

**Report to General Manager**

Attachments:

1. Draft amendments to North Sydney Development Control Plan 2013
2. Table of Amendments
3. Consistency with Local Strategic Planning Statement
4. Adaptable Housing Standards Comparison Tables

SUBJECT: North Sydney DCP Review 2020**AUTHOR:** Ben Boyd, Executive Strategic Planner and Liam Rogers, Student Strategic Planner**ENDORSED BY:** Joseph Hill, Director City Strategy**EXECUTIVE SUMMARY:**

Council resolved to adopt the North Sydney Local Strategic Planning Statement (LSPS) for the Greater Sydney Commission's final "assurance" on 25 November 2019. At this meeting, Council also resolved to adopt a Planning Proposal to give effect to the local planning priorities and actions of the LSPS and a Local Housing Strategy (LHS) which fulfils one of the actions to the LSPS. The actions to adopted LSPS and LHS also have implications for Council's Development Control Plan (DCP).

Since the commencement of NSDCP 2013, Council staff have maintained a register of issues and anomalies with respect to the operation of the DCP. Given the need to review and amend the DCP to align with the LSPS, LHS and recent Planning Proposal, it is timely to incorporate these miscellaneous housekeeping amendments to ensure that the DCP remains clear, transparent and contemporary.

In this context, the following amendments are proposed to NSDCP 2013:

- Undertaking consequential amendments arising from permitting residential flat buildings in the *R3 Medium Density Residential* zone;
- Undertaking amendments in order to implement the actions of Council's endorsed *Local Strategic Planning Statement, Local Housing Strategy* and *North Sydney Transport Strategy*;
- Amending the requirements for residential flat buildings to ensure full consistency with *SEPP 65* and the *Apartment Design Guide*;
- Amending the approval processes relating to tree and vegetation management;
- Amending the provisions for child care facilities to incorporate the recommendations of the *Best Practice Guidelines for Above Ground Child Care Centres* (Dec 2019) prepared by KU Children's Service and to reflect the requirements of *SEPP (Educational Establishments and Child Care Facilities) 2017*;
- Adding a new *Construction Management* section to NSDCP 2013 which outlines the standardised construction hours for developments, details as to when out-of-hours permits

may be issued and the issues that need to be addressed and complied in Construction Management Plans;

- Addressing a variety of outstanding heritage matters including: contributory and uncharacteristic items, dormers, gardens and landscaped settings and uncharacteristic elements for several conservation areas;
- Ensuring that the DCP applies to development in the *E4 Environmental Living* zone;
- Adding new provisions to ensure there are separate entrances for residential and non-residential uses in mixed use buildings;
- Amending Council's provisions for accessibility and adaptable housing to align with industry best practice in this area;
- Revising acoustic amenity requirements to ensure full consistency between NSDCP 2013 and Council's standard conditions of consent;
- Revising the controls for views and view sharing in line with an outstanding Council resolution to reference a Planning Principle from the Land and Environment Court;
- Amending site coverage, unbuilt area and landscape area controls to exclude access handles and rights of way from site calculations;
- Deletion of site-specific controls for 2 Thomas Street, McMahons Point within Part C of NSDCP 2013 to align with the proposed removal of the clauses within NSLEP 2013 permitting a restaurant or café at 2 Thomas Street under the LGA wide Planning Proposal;
- Revising references to Legislative Acts, Regulations, planning instruments and relevant council and planning policies;
- Correcting minor grammatical and typographical errors;
- Removal of redundant clauses, due to ceasing operation or duplication under other planning instruments; and
- Correcting errors in relation to street addresses and property descriptions.

FINANCIAL IMPLICATIONS:

Council entered into a grant funding agreement with the Department of Planning Industry and Environment in late 2018 which facilitates the funding of projects associated with the preparation, public exhibition and finalisation of the LGA wide Planning Proposal and DCP amendments which is the subject of this report.

RECOMMENDATION:

- 1. THAT** Council resolves to endorse the attached draft amendments to North Sydney Development Control Plan 2013 for the purposes of public exhibition.
 - 2. THAT** the draft amendments to North Sydney Development Control Plan 2013, be placed on public exhibition concurrently with Planning Proposal 7/19 – North Sydney LEP Review 2019 for a minimum period of 28 days in accordance with the Environmental Planning and Assessment Regulations.
-

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

- Direction: 1. Our Living Environment
- Outcome: 1.1 Protected and enhanced natural environment and biodiversity
- Outcome: 1.2 North Sydney is sustainable and resilient
- Outcome: 1.3 Quality urban greenspaces
- Outcome: 1.4 Public open space and recreation facilities and services meet community needs

- Direction: 2. Our Built Infrastructure
- Outcome: 2.1 Infrastructure and assets meet community needs
- Outcome: 2.2 Vibrant centres, public domain, villages and streetscapes
- Outcome: 2.3 Sustainable transport is encouraged

- Direction: 3. Our Future Planning
- Outcome: 3.1 Prosperous and vibrant economy
- Outcome: 3.2 North Sydney CBD is one of NSW's pre-eminent commercial centres
- Outcome: 3.4 North Sydney is distinctive with a sense of place and quality design
- Outcome: 3.5 North Sydney is regulatory compliant

- Direction: 4. Our Social Vitality
- Outcome: 4.1 North Sydney is connected, inclusive, healthy and safe
- Outcome: 4.2 North Sydney is creative and home to popular events
- Outcome: 4.3 North Sydney supports lifelong learning
- Outcome: 4.4 North Sydney's history is preserved and recognised

- Direction: 5. Our Civic Leadership
- Outcome: 5.1 Council leads the strategic direction of North Sydney

BACKGROUND

On 2 September 2013, Council adopted North Sydney Development Control Plan (NSDCP) 2013 and it came into force on 13 September 2013. The DCP provides additional planning guidance for development requiring development consent under North Sydney Local Environmental Plan (NSLEP) 2013 and to fulfil other legislative requirements, such as identifying when a permit is required to prune or remove trees and vegetation.

Section 1.10 to Part B of NSDCP 2013 states that a comprehensive review of the DCP should occur at least once every 5 years consistent with industry best practice. It also states that the DCP may need to be updated on a more regular basis to immediately resolve any arising issues that may adversely impact on the desired future character of the North Sydney LGA and its residents.

NSDCP 2013 has been in operation in excess of five years and therefore a comprehensive review is warranted. However, it should be noted that the DCP has also been subject to

numerous amendments since its commencement to address pressing planning issues as they have arisen and to ensure that the document remains contemporary.

The Environmental Planning and Assessment Act, 1979 (EP&A Act), requires all councils to prepare a Local Strategic Planning Statement (LSPS) which is to provide the basis for strategic planning in a council’s local government area (LGA). The LSPS is to have regard to economic, social and environmental matters and identify how the desired outcomes of any regional and district level strategic plan applying to the LGA will be addressed. The LSPS is then to inform any changes to a council’s LEP and/or other planning policies, such as DCPs. Due to the legislative need to prepare an LSPS, it was determined to delay the comprehensive review of NSDCP 2013 until such time as the LSPS had been adopted.

On the 25 November 2019, Council adopted an LSPS, a Local Housing Strategy (a requirement of the LSPS) and a Planning Proposal to amend North Sydney Local Environmental Plan (NSLEP) 2013 to give effect to the recommended outcomes of the adopted LSPS and LHS.

Furthermore, since the commencement of NSDCP 2013, Council staff have also been maintaining a register of issues and anomalies with respect to the operation of the DCP. Over this period, there has been 16 key issues raised, giving rise to approximately 85 individual issues. Given the need to revise the DCP to give effect to the outcomes of the LSPS and LHS, it is timely to incorporate these miscellaneous housekeeping amendments to ensure that the DCP remains clear, transparent and contemporary, whilst still effectively supporting the LEP.

CONSULTATION REQUIREMENTS

Should Council determine that the draft DCP amendment can proceed, community engagement will be undertaken in accordance with Council’s Community Engagement Protocol and the Environmental Planning and Assessment Regulations 2000.

SUSTAINABILITY STATEMENT

The following table provides a summary of the key sustainability implications:

QBL Pillar	Implications
Environment	<ul style="list-style-type: none">• Amending the Tree and Vegetation Management Permit thresholds will assist in increasing tree canopy cover in line with Council’s Urban Forest Stagey.• Increased guidance with regard to construction management is likely to better manage noise impacts on nearby residents.• Updating waste management provisions to align with State and NSROC guidelines and industry best practice.

QBL Pillar	Implications
Social	<ul style="list-style-type: none"> • Amending the adaptable housing requirements will ensure that more residents are capable of aging in place. • The proposed amendments would provide increased levels of protection to existing contributory items through the correction of their descriptions and locations. • The proposed amendments would provide an increased level of protection to several properties which positively contribute to a number of heritage conservation areas. • The proposed amendments will see a refocusing of managing vehicular traffic impacts by greater consideration being given to modal shifts away from private transport in line with Council’s Transport Strategy. • Increased guidance with regard to construction management is likely to reduce the number of complaints from residents and to manage the expectations of what is deemed acceptable.
Economic	<ul style="list-style-type: none"> • Amending the Tree and Vegetation Management Permit thresholds is likely to result in an increase in the number of Permit applications required to be considered. • Increased guidance with regard to construction management is likely to reduce the number of complaints received by Council that will require investigation.
Governance	<ul style="list-style-type: none"> • The removal of redundant provisions and correction of errors will greatly improve the legibility and usability of the DCP. • The proposed amendments will help to deliver on the Directions and Outcomes of Council’s Community Strategic Plan and associated Delivery Program. • The proposed amendments will help to deliver the recommendations and actions of Councils’ Local Strategic Planning Statement and Local Housing Strategy.

DETAIL

1. Purpose of Report

The need to revise NSDCP 2013 has arisen from the recommendations and actions identified in Council’s recently adopted LSPS and LHS, an endorsed planning proposal giving effect to the recommendations and actions of the LSPS and LHS and desire to follow industry best practice by undertaking a regular review of the DCP to ensure it remains clear transparent and contemporary.

2. Process For Amendment

Division 3.6 of the EP&A Act in conjunction with Part 3 of the EP&A Regulations sets out the requirements for the preparation and operation of DCPs. The preparation of this amendment will be consistent with these requirements.

3. Assessment of Issues

The following subsections outline the issues that have been considered, which have subsequently informed the proposed amendments to NSDCP 2013 as identified within Attachment 1 to this report. These amendments are identified as follows:

- ~~Blue strikethrough~~ representing a deletion; and
- Red underline representing an insertion.

A summary of all proposed amendments is contained within Attachment 2. However, minor formatting, grammatical and typographical errors have been automatically accepted and not separately identified, as these amendments do not alter the intent of the various provisions contained within the DCP.

3.1. Local Strategic Planning Statement

3.1.1. Issue

Section 3.9 of the EP&A Act requires all councils to prepare and make an LSPS to inform strategic planning for an area. An LSPS is designed to be a relatively simple-to-understand document that sets out Council's land use vision, planning principles, priorities, and actions for the next 20 years. It expresses the desired future direction for housing, employment, transport, recreation, environment and infrastructure for the LGA as a whole and will guide the content of Council's LEP and DCP. Council resolved to adopt an LSPS for the purposes of Greater Sydney Commission assurance process on 25 November 2019.

3.1.2. Planning Comment

NSDCP 2013's consistency with the Local Planning Priorities and Actions to the adopted LSPS are considered in the table forming Attachment 3 to this report. In summary, the majority of the provisions within NSDCP 2013 are currently consistent with the priorities and actions to the LSPS or can be achieved by amending the DCP.

In particular, the following amendments are proposed to NSDCP 2013 to ensure it is consistent with the priorities and actions of the LSPS:

- Revising *Section 1 – Residential Development* to Part B to the DCP to reflect the proposed permitting of residential flat buildings in the R3 *Medium Density Residential* zone and to manage the impacts of any existing use rights application and minimise increases in density away from transport and services (Actions L1.1, L1.6);
 - Revising *Section 13 - Heritage and Conservation* to Part B to the DCP to ensure heritage controls provide clear and effective guidance for conservation, adaptation and infill (Actions L3.5 & L3.6);
 - Revising *Section 5 – Child Care Centres* to Part B of the DCP to incorporate best practice for child care centres located above ground level (Action L2.6);
 - Revising *Section 13 – Access* to Part B of the DCP to ensure that dignified access is incorporated into the planning process (Action L2.13);
 - Revising *Section 10 – Carparking and Transport* to Part B of the DCP to ensure that the provisions align with the *North Sydney Transport Strategy* (Action P6.1);
 - Revising *Section 15 – Bushland* to Part B of the DCP to ensure that the provisions align with changes to bushland and biodiversity legislation. (Action S1.1);
-

- Revising *Section 16 - Tree and Vegetation Management* to Part B of the DCP to protect and improve tree canopy coverage and minimise the urban heat island effect (Actions S2.5, S2.6 and S4.1).

Whilst some of the priorities and actions of the LSPS will have implications for the DCP, they are reliant on other major planning projects first being completed and endorsed by Council and include:

- Amending NSDCP 2013 to implement the finalised *St Leonards and Crows Nest 2036 Plan* (Actions I2.8, L1.3, L1.4);
- Reviewing the DCP to ensure that identified biodiversity corridors are protected through the development process (Actions A1.2 and S1.3);
- Completing a catchment wide Coastal Management Plan for Sydney Harbour (Action S1.5);
- Completing a Floodplain Risk Management Study and Plan for the LGA (Action S4.2).

Notwithstanding, the DCP can be amended to address these outstanding issues once Council has a resolved position on these matters.

3.1.3. Recommendation

The DCP is amended to align with the relevant actions of LSPS, where it is also supported by completed studies and/or strategies as they are endorsed by Council.

3.2. Local Housing Strategy

3.2.1. Issue

Both the Regional and District Plans require all councils to prepare local housing strategies identifying how the housing targets under these plans is to be delivered. The intent of a local housing strategy is to be given effect through amendments to LEPs and DCPs. Council resolved to adopt an LHS on 25 November 2019.

The land use planning approach and mechanisms to implement the LHS are to:

- Continue Council's long term housing approach of concentrating residential density in and around existing centres and transport nodes and rely on the existing capacity of current land use planning controls;
- Manage housing delivery in the St Leonards Crows Nest Planned Precinct;
- Continue Council's approach of place based strategic planning with detailed consultation to seek the best planning outcomes.

The key actions identified in the LHS which have direct implications for NSDCP 2013 are as follows:

Action A1

Continue to implement SEPP 65 and the accompanying Apartment Design Guide

Action A8

Continue to ensure that housing growth delivered through the existing residential zoned land encourages good design outcomes by implementing place-based planning study outcomes and DCP controls

Action A13

Report to Council to review NSDCP 2013 to align with the outcomes of the NSLHS

3.2.2. Planning Comment

With respect to Action A1, this issue has been addressed at section 3.5 to this report.

With respect to Action A8, Council will continue to amend NSDCP 2013 in conjunction with precinct-based planning studies. To ensure these precinct-based planning studies are implemented appropriately, in conjunction with other amendments (such as to NSLEP 2013), no amendments are proposed as part of this amendment to NSDCP 2013.

In accordance with Action A13, this report satisfies this action.

3.2.3. Recommendation

The DCP is amended to better align with the *Apartment Design Guide* as outlined in section 3.5 of this report. Subsequent amendments to NSDCP 2013 will be undertaken in response to precinct-based planning studies.

3.3. North Sydney Transport Strategy

3.3.1. Issue

The North Sydney Transport Strategy was adopted by Council in 2017. This strategy outlines Council's vision for transport in the LGA, to support a happy, healthy and prosperous North Sydney. Council's transport planner has identified several components of NSDCP 2013 which should be amended to reflect and reinforce the outcomes of the North Sydney Transport Strategy.

3.3.2. Planning Comment

The North Sydney Transport Strategy identifies community transport priorities, including safety, transport security, social wellbeing, active health, environmental sustainability, local environments, congestion and business activity. The strategy aims to prioritise walking, cycling and public transport use over private vehicular transport.

In particular, it is proposed to revise *Section 10 – Car Parking and Transport* to ensure it is consistent with the priorities of North Sydney Transport Strategy. The following amendments are proposed:

- Revising the general objectives to align with the priorities of the North Sydney Transport Strategy;
 - Minor amendments to 10.2 Parking Provisions. These amendments are intended to reinforce the community transport priorities by encouraging below maximum parking rates where developments are in close proximity to public transport and other sustainable transport modes. These amendments do not change the parking rates themselves;
 - Amending 10.2.2 Car Share Schemes provisions to ensure that such schemes support sustainable transport modes and serve community transport priorities;
 - Updating Bicycle Parking provisions to reflect changes to the Australian Standard and ensure greater amenity for cyclists;
 - Amending the requirements for travel plans. This is to ensure that where such plans are provided, they align with the outcomes of the North Sydney Transport Strategy and the community transport priorities. The proposed amendments will also require travel plans to identify and monitor transport targets, ensuring that the outcomes identified in such plans are realised; and
-

- Relocation of requirements for Traffic and Parking Impact Assessment into this chapter of DCP. Refer to section 3.12 of this report.

These amendments are not extensive, and do not affect the parking quantity requirements for any type of development. The intent is to better align the provisions of NSDCP 2013 with the vision and priorities of the North Sydney Transport Strategy by encouraging the use of public transport and sustainable transport modes. These amendments will also ensure that these provisions reflect updated legislative requirements as well as industry best practice.

3.3.3. Recommendation

The DCP is amended to align with the vision and priorities of the North Sydney Transport Strategy.

3.4. Corrections and General Updating

3.4.1. Issues

NSDCP 2013 makes numerous references to various pieces of legislation, planning policies, and other documents upon which it relies and/or is based. In particular, significant changes have been made to several of these legislative and non-legislative documents, reducing the clarity and effectiveness of the DCP.

Council staff have also been keeping a register of minor grammar, typographical and formatting issues. To ensure that the document remains consistent and easy to read and understand, these minor issues need to be addressed.

3.4.2. Planning Comment

There is a need to ensure that the DCP is easy to understand and implement. Part of this is to ensure that the information contained within the DCP is correct and provided in a consistent format. Amendment of the DCP to correct these identified issues have no impact on the intent of the DCP and therefore do not really constitute a formal amendment. Therefore, inconsequential minor amendments, such as the correction of spelling mistakes, formatting and grammar have been automatically incorporated in the proposed amendments and have not been specifically highlighted. Table 1 illustrates the key changes to the references to Acts and Regulations.

TABLE 1 – Changes to Acts and Regulations	
Current reference	Proposed Reference
NSW Threatened Species Act 1995	Biodiversity Conservation Act 2016 Local Land Services Act 2013
NSW Noxious Weeds Act	NSW Biosecurity Act
Children and Young Persons (Care and Protection) Act 1998	Children (Education and Care Services) Supplementary Provisions Act 2011
Children’s Services Regulation 2004	Education and Care Services Regulations Children (Education and Care services) Supplementary Provisions Regulation 2019

In March 2018, the EP&A Act underwent significant amendment. The amendment resulted in the incorporation of a number of minor planning reforms and a complete change to the section numbering. The DCP contains numerous references to the EP&A Act, including section

numbers, and relies on these references to enact its functions. Accordingly, there is a need to update these references such that the DCP remains clear and contemporary.

Furthermore, many sections of the DCP incorporate statistical data in order to paint a contextual picture of where Council is and where it is going. Most of these statistics are contained within Section 2 to Part A of the DCP. To ensure that this contextual picture remains current, it is important to update these statistics, such that the document remains contemporary and supports the provisions that are contained within it.

3.4.3. Recommendation

The DCP is amended to correctly identify current legislative and non-legislative documents and to incorporate minor typographical, grammatical and formatting amendments to improve the clarity and understandability of the DCP.

3.5. Residential Flat Buildings – SEPP 65 and the Apartment Design Guide

3.5.1. Issue

When NSDCP 2013 first commenced, it had been informed by the requirements of *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development* (SEPP 65) and the accompanying *Residential Flat Building Design Code* (RFDC).

On 19 June 2015, Amendment No.3 to SEPP 65 came into force. This amendment resulted in a number of changes including:

- the name of the SEPP (*Design Quality of Residential Apartment Development*);
- minor alterations as to the matters to be considered when the SEPP applies; and
- replacement of the RFDC with the *Apartment Design Guide* (ADG), which incorporated a number of significant amendments to its provisions in responses to issues raised during the operation of the former RFDC.

3.5.2. Planning Comment

It should be noted that SEPP 65 does not apply to all developments incorporating residential flat buildings. It does not apply to residential flat buildings less than 3 storeys in height and containing less than 4 dwellings. Despite this exclusion, all residential flat buildings should aim to comply with the suggested requirements under the ADG.

Clause 6A to SEPP 65 states that DCPs cannot be inconsistent with the ADG. In particular, the provisions set out in Parts 3 and 4 of the ADG take precedence over similar controls set out in a DCP for the following matters:

- (a) *visual privacy,*
 - (b) *solar and daylight access,*
 - (c) *common circulation and spaces,*
 - (d) *apartment size and layout,*
 - (e) *ceiling heights,*
 - (f) *private open space and balconies,*
 - (g) *natural ventilation,*
 - (h) *storage.*
-

NSDCP 2013 currently makes several references to the RFDC and incorporates some of the suggested development standards and guidelines. The DCP is generally consistent with the majority of the suggested requirements under the ADG. However, there are some minor areas of conflict or difference relating to the following:

- building separation naming conventions;
- setbacks;
- solar access for single aspect apartments;
- apartment size
- private open space;
- communal circulation spaces; and
- ancillary storage for studios.

The key issue, however, relates to the setback requirements. Under NSDCP 2013, the setback requirements for residential flat development in residential zones is identical to that for other forms of residential development and is much less than that required under the *Apartment Design Guide*. To ensure high levels of consistency with the ADG, the DCP should be amended to require all residential flat development to incorporate the minimum setback as recommended under the ADG to ensure higher levels of amenity for occupants of that development and adjoining land.

3.5.3. Recommendation

The DCP is amended to ensure that it better aligns with the requirements of SEPP 65 and the accompanying ADG, in particular the side and rear setback requirements.

3.6. Residential Flat Buildings - Application of different sections to the DCP

3.6.1. Issues

Council development assessment staff have raised an issue of clarity when determining which sections of the DCP apply when residential flat development is proposed, as it appears that both Section 1 – Residential Development and Section 2 – Commercial and Mixed Use Development to Part B of the DCP apply when approval is sought for a mixed used development incorporating a residential flat building.

3.6.2. Planning Comment

At the commencement of NSDCP 2013, development for the purposes of residential flat buildings were required to be considered under Section 1 – Residential Development to Part B of the DCP. In fact, Section 1 – Residential Development applies to all forms of residential accommodation, with the exception of shop top housing, which may only be provided in conjunction with retail or business premises and therefor subject to Section 2 – Commercial and Mixed Use Development to Part B of the DCP.

On 27 November 2015, Amendment No.10 to NSLEP 2013 came into force, which resulted in:

- Amending the land use table to the *B4 Mixed Use* zone to permit 'residential flat buildings' with development consent;
 - Inclusion of a new clause, that prevents development consent from being granted for a 'residential flat building' in the *B4 Mixed Use zone*, unless:
 - it forms part of a 'mixed use development'; and
-

- no part of the ground floor of the building that is facing a street is used for residential accommodation.

By permitting residential flat buildings within the *B4 Mixed Use* zone, it resulted in Section 2 to Part B of the DCP also becoming applicable. The majority of the requirements for residential flat buildings under Section 1 to Part B of the DCP are duplicated under Section 2 to Part B. There are also a number of conflicting controls different between the two sections, with no indication as to which Section prevails. It was never initially intended that development for residential flat buildings was required to address both Sections 1 and 2 to Part B of the DCP. Therefore, the DCP needs to be amended to ensure that where residential flat buildings are proposed within the *B4 Mixed Use*, that only Section 2 to Part B of the DCP applies.

3.6.3. Recommended action

The DCP is amended such that Section 1 – Residential Development to Part B of the DCP does not apply to residential flat buildings proposed within the *B4 Mixed Use* zone, to improve clarity and remove the need to address duplicate controls.

3.7. Development in the E4 Environmental Living zone

3.7.1. Issue

When Council first adopted a draft version of NSDCP 2013 in 2010, the draft version of NSLEP 2013 did not contain an *E4 Environmental Living* zone.

In translating the planning provisions of NSLEP 2001 to NSLEP 2013, Council had originally resolved to combine the former *Residential A1* and *Residential A2* zones under NSLEP 2001 in the new *R2 Low Density Residential* zone. The primary difference between the two zones was the permissibility of dual occupancies. To differentiate the permissibility of dual occupancies within the new zone, Council sought to include a local provision under the draft version of NSLEP 2013 prohibiting dual occupancies on land formerly zoned *Residential A1* through identification on a specific map. However, the DPIE would not support this approach as it resulted in the creation of a subzone.

Council resolved the issue, by splitting the *R2 Low Density Residential* zone into 2 zones and thereby introduce a new zone – *E4 Environmental Living* reflecting the former zoning split. Despite this amendment to the draft version of NSLEP 2013, a subsequent amendment to the DCP before its adoption was not made. This has resulted in some of the key planning controls not technically applying to land in the *E4 Environmental Living* zone.

3.7.2. Planning Comment

To provide a greater level of certainty, it is proposed to amend NSDCP 2013 to ensure that planning controls also apply to land in the *E4 Environmental Living* zone. The specific controls which are proposed to be revised relate to the following:

- Setbacks;
 - Site coverage;
 - Landscaped area; and
 - Unbuilt upon area.
-

3.7.3. Recommendation

The DCP be amended to ensure that the DCP applies to development proposed in the *E4 Environmental Planning* zone.

3.8. Separation of access to different land use activities

3.8.1. Issue

Council staff have raised concern with respect to the absence of control requiring separate access to buildings where two or more different land use types (i.e. residential and commercial) are proposed within the same building. The concerns raised relate to increased impacts upon safety and amenity of its occupants.

