable to high degree of integrity and date from a key development period of significance. Contributory buildings are defined as buildings which are from a significant historical period layer, highly or substantially intact or significant historical period layer, altered yet recognisable and reversible.

Convenience Store means a retail shop generally with less than 200sqm GFA and used for the purposes of selling foodstuffs, personal care products, magazines, and other small daily convenience needs of the people who live or work in the local area.

DCP means *Sydney Development Control Plan 2012*.

Deep Soil is an area of natural ground with relatively natural soil profiles and it excludes areas where there is a structure underneath, pools and non-permeable paved areas but can include 50% of the area of any porous paving and essential accessible paths up to 1.2m wide, providing there is deep soil area to one side that is level with the footpath.

Ecologically Sustainable Development (ESD) is 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased' (in accordance with the National Strategy for Ecologically Sustainable Development).

Factory outlet is a retail premises, traditionally attached to a factory and operated by a manufacturer, which provides an outlet to sell that firm's closeouts, discontinued merchandise, irregulars, cancelled orders, and the like direct to the public and often at discounted prices. It may also be a store selling a number of consolidated brands.

Fine grain means a small scale, generally lower cost spaces providing for a diverse range of activities and users. The fine grain spaces include small retail tenancies with street access including basement and first floor levels, as well as offices, studio spaces or other activities with access inside arcades, underground connections, through office foyers or other buildings. Fine grain spaces often front or are accessed from smaller streets or lanes, and are within lower grade office or mixed use buildings, generally in the less expensive precincts. The fine grain spaces with their mixed ownership and leasing patterns enable more organic changes to occur throughout the City and support lower cost and start up businesses that contribute to a vibrant and active City.

GLOSSARY OF TERMS

GFA means gross floor area as defined in *Sydney Local Environmental Plan 2012*.

Glass Line means the inside face of windows on the external walls of a building.

Green roof means a roof system designed to promote the growth of various forms of vegetation on the top of buildings. Differing from a roof garden, a green roof can also support various forms of renewable energy and water collection technology to assist in supplying power and water to the occupants of the building.

Habitable room is a bedroom, living room or kitchen, dining room, study, play room and sun room.

Highly visible sites are located at the termination of a vista or on the corners of prominent intersections and are to accommodate landmarks such as 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.

Imminently Dangerous includes but is not restricted to obvious instability of the root system, evidence of soil heave or cracking, loss of structural roots, root decay, structural defects that are imminently hazardous (for example, splitting branches), storm damage.

Landmarks are prominent visual features (including buildings, elements of buildings or other attractions) that will act as points of reference and as a navigating tool for pedestrians, cyclists and vehicles. Landmarks must be recognisable from street level and from a distance to facilitate pedestrian orientation and should provide contrast from adjoining built form, whether the contrast is created through building height, building materials and colour or architectural style.

Linear Parks will provide informal recreational opportunities and act as both a visual and physical connection between open spaces, parks, streets (existing and proposed) and the pedestrian and cycle network. Linear parks will be provided along water channels and linked with new and existing public streets, enhanced with wide verges and shade tree planting.

Low Impact Premises is a premise that has capacity of up to 120 patrons where alcohol is consumed on the premises; any other commercial premises that in the opinion of the Council may impact on the amenity and safety of a neighbourhood resulting from its operation at night. Low impact premises may restaurants, 'BYO' premises, cafes, theatres, karaoke venues, convenience stores and takeaway food shops. Outdoor seating is included in patron capacity calculations.

Maisonette apartment means a two storey apartment where the storeys are vertically stacked.

Major roads identified major roads will continue to take high volumes of traffic. Residential development should not be introduced at ground floor on lots adjoining major roads, and all development must provide noise attenuation measures.

Open Space includes all publicly owned land that is set aside with unrestricted public access, and managed exclusively for leisure, recreation and amenity.

Principal window and balcony means the main window or balcony of a habitable room, being a living room or main bedroom of a dwelling unit.

Public Domain refers to areas of the City in which access to and use of is available for any member of the public. Public domain typically includes parks, plazas, footpaths and streets. Public domain elements of the City are typically controlled by the City of Sydney.

GLOSSARY OF TERMS

Private Open Space an open area of land or building attached to a dwelling intended for the exclusive use of occupants of the dwelling for private outdoor living activities.

Public Transport Corridors should be the focus for future public transport services provided in Green Square. Mass transit services and facilities should be provided in accordance with the identified alignments for Green Square.

Sensitive land uses include day care or child-minding centres, primary or secondary schools, places of worship, parks, playgrounds, or any other place regularly frequented by children.

Street alignment means the boundary between land allotments and a street or lane.

Street frontage height in storeys is the vertical height of that part of the building closest to the street boundary.

Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include: a space that contains only a lift shaft, stairway or meter room, or a mezzanine, or an attic.

Sustainability means 'development which meets the needs of the present without compromising the ability of future generations to meet their own needs' (Source: The Bruntland Report, 1987).

Sydney LEP means *Sydney Local Environmental Plan 2012*.

Tall buildings and towers are buildings greater than 35m in height.

Through-site links provide an important function in the form of pedestrian links and bike links to improve pedestrian permeability, and help break up large street blocks and increase the potential for direct and clear connections between buildings.

Transport Corridor is a linear tract of land dedicated to at least one main line for transport. Transport corridors can be road, rail or canal and are generally high capacity routes. Transport corridors typically connect two major 'anchor' destinations, with many destinations in between.

Water Channel Open Space Links the line represents the existing water channel open space network that runs through Green Square and connects to Alexandra Canal. 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 possible). Where the channel cannot be exposed, it is to be interpreted architecturally or through public art.

Water Sensitive Urban Design means the integration of urban planning with the management, protection and conservation of the urban water cycle so as to ensure urban water management is sensitive to natural hydrological and ecological processes. It may include practices such as stormwater reuse, use of bio-retention swales and detention ponds.

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.

GLOSSARY OF TERMS

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.