3.8.2. Planning Comment

The *ADG*, which supplements SEPP 65, includes a requirement that where residential and commercial uses are to be provided within the same building, that their entrances and lobbies be separated from one another. The purpose of separating access is to maximise the amenity and safety of users to each of the land uses. As SEPP 65 doesn't apply to all mixed use development types, it is considered appropriate to incorporate a new provision to apply in a more holistic way.

3.8.3. Recommendation

The DCP be amended to incorporate a new provision to ensure that within mixed developments, separate access is provided to the different functions of the building.

3.9. Waste Management

3.9.1. Issue

Council is considering a report on 24 February 2020 concurrently with this report to adopt a revised Waste Management Guidelines (formerly known as the Waste Handling Guidelines). Part of the reason to adopt a new policy relates not to just a change in the title of the Guideline, but to also to amend the required size of residential waste receptacles, due to changes to waste collection services.

This Guidelines have also been updated to better align with the “*Model Waste Not DCP Chapter*” prepared by the former NSW Department of Environment and Climate Change and the “*Waste Management Technical Guide for Multi-dwelling Housing, Residential flat buildings and Mixed use developments*” prepared by the Northern Sydney Regional Organisation of Councils. These amendments were to ensure that Council was striving to deliver best practice.

3.9.2. Planning Comment

The waste storage management controls contained within the DCP are largely based on Council's former Waste Handling Guidelines. To ensure that the DCP is consistent with the revised Guidelines, it is important that the DCP is amended to reflect current adopted waste storage practices.

The key changes include:

- revising the name of the Guidelines;
 - replacing the Guidelines within Appendix 3 to the DCP;
-

- revising the waste bin requirements for developments containing up to 12 dwellings from 1 x 60L bin / dwelling to 1 x 80L bin / dwelling;
- revising waste and recycling bin requirements for non-residential development, and changing volume measurements from a cubic metres to litres; and
- incorporating new requirements where communal interim storage facilities are provided in multi-level buildings.

A review of the relevant waste controls within the DCP also revealed that s.2.6.6 and s.2.6.10 to Part B of the DCP are identical and therefore, the duplicate set of provisions should be deleted to improve clarity and transparency.

3.9.3. Recommendation

The DCP be amended to reflect the content of the revised Waste Management Guidelines and to remove the duplications of requirements within Section 2 to Part B of the DCP.

3.10. Adaptable housing

3.10.1. Issue

The LHS examined the issue of ‘adaptable housing’ for older person households and determined that there is an emerging supply gap for this type of housing in North Sydney. The LHS also identifies ageing in place as a key concern for older demographics in the LGA. In addition, at its meeting on 4 October 2018 Milson Precinct Committee passed a motion requesting Council’s strategic planners look at ways to ensure future apartments can be made accessible as needs arise in response to an ageing population.

3.10.2. Planning Comment

NSDCP 2013 currently requires a minimum of 15% of dwellings to comprise adaptable housing for multi-dwelling housing and residential flat buildings which contain more than 5 dwellings (Part B Section 1.2.1 Population Mix). North Sydney Council currently applies the Adaptable Housing Australian Standard (AS 4299 – 1995), as do most Councils in Sydney. NSDCP 2013 also states that these adaptable dwellings must be integrated into the overall design of the development and not use a different standard of materials and finishes to other dwellings in the development.

However, in recent years several Councils in Sydney have changed their approach to delivering adaptable housing by incorporating new guidelines into their DCPs, the *Liveable Housing Design Guidelines* (LHDG). The main difference between the approach of these guidelines to adaptable housing and the previous approach, is that the LHDG are based on universal design principles. The Australian Standard for adaptable housing is based on the more specific needs of people with disabilities, particularly wheelchair users and people with mobility issues. In general terms, the provisions of the LHDG aim to ensure homes meet the needs of a broader cross-section of the community, which includes people with disabilities, seniors, people with temporary injuries and families with children.

The LHDG contain three performance levels, from basic universal design requirements to best practice in accessible home design. The three standards are:

- Silver: Focuses on the key structural and spatial elements to ensure future homes are adaptable and flexible. To be certified silver level new homes must include seven core
-

design elements: dwelling access, dwelling entrance, internal doors and corridors, toilets, showers, reinforcement of bathroom walls and internal stairways.

- Gold: All the requirements of the silver level, with more generous dimensions and the addition of other elements such as: kitchen and laundry space, ground floor bedroom, switches and power points and door and tap hardware.
- Platinum: All the requirements of gold and silver levels, with more generous dimensions than both the Australian Standard, and silver and gold levels. This level has additional requirements for: living rooms, windowsills and flooring.

A more detailed comparison of the building design requirements can also be found in Attachment 4 to this report. The comparison shows that the Silver level has fewer requirements than the Australian Standard, and that these requirements are generally less onerous than those of the Australian Standard. The Gold level is mixed; some core design requirements are not included, and others have less generous dimensions than the Australian Standards, although several core design requirements are more generous than the current adaptable housing standard. The Platinum level meets all the requirements of the Australian Standard and offers additional features and more generous dimensions for several elements.

Liveable Housing Australia's goal is for all new homes to meet a minimum Silver performance level by 2020. The Silver level ensures basic adaptability for future residents and enables the dwelling to be 'visitable' for people with disabilities or mobility issues. The financial impact of adopting the Silver level performance requirements is minimal.

Although most Sydney Councils still apply the Australian Standard – Adaptable Housing in their DCPs, to date there has been a total of eight (8) Councils which have incorporated the LHDG into their DCPs. Outside Sydney, other NSW Councils such as Wollongong, Shoalhaven and Newcastle have also adopted the LHDG and incorporated them into their DCPs. Councils have incorporated the LHDG into their DCPs in a range of ways; some have completely switched to the LHDG specifications, whereas others have retained a mix of both the Australian Standard and LHDG requirements. Councils who have adopted the LHDG require all or most new dwellings to meet Silver level performance requirements and an additional percentage to meet the more detailed specifications of the Australian Standard or Platinum level. Typically, Councils who have adopted the LHDG have simultaneously increased the required rates of adaptable housing to 20% or more.

The current rate for adaptable housing in North Sydney is 15% of dwellings, which puts North Sydney below ten (10) Sydney metro Councils and indicates that Council's current provisions no longer represent best practice in this area.

Integrating the LHDG into Council's DCP represents a more comprehensive approach to adaptable housing as it incorporates basic universal design features and adaptability into all new dwellings whilst still providing a portion of adaptable housing for people with more specific needs.

It should also be noted that the Australian Building Codes Board is currently undertaking regulatory analysis of options for minimum accessibility standards for housing to be applied through the National Construction Code (NCC). In 2018 they published an Options Paper which discussed incorporating the Silver or Gold Standards of the LHDG, and they undertook consultation from late 2018 to early 2019. Future regulatory analysis will consider the use of the LHDG and other options identified through consultation, and any changes to the NCC

would likely take effect in May 2022. Although the outcome of this process has not been decided, at this stage it seems likely that the LHDG requirements will be incorporated into the NCC in the near future.

The LHS identified adaptable housing as an emerging supply gap within the LGA and highlights ageing in place as an important community concern. It is therefore proposed to amend the adaptable housing provisions in NSDCP 2013 as follows:

- To raise the rate of adaptable housing required from 15% to 20%, in line with the higher standards of other Sydney Councils.
- To incorporate the Liveable Housing Design Guidelines into NSDCP 2013 by adding a provision requiring all new dwellings to satisfy the Silver level performance requirements.

This approach will ensure that Council continues to provide adaptable housing to suit people with disabilities and more specific mobility needs, whilst also incorporating basic universal design features into much greater number of new dwellings. This is a more comprehensive approach, aligning North Sydney with industry best practice and allowing greater housing choice for seniors, people with disabilities and their families in future.

3.10.3. Recommendation

The DCP be amended to enable an increase in the provision of adaptable housing within the LGA to address the emerging supply gap as identified within Council's LHS and to promote best practice.

3.11. Acoustic Amenity

3.11.1. Issue

During the assessment of a number of development applications, Council staff have been advised by Acoustic consultants that some of the noise controls contained within NSDCP 2013 are inconsistent or more onerous than the minimum requirements under the National Construction Code. Council staff have also been advised that there are inconsistencies between the provisions of the DCP and the requirements of the standard conditions of development consent relating to acoustic amenity.

3.11.2. Planning Comment

Acoustic consultants have raised specific concern with the controls relating to acoustic amenity between floor levels where that floor separates two dwellings (n.b. the impact insulation of floors separating sole occupancy units).

Under P2 to Section 1.3.8 and P3 to Section 2.3.9 to Part B of the DCP, developments incorporating residential accommodation, the floor separating two dwellings is to achieve a minimum a Field Impact Isolation Class (FIIC) greater than or equal to 55dB.

An FIIC is a unit of measurement that determines the degree of soundproofing of the impact noise of a floor/ceiling assembly determined on site rather than in a laboratory. The higher the FIIC, the better the acoustic insulation. Imposition of such a requirement is difficult to determine at the design stage, as the control relates to an end result after the building has been constructed. Conversely imposing such a requirement ensures that the building as constructed provides an adequate level of acoustic amenity. Consideration should therefore be given to

incorporating a different type of standard which may be able to be better certified at the design stage.

Council's Standard Condition of Consent C65 relates to acoustic privacy and requires that floors separating sole occupancy units have a weighted standardised impact sound pressure level ($L_{n'tw}$) no more than 55dB. This measurement represents the sound pressure level measured at a specific frequency. The lower $L_{n'tw}$ the better the impact sound insulation.

As demonstrated above, there is a clear disconnect between the controls within the DCP and Council's standard conditions of consent.

The Association of Australian Acoustical Consultants (AAAC) in their Guideline for Apartment and Townhouse Acoustic Rating, adopt a weighted standardised impact sound pressure level ($L_{n'tw}$) as the recommended measure of this type of structure-borne noise in floors. This Guideline also states that $L_{n'tw}$ replaces FIIC which has historically been used as the benchmark. Since the AAAC recommends the use of $L_{n'tw}$ and Council's standard condition already uses this type of measurement, it is proposed to amend NSDCP 2013 accordingly.

This amendment should not result in any amenity impacts for residential development, as the value itself remains unchanged. A $L_{n'tw}$ of 55dB or less achieves a three-star rating under the AAAC guidelines. Council has received advice from acoustic consultants stating that this value will allow dwellings to achieve an appropriate level of residential amenity.

3.11.3. Recommendation

The DCP be amended to improve the consistency between requirements under the DCP standard conditions of consent.

3.12. Dormers

3.12.1. Issue

There are two sets of dormer controls within NSDCP 2013, the first within Part B Section 1 – Residential Development and the second within Part B Section 13 – Heritage and Conservation. Council's development assessment staff have raised concerns about the level of consistency between these two sets of controls and the overly restrictive nature of the controls in the residential development section of NSDCP 2013.

Currently NSDCP 2013 discourages dormers on the street elevation of all properties and has stringent provisions related to their form and dimensions, regardless whether the property is a heritage item or located in a conservation area or not. Council development assessment staff have suggested that these controls should be made more flexible, particularly in areas not affected by heritage overlays. In addition, the controls should provide increased flexibility where dormers are not visible from the public domain, where the visual and amenity impacts of such dormers is much less.

3.12.2. Planning Comment

One of the principle aims of dormer controls is to ensure that dormers remain a minor element of any roofscape when viewed from the public domain. The existence of large dormers has the potential to dominate the roofspace and give a perceived increase in residential density.

Dormers on heritage items or located within conservation areas can significantly alter the significance of an item or a conservation area. Accordingly, there is still a need to provide more rigid controls on such items or within conservation areas to ensure that the significance of these items or places is not eroded by incompatible architectural elements.

Upon review of the relevant controls, it is clear that the current provisions do not distinguish between dormers facing the public domain and dormers facing side or rear boundaries. In order to provide greater flexibility in meeting changing household amenity needs, it is proposed to alter the dormer controls. It is recommended that the more stringent controls should continue to apply to heritage items and properties in conservation areas, while the general residential dormer controls should be relaxed to allow for front or rear dormers where there are no significant privacy, amenity or heritage impacts.

The provisions ensuring that any dormer or roof additions will not result in the need to alter the roof pitch or the ridge line should be retained, as well as the provision limiting dormers on the street elevation to one third of the width of the roof. Retaining these controls will ensure that dormers in general residential areas will be appropriate scale and form.

Given their smaller impact on residential amenity and the visual quality of streetscapes, provisions should be incorporated into the DCP enabling rear dormers to be built subject to being set back from the ridge line, rear wall and any party walls to ensure that they achieve an appropriate form and scale.

It is proposed to retain the controls for dormers on heritage items and in conservation areas, in order to minimise detrimental impacts on heritage fabric and discourage unsympathetic additions.

3.12.3. Recommendation

The DCP be amended such that the controls relating to dormers outside of heritage conservation areas are relaxed, where the dormer does not result in adverse privacy or amenity impacts.

3.13. Site Coverage and Landscape Area

3.13.1. Issue

Council development assessment staff raised concerns that the inclusion of “access handles”, “rights of way” and certain types of easements (“dunny lanes”) in the calculation of site area are having an impact on the deliverability of appropriate levels of landscaping, site coverage and unbuilt upon area, especially given that the majority of these spaces are hard paved.

These areas had previously been excluded from site calculations under NSLEP 2001 and NSDCP 2002.

3.13.2. Planning Comment

The area of an access handle and the like are specifically excluded for determining the minimum allotment size under clause 4.1 of NSLEP 2013. However, this same logic has not been carried over to NSDCP 2013 for determining landscaped area, site coverage and unbuilt upon area.

The reason for excluding access handles and the like from the calculation of site area is to ensure that an equitable built form can be provided over the primary part of the allotment, thereby maintaining the prevailing built form character. If such areas are included in the

calculation, and assuming that a high proportion of the access handle is hard paved, it has the potential to significantly increase the site's site coverage expectation over the main part of the site, resulting in a more dense residential form. It also has the capacity to significantly reduce the level of landscaped area on a site capable of growing significant vegetation or the provision of open space. This may cause adverse amenity impacts upon adjoining properties.

3.13.3. Recommendation

The DCP be amended to indicate that in determining landscaped area, site coverage and unbuilt upon area for a site, the area of any access handle is excluded from the calculations.

3.14. Views

3.14.1. Issue

At its meeting on 18 November 2013, Council considered a report addressing a Notice of Motion to strengthen the protection of water views. The report recommended that despite NSDCP 2013 already containing provisions relating to the protection of views, the DCP could be further amended to incorporate a reference to the Planning Principle in *Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor [2013] NSWLEC 1046* to address the consideration of impacts on views from public places. Council resolved to endorse the recommendation of the report.

3.14.2. Planning Comment

Provisions P4 to Section 1.3.7, P5 to Section 2.3.8 and P4 to Section 3.2.8 to Part B of NSDCP 2013 contain identical provisions with respect to the protection of views from public and private spaces and states:

*Where a proposal is likely to adversely affect views from either private or public land, Council will give consideration to the Land and Environment Court's Planning Principle for view sharing established in *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*. The Planning Principle is available to view on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec).*

It is proposed to include the reference to *Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor [2013] NSWLEC 1046* before the reference to *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* reflecting the order of the type of view impacts to be considered is ordered at the beginning of the provision.

3.14.3. Recommendation

The DCP be amended to include a reference to *Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor [2013] NSWLEC 1046*.

3.15. Child Care Facilities

3.15.1. Issue

When NSLEP 2013 and NSDCP 2013 were first drafted and finally made, 'child care centres' were a defined term under the Standard Instrument LEP. However, in 2017 as a result of amendments to the Standard Instrument LEP and the coming into force of *SEPP (Educational Establishments and Child Care Facilities) 2017*, this land use term was subsequently replaced under NSLEP 2013 with the following land use terms:

-
- Centre-based child care facility;
 - Home-based child care; and
 - School-based child care.

No group land use term for these individual land use terms was created.

With the commencement of *SEPP (Educational Establishments and Child Care Facilities) 2017*, new planning controls were established for these types of land uses. In particular, the SEPP introduced new requirements for when different types of child care facilities could be undertaken as exempt development, as complying development or with development consent.

In addition, Council's adopted LSPS included Action L2.6, which states:

Investigate opportunities to expand the capacity of existing childcare facilities to sustainable numbers; and investigate best practice above ground childcare centre requirements to potentially be incorporated into NSDCP 2013. (short - medium term)

For the purposes of simplification and consistency, a group term of 'child care facility' could be adopted when talking about all three child care facility types.

3.15.2. Planning Comment

Section 6 to Part B of NSDCP 2013 specifically relates to development of child care centres as formerly defined under NSLEP 2013.

SEPP (Educational Establishments and Child Care facilities) 2017, introduced a number of new approval processes for all forms of child care facilities. Of particular note, is a significantly increased ability for home-based and school based child care facilities to be undertaken as exempt development or complying development. This has effectively only left centre-based child care facilities as requiring development consent and therefore being subject to the provisions of the DCP.

Upon review of the child care section of the DCP, it was determined that the current controls are focused on centre based child care facilities. For this reason, Section 6 to Part B should make the distinction that the section only applies to centre based child care facilities.

However, as similar types of impacts can arise from home-based or school-based child care facilities, there may be some advantage in including a statement that proposals for home-based and school-based child care facilities should consider the provisions of this section of the DCP. This is consistent with the approach adopted by many other councils, within the Northern District and other similar councils within the Sydney Region.

At the time that *SEPP (Educational Establishments and Child Care facilities) 2017* commenced operation, so did a Child Care Planning Guideline prepared by DPIE. The SEPP requires that all developments for child care facilities are to consider the provision of the Guidelines. In addition, it states that where a council's DCP specifies a requirement, standard or control in relation to any of the following matters in relation to a centre based facility, the provisions within the council's DCP have no effect:

- *operational or management plans or arrangements (including hours of operation),*
 - *demonstrated need or demand for child care services,*
-

- *proximity of facility to other early education and care facilities,*
- *any matter relating to development for the purpose of a centre-based child care facility contained in:*
 - *the design principles set out in Part 2 of the Child Care Planning Guideline, or*
 - *the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).*

The current DCP is not inconsistent with the above requirements and therefore no further amendment is required in this regard.

With respect to Action L2.6 under the LSPS, Council engaged a child care consultant to provide advice and develop a best practice guideline for child care centres located above ground level. This best practice guideline is to be considered by Council for adoption on 24 February 2020. The key aspects of the best practice guidelines include the following:

- *North Sydney Council to review the emergency evacuation plans and contingencies for above ground floor centres with reference to the detailed design plans. This review should consider how non-mobile children and large numbers of children will be safely evacuated from above ground floor childcare centres*
- *Childcare centres above ground floor, have their own emergency evacuation safe haven, egress and in best case fire rated lift to support the risks associated with children evacuating a high-rise building*
- *North Sydney Council to request fire safety authority reports from all Development Application submissions. This would be required as part of Council's DCP requirements*
- *North Sydney Council to understand the need for fire safety requirements to be consistent with the expectations of a ground floor childcare centre.*
- *North Sydney Council to reflect the recommendations for above ground floor childcare centres outlined in the Childcare Planning Guidelines 2017*
- *North Sydney Council to increase fence height for above ground floor centres in outdoor play areas to 1800mm as a minimum*
- *North Sydney council to consider access to an above ground floor childcare centre within its best practice guidelines.*
- *North Sydney Council consider all environmental and acoustic factors ensuring safe and appropriate locations.*
- *North Sydney Council await the outcome of the review of the Australian Building Code Board of the Australian Building Code and National Construction Code for above ground centres, in order to incorporate the recommendations that are made as a result of the current review.*

Whilst the best practice guidelines suggest that Council wait until the Australian Building Code Board completes its review of the Australian Building Code and National Construction Code for above ground child care centres, this may prevent the ability for Council to request appropriate measures be put in place for interim development applications.

Furthermore, Council has reviewed the controls imposed by other councils in the North District and other similar councils within the Sydney Region. Almost all contained provisions, where child care facilities are proposed above ground level. The types of provisions adopted include:

-
- Only enabling where there are no viable alternatives;
 - Not to be located higher than first floor level;
 - Alternative access to outdoor play is available (i.e. off-site);
 - Reductions in the minimum internal play spaces are not permitted;
 - Internal play spaces to be increased above the minimum requirements to incorporate the external requirements, whether in whole or in part);
 - Ensuring that access is provided to natural landscaping;
 - Ensuring good access to natural light and ventilation;
 - Are located with compatible land uses;
 - Ensuring a safe environment using, accessing and levels within the centre;
 - Provided with separate emergency meeting and egress from the building;
 - Imposing minimum fire resistance levels;
 - Outdoor play spaces to be provided with adequate protection from excessive wind and other adverse climatic changes; and
 - Outdoor play spaces to incorporate adequate fencing to prevent objects exiting the area.

Whilst NSDCP 2013 already incorporates provisions where child care facilities are proposed above ground level, there is an ability to include additional criteria including:

- Variations in the provision of outdoor play space;
- Giving consideration to alternative off site play spaces;
- Minimum fire safety requirements; and
- Increased fencing requirements.

3.15.3. Recommendation

The DCP be amended to incorporate the recommendations of the *Best Practice Guidelines for Above Ground Child Care Centres* (Dec 2019) prepared by KU Children’s Services and incorporate additional criteria to provide increased flexibility in the delivery of above ground child care centre whilst managing a reasonable level of safety and amenity for occupants.

3.16. Outdoor Dining

3.16.1. Issue

When NSLEP 2013 and NSDCP 2013 first came into operation, ‘outdoor dining’ could be undertaken as exempt development under NSLEP 2013 where it met certain criteria or otherwise required obtaining of development consent. The principal difference between the ability to undertake outdoor dining as exempt development or with development consent related to the size of the footpath to be used for outdoor dining.

On 20 December 2013, the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) was amended and introduced ‘Footpath – outdoor dining’ as an exempt development type. In particular, this ancillary use was deemed to be exempt if it could meet the following criteria:

2.40A Specified development

The use of a footway or public open space within the meaning of the Roads Act 1993 as an outdoor dining area associated with lawful food and drink premises is development specified for this code.

2.40B Development standards

The standards specified for that development are that the development must—

- (a) *not be associated with a pub or a small bar, and*
-

- (b) *be carried out in accordance with an approval granted under section 125 of the Roads Act 1993, including in accordance with any hours of operation to which the approval is subject, and*
- (c) *be carried out in accordance with any approval granted under section 68 of the Local Government Act 1993.*

The Codes SEPP stipulates that where the SEPP and an LEP permit the same exempt or complying development types, then the exempt or complying development provisions for that same development type under an LEP have no effect.

3.16.2. Planning Comment

The 2013 amendment to the Codes SEPP significantly increased the instances when outdoor dining activities could be undertaken as exempt development, thereby removing the need to obtain development consent for more intense forms of outdoor dining in the public domain.

Specific controls relating to outdoor dining are contained within Section 8 – *Outdoor dining and display of goods on the footpath* to Part B of NSDCP 2013. This Section of the DCP still reflects the former approval processes and thereby require amendment to better reflect the current approval regime.

However, it is important to note that Council approval is still required under the Roads Act to use the public footpath for outdoor dining purposes and in some instances may still require the obtaining of development consent. Accordingly, there is still a need to maintain a consistent set of controls when considering the issuing of any approval or development consent for outdoor dining.

The DCP also makes reference to Council's *Outdoor Dining Goods Display Policy and Guidelines*. This Policy and Guidelines are to be amended concurrently under separate report to reflect the changes to the approval processes.

3.17. Recommendation

The DCP be amended to reflect the new approval processes for outdoor dining.

3.18. Construction Management

3.18.1. Issues

Standardised construction hours

On 28 October 2019, Council considered a report in relation to exploring the potential to extend construction hours within North Sydney, with the objective of completing construction works within a shorter time period. The report recommended:

1. *That Council's Strategic Planning Department explore options to modify Council's Development Control Plan:*
 - a. *Extending Construction hours from 5pm Monday to Friday and up to 7pm for developments within zones B3 (Commercial Core) and B4 (Mixed Use).*
 - b. *Permitting hours of operation up to 9pm for fit-out works subject to the Development Application process.*

Council subsequently resolved to adopt the recommendations of the report.

Construction Management Plans

On 10 April 2010, Council considered a report responding to a Matter of Urgency to investigate options to ensure that Construction Management Plans are complied with and the means to strengthen enforcement procedures.

It was identified at the time that one of the key reasons why the issue arose, that despite Council being able to impose a condition on the development consent requiring the preparation of a Construction Management Plan, there was no ability for that Construction Management Plan to be prepared to Council's satisfaction. This was due to the EP&A Act stipulating that the approval of a Construction Management Plan in accordance with a development consent falls to the principal certifying authority, who in the majority of instances is a private certifier, not Council. Therefore, the quality of the Construction Management Plan cannot be guaranteed. Council subsequently resolved to undertake further investigations into matter.

Several internal meetings were held throughout 2011 and 2012 to address the issue, but a common resolution could not be resolved. Despite an agreement not being reached, the following points were raised with respect to the various options considered:

Enforcement Fees

- Council could seek to impose conditions on development consent to impose a Council fee to ensure compliance with the Construction Management Plan. However, there were questions over the legality of imposing such a fee, in light of a number of land and environment court cases debating the same issue. The question have still yet to be adequately resolved.

Deferred commencement conditions

- This would ensure that any Construction Management Plan would need to be signed off by Council prior to a development consent being activated. However, there were questions over the certainty afforded to applicants within the imposition of such conditions. In particular, applicants may not be able to secure appropriate finance with such a condition imposed and issues relating to determining appropriate construction methods without the appointment of a contractor (See point below).

Development application requirement

- This would require the lodgement of a Construction Management Plan with the development application and details outlined within a DCP. However, this option was considered inappropriate as it would add to the costs of lodgement of a DA and often construction contractors are not known until after development consent is issued.

Community information updates

A Councillor recently questioned as to whether if there was a better way for the community to be advised of construction activities occurring on development sites, such that they can plan their lives around high impact construction activities.

3.18.2. Planning Comment

Provisions relating to construction management is relatively absent from NSDCP 2013 and where it is provided, it is split amongst the various sections of the DCP including:

- Part A: Section 3 – Submitting an Application;
 - Part B: Section 11 – Traffic Guidelines for Development;
 - Part B: Section 14 – Contamination and Hazardous Building Materials;
-

- Part B: Section 17 – Erosion and Sediment Control;
- Part B: Section 19 – Waste Minimisation and Management; and
- Part B: Section 20 – Public Infrastructure.

There would be benefit in creating a standalone section within DCP to address such matters.

Section 11 to Part B of the DCP essentially contains requirements for when a development should be referred to the RMS for concurrence and the information that must be provided within a Traffic Management Plan to cover ongoing operation of a development and a Construction Traffic Management Plan, to cover just the construction period of a development. There is benefit in relocating the operational traffic management requirements from Section 11 to Section 10 - Car Parking and Transport to Part B of the DCP which principally deals with managing the operational traffic of developments. Section 11 can then be repurposed to deal with construction management purposes, including the current requirements for construction traffic management plans.

Standardised construction hours

NSDCP 2013 is generally silent with respect to controlling construction hours, apart from a mention relating to remediation works (refer to Section 14 – Contamination and Hazardous Building Materials to Part B of the DCP).

Standardised construction hours are typically enforced through the imposition of Council's standard conditions on a development consent. As indicated above, Council has recently resolved to explore options to incorporate revised construction hour requirements within NSDCP 2013.

Council also has an adopted policy whereby a developer can seek an Out-of Hours Permit which effectively enables a temporary extension to the standardised construction hours.

There is an opportunity to consolidate all of the relevant requirements into a single location and provide the wider community with an understanding of how construction hours are set.

Construction management plans

At present, Council does not have a clear set of guidelines relating to the management of construction works.

Despite a clear option not being internally resolved in response to further investigations, there is benefit in creating a new section within the DCP relating to construction management, to outline what may be expected when a Construction Management Plan is required to be prepared.

Any conditions imposed on a development consent requiring the preparation of a Construction Management Plan could also then make a reference back to the DCP which identifies the matters that are to be addressed and complied with. This would also help to assist with any enforcement and compliance action that may result from construction activities.

Following a review of other councils DCPs within the Sydney Region, no evidence could be found of specific controls relating to the requirement to prepare construction management plans or what they should contain.

Community information updates

There is a benefit in providing the community with as much information as possible as it relates to the construction of a development.

A similar requirement is currently imposed on state significant or state infrastructure developments, and wider benefits would be achieved through extending such a requirement to other forms of development where construction impacts are likely to be substantial.

3.18.3. Recommended action

The DCP be amended to create a new Construction Management section within Part B, which outlines:

- the standardised construction hours for developments;
- details as to when Out-of-Hours Permits may be issued;
- outline the issues needed to be addressed and complied with when preparing Construction Management Plans.

3.19. Accessibility

3.19.1. Issue

Action L2.13 of the LSPS requires that NSDCP 2013 is reviewed and updated to ensure “dignified access” is incorporated into the planning process. To comply with this action, Council staff reviewed the *Design for Dignity Guidelines* published by Lendlease and the Australian Network on Disability in 2016. This review identified a number of high level changes that could be made to NSDCP 2013 to improve Council’s access provisions.

3.19.2. Planning Comment

The requirements for access and the rights of people with a disability are governed by a range of Federal and State legislation and building standards. The *Design for Dignity Guidelines* are not statutory and do not supersede any of the existing standards and legislation. Instead, these guidelines are intended as a comprehensive resource for design outcomes that are “best practice” and “beyond DDA [Disability Discrimination Act] compliance”. Although NSDCP 2013 already addresses all legal accessibility requirements, incorporating concepts and terminology from the *Design for Dignity Guidelines* will ensure Council’s provisions constitute best practice in this area.

Dignified access refers to a design or a process that:

- Enables independent access to premises, goods and services, without assuming any assistance is required;
- Is equitable and fair; not forcing people to take longer or travel further;
- Facilitates the participation and inclusion of people experiencing a disability; and
- Creates places where people feel at-ease, safe and connected.

The incorporation of this concept into NSDCP 2013 will ensure that Council is taking a more holistic approach to access. Including these concepts in NSDCP 2013 can be a way of encouraging best-practice, inclusive design in the LGA. It is therefore proposed to add a new objective to *Part B Section 12 – Access*: “to encourage opportunities for people with disabilities to participate in the design process to foster inclusive design outcomes”.

The guidelines utilise robust terminology around accessibility, referring to “safe, equitable and dignified access”. By contrast the provisions of NSDCP 2013 refer to “appropriate” and “equitable” access. In order to strengthen the provisions of NSDCP 2013 and reflect current best-practice, it is proposed to refer to “safe, equitable and dignified access” throughout *Part B Section 12 – Access*. The guidelines also emphasise the importance of “universal” or “inclusive” design. It is therefore proposed to amend the objectives and provisions of this section of NSDCP to encourage the incorporation of universal design principles into new development.

It is also proposed to update the relevant Australian Standards for access referred to in *Section 12 - Access*, as new standards have been drafted and other superseded since NSDCP 2013 was adopted.

3.19.3. Recommendation

That NSDCP be amended to reflect the *Design for Dignity Guidelines* and incorporate the concept of ‘dignified access’.

3.20. Heritage - Contributory & Uncharacteristic Items

3.20.1. Issue

On 8 December 2008, Council resolved to adopt the recommendations of the North Sydney Heritage Review which involved the review of existing heritage listings under NSLEP 2001, an assessment of conservation areas and existing heritage conservation policies. The Review identified a number of properties to be downgraded from “heritage items” to either a “contributory item” or a “neutral item”. On 25 May 2009, Council resolved to adopt a revised list of downgraded properties.

When NSDCP 2013 was first prepared, it incorporated the recommendations of the revised Heritage Review. However, Council staff have since identified a number of inconsistencies between the identified list of downgrades and the actual list of contributory items within Appendix 1 to NSDCP 2013. Furthermore, Council staff have identified a number of inaccuracies in some of the property descriptions which require correction to ensure that properties are appropriately identified.

3.20.2. Planning Comment

Table 2 identifies the proposed amendments to Appendix 1 to NSDCP 2013 and the justification for the amendment.

Property	Suburb	Proposed Change	Justification
15A Bannerman Street	Cremorne Point	Amend the street address to “15 Bannerman Street	Council resolved on 25 May 2009 to downgrade 15 Bannerman Street to contributory status. Whilst Appendix A to the DCP does not include 15 Bannerman Street as a contributory item, "15A Bannerman Street" is. No. 15A has never been identified as a heritage item and therefore was unable to be downgraded under the Heritage Review. Furthermore, the Heritage Review did not seek to elevate the status of any property to contributory item. Therefore, it appears to be an error.

TABLE 2: Amendments to Appendix 1 – Contributory & Uncharacteristic items

Property	Suburb	Proposed Change	Justification
21A Bannerman Street	Cremorne Point	Include 21A Bannerman Street as a contributory item	Council resolved on 25 May 2009 to downgrade 21 and 21A Bannerman Street to contributory status. Whilst, No.21 Bannerman was included as contributory item, No.21A was not. Therefore, it appears to be an error.
3 Sophia Street	Crows Nest	Amend property address to “5 Sophia Street”	3 Sophia Street is identified as an uncharacteristic item in Appendix 1 to NSDCP 2013. Council’s property system does not recognise 3 Sophia Street as a legal address. However, Council’s property system recognises 5 Sophia Street. In comparing the uncharacteristic items identified under NSLEP 2001, it appears that the street address has been formally changed from No. 3 to No.5, as the same physical property is mapped under both addresses.
27 Shellcove Street	Kurraba Point	Include 27 Shellcove Road as a contributory item	Council resolved on 25 May 2009 to downgrade No.27 Shellcove Road as a contributory item. No.27 was located on the same lot as No.29 and was initially overlooked when the heritage consultant recommended the retention of 29 as a heritage item as part of the original Heritage Review. It’s unclear as to why this resolution was not implemented.
6 & 8 Kurraba Road	North Sydney	Include 6 & 8 Kurraba Road as contributory items.	Council resolved on 25 May 2009 to downgrade 6 and 8 Kurraba Road to contributory status. These two properties are not identified within Appendix 1 to the DCP as contributory items and appears to be an error.
3, 5-7, 6, 6A, 8, 10, 11, 12, 14, 15 and 21 Wycombe Road	Neutral Bay	Amend the street name from “Wycombe Road” to “Lower Wycombe Road”	When NSDCP 2013 was first being prepared in 2010, Wycombe Road commenced at Hayes Street and continued to Military Road. Since this time, the section of Wycombe road located between Hayes Street and Kurraba Road, has been renamed “Lower Wycombe”. To ensure that properties are accurately identified, it is proposed to revise the street address to those affected properties in Lower Wycombe Road.
48 Whaling Road	North Sydney	Include 48 Whaling Road as a contributory item	Council resolved on 25 May 2009 to downgrade 48 Whaling Road to contributory status. No. 48 is not included as a contributory item Appendix 1 to the DCP and therefore appears to be an error.
63 Ridge Street	North Sydney	Remove contributory listing in its entirety	This property is identified as a heritage item (No. I0977) under NSLEP 2013 and therefore cannot also be identified as a contributory item.

TABLE 2: Amendments to Appendix 1 – Contributory & Uncharacteristic items			
Property	Suburb	Proposed Change	Justification
1 Telopea Street	Wollstonecraft	Amend the street reference to relate to 1A-B Telopea Street.	<p>In 2001, 1 Telopea Street was subdivided into two allotments, with the street allotment being known as 1 Telopea Street and the rear allotment known as 1A and 1B Telopea Street. Council resolved on 25 May 2009 to downgrade No.1 Telopea Street as a contributory item. This outcome is reflected in the table to Appendix 1 of the DCP.</p> <p>However, 1 Telopea Street is also identified as a heritage item under NSLEP 2013 (Item No. 1132).</p> <p>Upon inspection of the background justification, the Heritage Review’s recommendation to downgrade the heritage status of 1 Telopea Street only related to the rear portion (i.e. 1A and 1B Telopea Street) of the former heritage listing and that the heritage item on the front portion of the site (1 Telopea Street) was to be retained.</p> <p>Therefore, the street identification within Appendix 1 appears to be an error and needs to be corrected.</p>
53 Euroka Street	Waverton	Delete entry in its entirety from the Contributory Items List in Appendix 1.	<p>The dwelling at 53 Euroka Street was constructed in 2001, following the subdivision of the original lot which is known as 38 Bank Street. 38 Bank Street is identified as a contributory item. However, once the site was subdivided contributory status had not been removed from the new rear allotment known as 53 Euroka Street.</p> <p>Council’s Conservation Planners have advised that the dwelling at 53 Euroka Street has a sympathetic construction which is neutral in the conservation area.</p>

3.20.3. Recommendation

Amend NSDCP 2013 in accordance with Table 2.

3.21. Heritage – Gardens and Landscape Settings

3.21.1. Issue

Council’s Conservation Planners queried why NSDCP 2013 does not include provisions relating to gardens and landscape settings of heritage items and conservation areas, as had been provided within former NSDCP 2002. It was requested if the former controls could be reinstated such that consideration is given to potential impacts on heritage significance as a result to changes in garden and landscape settings.

3.21.2. Planning Comment

Within the Area Character Statements to Part C of NSDCP 2013, the protection of garden and landscape settings is identified as an important element in the conservation areas of Plateau, Cammeray and Holtermann Estates. In particular, it identifies front gardens and landscape

elements such as sandstone retaining walls and street plantings form part of the heritage significance of these areas. Associated garden controls consist of brief descriptions of the significant elements of Victorian and Federation gardens, and an objective to “ensure that significant landscape features and trees are retained and reflected in new development”.

Specific controls relating to gardens upon heritage items and within conservation areas were contained within Section 8 - Heritage and Conservation to NSDCP 2002 and stated:

Gardens

Older buildings usually had a landscaped setting of some kind -even if only the small pocket front garden of a Victorian terrace. It is important to finish the conservation of a property with appropriate treatment of the garden. Original or period plantings and hard landscaping (such as paths) should be identified, retained and restored.

Where no original elements survive in the garden, then a garden appropriate to the period of the building should be planned.

Victorian

Paths: Brick or tessellated tiling, or marble tiling to match the front verandah tiling.

Garden edging: Terracotta decorative garden edging tiles, or metal hoops are both appropriate and available.

Structures: Fernery of lattice, lattice screens, rose pergola, potting shed.

Federation

Paths: Usually tessellated tiled to match front verandah, brick in modest (eg. weatherboard) cottages.

Garden edging: brick, with shaped bricks such as curved bricks being popular.

Structures: Fernery or bush house; pergolas.

d. Significant landscape features and trees are retained and reflected in new development.

- i. Retain garden settings and any horticultural features which relate to the heritage significance of the heritage item or conservation area.*
- ii. Do not develop front garden areas for carparking or pave extensively.*
- iii. Terrace gardens to retain strong visual relationship to topography.*
- iv. Retain significant trees*
- v. Retain original pathways which contribute to established garden settings.*
- vi. Maintain traditional driveway widths and settings.*
- vii. Do not fully pave side accessways.*

Whilst NSDCP 2013 incorporated some of the specific controls for garden elements from NSDCP 2002 (i.e. Federation and Victorian garden structures and paving), it did not carry across the broader heads of consideration. To address this issue, it is recommended that the broad heads of consideration are incorporated into Section 13 to Part B of the DCP.

3.21.3. Recommendation

To incorporate a new subsection in Section 13 – Heritage and Conservation to Part B of NSDCP 2013 to provide increased levels of guidance when considering garden and landscape setting issues.

3.22. Heritage Conservation Areas – Uncharacteristic Elements

3.22.1. Issue

In response to an assessment of a development application in the Jeffreys Street Conservation Area, Council's Conservation Planner noted that the Area Character Statement for the Jeffreys Street Conservation Area did not include an 'Uncharacteristic Elements' section, similar to other Area Character Statements for conservation areas. In particular, the following elements were deemed to be uncharacteristic to the Jeffreys Street Conservation Area following an inspection of the conservation area:

over-scaled dormers, roof decks and terraces, 'juliette balconies', enclosed balconies and verandas, extensive glazing and glazed balustrades, flat roofs to service wings, painted face brick and the removal of garden settings.

Council's conservation planner also pointed out that there have been problems caused by the term 'uncharacteristic elements' because the community generally assumes the term to mean 'atypical' when the intended meaning is 'undesirable'.

3.22.2. Planning Comment

A review of Part C of the DCP has revealed that all but two Area Character Statements for Conservation Areas contain provisions relating to "uncharacteristic elements". Apart from the already identified Jeffrey Street Conservation Area, the Walker/Ridge Streets Conservation Area (Section 2.5 to Part C) also does not contain provisions relating to "uncharacteristic elements".

Council's Conservation Planners were consulted to determine if there were any uncharacteristic elements within the Walker/Ridge Streets Conservation Area. Following an inspection of the conservation area, the Conservation Planners advised that the following elements were uncharacteristic:

modern infill development, loss of original detailing and materials on elevations visible from the public domain, dormers and skylights on front or side elevations, modified roof planes, glazed roofing, new balconies and decks above street level, infilled verandas and balconies, roof cut-outs for decks and terraces, full width roof additions, glazed balustrades, metal wall cladding, extensive glazing, infill of breezeways, paved gardens, lack of landscape setting including trees, high solid walls and fences to the street, parking except at the rear, concrete kerbing.

Overall, the elements identified by the Conservation Planners are consistent with uncharacteristic elements identified for other conservation areas in North Sydney. Council's conservation planners also recommended adding sandstone kerbing to the 'Characteristic built elements' section and a new section 'Desired built form' with provisions to protect and enhance views to and from the War memorial in St Leonards Park from Walker Street and improve the interface between the conservation area and St Leonards Park. These additions were deemed appropriate as they are relatively minor in nature. The addition of these sections will ensure that the planning controls for both conservation areas are more robust and consistent with other sections of NSDCP 2013.

With regard to the term ‘uncharacteristic elements’, it is recommended that an explanatory text be introduced into Section 13 to Part B of the DCP to provide increased clarity as to what a uncharacteristic building element is.

3.22.3. Recommendation

The DCP be amended to incorporate a new section within the Area Character Statements for the Jeffreys Street Conservation Area and Walker/Ridge Streets Conservation Area addressing uncharacteristic elements. In addition, it is also recommended that a more detailed explanation as to what constitutes an ‘uncharacteristic element’ be incorporated.

3.23. Contamination

3.23.1. Issue

Section 14 to Part B of the DCP relates to contamination and hazardous building materials. In particular, it sets out basis for management of land contamination and hazardous building materials and outlines Council’s policy for dealing with land contamination in line with SEPP 55 – Remediation of Land and associated set of planning guidelines, which were published in 1998.

The DPIE is currently in the process of amending SEPP 55 - Remediation of Land and its associated set of planning guidelines. These amendments were placed on public exhibition up until 13 April 2018. The DPIE has yet to finalise their consideration of submissions made to the public exhibition.

This section of the DCP also makes reference to Planning Certificates issued under the EP&A Act and the relevant section numbers to which they relate. As previously indicated, the section numbers under the Act have changed.

3.23.2. Planning Comment

It is inappropriate to amend Section 14 to Part B of the DCP to align with the outcomes of the draft SEPP and Guidelines exhibited by DPIE in 2018 should those outcomes change in the final adopted version. However, in the interests of clarity and transparency, it is recommended that this Section of the DCP be amended to identify the potential impending change to the State level planning controls. This Section of the DCP can be reviewed again once the changes to these planning controls are finalised.

Due to the changes made to the section numbers under the EP&A Act, it is recommended that the references to these section numbers be amended to reflect the current references to improve clarity and transparency.

3.23.3. Recommendation

The DCP be amended to refer to impending changes to the State planning controls relating to contamination and to correct the section numbers as they relate to Planning Certificates.

3.24. Bush fire protection

3.24.1. Issue

NSDCP 2013 contains references to the NSW Rural Fire Service’s Planning for Bushfire Protection. This guideline first came into force in 2002 and was subsequently amended in 2006.

In November 2019, the NSW Rural Fire Service published a new version. However, it is not legislated to come into force until March 2020.

3.24.2. Planning Comment

NSDCP specifically contains references to the Guideline's year of publication. To remove any confusion and to minimise the need for future amendments to the DCP, it is recommended that the year associated with the Planning for Bush Fire Protection guidelines be removed from the DCP and replaced with "as amended". There are no further implications for the DCP from the implementation of the new version of the guidelines.

3.24.3. Recommendation

The DCP be amended to remove the date from the NSW Rural Fire Service's Planning for Bushfire Protection, due to its future revision.

3.25. Tree and Vegetation Management

3.25.1. Issue

When NSDCP 2013 was first prepared, NSLEP 2013 contained provisions with regard to tree and vegetation management. A key aspect of these provisions within NSLEP 2013 stated that Council may adopt a DCP to identify the instances when a Permit is required to be obtained from Council to remove trees and/or vegetation. These were mandated provisions in the Standard Instrument LEP.

Section 16 – Tree and Vegetation Management to Part B of NSDCP 2013 identifies the instances when vegetation is prescribed/declared and therefore would require a permit to prune or remove.

In August 2017, *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* (Vegetation SEPP) came into force and consequential amendments were made to the Standard Instrument LEP, which automatically amended NSLEP 2013. In particular, the tree and vegetation management provisions under NSLEP 2013 were repealed and relocated into the Vegetation SEPP. The Vegetation SEPP still gives councils the power to identify the instances when a permit/approval is required to remove or prune trees and vegetation. As part of these powers, councils are still able identify the instances as to when approval is required or not under their DCP.

In January 2019, Council endorsed a revised Urban Forest Strategy. The Strategy identified that there has been a documented reduction in the quantum of urban forest tree canopy cover in the LGA. Council is to consider a report at its meeting of 24 February 2020, concurrently with this report, addressing how Council's recently adopted *Urban Forest Strategy* is to be implemented. As part of this report, it is recommended that the thresholds for which a permit is to be obtained from Council to prune or remove trees and vegetation are to be amended.

3.25.2. Planning Comment

As indicated the approval processes by which trees and vegetation may be pruned or removed has been changed.

Currently, the relevant sections of NSDCP state:

-
- P1 Pursuant to Clauses 3.1, 5.9(2) and 5.9AA of NSLEP 2013, Development Consent or a Tree Management Permit is not required for removal or pruning any of the following:*
- (a) non-prescribed trees or vegetation;*
 - (b) trees that are declared to be dead or dying as confirmed by Council in writing;*
 - (c) pruning of deadwood from a tree;*
 - (d) noxious weeds as prescribed by the Noxious Weeds Act, 1993, other than mature canopy trees;*
 - (e) trees or vegetation that are being maintained or removed by North Sydney Council staff (or their sub-contractors) on land under Council's ownership or care and control;*
 - (f) trees that have been authorised to be removed or pruned pursuant to a Development Consent issued under the Act, but not prior to the issue of a Construction Certificate relating to that Development Consent;*
 - (g) Cocos Palms (Syagrus romanzoffiana); or*
 - (h) African Olive Trees (Olea Africana);*
 - (i) trees or vegetation located on public land, but only if work is carried out by a person engaged by Council to do such work.*
- P2 Development Consent or a Tree Management Permit is required in accordance with Clause 5.9 of NSLEP 2013 for the removal or pruning of a prescribed tree or vegetation. The following trees and vegetation are prescribed for the purposes of this DCP:*
- (a) Any tree or vegetation on public land, regardless of size;*
 - (b) Any tree or vegetation with a height of 10m, or a crown width of 10m, or a trunk circumference of 1.5m measured at 1m above ground level (existing); or*
 - (c) Any tree that is declared a noxious weed and comprises a mature canopy tree;*
 - (d) Any tree or vegetation more than 5 metre tall on land identified as a heritage item;*
 - (e) Any tree or vegetation that is declared a noxious weed on land identified as a heritage item under cl.5.10 of NSLEP 2013 regardless of size;*

Due to the legislative change, the former references to NSLEP 2013 need to be revised to refer to the Vegetation SEPP.

The report to be considered by Council on 24 February 2020, addressing the implementation of Council's 2019 Urban Forest Strategy, seeks to reduce the thresholds as to when trees and vegetation must not be pruned or removed without first obtaining a permit from Council. In particular, the report seeks endorsement to provide a greater level of protection to existing trees and vegetation by amending the thresholds as follows:

- Reducing the minimum height from 10m to 5m;
- Reducing the minimum width of the canopy from 10m to 5m;
- Reducing the diameter of the trunk circumference from 1.5m to 500mm.

3.25.3. Recommendation

The DCP be amended to correct the legislative approval process for the pruning or removal of trees and vegetation and to reduce the thresholds for which a permit is required to prune or remove of trees and vegetation, consistent with the Urban Forest Strategy.

3.26. 2 Thomas Street, McMahons Point

3.26.1. Issue

As part of the Planning Proposal to NSLEP Review 2019, one of the proposed amendments sought to delete the Schedule 1 – Additional Permitted Use clause relating to Thomas Street, McMahons Point enabling restaurants or cafés to be undertaken with development consent.

Section 9.10.9 to Part C of NSDCP 2013 specifically relates to 2 Thomas Street and what matters must be considered if it is used as a restaurant or café.

3.26.2. Planning Comment

The subject site is not currently being used as a restaurant or café. Nor are there any active development consents, which are yet to be taken up to use the subject site as a restaurant or café. Therefore, in the proposed removal of the LEP provision to permit such uses on the site, it is not deemed appropriate to retain the existing DCP provision as it will become redundant.

3.26.3. Recommendation

The DCP be amended to delete Section 9.10.9 from Part C of the DCP in its entirety.

4. Next Steps

Following the adoption of the draft amendments to the DCP, it is intended that they are placed on public exhibition concurrently with the LGA wide Planning Proposal (PP 7/19) which seeks to give effect to the outcomes of LSPS and LHS. Council is still awaiting a Gateway Determination to enable the Planning Proposal to be placed on public exhibition.

5. Conclusion

The draft amendments to NSDCP 2013 seek to give effect to the recommendations and actions of the Local Strategic Planning Statement, Local Housing Strategy, meeting industry best practice to regularly review and update Council's principal DCP and to ensure that it remains a clear, transparent and contemporary planning instrument by incorporating a number of minor housekeeping amendments.. The relevant requirements regarding the preparation of a DCP under the EP&A Act have been adequately addressed and justified in this report.

It is therefore recommended that Council endorse the attached draft amendments to NSDCP 2013 and place those draft amendments on public exhibition concurrently with the Planning Proposal relating to the *North Sydney LEP Review 2019* for a minimum of 28 days in accordance clause 18 of the EP&A Regulation.



NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

DRAFT AMENDMENTS – 2020 REVIEW

Please note, this document only includes those sections of the DCP which are proposed to be amended

North Sydney Development Control Plan (NSDCP) 2013 was adopted by Council on 2 September 2013 and came into force on the 13 September 2013.

North Sydney Council adopted draft amendments to NSDCP 2013 on [INSERT ADOPTION DATE] for the purposes of public exhibition.

This document only includes those sections which are proposed to be amended, as follows:

PART /APP	Section
Part A	1 - Introduction
Part A	2 - Context
Part A	3 - Submitting and Application
Part B	1 - Residential Development
Part B	2 - Commercial and Mixed Use Development
Part B	3 - Non-residential development in Residential Zones
	5 - Child Care Centres
	8 - Outdoor Dining and Display of Goods on the Footpath
Part B	10 - Car Parking and Transport
Part B	11 - Traffic Guidelines for Development
Part B	12 - Access
Part B	13 - Heritage and Conservation
Part B	14 - Contamination and Hazardous Building Materials
Part B	15 - Bushland
Part B	16 - Tree and Vegetation Management
Part B	19 - Waste Management
Part C	2 - North Sydney Planning Area
	6 - South Cremorne Planning Area
	8 - Kirribilli Planning Area
	9 - Lavender Bay Planning Area
App	1 - Heritage - Contributory, Neutral and Uncharacteristic Items
	3 - Waste Handling Guide

North Sydney Development Control Plan 2013 – 2020 draft amendments**Introduction****SECTION 1 INTRODUCTION****1.1 NAME OF THIS DEVELOPMENT CONTROL PLAN**

This plan is known as North Sydney Development Control Plan (DCP) 2013. The DCP was adopted by Council on 2 September 2013 and came into effect on 13 September 2013.

1.2 WHERE THIS DEVELOPMENT CONTROL PLAN APPLIES

This DCP applies to land identified in the Land Application Map to North Sydney Local Environmental Plan 2013 (NSLEP 2013).

1.3 RELATIONSHIP TO OTHER PLANS AND POLICIES

This DCP is to be read in conjunction with NSLEP 2013. If there is any inconsistency between this DCP and the LEP, the LEP will prevail.

This DCP repeals the following DCPs pursuant to cl.22 of the Environmental Planning and Assessment Regulation 2000:

- (a) North Sydney DCP 2002;
- (b) North Sydney Development Control Plan No. 1;
- (c) D.C.P No. 25 Child Care in Commercial Zones;
- (d) D.C.P. No 31 - Outdoor Advertising;
- (e) D.C.P. No 34 - Brothels and Adult Services;
- (f) D.C.P. No 35 – Notification;
- (g) D.C.P. No 36 – Telecommunications;
- (h) D.C.P. No 39 - Access and Mobility;
- (i) D.C.P. No 40 - Boarding Houses; and
- (j) D.C.P. No 41 - Contaminated Land.

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

- (a) Environmental Planning and Assessment Act, 1979 ([EP&A Act 1979](#));
- (b) Environmental Planning and Assessment Regulation 2000 ([EP&A Regulation 2000](#));
- (c) Relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs;
Note: It is advised to check www.legislation.nsw.gov.au for the most current list and version of applicable SEPPs.
- (d) [Local Government Act 1993](#);
- (e) Building Code of Australia (BCA);
- (f) Relevant Australian Standards as identified throughout this DCP;
- (g) Land and Environment Court Planning Principles (refer to Part A: Section 1.10); and
- (h) Any other policy or document identified for consideration throughout this DCP.

1.4 SAVINGS PROVISION

North Sydney DCP 2002 continues to apply if one or more of the following instances occurs:

- (a) if a development application was lodged with Council, but had not finally been determined before this DCP came into effect, or



2020 draft amendments - North Sydney Development Control Plan 2013

Introduction

- (b) if a development application applies to land deferred from NSLEP 2013.

1.5 PURPOSE OF THIS DEVELOPMENT CONTROL PLAN

The purpose of this DCP is to supplement North Sydney LEP 2013 and provide more detailed provisions to guide future development, such that impacts on the community and environment are minimised. The DCP is intended for use by:

- property owners;
- developers;
- the community; and
- the consent authority.

The DCP has been prepared in accordance with s.723.43 of the [EP&A Act 1979](#) and Part 3 of the [EP&A Regulation 2000](#).

Pursuant to s.4.1579C of the [EP&A Act 1979](#), ~~Council~~the consent authority is required to take into consideration the relevant provisions of this DCP when determining an application for development. However, strict compliance with the provisions of this DCP does not guarantee that development consent will be granted. Section 4.1579C of the [EP&A Act 1979](#) contains other matters that must be considered in determining a development application including:

- Any relevant ~~draft or~~ in-force environment planning instruments (SEPP or LEP) or proposed instrument that has been the subject of public consultation under the EP&A Act 1979;
- Any draft or in-force planning agreement that has been entered into under s.7.493F ~~(this provision may change in the near future to Part 5B Division 4)~~, of the [EP&A Act 1979](#);
- Any relevant prescribed matters in the [EP&A Regulation 2000](#);
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with the [EP&A Act 1979](#) or [EP&A Regulation 2000](#); and
- The public interest.

In addition, ~~Council~~the consent authority will assess each development application according to its merits and in the context of the site and its locality.

1.6 AIMS OF THIS DEVELOPMENT CONTROL PLAN

The aims of this DCP are to:

- (a) Ensure that development positively contributes to the quality of the natural and built environments;
- (b) Encourage development that contributes to the quality of the public domain;
- (c) Ensure that development is economically, socially and environmentally sustainable;
- (d) Ensure future development has consideration for the needs of all members of the community;
- (e) Ensure development positively responds to the qualities of the site and its context;
- (f) Ensure development positively responds to the character of the surrounding area; and

North Sydney Development Control Plan 2013 – 2020 draft amendments**Introduction**

(g) Ensure that the actions of the North Sydney Local Strategic Planning Statement (as amended) and the North Sydney Local Housing Strategy (as amended) are achieved.

(g)(h) Ensure that the Directions Outcomes and Strategies of aims of Council's 2020 Vision—the North Sydney Community Strategic Plan are achieved.

1.7 STRUCTURE OF THE DEVELOPMENT CONTROL PLAN

The DCP comprises 5 parts as follows:

- (a) General Requirements;
- (b) Development Controls;
- (c) Character Statements;
- (d) Dictionary; and
- (e) Appendices.

Each of these parts is described in the following subsections.

1.7.1 Part A – General Requirements

Part A of the DCP comprises 5 sections containing information relating to the status and use of the DCP in the development assessment process.

1.7.2 Part B – Development Controls

Part B of the DCP comprises 21 sections, each containing provisions relating to a specific type of development or issue.

Each section to this Part commences with a general explanation of what the issues are and what Council is trying to achieve. This is supported by a number of objectives and provisions for each particular issue that needs to be considered in the assessment of a proposed development when it applies.

Many of the provisions are performance based, which provides added flexibility in meeting the desired intent of the provision where developments may not necessarily meet specific numerical standards, due to site or environmental constraints.

Generally, meeting the specific objectives and provisions of each section will achieve overall compliance. The DCP format is intended to encourage flexibility and innovation in development while ensuring the objectives for North Sydney are achieved. In this context Council will not consider favourably development proposals that are inconsistent with the objectives of the DCP. However, Council will consider development proposals that achieve the objectives of the DCP by means other than the provisions in this DCP.

In every neighbourhood there will be examples of development that do not comply with this DCP. DCP's can't undo what has been done in the past and they are often designed to prevent things that have been allowed in the past from reoccurring. For this reason, the existence of features or aspects of development that do not comply with this DCP will have no influence on whether a development or feature will be approved.

Variations to key built form controls will generally not be supported. A detailed written justification is required to be submitted with all applications seeking a variation to a key built form control. Subsection 1.8 to this Part provides further details as to when additional information is required.

Applicants will need to consider the Sections of the DCP that are relevant to their particular development and design their proposal in accordance with the objectives and provisions of those sections. To further assist applicants in determining which Sections of the DCP may be relevant to a particular development, each section makes reference to other Sections of the DCP that may also need to be considered.



2020 draft amendments - North Sydney Development Control Plan 2013

Introduction

1.7.3 Part C – Area Character Statements

The LGA comprises a number of neighbourhoods which display distinct characteristics. This Part of the DCP identifies the desired future outcomes for each of these neighbourhoods. In addition, this Part of the DCP contains additional provisions which relate to development within these neighbourhoods. The provisions within this Part take precedence over the provisions within Part B of the DCP.

1.7.4 Dictionary

Definitions for the interpretation of the provisions of the DCP are contained in the Dictionary at the end of this DCP. The definitions contained within dictionary to NSLEP 2013 are adopted for the purposes of this DCP.

1.7.5 Appendices

This part contains useful information that is referred to throughout the DCP.

1.8 VARIATIONS TO KEY DEVELOPMENT CONTROLS

To ensure the consistent application of key development standards contained within this DCP, the consent authority must not grant development consent to any development application which does not comply with the following key development standards:

- Setbacks, contained within provisions P2 and P6 to s.1.4.6, P6 and P7 to s.1.4.3 and P3 and P7 to s.3.3.6 to Part B of the DCP,
- Site coverage controls, contained within provisions P1 to s.1.5.5 and P1 to s.3.3.4 to Part B of the DCP, and
- Landscaped area and unbuilt upon area controls contained within provisions P1 to s.1.5.6 and P1 to 3.4.5 to Part B of the DCP.

However, the consent authority may grant development consent to a development application which does not comply with the aforementioned key development standards but only if it has considered the following matters:

- (a) the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (i) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (ii) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (b) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required above, and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (c) the consent authority has considered:
 - (i) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (ii) the public benefit of maintaining the development standard.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Introduction****1.9 REQUIREMENTS FOR SUBMISSION OF INFORMATION WITH DEVELOPMENT APPLICATIONS**

Part A: Section 3 – *Submitting an Application* provides a checklist of information to be included when submitting a development application.

For further advice on the information required to be submitted with a development application, please contact Council's Customer Service Centre.

1.10 MONITORING AND REVIEW

Consent authorities are required to keep LEPs and DCPs under regular and periodic review under ~~Section 73~~ [s.3.21\(1\)](#) of the [EP&A Act 1979](#). Council is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments.

It is proposed to undertake a comprehensive review the LEP and DCP at five (5) yearly intervals in order to:

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

The DCP may also be required to be updated on a more regular basis due to a need to immediately resolve arising issues to ensure that the desired future character of North Sydney is maintained and the amenity of residents protected.

1.11 LAND AND ENVIRONMENT COURT PLANNING PRINCIPLES

The Land and Environment Court have produced a number of Planning Principles to provide guidance on how the decision making process might be applied to the facts and circumstances for a particular type of case or issue.

Planning Principles deal with a broad range of topics and generally fall into one of two categories:

- Descriptive and Prescriptive Principles: These types of Planning Principles include describing what may/might be regarded as the answer when a planning instrument proposes that an undefined performance criterion must be achieved.
- Process Orientated Principles: These types of principles provide guidance for decision makers on how to consider an issue where there is no detailed approach in the relevant planning instrument.

When preparing a development application, applicants are advised to consider the Land and Environment Court Planning Principles. The Planning Principles can be viewed on the Land and Environment Court's [website \(www.lawlink.nsw.gov.au/lec\)](http://www.lawlink.nsw.gov.au/lec) website.

New Planning Principles may be introduced at any time and are also subject to amendment without notice. Accordingly, applicants are advised to always check the Land and Environment Court website for the most current Planning Principle that applies when preparing a development application.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Context****SECTION 2 CONTEXT**

This Section provides a general description of the North Sydney LGA and details of its composition. More detailed information regarding North Sydney's demographic profile (including past present and projected data) can be obtained from Council's website (refer to www.northsydney.nsw.gov.au/www/html/4126-community-profile.asp https://www.northsydney.nsw.gov.au/Community_Services/About_North_Sydney/Community_Profiles).

2.1 GENERAL PROFILE OF NORTH SYDNEY

North Sydney Council serves an area of 10km², which incorporates thriving business districts and diverse residential areas.

Suburbs in the North Sydney area include Cammeray, Cremorne, Crows Nest, Kirribilli, McMahons Point, Milsons Point, Neutral Bay, North Sydney, St Leonards, Waverton and Wollstonecraft.

~~Almost~~ ~~Around~~ half of North Sydney's ~~7262,150~~²⁸⁹¹ residents are aged between ~~250~~ and ~~494~~ years. ~~There is a comparatively low proportion of households with children~~ Proportionally there are more couples without children and single person households.

The population is highly mobile. Just ~~under~~ over half of all residents rent, and of those who rent, approximately half moved to a new address in the last Census period.

The dwelling density is higher than in most other parts of Sydney and is increasing. ~~Four in five residents live in medium to high density housing~~ Around 89% of total dwellings in the North Sydney LGA are medium-high density (generally comprising apartments, ~~multi-dwelling housing, attached dwellings and semi-detached dwellings~~ townhouses and terraces).

North Sydney has a high level of visitors - some ~~50,791~~^{62,112}² people travel to North Sydney for work, and of the ~~over 17,000~~^{16,526}³ students attending schools and tertiary institutions, only one in five lives in the area.

The principal commercial activities in the North Sydney Central Business District (CBD), one of the largest in Australia, are advertising, marketing, retail, information technology, finance, telecommunications and property development.

2.2 RESIDENTIAL POPULATION

These statistics are derived from information reported in the Australian Bureau of Statistics ~~2011~~ 2016 Australian Census.

- Just over half (~~55~~⁵⁴%) of North Sydney residents are Australian born ~~whilst the remainder were born overseas~~. This represents a substantial reduction (11%) in the overall portion of Australian born residents since 2001, with the portion consistently dropping by approximately 5% since 1996.
- ~~The total number of people born overseas is 22,733~~ In 2016 38% of North Sydney's population was born overseas. 57% of residents who had arrived in Australia between 2006 and 2016 spoke a language other than English at home, speaking countries (ESC) (9,664 persons) indicating that a majority of new residents came - is less than new residents from non-English speaking countries (NESC) (13,069 persons).

¹ ABS Australian Census 201~~1~~

² ABS Australian Census ~~2006~~²⁰¹⁶

³ ~~The Educational Institutions in North Sydney Study 2007~~ Education Precinct Planning Study 2013, prepared by North Sydney Council



2020 draft amendments - North Sydney Development Control Plan 2013

Context

- The three ~~largest most common countries of birth outside Australia overseas born~~ groups are from the ~~United Kingdom England (4,926 6.6% persons)~~, New Zealand (~~2,059 persons (3.0%)~~), and China (~~1,382 persons 2.9%, not including SARs and Taiwan~~), despite reductions in the level of migration. The three largest groups from ~~ESC English speaking countries~~ are from the United Kingdom, New Zealand and South Africa.
- The three largest overseas born groups from NESCS are from China, ~~Japan India and Hong Kong Japan~~. The dominant non-English speaking country of birth in the LGA was China, where ~~2.92-2%~~ of the population, ~~or 1,382 people~~, were born.
- Between the 1996 and ~~2011-2016~~ there has been a consistent reduction in the number of residents born overseas from ESC and consistent increases in the number of residents from NESCS.
- The ~~number proportion~~ of residents born in New Zealand and Japan decreased between ~~2006-2011~~ and ~~2011-2016~~, while ~~the number of~~ residents born in China, ~~Hong Kong India~~ and the United Kingdom have increased. There are also ~~notable~~ increases in ~~the number of~~ residents born in ~~India, South Africa, Malaysia, Korea and the Philippines~~.
- In 2016, ~~12,231 residents (19.6%) 24.7% of households~~ spoke a language other than English ~~at home~~. ~~The largest NES language group is Chinese.~~ The main languages spoken in North Sydney other than English are ~~Cantonese, Mandarin (3.4%), Cantonese (2.5%) and Japanese (1.8%), Spanish (1.4%) and French (1.1%). Approximately 70% of the population speak English only.~~
- North Sydney has a low proportion of residents ~~with low English language proficiency who speak little or no English (1,269 2.2%).~~⁴ The largest numbers of residents ~~with little or no English speak with low proficiency in spoken English spoke Japanese (253 persons), Mandarin (231-372 persons), Japanese (223 persons) and Cantonese (164 182 persons), and~~ The majority ~~most of these of~~ residents ~~with were aged between little or no English are between 25-55 and 54-64~~ years of age.
- ~~Cantonese speakers increased by the largest number between 1996 and 2011~~ Between 2011 and 2016 the number of Mandarin speakers increased from 1,495 to 2,276 residents, overtaking Cantonese as the most common language other than English.
- North Sydney has a higher proportion of people born overseas than Sydney as a whole but a lower proportion of people born in a ~~Non-English non-English speaking countries (NESCS)~~. Overall, ~~386.5%~~ of the population was born overseas, and ~~17.520.1%~~ were from a non-English speaking background, compared with ~~336.84.2%~~ and ~~2246.43%~~ respectively for the ~~Sydney Statistical Division Greater Sydney Area~~.

2.3 WORKING POPULATION

These statistics are derived from information reported in the Australian Bureau of Statistics ~~2006-2016~~ Australian Census.

- In ~~2006 2018~~, there were ~~72,245 60,053~~ people ~~local working jobs~~ in the North Sydney ~~LGA~~, including ~~32,768 males and 27,285 females~~. ~~The working population decreased by 5.1% between 2001 and 2006, making a contribution of \$18.53 billion, to the Gross Regional Product (GRP) of NSW.~~
- ~~The North Sydney CBD is the focus of economic activity in the LGA, containing 60,400 jobs as of 2017.~~
- The LGA has a younger working population, with ~~45-639.8%~~ of the working population under 35 years of age, ~~compared similar to the average for Greater~~

⁴ ~~ABS Australian Census 2016, refers to those who spoke English 'not well' or 'not at all'~~

North Sydney Development Control Plan 2013 – 2020 draft amendments**Context**

~~Sydney of 38.8% of workers are under 35 with 36.2% for the Sydney Statistical Division.~~ 13.81.9% of North Sydney's working population is aged 55 years or over compared with ~~17.326.0%~~ for the ~~Sydney Statistical Division~~ Greater Sydney Area.

- ~~59.751%~~ of the working population was born in Australia. ~~17.8% of the working population was born overseas in an ESC. There were large proportions and numbers of workers who were born in the United Kingdom and New Zealand. 15.5% of the working population was born overseas in a NESC.~~ 34.4% of local workers speak a language other than English at home, and 12.1% of local workers arrived in Australia between 2011 and 2016.
- The main cultural groups of workers born in a NESC ~~were~~ are from India (5.9%), China (4.4%), Philippines (2.1%) and Hong Kong (1.5%). There are also significant groups of workers from the UK (7.7%), New Zealand (3.0%) and South Africa (1.8%)., ~~China, Japan and India.~~
- The main languages spoken by workers in North Sydney other than English ~~were~~ are Cantonese, Japanese and Mandarin. ~~The number of workers in the LGA who spoke a language other than English increased by 32.4% between 1996 and 2006.~~

2.4 EDUCATIONAL CENTRES POPULATION

In ~~2006-2013~~ there ~~were~~ were over 16,52617,000⁵ students attending North Sydney schools or tertiary institutions, of which only one in five are residents of North Sydney. The majority of students are at primary or secondary level, with 35% of students in primary school, and 57% in secondary school. In 2016 4.8% of the residential population were attending primary school, 3.1% were attending secondary school, 6.1% were enrolled in university and 1.3% were enrolled in TAFE. The majority of the residential population (74.5%) are not attending an educational institution.⁶

2.5 RELIGIOUS AFFILIATION

The major religious affiliations in North Sydney are ~~Anglicanism—Catholicism and Catholicism~~ Anglicanism, ~~with six times as many adherents as the next most numerous being~~ Uniting Church with 21.3% and 13% of North Sydney's population adhering to these religions in 2016. The other most common religious affiliations are Buddhism (2.7%) and Hinduism (2.3%). ~~37.8% of people~~ The number of Buddhists outnumbers those professing Orthodox Christianity, Hinduism, Islam and Judaism. ~~29% of people~~ in North Sydney profess to have no religion.

2.6 THE ECONOMY

North Sydney residents, workers, students and visitors have access to a broad range of services, facilities and activities that are an integral part of North Sydney's identity and contribute to quality of life in the area.

North Sydney is an important economic centre with strong industry links to the global economy. There is a diversity of industry in the very large and predominantly commercial office centre in the CBD, the mixed commercial and retail centres of St. Leonards/Crows Nest and Neutral Bay/Cremorne, the smaller predominantly retail suburban centres, harbour services and related industries, and individual businesses in local neighbourhoods.

The major commercial centres have an important role in facilitating and supporting economic development and job creation and providing access to goods and services. Their character and function are integral to economic vitality. The smaller centres have a similar role on a smaller scale.

⁵ Education Precinct Planning Study 2013, prepared by North Sydney Council ~~The Educational Institutions in North Sydney Study 2007, prepared by North Sydney Council.~~

⁶ ABS 2016 Australian Census



2020 draft amendments - North Sydney Development Control Plan 2013

Context

North Sydney has been identified in the ~~State Government's~~ Greater Sydney Commission's Metropolitan Strategy, North District Plan, as a ~~Global City~~ part of the 'Eastern Economic Corridor', a series of interconnected employment hubs stretching from Macquarie Park to Sydney Airport. The North Sydney CBD is also identified by the Greater Sydney Commission as a component of the 'Harbour CBD', with a thriving office market complementary to the ~~Sydney CBD, whose workforce is larger and growing faster than its resident population.~~

Approximately ~~86~~5% of the ~~workforce~~ local workers ⁷-live outside the LGA.⁸ ~~The~~ Both the resident and workforce-working populations are relatively young with relatively high education and skill levels, with 53.5% of residents and 58.3% of local workers having attained a Bachelor qualification or higher. ~~but~~ However, there are significant numbers of people with no post-school qualifications, 18.9% of residents and 18.5% of local workers.⁹

The largest employers are "Professional, Technical and Scientific services" (27.5~~16~~%), then "Finance and Insurance" (10.95~~5~~%) and then "Information Media and Telecommunications" (6.75~~5~~%). The proportion of local workers employed in all three of these sectors is higher than the average across Greater Sydney. ~~These employers are followed by (employing significantly fewer numbers) wholesale and retail trade, accommodation, restaurant, recreation and personal services, health care, education and community services.~~

North Sydney Council encourages development opportunities which support specialist businesses whilst maintaining diversity and balancing commercial and residential interests.

2.7 LAND USE

Land use in North Sydney predominantly comprises high and medium density residential and commercial development interspersed with some open space areas. ~~Regional~~ Metropolitan planning issues to consolidate urban development enhance North Sydney's status as a major commercial centre and its ~~contribution~~ role within the Eastern Economic Corridor and Harbour CBD, to a Global City as identified within ~~the NSW Government's~~ the Greater Sydney Commission's Metropolitan Strategy A Metropolis of Three Cities.

Residential and commercial population growth continues to put pressure on existing infrastructure facilities and the natural environment, including the bushland, foreshores and open spaces. The State Government's strategy for further growth within the LGA is causing some community concern about the rate and type of growth which in turn is affecting quality of life.

The ~~NSW Government's Draft Inner North Subregional Strategy (July 2007)~~ Greater Sydney Commission's North District Plan, identifies key strategic centres, ~~and~~ employment corridors along and major city-shaping and city-serving transport corridors within which the most ~~Strategy's~~ future anticipated growth is to be anticipated to predominantly located occur.

Council's Residential Development Strategy 2009 focuses development in and around existing town centres that have good access to transport, services, community facilities, employment and recreation and away from more sensitive areas such as foreshores, bushland and conservation areas.

North Sydney LEP 2013 provides the main mechanism for controlling land use in the LGA. The LEP ~~has~~ aligns with ~~been informed by~~ the desired outcomes of the Draft Inner North Strategy North District Plan and Council's Residential Development Strategy. The DCP also contains additional provisions to ensure that conflicts between incompatible land uses are minimised.

⁷ ~~ABS 2006 Australian Census~~

⁸ ABS 2016 Australian Census

⁹ ABS 2016 Australian Census, figures based on percentage of population aged 15+

North Sydney Development Control Plan 2013 – 2020 draft amendments**Context****2.8 TRANSPORT AND CONNECTIVITY**

The North Sydney LGA is highly accessible and is well-serviced by both road and public transport networks. This high level of accessibility is directly related to the LGA's central location within the Sydney Metropolitan Area and much of its commercial activity occurring the North Sydney Centre being situated within the Eastern Economic Corridor ~~Global Arc~~ and identified as part of ~~a Global City~~ the Harbour CBD under the ~~2036 Metropolitan Strategy~~ Metropolis of Three Cities strategy. Due to its physical location within the Sydney Metropolitan Area and the restricted number of access points across Sydney Harbour to its centre, the LGA ~~acts as a large funnel for the movements of~~ accommodates large amounts of through-traffic and regional trips from the northern regions of the Metropolitan Area. Accordingly, substantial movements are merely just passing through the LGA, rather than being generated or ~~an end destination~~ there.

2.8.1 Vehicular Movements

The LGA is effectively split into two by the Warringah Expressway, which provides a major north-south arterial route for vehicles travelling to and through the area. A number of sub-arterial roads also feed into the Warringah Expressway.

In ~~2006~~ 2016, ~~32.56.7%~~¹⁰ of residents used private vehicles to travel to work, representing a ~~20.8% increase~~ decrease since ~~2001~~ 2011.¹¹ However, in the same time ~~frame~~ car ownership rose ~~substantially~~ from ~~0.76~~ 0.98 cars per ~~dwelling household~~ dwelling household to ~~0.89~~ 1.03 cars per ~~dwelling household~~ in ~~2010~~ 2016. This increase in car ownership is placing additional demands on on-street parking and traffic efficiency.

Council has been proactive in reducing traffic and parking congestion through the promotion of the use of public transport, car-share schemes, and other alternative means of transport.

2.8.2 Public Transport

The LGA has a high level of accessibility to public transport including train, bus and ferry services.

Train

The North Shore Railway Line runs through the south-western portion of the LGA with stations located at Wollstonecraft, Waverton, North Sydney and Milsons Point. This line provides direct services to Hornsby via Chatswood and the Blue Mountains. Parts of the LGA are also in close proximity to St Leonards railway station.

North Sydney Railway Station has been upgraded to provide additional capacity to the subregion. This upgrade was completed in late 2008 and was expected to improve commuter capacity by 30%.

Construction of the Sydney City and Southwest Metro lines ~~City and Southwest~~ has commenced, being a continuation of the North-west Metro line between Schofields and Chatswood which commenced operation in mid 2019. ~~with~~ The first stage of the continuation comprising a new metro line running ~~from~~ between Chatswood to and Sydenham Bankstown, due to open in 2024. The Metro line extension will run through the North Sydney LGA with two new stations to be located at Victoria Cross and Crows Nest. This stage of the Metro is expected to be completed and operational by 2024.

In ~~2006~~ 2016, ~~21.814.9%~~¹² of residents travelled by train to work, which represents a ~~4.70.5% decrease~~ increase since ~~2001~~ 2011. ~~However,~~ The level of train patronage has risen ~~more~~ dramatically in recent years in response to rising fuel costs.¹³ In ~~2003~~ 2014

¹⁰ ~~ABS 2006 2016 Australian Census~~

¹¹ ~~ABS 2016 Australian Census~~

¹² ~~ABS 2006 2016 Australian Census~~

¹³ ~~ABS 2016 Australian Census~~



2020 draft amendments - North Sydney Development Control Plan 2013

Context

North Sydney station had a daily through-put (in/out) of approximately ~~23,000~~26,220 passengers.¹⁴ ~~86.4%~~84.6% of the working population live outside of the LGA, ~~the majority of which~~with 48.3% of local workers catch public transport to the LGA using public transport as a method of travel.

Bus

The LGA is well serviced by buses, with most parts of the LGA located in close proximity to a bus stop. Most bus services provide access to the Sydney CBD to the south and northern parts of the Sydney Metropolitan Area.

There was a ~~notable small~~ increase in the number of ~~people~~workers travelling to work by bus from ~~9.31~~15.6% to ~~10.46~~6% of local workers between 2011 and 2016. For North Sydney residents there was a small decrease in the number of residents travelling to work by bus, from ~~17.3% to 16.5%~~ of the LGA's population.

Ferry

There are 9 public ferry wharfs within the LGA, all of which are located on Sydney Harbour. They provide access to east as far as Manly, to the west as far as Parramatta and to a large number of suburbs on the southern foreshores of Sydney Harbour.

There was a notable decrease in the number of people travelling to work by ferry from ~~3.21~~% to ~~1.52~~6% of the resident population between 2011 and 2016. This decrease was primarily as a result of a reduction in ferry services being provided. The number of local workers travelling to work by ferry remained constant between 2011 and 2016 at 0.4%.

2.8.3 Walking and Cycling

The LGA also has some well established pedestrian and cycle networks, especially within the North Sydney CBD, and to the surrounding areas.

The North Sydney CBD suffers heavily from through-traffic, which impacts on pedestrian and cyclist accessibility, amenity and safety. A series of public domain works and new dedicated cycle routes are being implemented through the LGA to help improve the amenity and safety of cyclists and pedestrians.

There was a marginal ~~increase~~decrease in the number of ~~people~~residents walking to work from 11.98% to ~~10.92~~3% of the LGA's population. For local workers the trend was similar, with a decrease from 6.3% to 5.8% of the LGA's working population walking to work.

With regard to cycling, Council has installed approximately 21.9 kilometres of a planned total of 26.2 kilometres of on and off-road bike paths. As well as the marked cycle routes, a cycling map was developed to compliment Council's *North Sydney Bike Plan*, which has identified existing bicycle paths and prioritised funding for the construction of new bike paths.

2.9 BIODIVERSITY

There are approximately ~~493~~ hectares of bushland in North Sydney supporting ~~129~~347 native ~~fauna~~flora species and ~~344~~190 native fauna species including 4 frog species, 20 reptile species, 148 bird species and 18 mammal species, in an area of 10km². Most of this bushland is located on the foreshores of Middle Harbour or Port Jackson. These areas generally comprise narrow strips bordering urban development, with larger areas of bushland at Balls Head, Berry Island Reserve and Tunks Park.

Altered natural fire regimes have caused changes to vegetation patterns and native wildlife. Bushwalking and picnicking can also impact on bushland areas.

Pesticides and herbicides, increased nutrients, oils and detergents, chemicals, weed material, leaf litter and sediments all contribute to stormwater runoff that damages aquatic

¹⁴ TfNSW Train Statistics 2014

North Sydney Development Control Plan 2013 – 2020 draft amendments**Context**

ecosystems. In addition, high levels of phosphates and nitrates in stormwater encourage weed growth in the bush areas.

Non-native plants and animals, habitat loss and urbanisation all put pressure on bushland areas.

Community involvement and education can help protect our remnant bushland. Volunteers in the Bushcare program undertake bush regeneration in eleven sites throughout the LGA. Council provides bush regeneration training for volunteers and specialist workshops on Plant Propagation, Creating Wildlife Habitat Gardens, Wildlife Watching and Aboriginal Site Awareness.

2.10 CULTURAL RESOURCES**2.10.1 Aboriginal Heritage**

The Cammeraygal people of the Eora nation are the traditional custodians of the North Sydney area. North Sydney contains significant Aboriginal cultural heritage, with 60 known sites of Aboriginal heritage significance within the LGA.

A general lack of knowledge and understanding of Aboriginal culture and heritage sites has resulted in the unintentional damage of sites within North Sydney. It is currently the greatest threat to the effective conservation of Aboriginal Heritage sites.

Other factors putting pressure on the preservation of Aboriginal Heritage sites include excavation and construction work, more visitors, vandalism and pollution.

Council has developed a strategy for the conservation and management of approximately sixty the Aboriginal sites within North Sydney. The sites, which are registered with the National Parks and Wildlife Service, include middens, occupation sites, rock engravings and rock art and date back at least 7,000 years.

The strategy includes a comprehensive register of all sites and provides specific recommendations on their conservation and management. It also outlines opportunities for the community to become involved in the care and management of sites.

Since 2000 North Sydney Council has been a member of the Aboriginal Heritage Office (AHO), a partnership ~~Together~~ with Lane Cove, Willoughby, ~~and Warringah~~ Strathfield, Kuring-gai and Northern Beaches Councils. The AHO provides ~~advise~~ and expertise to its ~~partner organisations in order to protect~~ Aboriginal sites and promote Aboriginal heritage. North Sydney Council funds the position of an Aboriginal Heritage Manager to take a regional approach to the protection of Aboriginal sites and cultural heritage in the four participating Council areas.

2.10.2 Non-Aboriginal Heritage

North Sydney contains a rich and diverse cultural heritage of structures and places, industrial sites, lookouts, streetscapes, urban patterns, parks and reserves. These elements contribute to community cultural life and a sense of place and identity. They form important tangible links to North Sydney's past that need to be conserved for future generations. Much of this valuable heritage is privately owned.

Increases in population and development puts pressure on Council to maintain each area's heritage and as a result building, demolition and alteration works pose significant threats to North Sydney's cultural heritage. A lack of awareness and appreciation of cultural heritage can also pose threats to its presence in an area.

New heritage provisions have been incorporated into both NSLEP 2013 and NSDCP 2013 to allow more effective assessment of development applications, whilst helping to remove a number of previous hurdles which appeared to unfairly restrict the development potential of affected sites.

New character statements have been prepared for each conservation area to help inform the design of future redevelopment of land within those conservation areas. In particular, they



2020 draft amendments - North Sydney Development Control Plan 2013

Context

identify the characteristic elements of these areas which Council would like to see retained and an explanation of their significance.

Part B – Section 13: *Heritage and Conservation* to of the DCP provides the context for maintaining what is physically and socially valuable to the community.

2.11 NOISE

Noise complaints in North Sydney are mainly associated with noise from commercial premises, social events and barking dogs. Transport corridors through North Sydney are also a source of noise, particularly the Pacific Highway and the Warringah Freeway corridor.

Special events such as New Years Eve celebrations at Bradfield Park and sporting events at North Sydney Oval pose temporary concerns for residents. Longer term problems are associated with increased traffic in North Sydney.

Council continues to use its powers under the [Protection of the Environment Operations Act 1997](#) to enforce noise controls in the community. In addition, Council utilises the NSW Industrial Noise Policy in regulation and planning matters. This Policy covers noise from a range of sources including industrial and commercial premises and is used in the assessment of new developments, modification to existing developments and noise associated with existing development.

Commercial and residential noise guidelines are incorporated within the DCP, with specific controls for late night trading premises (i.e. those premises which usually operate beyond 10.00pm).

2.12 AIR QUALITY

Air quality is both a local and global problem. On a local scale North Sydney experiences photochemical smog and fine particle emissions which can cause health and visibility problems. Major air quality issues globally are 'climate change' and 'ozone depletion'. It is now accepted that changes in climate and depletion of the ozone layer is being caused by human activity and Australia's per capita greenhouse gas emissions are the second highest in the world.

The greatest pressures on air quality in North Sydney are from motor vehicles, fires and energy consumption. Motor vehicles emit a range of gases and fine particles that can have harmful health and environmental effects. Fossil fuels burnt to produce electricity release greenhouse gases that cause climate change.

The Energy Smart Installers program is a free electricity and water audit offered to residents that can reduce electricity and water use in the home. Council is also a partner in the Energy Smart Business program that requires Council to reduce its greenhouse gas emissions by improving its day-to-day operations.

[In July 2019 North Sydney Council became the 30th Australian Council to declare a 'climate emergency', as a response to the serious risk which climate change poses to the community.](#) Council ~~recently~~ [has also](#) joined the international Cities for Climate Protection campaign, which involves conducting a greenhouse gas emissions audit, committing to an emissions reduction goal, developing and implementing an action plan and monitoring and reviewing performance.

Additionally, Council now purchases 25% of its electricity from renewable sources through Green Power and has a number of policies and plans to reduce motor vehicle use and fire emissions.

Council promotes energy efficient design through development controls for commercial, mixed use and residential development.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Context****2.13 WATER QUALITY AND CATCHMENT MANAGEMENT**

The LGA comprise two primary water catchments, that draining to Middle Harbour and that draining to Sydney Harbour. These catchments are divided into 16 sub-catchments, each draining into a major trunk system before discharging into Sydney or Middle Harbours. These catchments are severely degraded, with natural streams being replaced by concrete drains, increased impervious surfaces, litter, sediments, nutrients, bacteria, toxic organics and heavy metals can all affect water quality.

Water catchments in the LGA are under enormous pressure from increased urbanisation, drainage works, littering, erosion, construction sites, fertilisers, sewer overflows, garden waste, street trees, animal droppings, herbicides, pesticides and car emissions. These affect the natural water cycle, destroying the natural characteristics of creeks and polluting the water draining into Sydney and Middle Harbours.

Council has put in place planning, educational, capital works and enforcement activities to address the pressures being placed on North Sydney's water catchments.

North Sydney Council is a member of the Sydney Coastal Council Group, a collaborative regional organisation which seeks to advance sustainable management of Sydney's coastal and estuarine environment. Council as part of this group is participating in the establishment of a Coastal Management Plan (CMP), which comprises a long-term strategy for the co-ordinated management of land within the coastal zone. Any actions and recommendations from the CMP will be implemented through amendments to Council's planning controls.

Council has prepared and is implementing two Stormwater Management Plans for the Port Jackson North and Middle Harbour catchments. Council has installed gross pollutant traps, restored natural drainage lines, increased stormwater education and conducts inspections of commercial outlets.

Council continues monthly water quality monitoring of five of the larger catchments of North Sydney. The monitoring includes physical, chemical and biological tests used to assess the condition of the water. Results are used to focus management practices.

To address the issue of tree leaves and litter, Council has increased and improved street sweeping in the area, preventing the litter and leaves from entering the creeks and harbour.

2.14 WASTE

Waste is increasing and causing greater problems for the environment. Until recently the common way to manage waste was to bury it. Governments at all levels have realised that this is unsustainable and have begun initiatives to ensure improvements in waste handling practices, and a significant reduction in waste quantity and toxicity. Landfill is now viewed as a last resort, after waste has been avoided, reused or recycled.

The LGA's weekly waste and recycling collections increased from approximately 28,000 services in 1990 to ~~32,500~~ 33,678 services in 2015~~09~~. An average of ~~11.9~~ 404kg per week of waste was generated ~~per by each~~ household in the LGA in ~~between the year~~ 2014 and 2015~~09~~.¹⁵ North Sydney has a relatively high recycling rate, with over 68% of domestic waste recycled.

Increased waste disposal costs and restrictions placed on existing landfill sites is a further incentive to reduce landfill.

Council is a leader in local government for waste management by minimising the amount of waste taken to landfill sites and introducing efficient, cost effective and convenient collection and disposal methods has become a priority.

Council ~~is~~ has also reduced ~~ing~~ landfill waste by ~~using~~ undertaking effective education campaigns and offering a comprehensive recycling service. This ~~has had~~ resulted in approximately a 70% reduction of domestic waste going to landfill since 1990. However, a

¹⁵ NSW EPA, NSW Local Government Waste and Resource Recovery Data Report 2014-15, 2016

**2020 draft amendments - North Sydney Development Control Plan 2013*****Context***

recent EPA decision to limit the destination outputs from the waste treatment facility at Eastern Creek has significantly affected Council's ability to meet EPA landfill diversion targets.

Waste education initiatives include information brochures, advertising, talks, composting and worm farm demonstrations, waste minimisation displays and advice to developers and real estate agents on best practice design of garbage storage areas and effective recycling systems. Development controls contained within the DCP promote recycling and waste avoidance.



Submitting an Application

SECTION 3 SUBMITTING AN APPLICATION

3.1 INTRODUCTION

The NSLEP 2013 states what types of proposed development or works that are:

- permitted without development consent (i.e. no consent required from Council);
- permitted as “*exempt development*” (i.e. no consent required from Council);
- permitted as “*complying development*” (i.e. consent is required from either Council or a private certifier);
- permitted with development consent (i.e. consent is required from Council); or
- prohibited.

It should be noted that the permissibility and approval requirements of some types of developments are also affected by the provisions of other environmental planning instruments, such as State Environmental Planning Policies (SEPPs).

Where required, a development application or a complying development application must be made to in order to obtain development consent. Failure to lodge an application when development consent is required is a breach against the [EP&A Act 1979](#) and may be subject to prosecution, demolition and/or fines. Applicants are advised to refer to the LEP or to contact Council’s Customer Service Centre or one of Council’s Planning Advisors to confirm consent requirements.

Application forms are available from the Customer Service Centre, or on Council’s website (www.northsydney.nsw.gov.au) together with advice on the details, number and type of plans and supporting information required, fees and procedures.

3.2 PRE-DEVELOPMENT APPLICATION PROCESS

When preparing a development application, applicants are advised to first access the planning and development information located on Council’s website (www.northsydney.nsw.gov.au). However, should applicant have any further queries regarding their proposal, or clarification of Council’s planning and development controls, they are welcome to contact Council on Monday to Friday during business hours by phoning (02) 9936 8100.

Council’s Planning and Development Advisors can provide further advice prior to the lodgement of a development application. This advice is informal and is normally conducted over the telephone. However, short scheduled meetings (approximately 30 minutes and free of charge) can be held where the applicant would like to discuss a complex issue or has firm plans about what they are proposing.

Where an applicant seeks detailed feedback, a more formal pre-application meeting is also available. These meetings are held with Council’s technical advisors and an executive planner or assessment team leader. A fee is charged for this service (refer to Council’s Fees and Charges Schedule available on Council’s website).

A pre-application meeting form is available from the Customer Service Centre, or on Council’s website (www.northsydney.nsw.gov.au). At least 10 days prior to the meeting, detailed sketches, plans, photographs and applicant’s assessment of compliance should be made available to Council officers. This will enable a more comprehensive analysis of your proposal and the provision of constructive feedback.

Within 10 days of the meeting, Council will provide minutes to the applicant, highlighting the main issues discussed and the meeting’s outcome.

Note: *The outcome provided within the minutes is not an authoritative statement as to the likely success of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.*



2020 draft amendments - North Sydney Development Control Plan 2013

Submitting an Application

Applicants are strongly encouraged to discuss their proposals with adjoining property owners or occupants prior to the lodgement of a development application. The purpose of this is to determine issues that a neighbour may have early on and to try and have these issues resolved prior to the development application being assessed by Council. Resolving these issues early can help to reduce the amount of time that an application needs to be assessed (i.e. no need to submit revised plans).

3.3 APPLICATIONS FOR DEVELOPMENT CONSENT

A development consent is issued to enable building works or the use of land to be undertaken as permitted under the provisions of NSLEP 2013 or any other relevant SEPP. Development consent in most instances will be determined and issued by Council. However, in some limited circumstances, a development consent will be determined by the Minister for Planning or one of their delegates, ~~or by a Joint~~ the Sydney North Regional Planning Panel (i.e. development captured by SEPP (State and Regional Development) 2011 ~~or Schedule 4A of the EP&A Act 1979~~), or the North Sydney Local Planning Panel on behalf of Council (i.e. those developments which are required to be referred to the local planning panel by Ministerial Direction under s.4.8(3) of the EP&A Act 1979).

An application for development consent must be made in accordance with cl.50 and Part 1 to Schedule 1 of the EP&A Regulation 2000. The specific information and documents required to be submitted are reproduced on Council's development application form, copies of which are available from Council's Customer Service Centre or website (www.northsydney.nsw.gov.au). The documents that are generally required to be submitted with development applications are listed in the following subsections. These lists do not apply to applications for Tree Management Permits, for which specific requirements are set out in Part A: Section 3.6 of the DCP.

Council may waive some of these requirements for some applications, such as a change of use or minor alterations to a building, where the provision of such information is not deemed relevant. Applicants are encouraged to contact Council for more information if they are unsure. Where all relevant documentation is not provided the application may be rejected or put on hold for a limited period until such documentation is supplied.

Development consents issued by Council will last a maximum of 3 years in accordance with Council's policy. This time period may be varied by the provisions of the EP&A Act 1979.

3.3.1 General Requirements

The following documents are generally required to be submitted with all development applications:

- (a) A full **survey plan** of the site, prepared by a registered surveyor which must indicate at a minimum the following information:
 - (i) location, boundary dimensions, site area and north point;
 - (ii) location of any easements and rights of way;
 - (iii) location and uses of existing buildings on the site;
 - (iv) the existing levels of the site in relation to buildings and roads;
 - (v) the location of existing trees and vegetation on the site;
 - (vi) the location and uses of buildings on land adjoining the subject site.
- (b) **Site Analysis Diagram** (refer to Part A: Section 5 – *Site Analysis*).
- (c) **Plans or drawings** generally comprising a site plan, floor plans, elevations and sections, and where relevant subdivision plans. Council also encourages the submission of photomontages to illustrate the proposed development in its context.
- (d) **Shadow diagrams** for all new buildings or significant alterations to existing buildings, showing shadows at 9.00 am, 12 noon, and 3.00 p.m. on 21 June

North Sydney Development Control Plan 2013 – 2020 draft amendments**Submitting an Application**

(Winter Solstice), 21 September / March (Equinox) and 21 December (Summer Solstice). Some applications within the North Sydney CBD will also require the provision of shadow diagrams at 10.00am and or 2.00pm on 21 June, 21 September/March and 21 December. Shadow diagrams must be certified on the appropriate form by a surveyor, architect, or other competent person.

- (e) **Statement of Environmental Effects** or an **Environmental Impact Statement**, depending upon the type of development proposed.
- (f) A **table of compliance** demonstrating how the proposal complies with the relevant development standards contained within the LEP and DCP.
- (g) An **Efficient Use of Resources Commitment Table** demonstrating compliance with / consideration of (as relevant) provisions within the *Efficient Use of Resources* sub-sections of this DCP.
- (h) A **model**, for proposed residential development containing 4 or more dwellings, or for non- residential development with a floor area of 500m² or more.

3.3.2 Applications Involving Heritage Items or Conservation Areas

In addition to the requirements within s.3.3.1 to this Part, the following information is required with all development applications relating to heritage items, properties within the vicinity of a heritage item or land within a conservation area:

- (a) All sets of plans clearly indicating, in colour, existing walls to be removed and those to remain;
- (b) Measured drawings of the existing building including elevations;
- (c) A **statement of heritage impact**, or, if required, a **conservation management plan**;
- (d) Where a proposal involves demolition, a **structural engineers report** demonstrating why the building is not capable of restoration or reconstruction;
- (e) Details of external materials, finishes and colour schemes and in the case of heritage items, a list of internal features to be affected by the proposal.

3.3.3 Other additional Information for Development Applications

In addition to the requirements within s.3.3.1 to this Part, applicants may be required to submit additional information relating to specific issues to ensure that Council can make an informed decision when determining a development application. The instances when additional information is required are outlined throughout various Sections to Part B of this DCP. The information requirements are set out in the relevant Section. It should be noted that Council has concurrence powers to determine applications otherwise integrated under the NSW [Heritage Act 1977](#).

Where applicable, applicants should supply the following information:

- (a) Any information as appropriate to satisfy the relevant Integrated Development authority for development deemed to be Integrated Development pursuant to s.91-4.46 of the [EP&A Act 1979](#).
- (b) A **BASIX Certificate** for developments affected by [SEPP \(Building Sustainability Index: BASIX\) 2004](#).
- (c) One or a combination of the following in accordance with Part B: Section 14 - *Contamination and Hazardous Materials* of this DCP:
 - (i) A **Preliminary Investigation**;
 - (ii) A **Detailed Investigation**;
 - (iii) A **Remedial Action Plan**.



2020 draft amendments - North Sydney Development Control Plan 2013

Submitting an Application

- (d) A **Green-Travel Plan** in accordance within Part B: Section 10 – Car Parking and Transport.
- (e) A **Hazardous Building Materials Survey Report**, prepared in accordance with Part B: Section 14 - *Contamination and Hazardous Materials* of this DCP.
- (f) Applications for child care ~~centres~~ facilities also require the submission of:
- (i) A **Landscape Plan**; ~~and~~
 - (ii) An **Environmental Risk Assessment Report**. The Environmental Risk Assessment Report must be prepared by a suitably qualified consultant and should cover aspects relating to air pollution, land contamination and noise ~~:-~~
 - (iii) Written advice from the NSW Department of ~~Community Services~~ Education indicating that no objection, in principle, is raised to the proposal ~~:-~~
 - ~~(iv)~~ (v) A Hazardous Building Materials Report ~~:-~~
 - ~~(iv)~~ (v) An Emergency Evacuation Plan for child care facilities that are located above ground level.
- (g) Applications for non-residential development also require the provision of the following:
- (i) existing and proposed hours of operation; and
 - (ii) full details of the anticipated volume and frequency of deliveries or collections made to a site; and
 - (iii) the type and size of vehicles likely to be used to make any deliveries or collections to the site.
- (h) Applications for late night trading premises also may require the provision of a:
- (i) **Plan of Management**; or
 - (ii) **Management Checklist**.
- (i) Applications that involve excavation or ground penetration of greater than 2m in depth and within 25m of a rail corridor require the provision of the following:
- (i) **Geotechnical and Structural report**; and
 - (ii) **Construction/Excavation Methodology**
- (j) An **Erosion and Sediment Control Plan** prepared in accordance with Part B: Section 17 - *Erosion and Sediment Control* of this DCP.
- (k) A **Waste Management Plan** prepared in accordance with Part B: Section 19 - *Waste Management* of this DCP.
- (l) A **Stormwater Management Plan** prepared in accordance with Part B: Section 18 – *Stormwater Management* of this DCP. The plan must include the:
- (i) proposed method of stormwater disposal to be used until the inter-allotment system becomes functional.
 - (ii) approximate location of pits and pump-outs and site drainage system.
 - (iii) any site constraints such as trees, services, or structures that may affect the viability of the system.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Submitting an Application****3.4 APPLICATIONS FOR COMPLYING DEVELOPMENT CERTIFICATES****3.4.1 General Requirements**

A Complying Development Certificate (CDC) is issued for works which satisfy set criteria as outlined in NSLEP 2013 or [SEPP \(Exempt and Complying Development Codes\) 2008](#). These certificates can be issued by Council or an independent accredited certifier. The onus is on the applicant to satisfy themselves that their proposal is one that is capable of being dealt with as complying development (i.e. the proposal must comply with all the set criteria). If in doubt, the applicant should err on the side of caution and lodge a Development Application (DA).

An application for a CDC must be made in accordance with cl.126 and Part 2 to Schedule 1 of the [EP&A Regulation 2000](#). The specific information and documents required to be submitted are reproduced on Council's CDC application form, copies of which are available from Council's Customer Service Centre, or website (www.northsydney.nsw.gov.au). The documents that are generally required to be submitted with all CDC applications include the following:

- (a) **Survey plan;**
- (b) **Detailed plans**, generally comprising a site plan, floor plans, elevations and sections, and where relevant subdivision works plans;
 - Where the proposed works involve any alteration or addition to, or rebuilding of an existing building, the general plan is to be coloured or otherwise marked to the satisfaction of the principal certifying authority to adequately distinguish the proposed alteration, addition or rebuilding.
- (c) **Specifications**, to describe the construction and materials of which any building is to be built and the method of drainage, sewerage and water supply;

In addition to the above, the following documents may be required:

- (d) **Fire Safety Statement** detailing existing and proposed fire safety measures;
- (e) **BASIX Certificate** for BASIX affected buildings;
- (f) Detailed **Engineering Plans** for subdivision;
- (g) Where the application involves an alternative solution to meet the performance requirements of the BCA relating to fire safety (refer to cl.130 of the [EP&A Regulation 2000](#)):
 - (i) details of the performance requirements that the alternative solution is intended to meet, and
 - (ii) details of the assessment methods used to establish compliance with those performance requirements
- (h) If relevant, evidence of any certified component, process or design.

3.4.2 Home Building Act

In the case of an application for building work that involves residential building work (within the meaning of the [Home Building Act 1989](#)) the following information is to be attached to a CDC application:

- (a) in the case of work by a licensee under the [Home Building Act 1989](#):
 - (i) a statement detailing the licensee's name and contractor licence number, and



2020 draft amendments - North Sydney Development Control Plan 2013

Submitting an Application

- (ii) documentary evidence that the licensee has complied with the relevant requirements of the [Home Building Act 1989](#)¹, or
- (b) in the case of work done by any other person:
 - (i) a statement detailing the person's name and owner-builder permit number, or
 - (ii) a declaration signed by the owner of the land, to the effect that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in s.29 of the [Home Building Act 1989](#).

3.4.3 Long Service Levy

Pursuant to s.4.28~~85A~~(10A) of the [EP&A Act 1979](#) a CDC cannot be issued by either Council or an accredited certifier until any long service levy payable under s.34 of the [Building and Construction Industry Long Service Payments Act 1986](#) (or where such a levy is payable by instalments, the first instalment of the levy) has been paid. The local council may be authorised to accept payment.

3.5 APPLICATIONS FOR TREE MANAGEMENT PERMITS

This sub-section only applies to applications to remove, lop, top or prune one or more ~~prescribed-declared~~ trees or vegetation, as identified under ~~cl.5.9(2) of NSLEP 2013 and~~ Part B: Section_16 - *Trees and Vegetation Management* of this DCP and where no other development is involved.

The following information must be provided for applications to which this section applies:

- (a) Applicant's name and address;
- (b) Address and legal description of the property on which the subject tree/s are located;
- (c) Consent of all property owners;
- (d) Other approvals necessary (if any);
- (e) Description of proposed work to be done;
- (f) Whether the proposed works involves tree removal, lopping, topping or pruning;
- (g) Site plan illustrating the site, the position of tree/s affected and any buildings in the proximity of the tree/s;
- (h) Statement of environmental impact (i.e. a statement which explains why the tree/s need to be removed, lopped, topped or pruned); and
- (i) Any other information requested by the Council that is relevant to the special circumstances of the case (e.g. an arborist report).

All relevant documentation must be supplied with the application. Where all relevant documentation is not provided the application may be rejected or put on hold for a limited period until such documentation is supplied.

¹ A certificate purporting to be issued by an approved insurer under Part 6 of the [Home Building Act 1989](#) to the effect that a person is the holder of an insurance contract issued for the purposes of that Part, is sufficient evidence that the person has complied with the requirements of that Part.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****SECTION 1 RESIDENTIAL DEVELOPMENT****1.1 INTRODUCTION**

The North Sydney LGA has the second highest dwelling density in NSW. This is reflected in the high proportion of medium (25%) and high density (55.64%) dwellings accommodated within the LGA. The demand for housing in the LGA is driven by a number of factors, including:

- The aesthetic and cultural characteristics of the LGA such as parks, bushland, foreshore areas and heritage retention;
- The proximity to employment areas, including Sydney City and North Sydney CBDs, both of which lie within the Sydney global economic corridor of industry and business, located between Sydney Airport and Macquarie Park;
- Access to a range of retail, recreational, educational and health services; and
- The extent and accessibility of transport infrastructure.

This demand for housing has seen increases in property and rental values, resulting in pressures for the redevelopment of housing for medium and high density accommodation and high cost housing. Additional pressure also comes from the need to accommodate additional dwellings in line with the State government's [Metropolitan Strategy Regional Plan for Sydney](#).

This pressure to accommodate more housing can sometimes result in adverse impacts on the amenity of existing residents in terms of overshadowing, visual and acoustic privacy, traffic congestion and access to open space. Accordingly, development controls are required to ensure that any amenity impacts are minimised.

Council is also wary of the need to provide adequate housing choice to reflect the LGA's future residential demographic profile (refer to Part A: Section 2 – *Context* to the DCP). In particular, there is a need to provide a mixture of dwellings in terms of their type, size, adaptability and affordability.

1.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that residential development:

01 reinforces the local planning priorities and actions of Council's Local Strategic Planning Statement;

02 reinforces the actions and targets of Council's [Residential Development Strategy Local Housing Strategy](#);

03 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;

04 provides a range of living opportunities that attract and cater for a diverse population;

05 does not have adverse impacts on residential amenity or environmental quality;

06 is in context with surrounding development;

07 contributes to the garden setting and lower scale character of North Sydney's residential neighbourhoods;

08 provides safe and comfortable accommodation;

09 is consistent with the character that is described in the relevant area character statements;

10 incorporates innovative sustainable design to reduce energy and water consumption, and meets or exceeds sustainability requirements, and



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

~~010~~011 minimise stormwater runoff, maintain or improve stormwater quality and encourage recycling where possible.

1.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for residential accommodation, including:

- (a) Attached dwellings;
- (b) Boarding houses;
- (c) Dual occupancies;
- (d) Dwelling houses;
- (e) Group homes;
- (f) Multi dwelling housing;
- (g) Residential flat buildings;
- (h) Secondary dwellings;
- (i) Semi-detached dwellings; and
- (j) Seniors housing.

However, this Section of the DCP does not apply to any of the residential accommodation types listed above, if they are proposed within the B4 Mixed Use zone. Residential accommodation proposed in the B4 Mixed Use zone is subject to the relevant provisions under Part B: Section 2 – Mixed Use and Commercial Development of the DCP.

Non-residential development which is proposed within residential zones is covered by Part B: Section 3 - *Non-residential Development in Residential Zones* of the DCP.

1.1.3 Relationships to other sections

Where relevant this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 10 – Car Parking and Transport;
- (c) Part B: Section 11 – ~~Traffic Guidelines for Development~~Construction Management;
- (d) Part B: Section 12 – Access;
- (e) Part B: Section 13 – Heritage and Conservation;
- (f) Part B: Section 16 – Tree and Vegetation Management;
- (g) Part B: Section 15 – Bushland;
- (h) Part B: Section 17 – Erosion and Sediment Control;
- (i) Part B: Section 18 – Stormwater Drainage;
- (j) Part B: Section 19 – Waste Management; and
- (k) Part B: Section 20 – Public Infrastructure.

1.1.4 Relationships to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

- (a) ~~SEPP 65 – Design Quality of Residential Flat Development~~SEPP 65 – Design Quality of Residential Apartment Development;

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- (b) ~~The DoP's Residential Flat Design Code~~ Apartment Design Guide;
- (c) SEPP (Affordable Rental Housing) 2009;
- ~~(d)~~ SEPP (Coastal Management) 2018;
- ~~(e)~~ Liveable Housing Australia's Liveable Housing Design Guidelines;
- ~~(d)~~~~(f)~~ SEPP (Housing for seniors and people with a disability) 2004;
- ~~(e)~~~~(g)~~ The DoP's Seniors Living Policy – Urban Design Guidelines for Infill Development;
- ~~(f)~~~~(h)~~ SEPP (Building Sustainability Index: BASIX) 2005;
- ~~(g)~~~~(i)~~ SEPP (Infrastructure) 2007;
- ~~(h)~~~~(j)~~ The DoP's Development Near Rail Corridors and Busy Roads – Interim Guideline (19 December 2008);
- ~~(i)~~~~(k)~~ SREP (Sydney Harbour Catchment) 2005;
- ~~(j)~~~~(l)~~ The DoP's Sydney Harbour Foreshores and Waterways Area DCP (2005); and
- ~~(k)~~~~(m)~~ The Rural Fire Service's Planning for Bush Fire Protection (2006).

1.2 SOCIAL AMENITY

A diversity of people contributes to the popularity of an area. Diversity also extends the usefulness of an area and contributes to the sustainability of both community and the environment. A range of residential accommodation in terms of built form, tenure and affordability is needed to sustain a diverse population and to ensure that a range of services and facilities continues to be provided in the area. Council aims to maintain the existing diverse mix of residential accommodation in North Sydney, not lose this residential mix to other land uses and to allow for some increase in both the dwelling stock and population, in accordance with the NSW State Government policy of urban consolidation.

The aim of urban consolidation is to accommodate a certain proportion of Sydney's residential growth within existing urban areas. To implement urban consolidation in North Sydney, Council has identified areas where growth can be accommodated in a range of dwelling types including attached dwellings, dual occupancies, dwelling houses, multi dwelling housing and residential flat buildings. Additional living space can also be created through alterations and additions to existing dwellings and residential growth the mixed-use areas.

1.2.1 Population Mix**Objectives**

- O1 To provide a mixed residential population in terms of age, gender, household type and size, education, income and employment, and including households with children, households on low to moderate incomes, households with aged or disabled persons.
- O2 To ensure that dwelling yield achieves a density that contributes to energy efficient design and residential amenity.
- ~~O3 To encourage the provision of adaptable housing in new developments so that residents can age in place.~~
- ~~O4 To enable residents to age in place.~~



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

Provisions

~~P1~~—Developments should aim to achieve a dwelling yield that is generally consistent with Council's *Residential Development Strategy (2009)*¹, being approximately:

- ~~(a)~~—240m² gross site area per attached dwelling or multi dwelling housing, or
- ~~(b)~~—90m² gross site area per apartment within a residential flat building.

~~P2~~**P1** Multi-dwelling housing and residential flat buildings containing less than 20 dwellings must include, at least two of the following dwelling types:

- (a) studio;
- (b) 1-bedroom;
- (c) 2-bedroom; and
- (d) 3-bedroom.

~~P3~~**P2** Despite ~~P12~~ above, no more than 55% of all dwellings must comprise a combination of both studio and 1-bedroom dwellings.

~~P4~~**P3** Residential flat buildings containing 20 or more dwellings should provide a mix of dwelling sizes in accordance with Table B-1.1.

TABLE B-1.1: Dwelling Mix	
Dwelling Size	% of Total Dwellings
Studio	10-20%
1 bedroom	25-35%
2 bedroom	35-45%
3 bedroom+	10-20%

~~P4~~ Variations to the dwelling mix within ~~P3-P2~~ or ~~P34~~ will not be considered, unless the applicant can adequately demonstrate by an authoritative analysis of current and future market demand that the suggested mix is not reasonable.

1.2.2 Universal Design and Adaptable Housing

Objectives

~~O1~~ To encourage the incorporation of universal design features and the provision of adaptable housing in new developments to meet the diverse needs of a variety of occupants.

~~O2~~ To encourage greater housing choice for seniors, families and people with disabilities.

~~O3~~ To enable residents to age in place.

Provisions

~~P1~~ All new dwellings must satisfy the Silver level performance requirements of the *Livable Housing Design Guidelines*. The incorporation of Gold and Platinum level universal design features is strongly supported.²

¹—~~Dwelling yield will be ultimately determined through a development's compliance with other relevant controls contained within the LEP and DCP.~~

² This provision applies to residential development which requires development approval and does not apply to alterations and additions to existing homes or complying development under NSW State Codes.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

Note: For details on the universal design features and performance requirements of the Livable Housing Design Guidelines visit <http://www.livablehousingaustralia.org.au/>.

P5P2 A minimum of ~~20~~2015% of dwellings in multi-dwelling housing and residential flat buildings that contain more than 5 dwellings must comprise adaptable housing³, and be designed and constructed to a minimum Class C Certification under AS 4299 – Adaptable Housing.

P6P3 Where adaptable housing is required to be provided, the adaptable housing components must:

- (e) be integrated into the overall design of the development, and not be isolated; and
- (f) not use a different standard of materials and finishes to the remainder of the building.

P4 Where universally designed and adaptable dwellings are proposed, those dwellings must be clearly identified as such on the submitted development application plans.

P7P5 Developments requiring adaptable housing must also satisfy the provisions of Part B Section 12.5 of this DCP.

~~P8 Provide indoor and outdoor spaces that meet the needs of different population groups and build flexibility into communal space to meet changing needs.~~

1.2.2.1.2.3 Maintaining residential accommodation**Objectives**

O1 To ensure that developments do not result in the loss of residential accommodation.

Provisions

P1 Development, whether it comprises new buildings or alterations/additions to existing buildings, should ensure that the existing residential density on site is not reduced (i.e. that the number of dwellings, or the number of rooms/bed spaces in a boarding house, that existed on the site is not reduced).

1.2.3.1.2.4 Affordable housing

Housing is considered affordable when households that are renting or purchasing are able to pay their housing costs and still have sufficient income to meet other basic needs such as food, clothing, transport, medical care and education.

Individuals working in key services on low-to-moderate incomes are finding it increasingly difficult to find affordable housing close to their work places. Over time, these individuals may choose not to work in high cost areas that are too far from their accommodation. By increasing access to affordable housing, we work towards integrated and sustainable communities that function in a way that benefits the whole community.

Affordable housing can be provided by both the government and private sectors. More information about affordable housing can be obtained from the Department of Planning's website (www.planning.nsw.gov.au) and Housing NSW's website (www.housing.nsw.gov.au).

Objectives

O1 To prevent the loss affordable housing within the LGA and displacement of socially disadvantaged groups.

³ Adaptable housing is designed with accessible features that can be modified to meet changing needs of residents over time. Typical adaptable features include level and wider doorways and corridors, slip resistant floor surfaces, reachable power points, lever door handles and lever taps. When designing adaptable housing consult AS 1428, 4299 and 4586.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

O2 To encourage the provision of adaptable housing in new developments

Provisions

- P1 Development must avoid the loss of low cost accommodation in accordance with the provisions of the [Affordable Rental Housing SEPP](#). Where a loss occurs, the applicant will be required to pay a monetary contribution for the replacement of affordable housing.
- P2 New affordable housing may be provided in accordance with the provisions of the [Affordable Rental Housing SEPP](#).

1.2.4.1.2.5 Housing for Seniors and Persons with a Disability

Objectives

- O1 To ensure housing for seniors and persons with a disability are appropriately designed to cater for the needs of the community.

Provisions

- P1 Development must be provided in accordance with the provisions under of the [SEPP \(Housing for seniors and people with a disability\) 2004](#) and where relevant, the *Seniors Living Policy – Urban Design Guidelines for Infill Development*.
- P2 Residential care facilities and hostels must provide at least one communal open space configured and designed in accordance with the provisions of the Department of Planning's ~~Residential Flat Design Code~~ [Apartment Design Guide](#).

1.3 ENVIRONMENTAL CRITERIA

The quality and amenity of the residential environment is important to the community. It contributes to the comfort and wellbeing of current residents and to sustainability of residential areas and the environment for future users. The quality and amenity of residential development can be maintained and improved by minimising the impacts of development by utilising some or all of the following approaches.

1.3.1 Topography

Objective

- O1 To ensure that the natural topography and landform are maintained.
- O2 ~~To retain existing vegetation and allow for new substantial vegetation and trees.~~
- O3 ~~To minimise the adverse effects of excavation on the amenity of neighbouring properties.~~
- O4 ~~To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.~~
- O5 ~~To ensure the structural integrity of adjoining properties.~~
- ~~O6~~ O6 ~~To minimise adverse effects of adjoining transport infrastructure.~~

Provisions

- P1 ~~Development that includes excavation must not be carried out unless:~~
- (a) ~~the development is in accordance with and promotes the objectives to this subsection; and~~
- (b) ~~land stability of the site and adjoining land is preserved; and~~

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- ~~(c) the natural drainage patterns of the land and catchment will not be disrupted; and~~
- ~~(d) adverse effects on other properties are avoided or minimised.~~
- ~~P2 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.~~
- ~~P1~~P3 Development should not result in the ground level (finished) being altered greater than 500mm above or below ground level (existing).
- ~~P2~~P4 Habitable rooms (~~not ex~~cluding bathrooms, laundries and storerooms) should not be located more than 1m above~~below~~ ground level (existing), or more 50% of the room's floor area.
- ~~P3 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.~~
- ~~P4~~P5 Excavation should not occur within 1m of any property boundary. Where excavation is required within 500mm of a property boundary, Council must not grant development consent unless it is satisfied that the proposed excavation will not result in adversely impacting upon the structural integrity of adjoining properties.
- Note:** *In order to satisfy Council that the level of excavation is acceptable, it is recommended that applicants submit appropriate details from a structural engineer.*
- ~~P6~~ The depth of soil around buildings must be sufficient to sustain trees as well as shrubs and smaller scale gardens.
- ~~P7 Consent must not be granted to a development for the purposes of attached dwellings, dual occupancies, dwelling houses or semi-detached dwellings where any associated garage or car parking is located in a basement.~~
- ~~P8 Notwithstanding P7, Council may grant consent to a dwelling house, dual occupancy, attached dwelling or semi-detached dwelling incorporating a basement garage or car parking, but only where it can be demonstrated:~~
- ~~(a) that the development satisfies the objectives of this subsection; and~~
- ~~(b) that the entire basement is located entirely within the footprint of the building above; and~~
- ~~(c) there is no alternative location on the site to accommodate the required level of car parking.~~
- ~~P9 Consent must not be granted to a development for the purposes of multi dwelling housing or residential flat buildings in any residential zone, where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.~~
- ~~P10 Where practical,~~
- ~~(a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.~~
- ~~(b) a minimum of 30% of the unexcavated area should be located within the front setback.~~
- ~~(c) a minimum 1.5m wide strip of landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.~~
- ~~P5~~P11 Basement car parks, where permitted, must not extend to the full width of a site.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

1.3.2 Properties in proximity to bushland

Objectives

- O1 To ensure that development located within proximity of land zoned *E2 Environmental Conservation* is compatible with long term conservation and management of Council's Bushland reserve system in accordance with Council's Bushland Plan of Management and other relevant legislation and policies.

Provisions

- P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - *Bushland* of the DCP.

Note: Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.

- P2 Maintain existing ground levels on land adjoining land zoned *E2 Environmental Conservation*.

1.3.3 Properties on Bush Fire Prone Land

Objectives

- O1 To minimise the risk of harm to persons and property in the event of a bush fire.

Provisions

- P1 Where relevant, new development on Bush Fire Prone Land must comply with the relevant requirements of the [NSW Rural Fire Service's Planning for Bush Fire Protection \(2006 as amended\)](#)-guidelines.

- P2 Bush fire mitigation controls must be integrated wholly within the boundaries of the land being developed. Asset Protection Zones or other mitigation controls must not be placed on Council land.

1.3.4 Properties with a foreshore frontage

Objectives

- O1 To promote a scale and form of development that enhances the scenic, environmental and cultural qualities of the foreshore.
- O2 To ensure that development considers coastal processes, such as sea level rise.
- O3 To ensure development is consistent with Council's *Foreshore Access Strategy*.

Provisions

- P1 Development on land adjacent to the foreshore must be designed with regard to sea level rise.

Note: Further information about sea level rise can be obtained from the Department of Planning (www.planning.nsw.gov.au).

- P2 Development must be on land adjacent to the foreshore must be designed with regard to the provisions of [SREP \(Sydney Harbour Catchment\) 2005](#) and *Sydney Harbour Foreshores and Waterways Area DCP* (2005).

- P3 Development must not alienate public access to foreshores by the location of foreshore structures.

- P4 Mature trees or significant landscaping should not be removed in order to locate foreshore structures.

- P5 Sea walls, rock outcrops or sandstone platforms should not be removed or covered in order to locate foreshore structures.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- P6 Minimise disturbance of existing, surface and underground drainage to minimise run-off into the water.
- P7 In accordance with Part B: Section 15 – *Bushland* and Part B: 16 – *Tree and Vegetation Management* of the DCP, preserve existing trees and vegetation wherever feasible and replace any tree or vegetation removed or damaged as part of development.
- P8 Natural materials and colours should be used that blend with the water, foreshore sandstone and vegetation, for any foreshore structure.
- P9 Avoid the use of large areas of blank, hard or reflective surfaces.

P9P6 Buildings or structures must respect the topographical features of the site.

Note: For example, buildings are not cantilevered, but follow the topography.

1.3.5 Visual Impact - Access**Objectives**

- O1 To minimise adverse visual effects as viewed from the harbour.

Provisions

- P1 Landscaping should be used to soften the appearance of structures such as inclinators.
- P2 Structures such as inclinators should be recessed below the ground level (existing).
- P3 The use of pathways and graded ramps is preferable to the use of inclinators for access. Where inclinators are to be used, they must be minimised in length.

1.3.6 Views

Due to North Sydney's sloping topography and proximity to Sydney Harbour, views and vistas comprise special elements that contribute to its unique character and to the amenity of both private dwellings and the public domain.

New development has the potential to adversely affect existing views. Accordingly, there is a need to strike a balance between facilitating new development while preserving, as far as practicable, access to views from surrounding properties.

When considering impacts on views, Council will generally not refuse a development application on the grounds that the proposed development results in the loss of views, where that development strictly complies with the building envelope controls applying to the subject site.

Objectives

- O1 To protect and enhance opportunities for vistas and views from streets and other public places.
- O2 To encourage view sharing as a means of ensuring equitable access to views from dwellings, whilst recognising development may take place in accordance with the other provisions of this DCP and the LEP.

Provisions

- P1 Development should be designed such that views from streets and other public places, as identified in the relevant area character statement (refer to Part C of the DCP), are not unreasonably obstructed.
- P2 Development should be designed to maximise the sharing of views from surrounding properties and public places.
- P3 Ensure that existing and proposed dwellings will have an outlook onto trees and sky.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

P4 Where a proposal is likely to adversely affect views from either public or either private ~~or public~~ land, Council will give consideration to the Land and Environment Court's Planning Principles for view sharing established in Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor [2013] NSWLEC 1046 and Tenacity Consulting v Warringah Council [2004] NSWLEC 140. The Planning Principles ~~is~~ are available to view on the Land and Environment Court's website (http://www.lec.justice.nsw.gov.au/planning_principles). (~~www.lawlink.nsw.gov.au/lecwww.lec.justice.nsw.gov.au/~~)

1.3.7 Solar access

Objectives

O1 To ensure that all dwellings have reasonable access to sunlight and daylight.

Provisions

P1 Developments should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:

- (a) any solar panels;
- (b) the windows of main internal living areas;
- (c) principal private open space areas; and
- (d) any communal open space areas.

located on the subject property and any adjoining residential properties.

Note: Main internal living areas excludes bedrooms, studies, laundries, storage areas.

P2 Despite P1 above, living rooms and private open spaces for at least 70% of dwellings within a residential flat building should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).

P3 Avoid providing apartments that have a sole orientation to the south. Where south facing apartments can not be avoided, ensure that they are provided with adequate access to natural light (e.g. by providing enlarged windows, skylights and the like). No more than 15% of all dwellings in the development must not receive no direct sunlight between 9am and 3pm at mid-winter.

P4 The use, location and placement of photovoltaic solar panels should take into account the potential permissible building forms on adjacent properties.

1.3.8 Acoustic privacy

Objective

O1 To ensure all residents are provided with a reasonable level of acoustic privacy.

Control

P1 New dwellings shall be designed and constructed to comply with the criteria specified in Table B-1.2 for all noise intrusion from external noise sources (including mechanical services noise from within the development itself), with windows and doors closed:

TABLE B-1.2: Noise intrusion criteria from external sources		
Internal Space	Time Period	Max 1hr noise level (LAeq 1 Hour)
Living areas	Day or Night	≤ 40 dBA
Sleeping Areas	Day or Night	≤ 35 dBA

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

Notes: Readings are to be LAeq (1hour), when measured during the noisiest 1 hour period between Day 7am to 10pm; and Night – 10pm to 7am.

- P2 Where multiple dwellings are provided within the same building, the building shall be designed and constructed to comply with the requirements in Table B-1.3 regarding acoustic insulation of walls and floors.

TABLE B-1.3: Internal acoustic insulation criteria	
Item	Criteria
Field Sound Reduction Index R'w of walls, floors services and ducts	BCA as amended. Except that Field Noise Reduction Index of all inter-tenancy walls shall be designed to achieve $\geq R'w55$ and the intent of the BCA requirements.
Field Sound Reduction Index R'w of Doors	Any door (including the effects of its frame and any edge gaps) in a wall between a dwelling and a stairwell or other internal common area shall be designed to achieve an $\geq R'w28$.
Field Impact Isolation Class (FICC) of Floors Impact Isolation of Floors	Where the floor of a dwelling separates a habitable room of one dwelling and a habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like of a separate tenancy, the floor shall be designed to achieve a Field Impact Insulation Class of FICC ≥ 55 <u>weighted standardised impact sound pressure level, $L_n'w$ not more than 55dB.</u>

- P3 An acoustic report prepared by a certified acoustic consultant must be submitted and address the requirements to P1 where the proposal involves the construction of 4 or more new dwellings.
- P4 Buildings are to be designed and rooms positioned to reduce noise transmission within and between dwellings.
- P5 Bedrooms should be designed so that wardrobes provide additional sound buffering between rooms within the dwelling or between adjoining dwellings over and above the requirements in P2 above.
- P6 Windows and doors should be located away from external noise sources, or buffers used where separation can not be achieved.
- P7 Materials with low noise penetration properties should be used where practical.
- P8 Locate bedrooms and private open spaces away from noise sources such as garages, driveways, mechanical equipment and recreation areas.
- P9 Mechanical equipment, such as pumps, lifts or air conditioners should not be located adjacent to bedrooms or living rooms of dwellings on adjoining properties.
- P10 Where dwellings are located on busy roads the following construction techniques are to be considered for incorporation into the design of the development to reduce traffic noise within the dwelling:
- cavity brick walls;
 - double glazing;
 - solid core doors;
 - concrete floors; and
 - recessed balconies.
- P11 Where possible, avoid the use high brick fences on busy roads. High fences present a harsh and bland appearance to the street, obstruct views from the footpath to gardens



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

and dwelling entries, reduce amenity for pedestrians and reduce casual surveillance of the street. Try to reduce acoustic impacts through other acoustic reduction measures.

- P12 Development on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the [SEPP \(Infrastructure\) 2007](#).

1.3.9 Vibration

Objectives

- O1 To ensure that dwellings are not unreasonably impacted upon by vibrations caused by the operation of railways and roadways.

Provisions

- P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). In particular, consideration should be given to the vibration criteria contained within the [Department of Environment Climate Change and Water's NSW Environment and Protection Authority's Assessing Vibration: a technical guideline](#). A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.

1.3.10 Visual privacy

Objectives

- O1 To ensure that existing and future residents are provided with a reasonable level of visual privacy.

Provisions

Building Separation

- P1 Provide visual separation between any non-residential use and dwellings.
- P2 Residential flat buildings are to provide adequate separation between habitable rooms, balconies and non-habitable rooms, consistent with [SEPP 65](#). The relevant building separation distances are reproduced in Table B-1.4. Increased setbacks may be required to ensure that adequate solar access to be provided to neighbouring dwellings.

TABLE B-1.4: Building Separation Requirements			
Building height (metres)	Separation between habitable rooms and balconies	Separation between habitable balconies & non-habitable rooms	Separation between non-habitable rooms
Up to <u>4 storeys (approx. 12m)</u>	12m	9m	6m

North Sydney Development Control Plan 2013 – 2020 draft amendments



Residential Development

Building height (metres)	Separation between habitable rooms and balconies	Separation between habitable balconies & non-habitable rooms	Separation between non-habitable rooms
5 to 8 storeys (approx. 12-25m)	18m	12m	9m
9 storeys (approx. 25m +)	24m	18m	12m

Windows

- P3 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- P4 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices.
- P5 Provide suitable screening structures to minimise overlooking from proposed dwellings to the windows, balconies or private open space of adjacent dwellings, to windows, balconies or private open space of dwellings within the same development.

Decks, Patios and Terraces

- P6 Limit the width and depth of any deck, patio or terrace located greater than 1m above ground level (existing) where privacy and loss of views is an issue and consider using screen devices where relevant.
- P7 Private or communal open spaces such as terraces, patio, gardens and the like are not permitted on rooftops or garage roofs.
- P8 Despite P7 above, private or communal open spaces on roofs may be considered, but only if:
- the space is designed such that there is no potential for existing or future overlooking of the space and subsequent noise and privacy issues;
 - the space is setback at least 1m from the extent of the external enclosing walls to the floor level below; and
 - the space does not exceed 50% of the floor area of the storey immediately below or 18m², whichever is the lesser; and
 - there is no other appropriate ground level space for outdoor recreation off a primary living room.

1.4 QUALITY BUILT FORM

In response to their local context, buildings need to be designed to respect the existing topography and relate to the rhythm and pattern of characteristic buildings in the prevailing streetscape. A comfortable and memorable street will be one where no one building or feature dominates.

Kerb and guttering, footpaths, fences, front gardens and the street frontage of buildings all contribute to the appearance of a street and influence how people feel in them and about them. Streets where people feel comfortable will exhibit consistency in these elements and relationships between the scale of these elements.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

1.4.1 Context

Objectives

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

Provisions

- P1 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).

1.4.2 Subdivision pattern

Objectives

- O1 To ensure that the characteristic subdivision pattern remains apparent, even if lots are subdivided or amalgamated.

Provisions

- P1 Maintain lot sizes, shape and orientation identified in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, that are characteristic of the area.
- P2 Design and locate buildings to reinforce the characteristic subdivision pattern in the neighbourhood (i.e. walls of buildings are generally built parallel to the property boundaries).
- P3 Where lots have been amalgamated, the bulk of larger buildings must be articulated through the use of bays or indents on the original lot line.
- P4 Residential flat buildings using single-aisle parking should not be constructed on lots with a street frontage of less than 15m. If double-aisle parking is proposed, lots should have a street frontage of not less than 18m.

1.4.3 Streetscape

Objectives

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.

Provisions

- P1 All works within the road reserve must be undertaken in accordance with the *North Sydney Council Performance Guide* (refer to Part B: Section 20 – *Public Infrastructure* of the DCP).
- P2 All existing sandstone kerb and guttering must be retained and maintained.
- P3 Existing street trees are to be retained and protected by avoiding excavation or building within the drip line of the tree (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
- P4 Plant new trees of the same species that are present in the street, or in accordance with guidelines or strategies adopted by Council.
- P5 Maintain a nature strip on-street if one exists.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****1.4.4 Laneways****Objectives**

- O1 To ensure that laneways are functional, attractive, safe and comfortable places for use by residents as part of their public space and pedestrian network.

Provisions

- P1 Where a laneway is the principal frontage to a property, dwellings are to address the lane (i.e. do not conceal the front façade of such buildings behind high walls, fences or garages).
- P2 The height of buildings facing laneways should respect the width of the lane (i.e. a one storey building generally provides the most appropriate scale). A two storey building ancillary to the main dwelling may be permitted adjacent to the laneway, but only if:
- (a) the laneway does not comprise the site's primary frontage; and
 - (b) the building does not result in any adverse impacts in terms of visual and acoustic privacy, overshadowing, heritage and an area's character.
- P3 Where a site has a sole frontage to a laneway, any 2 storey component of a building must be set back at least 10m from the laneway boundary.
- P4 Dwellings addressing laneways are to be provided with a reasonable level of privacy through design and landscaping (e.g. the use of obscure glazing and medium height shrubs that partially obscure windows).
- P5 Where car parking is only capable of being located at the boundary to the laneway, only open car spaces or carports will be permitted (i.e. roller doors are not permitted).
- P6 No more than 50% of the width of a laneway frontage may be allocated for car accommodation of any kind, or car park entrances.
- P7 Front fences are to be softened by planting trees and shrubs that hang over or through fences.
- P8 Existing trees on land that abut the laneway should be retained.
- P9 All new and rebuilt fences and structures (including car parking spaces) must be setback at least 1.2m from the laneway frontage. This setback is to be landscaped with appropriate low maintenance plants.

1.4.5 Siting**Objectives**

- O1 To maintain the characteristic building orientation and siting.

Provisions

- P1 Buildings are to be sited in accordance with that described in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement sited to relate to neighbouring buildings.
- P2 Site buildings within a single building form, addressing the street.
- P3 Orient each external wall parallel to the corresponding boundary of the site, unless another orientation is characteristic.

1.4.6 Setbacks**Objectives**

- O1 To reinforce the characteristic pattern of setbacks and building orientation within the street.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- O2 To control the bulk and scale of buildings.
- O3 To provide separation between buildings.
- O4 To preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

Provisions

Front

- P1 The front setback must match the alignment of the primary facades of buildings on adjoining properties. Where different setbacks occur, the average of the setbacks of those primary facades is to be used.

Side

- P2 Building setbacks are to comply with the requirements set out in Table B-1.5.

TABLE B-1.5 - Side Setback Requirements

Zone	Development Types	Minimum Setback Requirement	
E4 – Environmental Living	<u>Dwelling houses; Group homes; Seniors housing</u>	<u>1st storey (up to 4m)</u>	<u>900mm</u>
		<u>2nd storey (up to 7m)</u>	<u>1.5m</u>
		<u>3rd storey or higher (greater than 7m)</u>	<u>2.5m</u>
R2 – Low Residential Density	Boarding houses; Dual occupancies; Dwelling houses; Group homes; <u>secondary dwellings</u> ; Semi-detached dwellings; Seniors housing	1st storey (up to 4m)	900mm
		2nd storey (up to 7m)	1.5m
		3rd storey or higher (greater than 7m)	2.5m
R3 – Medium Residential Density	Attached dwellings; Boarding houses; Dual occupancies; Dwelling houses; Group homes; Multi dwelling housing; Secondary dwellings; Semi-detached dwellings; Seniors housing	1st storey (up to 4m)	900mm
		2nd storey (up to 7m)	1.5m
R4 – High Residential Density	<u>Residential flat buildings</u>	<u>3m; and</u> <u>The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45° (refer to Figure B-1.3).</u>	
		Attached dwellings; Boarding houses ; Dual occupancies; Dwelling houses; Group Homes; Multi dwelling housing ; Residential flat buildings ; Secondary dwellings; Semi-detached dwellings; Seniors housing	On land with a height limit of 12m or less <u>1.5m; and</u> <u>The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45° (refer to Figure B-1.3).</u> 1.5m; and The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45° (refer to Figure B-1.3).
R4 – High Residential Density	<u>Boarding houses; Multi-dwelling housing; Residential flat building; seniors housing</u>		<u>On land with a height limit of 12m or less</u>

North Sydney Development Control Plan 2013 – 2020 draft amendments



Residential Development

TABLE B-1.5 - Side Setback Requirements								
Zone	Development Types	Minimum Setback Requirement						
		<p><u>boundaries and projected internally to the site at 45° (refer to Figure B-1.3).</u></p> <table border="1"> <tr> <td>On land with a height limit greater than 12m</td> <td>1st to 3rd storey (up to 10m)</td> <td>4.5m</td> </tr> <tr> <td></td> <td>Above 3rd storey</td> <td>6m</td> </tr> </table>	On land with a height limit greater than 12m	1st to 3rd storey (up to 10m)	4.5m		Above 3rd storey	6m
On land with a height limit greater than 12m	1st to 3rd storey (up to 10m)	4.5m						
	Above 3rd storey	6m						
B1 - Neighbourhood Centre	Boarding houses	<p>0m, up to 4 storeys, but only where no window or other openings are provided on the side elevation of the building. Otherwise, the setbacks are to be as follows:</p> <table border="1"> <tr> <td>1st to 3rd storey (up to 7m)</td> <td>4.5m</td> </tr> <tr> <td>Above 3rd storey</td> <td>6m</td> </tr> </table>	1st to 3rd storey (up to 7m)	4.5m	Above 3rd storey	6m		
1st to 3rd storey (up to 7m)	4.5m							
Above 3rd storey	6m							
B4 - Mixed Use	Boarding houses; Seniors housing	<p>0m, up to 4 storeys, but only where no window or other openings are provided on the side elevation of the building. Otherwise, the setbacks are to be as follows:</p> <table border="1"> <tr> <td>1st to 3rd storey (up to 7m)</td> <td>4.5m</td> </tr> <tr> <td>Above 3rd storey</td> <td>6m</td> </tr> </table>	1st to 3rd storey (up to 7m)	4.5m	Above 3rd storey	6m		
1st to 3rd storey (up to 7m)	4.5m							
Above 3rd storey	6m							
IN2 - Light Industrial	Boarding houses; Dwelling houses; Dual Occupancies; Attached dwellings; Boarding houses; Group homes; Multi dwelling housing; Semi detached dwellings; Seniors housing; Secondary dwelling	<p>0m, up to 4 storeys but only where no window openings are provided on that elevation of the building, otherwise the setbacks are to be as follows:</p> <table border="1"> <tr> <td>1st to 3rd storey (up to 7m)</td> <td>4.5m</td> </tr> <tr> <td>Above 3rd storey</td> <td>6m</td> </tr> </table>	1st to 3rd storey (up to 7m)	4.5m	Above 3rd storey	6m		
1st to 3rd storey (up to 7m)	4.5m							
Above 3rd storey	6m							

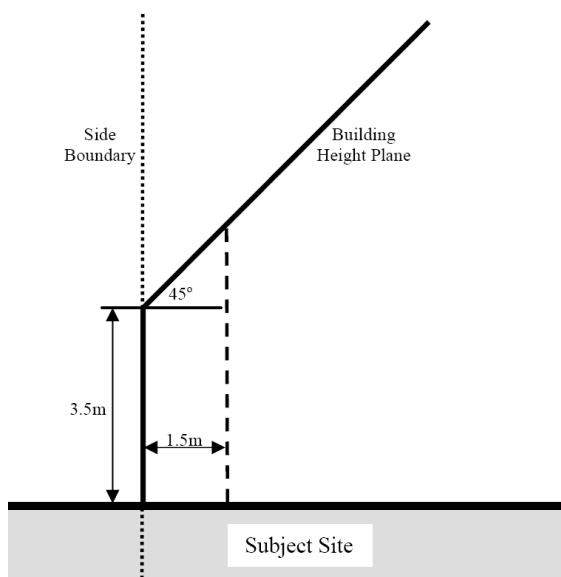


Figure B-1.3:

Setback and building height plane controls for the ~~R4 - High Density Residential~~ zone, where the height limit is equal to 12m or less.

Note: The actual setback of the building may need to be increased to satisfy building separation requirements within cl.1.3.10 to Part B of the DCP.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

P3 Despite P2 above, Council may grant consent to a development with a 0m setback to a side boundary. However, Council must not grant consent, unless the applicant has satisfactorily addressed the questions identified in the Land and Environment Court Planning Principle "*Building to the side boundary in residential areas*" established in *Galea v Marrickville Council* [2003] NSWLEC 113 and consideration has been given to that statement. The Planning Principle is available to view on the Land and Environment Court's website (http://www.leg.justice.nsw.gov.au/planning_principles www.lawlink.nsw.gov.au/leg). The relevant questions are summarised as follows:

- (a) **Is the street characterised by terrace housing?** Building to the boundary is only considered appropriate in streets where the existing form of development is characterised by attached dwellings, semi detached dwellings and multi dwelling housing (e.g. villas and townhouses).
- (b) **What is the height and length of the wall on the boundary?** The length and height of any wall built to the boundary should be minimised to limit any adverse impacts in terms of overshadowing and visual privacy.
- (c) **Has the applicant control over the adjoining site(s) or the agreement of their owners?** Unrestricted access should be made to all components of a building which is built to the boundary to ensure that those components can be adequately maintained over its life.
- (d) **What are the impacts on the amenity and/or development potential of adjoining sites?** It must be adequately demonstrated above all else that building to the boundary will not result in any adverse amenity impacts or development potential of adjoining sites.
- (e) **Are there arrangements in place for the maintenance of the wall or gutters?** Access and maintenance arrangements should be in place before a development application is assessed by Council to avoid disputes later on.

P4 Where possible, side setbacks should match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement.

Rear

P5 Provide rear building setbacks that match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement.

P6 Despite P5 above, buildings within the *R4 High Density Residential* zone:

- (a) must be setback a minimum of 1.5m from the rear boundary; and
- (b) where the land is restricted by a height limit:
 - (i) of 12m or less, must not exceed a building height plane commencing at 3.5m above ground level (existing) rear boundary and projected at an angle of 45° internally to the site (refer to Figure B-1.3); or
 - (ii) in excess of 12m must be setback at least 4.5m from the rear boundary for the 1st to 3rd storeys of the building (no more than 7m above existing ground level) and 6m for any part of the building above the 3rd storey.

Note: *The actual setback of the building may need to be increased to satisfy building separation requirements within s.1.3.10 to Part B of the DCP.*

Laneways

P7 Despite P1, P5 and P6 above, all buildings and structures must be setback **at least** 1.2m from a laneway. This provision does not apply to side setbacks.

Building Separation

P8 In addition to the setback controls in P1-P7 above, residential flat buildings are required to provide adequate separation between habitable rooms, balconies and non-

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

habitable rooms, in accordance with the provisions contained within s.1.3.109 to Part B of the DCP.

1.4.7 Form, massing & scale**Objectives**

- O1 To ensure the size of new buildings are consistent with surrounding, characteristic buildings and they are not significantly larger than characteristic buildings.

Provisions

- P1 The height of buildings is not to exceed that stipulated within cl.4.3 to NSLEP 2013.
- P2 Where applicable, the number of storeys within a building should be consistent with that identified in the relevant area character statement (refer to Part C of the DCP).
- P3 The finished floor height of the ground floor level should not exceed 1m above ground level (existing), measured vertically at any point.
- P4 Finished floor to ceiling heights are a minimum of 2.7m. A lesser height may be permitted by Council, but only where the applicant can satisfactorily demonstrate that the dwelling is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow apartments with large amounts of window area).
- P5 Facades of buildings which face any public street should not be dominated by large expanses of glass (i.e. facades should incorporate smaller door and window openings, so that glass does not dominate the façade).
- P6 Ancillary buildings (e.g. garages, carports, garden sheds, etc) are a much smaller scale than the residential building.
- P7 Residential flat buildings should use a pitched roof form to reflect the prevailing roof typology or that identified in the relevant area character statement (refer to Part C of the DCP).
- P8 Despite P7 above, Council may consider approval of a residential flat buildings with a flat roof, but only where:
- the development complies with the height requirements under P1 above; and
 - where the top-most storey has been setback to comply with a 36 degree angle back from the top edge of the storey located immediately below (refer to Figure B-1.4).

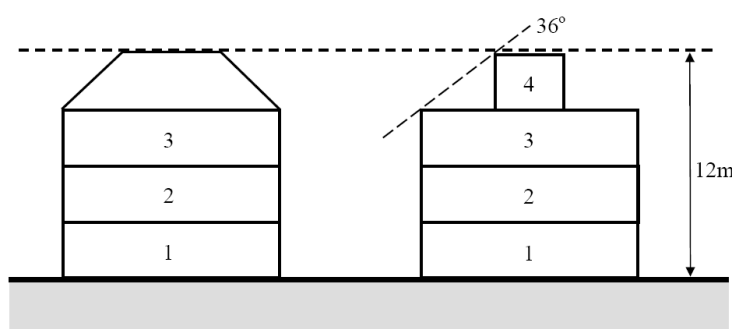


Figure B-1.4:
Residential flat building height controls



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

1.4.8 Built form character

Objectives

- O1 To ensure that the design of new buildings reflects and reinforces, or is complementary to, the existing character of the locality.

Provisions

General

- P1 Where a building is part of a uniform group of buildings of similar character, locate any additions or alterations to the rear and not visible from the street or any public place. Council may permit alterations and additions to the front of a building, but only where those alterations and additions contribute to, or are sympathetic to the character of those buildings.
- P2 Where a building is to be located amongst buildings having a consistent façade, repeat the size, location and proportions of window, door openings and other distinctive features such as roof form.
- P3 Balconies are to be incorporated within the building envelope.
- P4 Where alterations and additions are proposed to any residential accommodation relying on existing use rights, they must not result in the:
- (a) material loss of views from other properties or public places, or
 - (b) material overshadowing of other properties or public places, or
 - (c) material loss of privacy to other properties, or
 - (d) increasing of the overall building height, or
 - (e) landscaped area of the development being below the requirements set out in the DCP, or further decrease the landscaped area where the landscaped area is already below the requirements of the DCP, or
 - (f) site coverage of the development exceeding the requirements set out in this DCP or further increase the site coverage where the site coverage is already above the requirements of this DCP.

Attached Dwellings / Multi-dwelling Housing

- P5 The layout of the development must not result in a "gun-barrel" form (e.g. long perpendicular driveways flanked by dwellings).
- P6 Where practical, each dwelling should be provided with an individual entrance from a public street or public place.
- P7 Developments should invoke a traditional row housing form fronting the street.

Residential Flat Buildings

- P8 Building facades should be modulated in plan and elevation and articulated to reduce the appearance of the building's bulk and to express the elements of the building's architecture.

1.4.9 Dwelling entry

Objectives

- O1 To provide a sense of address.
- O2 To provide safe access to dwellings and security for residents.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****Provisions**

- P1 The front door of dwellings and at least one window to a habitable room must be oriented to the street.
- P2 Dwelling entries should be clearly identifiable from the street, have adequate lighting and have direct access from the street frontage (e.g. do not conceal or substantially recess dwelling entries).
- P3 Street numbering must be clearly visible from the primary street frontage.
- P4 In multi-dwelling developments, each dwelling must be clearly marked by number and indicate at communal entry points (e.g. a stair or lift lobby) the numbers of the dwellings that are accessed from that entry point.
- P5 Where multiple external dwelling entries are provided to a single building, the building should be detailed or articulated so that individual dwellings can be easily identified from the street and avoid unintentional entry.
- P6 Multi-dwelling developments should provide disabled access through the principal entrance to the building, in accordance with Part B: Section 12 – Access of the DCP.

1.4.10 Roofs**Objectives**

- O1 To ensure the provision of a characteristic roof typology through the use of similar forms, shapes and materials.

Provisions

- P1 Buildings should incorporate a pitched roof, except where another roof form is identified in an area character statement (refer to Part C of the DCP) for the neighbourhood, or as being compatible with the characteristic roof form for the neighbourhood.
- P2 Roofs should be similar in form and utilise similar materials to those identified in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement that positively relates neighbouring buildings.
- P3 Roofs should be pitched generally between 25 degrees and 36 degrees, and preferably within the lower end of this range at an angle of 27-28 degrees.
- P4 Despite P3 above, Council may grant consent to a building with a roof pitch less than 25 degrees to maintain views or to correspond with a particular building design.
- P5 Flat or skillion roofs may be considered, where they are provided to the rear of buildings and not seen from the primary street frontage.
- P6 Use terracotta tiles, slate or corrugated iron where appropriate.
- P7 Avoid locating solar panels on the street elevation of a roof. They should be located towards the rear of the property as far as possible.
- P8 Minimise roof projections and internalise roof access.
- P9 If an attic is proposed, it must not exceed more than 50% of the floor area of the storey, immediately below.
- P10 Wherever possible, buildings are designed to include a north facing roof where a solar hot water system or photovoltaic solar panel may be installed.

1.4.11 Dormers

The roof line of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch cladding or ornament of a roof is very carefully considered. This is particularly important within heritage conservation areas, where the



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

change to one property can have an adverse affect on the appearance or character of a whole street.

Traditionally, dormers were conceived and constructed as part of the original building design, but many have been added at a later date to allow the better use of attic space. Whether by design or accident, dormers were usually accommodated without generally upsetting the balance of the roof. Recently however, dormers have been incorporated with the sole purpose of maximising of floorspace as the primary consideration.

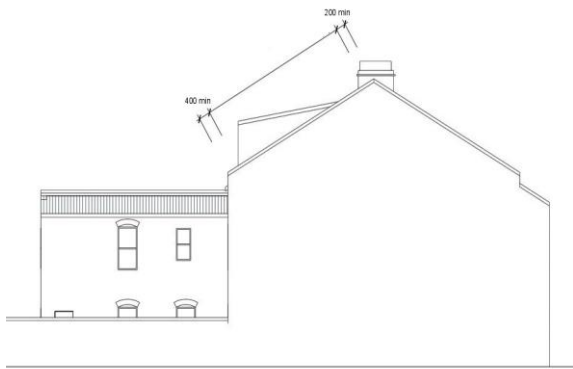


Figure B-1.31

Dormers are to be set below the main ridge line.



Figure B-13.32

Dormers should be inset from party walls.

Objectives

- O1 To ensure that the location, design, pitch and scale of any dormer is appropriate to the building and roof form to which it is attached, is in character with the area and does not result in any negative impacts on the amenity of adjoining properties.

Provisions

P1 Dormers must be appropriate to the style of building to which it is ~~attached~~attached, ~~and their style should reflect that which is characteristic of the neighbourhood.~~

~~P2—Dormers must not be placed on the street elevation of a building.~~

~~P3—Despite P1, Council may permit a dormer on the street elevation of a building, but only where it can be adequately demonstrated that:~~

- ~~(a)—it will not result in any significant impacts on privacy to adjoining properties;~~
- ~~(b)—it will not detract from the coherence of the streetscape;~~
- ~~(c)—surrounding properties have dormers visible from the street; and~~

~~**Note:** For the purpose of this subsection, surrounding properties are defined as those properties in the immediate vicinity which are visible when standing opposite the subject building.~~

- ~~(d)—it will not result in any adverse impacts to significance of any heritage item of heritage conservation area.~~

P2 Dormers may be permitted, where it can be demonstrated that:

- (a) there will be no significant impacts on privacy to adjoining properties;
- (b) it will not result in any adverse impacts to the significance of any heritage item or heritage conservation area;

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

~~(c) the existing ridge line will be maintained, and any additions will be set below the ridge line;~~

~~P3 Dormers on the street elevation of a building must not comprise more than 1/3 of the width of the roof plane upon which they are placed, excluding laneways.~~

~~P4 Rear dormers or roof additions must be set back a minimum of 200mm from the ridge line, 500mm from party walls and 400 mm from the rear wall as shown in Figures B-1.31 and B-1.32.~~

~~P4 A dormer's style should reflect that which is characteristic in the neighbourhood.~~

~~P5 Dormers must not have a roof pitch exceeding 36 degrees.~~

~~P6~~**P5** Dormers will not be permitted, if it results in the need to alter the pitch or ridge height of the roof to accommodate the dormers.

~~P7~~**P6** Dormers must not exceed a height of more than 1.5m from its base to its ridge where it faces the street.

~~P8 Dormers must not comprise more than 1/3 of the width of the roof plane upon which they are placed.~~

~~P9~~**P7** Dormers must be contained within the relevant building envelope applying to the land.

~~P10 Dormers must not project above any part of the ridge of the roof plane to which the dormer is attached.~~

~~P11~~**P8** Balconies are not permitted off dormers which are located on any street elevation, excluding rear laneways. Balconies off dormers may only be considered in any other instance, providing there are no privacy impacts.

~~P12~~**P9** The sides of dormers must not contain glass.

1.4.12 Colours and materials**Objectives**

O1 To ensure new buildings reflect and reinforce the existing and desired character of a locality.

Provisions

P1 Buildings should use colours, finishes and materials identified in the relevant area character statement (refer to Part C of the DCP), if provided.

P2 Natural colours and muted and earth tones should be used for major areas of the building, such as walls and roof, with stronger colours restricted to smaller features, such as window frames, doors and decorative features.

P3 Avoid the extensive use of reflective glass, reflective metal and plastics on the exterior of buildings.

P4 Buildings should incorporate a high proportion of masonry to glass as follows - if a vertical or horizontal line is drawn in any position on any façade it should not pass over more than 50% of glass, or 75% of clear opening and glass.

P5 Solar panels should be integrated into dwelling design where possible.

1.4.13 Balconies - Apartments**Objectives**

O1 To ensure the provision of functional private open space for apartments.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

Provisions

- P1 Apartments must be provided with at least one balcony with a minimum depth of 2m and a minimum area of 8m² (n.b. best practice standard for balcony size is 15% of the floor area⁴ of the apartment).
- P2 If an apartment is not provided with a balcony, the size of the apartment should be increased by a minimum of 8m² (i.e. the apartment size being increased by the minimum balcony size).
- P3 Balconies must be incorporated within building envelope (as specified by setbacks and or building height plane) and should not be located on roofs, podiums or be cantilevered.
- P4 Balconies should be integrated into the overall architectural form and detail of the building.
- P5 No balconies, verandahs or the like are to project over the public domain.
- P6 Where a proposal involves the conversion of an existing commercial building, and that commercial building's envelope does not comply with the setback and/or building envelope controls for the site, any new balcony must not project beyond the existing building's envelope.
- P7 Balconies should not be enclosed.
- P8 Notwithstanding P7, Council may permit the enclosure of a balcony, but only if:
- (a) the building is predominantly characterised by enclosed balconies; or
 - (b) if the building is not predominately characterised by enclosed balconies, subject to the approval of a balcony strategy for the building.
- P9 A balcony strategy should:
- (a) include details outlining the size, scale and choice of materials of the proposed enclosure/s); and
 - (b) be adopted by the body corporate before being submitted to Council.

1.4.14 Front fences

This subsection of the DCP applies to fences which are located between the front property boundary and the street elevation of the building.

Objectives

- O1 To ensure that front fences contribute to a characteristic pattern of fences.
- O2 To enable causal surveillance of the public domain, minimising the potential for criminal activities to occur.
- O3 To provide visual and acoustical privacy.
- O4 To minimise their dominance on the street and contribute to a garden setting.

Provisions

- P1 Front fences and side fences located between the street frontage and its respective building line are not to exceed 1m in height. Where sites have a dual street frontage, consideration may be given to higher side fences to provide privacy.
- P2 Fences should be designed and constructed with materials similar to those identified in the relevant area character statement (refer to Part C of the DCP), if provided.

⁴ Balconies are not included within total floor area of an apartment.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- P3 The design of the fence should not obscure views of the building and garden areas from the street.
- P4 Transparent fences (i.e. comprising no more than 50% solid construction – measured vertically across its entire length) must not exceed 1.5m in height, unless otherwise indicated in this DCP.
- P5 Solid fences (e.g. masonry, lapped and capped timber, brushwood) must not exceed 1m in height, unless otherwise indicated in this DCP.
- P6 Despite P4 and P5 above, Council may permit a higher fence in the following instances:
- (a) Where the scale and or heritage value of the property are appropriate for a higher fence, Council may allow a fence up to 1.5m in height but only where that part of the fence over 1.2m is of open construction.
 - (b) Where traffic noise is likely to cause an adverse impact on the privacy of the residence, Council may permit a fence up to 1.8m in height of solid construction on land fronting the following streets:
 - (i) Bannerman Street;
 - (ii) Belgrave Street;
 - (iii) Brook Street;
 - (iv) Chandos Street, between Oxley and Brook Streets;
 - (v) Clarke Street;
 - (vi) Ernest Street;
 - (vii) Falcon Street;
 - (viii) Gerard Street;
 - (ix) Harriette Street;
 - (x) High Street, between Warringah Expressway and Clarke Road;
 - (xi) Kurraba Road, between Clarke and Wycombe Road;
 - (xii) McPherson Street;
 - (xiii) Miller Street;
 - (xiv) Military Road;
 - (xv) Murdoch Street;
 - (xvi) Pacific Highway;
 - (xvii) River Road;
 - (xviii) Shirley Road between, River Road and the Pacific Highway;
 - (xix) Wycombe Road; or
 - (xx) any other street where the traffic volume exceeds 5,000 movements a day.
- P7 Fences should incorporate setbacks from the boundary of the site and be articulated to minimise their visual impact.
- P8 Must not reduce the significance of any heritage item or heritage conservation area.
- P9 Soften the appearance of solid fences by:
- (a) providing a continuous landscaped area of not less than 600mm wide on the street side of the fence or
 - (b) the use of openings, variation in colour, texture or materials to create visual interest.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- P10 Match the height of transparent fences (such as metal grille) to the characteristic height in the street.

1.5 QUALITY URBAN ENVIRONMENT

The design, site layout and facilities of residential development should meet the needs of future residents and allow them to enjoy a reasonable standard of living, without having adverse affects on those residents, on residents of existing development or on the wider community and environment.

1.5.1 High quality residential accommodation

Objectives

- O1 To provide a high level of internal amenity for those who reside in the building.

Provisions

- P1 Dwellings within multi dwelling housing or residential flat buildings must be designed to provide the following minimum internal areas⁵:
- | | |
|-----------------|--|
| (a) Studio | 40m² <u>35m²</u> |
| (b) 1 bedroom | 50m ² |
| (c) 2 bedrooms | 80m² <u>70m²</u> |
| (d) 3+ bedrooms | 100m² <u>90m²</u> |
- P2 Include courtyards, balconies and gardens as the principal open space area for residents.
- P3 Communal corridors must have a minimum width of 2m to facilitate movement (i.e. no right angled corners).
- P4 No more than ~~10-8~~ dwellings are to be accessible from a single common lobby space.
- P5 Avoid the use of double loaded corridors.
- P6 The depth of a habitable room from a window, providing light and air to that room, must not exceed 10m.
- P7 Apartments must provide a minimum width of 4m. An apartment's width should increase relative to an increase in its depth.
- P8 The depth of a single aspect apartment must not exceed 8m from a window.
- P9 The habitable space serviced by a window is no more than 10 times the glazed area of the window.
- P10 At least 60% of apartments are to be provided with cross ventilation (i.e. window openings that face different directions. Refer to Figures B-1.5 - B-1.8). For apartments with no cross ventilation, ceiling fans must be provided.
- P11 The amount of glazing on eastern and western elevations is to be minimised and incorporate external shading devices.

⁵ Minimum internal space excludes balconies, garages and ancillary storage space. For multi-dwelling developments with one predominant dwelling type strict compliance with minimum space is required.

North Sydney Development Control Plan 2013 – 2020 draft amendments



Residential Development

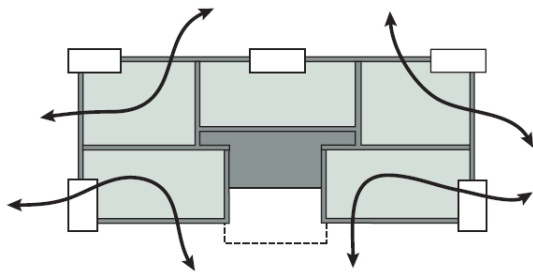


Figure B-1.5:

Corner apartments can achieve effective natural cross ventilation

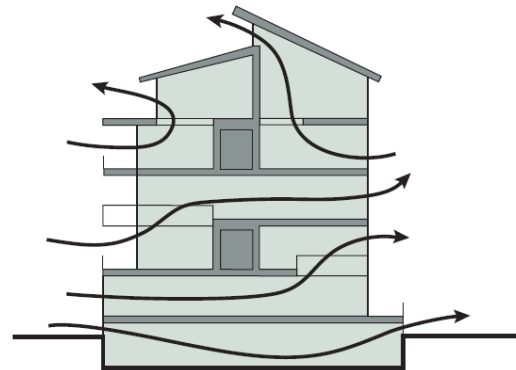


Figure B-1.6:

Good cross ventilation can be achieved with cross over apartments, maisonette apartments and semi-basement carports

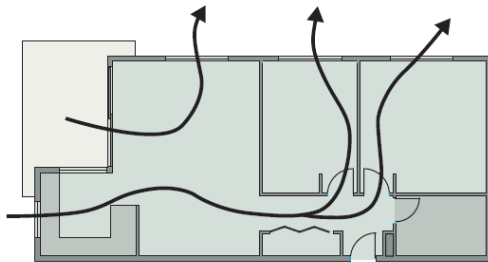


Figure B-1.7:

Natural ventilation in this corner apartment is drawn through windows having different orientation. This layout works well in upper floor apartments

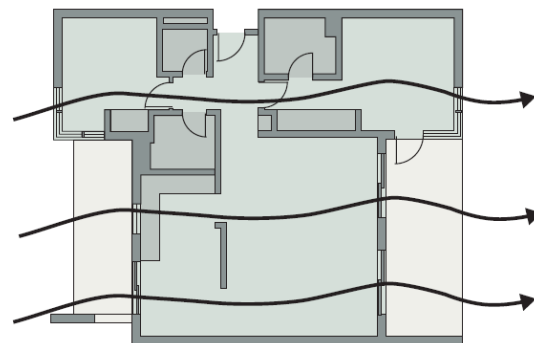


Figure B-1.8:

This optimal layout allows air flow directly from one side of the apartment to the other

1.5.2 Lightwells and Ventilation

Objectives

- O1 To ensure that dwellings are provided with sufficient natural solar access and ventilation, where the provision through conventional means (i.e. windows) is adversely restricted or compromised.

Provisions

- P1 Council does not support the use of lightwells for the provision of light and ventilation to dwellings. However, Council may consent to the use of lightwells, but only if the following criteria are satisfactorily met:
- the lightwell does not provide the primary source of natural daylight and ventilation to any habitable room of a dwelling within the development; and
 - the dimensions of the lightwell comply with the building separation requirements set out in P5 to s.1.3.10 to Part B of the DCP (e.g. if non-habitable rooms face into a lightwell under 12m in height, the lightwell should measure 6m x 6m in plan); and



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- (c) the lightwell is directly connected at ground level to streets or lanes in buildings greater than 30m in height to allow air movement in the lightwell; and
 - (d) all building services (e.g. utility installations, pipes, cabling and the like) are concealed and not overlooked by principal living rooms or bedrooms; and
 - (e) the lightwell is fully open to the sky.
- P2 Despite P1(b) above, a lesser dimension may be considered, but only if it can be satisfactorily demonstrated that acoustic privacy, visual privacy and daylight access to all dwellings can be provided.
- P3 Alternative methods of ventilation of dwellings may be considered, but only if it can be satisfactorily demonstrated that there is no impact on privacy, noise, and fire safety.
- P4 If an alternative method of ventilation is proposed, submit a ventilation report by a certified ventilation consultant in accordance with the AS 1668, which recommends that the minimum natural cross ventilation rate of airflow should be 60L/s and the minimum removal of excess heat should be 10 air changes per hour, to provide reasonable comfort to occupants.

1.5.3 Safety and security

Objectives

- O1 To ensure a high level of personal safety for people who use or visit the building.

Provisions

- P1 Maximise views of the street and dwelling entries and communal areas within the development (from dwelling entries, windows and balconies).
- P2 Limit the number of dwellings sharing one entry or lobby to 10 dwellings.
- P3 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).
- P4 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.
- P5 In public areas, use materials that discourage vandalism (i.e. non-porous surfaces such as glazed ceramics or treated masonry).
- P6 Install locks on doors and windows, viewers to doors.
- P7 Roller shutters should not be installed on windows or doors.
- P8 Provide lighting to communal areas (laundries, garbage storage, pathways, lobbies, car parking areas and stairwells).
- P9 Locate shared facilities in areas that will be well used.

1.5.4 Vehicular Access & Car Parking

Objectives

- O1 To provide adequate on-site car parking for residents.
- O2 To ensure adequate access for all vehicles.
- O3 To maintain garden settings.
- O4 To minimise adverse visual impacts on the appearance of the street or building.

Provisions

Quantity

- P1 Comply with the parking requirements within Part B: Section 10 – *Car Parking and Transport* of the DCP.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****Location**

- P2 All parking associated with multi dwelling housing and residential flat buildings must be provided underground (i.e. within a basement).
- P3 All parking for attached dwellings, detached dwellings, dual occupancies or semi-detached dwellings must not be provided underground, unless site conditions dictate that this is the only or most appropriate solution for parking provision.
- P4 Where security doors/gates are proposed, an intercom system to facilitate visitor/service access to underground parking areas must be provided.
- P5 Design accessways, driveways and parking areas to:
- enable vehicles to enter the parking space or garage in a single turning movement;
 - enable vehicles to leave the parking space in no more than two turning movements;
 - enable vehicles to avoid queuing on public roads;
 - comply with AS 1428.2 Design for Access and Mobility; and
 - comply with the requirements of vehicular crossings and driveways as set out in s.20.4 to this Part of the DCP.
- P6 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.
- P7 Driveway and pedestrian access must be separated.
- P8 The use of car spaces within a development is restricted to the occupiers of that development.
- P9 Visitor car parking spaces must be designated as common property.
- P10 Garages, carports or other like parking structures must not be located between the primary street frontage and the primary street façade of the building.
- P11 A single car parking space (i.e. not within a garage, carport or other structure) may be located between the primary street frontage and the primary street façade of the building, but only if:
- no other on-site parking exists or is possible;
 - no rear laneway exists to provide vehicle access from the laneway rather than from the street;
 - no demolition or partial demolition of the property is required to cater for the space;
 - any excavation required is minimal in comparison to the area of the parking space;
 - on-street parking is constrained by commuter parking and/or RMS clearways;
 - the parking space is uncovered;
 - porous materials are used for the parking space's surface;
 - landscaped area complies with the minimum requirements under s.1.5.5 to this Part of the DCP, or if it is already less than the minimum requirement, the landscaped area is not further reduced;
 - adequate space to fit vehicles within the property boundary exists to avoid overhang onto the footpath;
 - it complies with AS 2890.1.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

Access

- P12 Provide vehicular access, directly from a public road, to any allotments to be created by subdivision.
- P13 Where site has frontages to both a street and a rear laneway, vehicular access should be provided from the laneway rather than the street.
- P14 Do not compromise streetscape, building form and landscaped area, or heritage significance through the provision of vehicle access.
- P15 Where there is no parking on an original lot, and on-site parking is not characteristic, do not introduce vehicle access from the street.
- P16 Limit the width of vehicle access to 2.5m and locate to one side of the property, or to side or rear of the building if possible.
- P17 Provide a minimum of 5.5m between gates or doors to parking areas and the boundary to allow a car to stand within the property boundary while the gates/doors are opening.
- P18 If security gates/doors are to be used, provide an intercom to allow access for visitors.
- P19 Set back any development, including fences, at least 1.2m from a boundary with a laneway to provide adequate turning space.
- P20 Widen the laneway, as required, for attached dwelling development or residential flat buildings.

1.5.5 Site Coverage

Objectives

- O1 To ensure that development is balanced and in keeping with the optimum capacity of the site with no over development.
- O2 To ensure that development promotes the existing or desired future character of the neighbourhood.
- O3 To control site density.
- O4 To limit the building footprint so as to ensure adequate provision is made for landscaped area and private open space.

Provisions

- P1 Maximum site coverage must be in accordance with Table B-1.6.

TABLE B-1.6: Maximum Site Coverage Requirements		
Residential Development Type	Lot Size (m²)	Site Coverage (max)
Detached dwelling, semi detached dwelling, attached dwelling (including any secondary dwelling if provided)	0-229	60%
	230-499	50%
	500-749	40%
	750-999	35%
	1000+	30%
Dual Occupancy	All	45%
Multi-dwelling housing	All	50%
Residential Flat Building	All	45%

- P2 For the purposes of P1, the following items are considered to constitute site coverage:

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- (a) buildings as defined by the [EP&A Act 1979](#);
- (b) garages and carports;
- (c) sheds;
- (d) enclosed / covered balconies, decks, pergolas and the like;
- (e) swimming pools, spa pools and the like;
- (f) other structures including:
 - (i) permanent BBQ structures;
 - (ii) cabanas;
 - (iii) external staircases;
 - (iv) gazebos;
 - (v) greenhouse/glasshouse;
 - (vi) plant rooms;
 - (vii) rainwater tanks;
 - (viii) ramps;
 - (ix) garbage storage facilities.

However, site coverage excludes:

- (g) any basement;
- (h) any part of an awning that is outside the subject site;
- (i) any eaves;
- (j) unenclosed balconies⁶, decks, pergolas and the like;
- (k) paving and patios (porous and non-porous);
- (l) driveways and car stand areas (porous and non-porous);
- (m) water features; or
- (n) anything else defined as landscaped area.

P3 For the purposes of P1, the area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area and site coverage.

1.5.6 Landscape Area**Objectives**

- O1 The specific objectives of the landscaped area controls are to:
- (a) promote the character of the neighbourhood;
 - (b) provide useable private open space for the enjoyment of residents;
 - (c) provide a landscaped buffer between adjoining properties;
 - (d) maximise retention and absorption of surface drainage water on site;
 - (e) minimise obstruction to the underground flow of water;
 - (f) promote substantial landscaping, that includes the planting of trees that when mature will have significant canopy cover;

⁶ Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- (g) control site density;
- (h) minimise site disturbance;
- (i) contributes to streetscape and amenity;
- (j) allows light to penetrate between buildings;
- (k) encourage the provision of space for biodiversity conservation and ecological processes; and
- (l) provide a buffer between bushland areas and development.

Provisions

P1 Provide minimum landscaped area and maximum un-built upon areas in accordance with Table B-1.7.

TABLE B-1.7: Minimum Landscaped Area and Un-built Upon Area Requirements			
Residential Development Type	Lot Size (m²)	Landscaped Area (min)	Un-built Upon Area (max)
Detached dwelling, semi detached dwelling, attached dwelling (including any secondary dwelling)	0-229	20%	20%
	230-499	30%	20%
	500-749	40%	20%
	750-999	45%	20%
	1000+	50%	20%
Dual Occupancy	All	40%	15%
Multi-dwelling housing	All	30%	20%
Residential Flat Building	All	40%	15%

P2 For the purposes of P1:

(a) Landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area⁷; and

~~(a)~~(b) The area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area, landscaped area and un-built upon area; and

~~(b)~~(c) the following items are considered to constitute un-built upon area:

- (i) any part of a basement which does not comprise site coverage;
- (ii) unenclosed balconies⁸, decks, pergolas and the like;
- (iii) paving and patios (porous and non-porous);
- (iv) driveways and car stand areas (porous and non-porous); or
- (v) water features.

However, un-built upon area excludes:

- (vi) anything else defined as site coverage; or
- (vii) anything else comprising landscaped area.

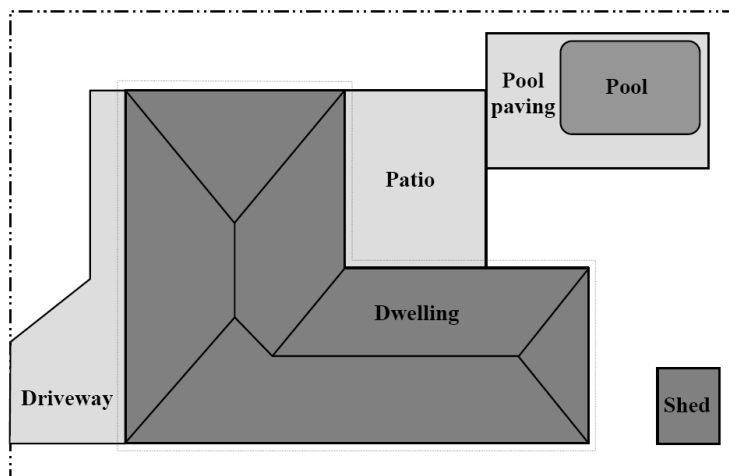
⁷ Landscaping located above a basement or on the roof of a building does not constitute "landscaped area".

⁸ Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

North Sydney Development Control Plan 2013 – 2020 draft amendments



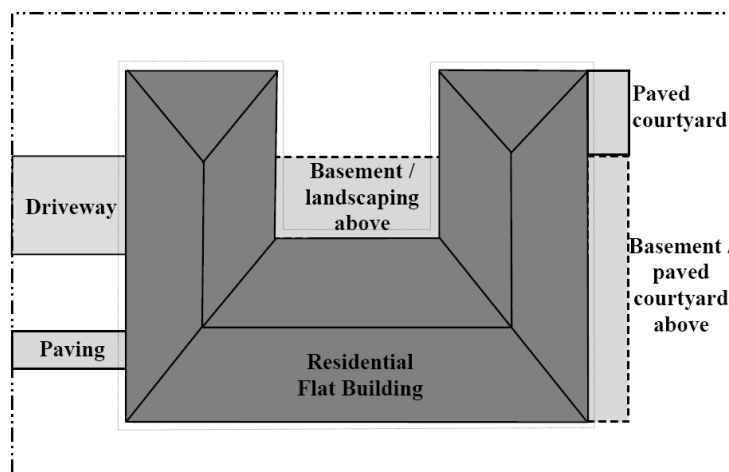
Residential Development

**Figure B-1.9:**

Areas of "landscaped area", "site coverage" and "unbuilt upon area".

LEGEND

- Site
- Landscaped Area
- Site Coverage
- Un-built upon area

**Figure B-1.10:**

Areas of "landscaped area", "site coverage" and "unbuilt upon area".

LEGEND

- Site
- Landscaped Area
- Site Coverage
- Un-built upon area

- P3 Avoid creating landscaped areas that are broken into a series of small fragmented unusable areas.
- P4 Establish a significant landscaped setting for pathways and paved areas.
- P5 Use planting to create a buffer against cold winter winds (generally westerly), or to direct cooling breezes in summer (generally north easterly), into living areas of dwellings.
- P6 Locate driveways and pathways at least 500mm from common boundaries.
- P7 Provide screen planting, including trees, within the 1.5m setback from the common boundary.
- P8 Retain existing mature vegetation and trees and show what measures are to be implemented to protect this vegetation during construction (refer to Part B: Section 16 – *Trees and Vegetation Management* of the DCP).
- P9 Vegetation and landscape elements should be selected and designed to avoid overshadowing existing solar panels or roof spaces which are capable of accommodating solar panels.
- P10 Use pervious materials or stepping stones where pathways are incorporated within side setbacks.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

1.5.7 Excavation

Objectives

- ~~O1—To retain existing vegetation and allow for new substantial vegetation and trees.~~
- ~~O2—To minimise the adverse effects of excavation on the amenity of neighbouring properties.~~
- ~~O3—To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.~~
- ~~O4—To ensure the structural integrity of adjoining properties.~~
- ~~O5—To minimise adverse effects of adjoining transport infrastructure.~~

Provisions

- ~~P1—Development that includes excavation must not be carried out unless:~~
- ~~(a) the development is in accordance with and promotes the objectives to this subsection; and~~
 - ~~(b) land stability of the site and adjoining land is preserved; and~~
 - ~~(c) the natural drainage patterns of the land and catchment will not be disrupted; and~~
 - ~~(d) adverse effects on other properties are avoided or minimised.~~
- ~~P2—Consent must not be granted to a development for the purposes of attached dwelling, dual occupancy, dwelling house or semi-detached dwelling where any associated garage or car parking is located in a basement.~~
- ~~P3—Notwithstanding P2, Council may grant consent to a dwelling house, dual occupancy, attached dwelling or semi-detached dwelling incorporating a basement garage or car parking, but only where it can be demonstrated:~~
- ~~(a) that the development satisfies the objectives of this subsection; and~~
 - ~~(b) that the entire basement is located entirely within the footprint of the building above; and~~
 - ~~(c) there is no alternative location on the site to accommodate the required level of car parking.~~
- ~~P4—Consent must not be granted to a development for the purposes of multi-dwelling housing or residential flat buildings in any residential zone, where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.~~
- ~~P5—Where practical,~~
- ~~(a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.~~
 - ~~(b) a minimum of 30% of the unexcavated area should be located within the front setback.~~
 - ~~(c) a minimum 1.5m wide strip of landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.~~
- ~~P6—Basement car parks where permitted, must not extend to the full width of a site.~~

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****1.5.8 1.5.7 Landscaping****Objectives**

- O1 Landscaping and planting satisfies minimum performance standards and is sustainable and appropriate to the site.
- O2 Landscaping should not adversely impact upon the amenity and usability of adjoining properties.
- O3 To encourage biodiversity conservation and ecological processes.
- O4 To provide a buffer between bushland and development.

Provisions

- P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - *Bushland* of the DCP.

Note: Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.

- P2 Retain existing trees wherever practical.
- P3 Avoid works which are to occur within the drip line of any tree that has a height greater than 6m, or a girth greater than 1m, measured 1m above the base of the tree.
- P4 Where a development proposes to incorporate plant containers, they should have a minimum diameter of 110mm and a minimum depth of 135mm.
- P5 Developments should incorporate locally occurring native species to reduce water and fertilizer requirements.
- P6 Achievement of maximum density, pursuant to Council's controls, will be subject to retention of significant trees (as identified by Council) and other important topographic features.
- P7 Minimise disturbance of natural ground levels, native vegetation and topography in the vicinity of identified significant trees.
- P8 New hedges must not result in the unreasonable reduction of access to sunlight or views. A condition may be imposed on a development consent which may restrict the maximum height of a hedge.
- P9 Trees should provide at least 50% canopy cover over landscaped areas at maturity.
- P10 Plant the largest growing and longest lived tree species appropriate to the site conditions.
- P11 Council encourages the incorporation of green walls into developments where appropriate.

Notes: Refer to the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green walls.

1.5.9 1.5.8 Front gardens**Objectives**

- O1 To maximise water infiltration on a site.
- O2 To soften the built form.

Provisions

- P1 The entire front setback must not be paved or concreted.
- P2 Where car parking and driveways are located in the front yard, use the minimum amount of paving as practicable.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- P3 Allow private gardens to merge with those adjoining and support the landscape character of the area.
- P4 Plant trees and shrubs that will hang over or through fences.
- P5 Complement the existing landscape character of the street, including street planting undertaken through Council's Street Tree Strategy (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
- P6 Design front gardens that will soften and complement the view of buildings from the street and surrounding properties.
- P7 Avoid medium height, dense planting around dwelling entries.

1.5.10 1.5.9 Private and Communal Open Space

Objectives

- O1 To ensure residents are provided with a reasonable level of outdoor amenity.
- O2 To ensure private open space is of sufficient size to be useable.

Provisions

- P1 Must provide minimum private open space areas in accordance with Table B-1.8.

TABLE B-1.8: Minimum Private Open Space Requirements			
Residential Development Type	Lot Size (m ²)	Minimum area at ground level (m ² /dw)	Minimum area above ground level (m ² /dw)
<i>Detached dwelling, semi detached dwelling, attached dwelling</i>	0-229	40m ²	NA
	230-499	40m ²	NA
	500-749	50m ²	NA
	750-999	50m ²	NA
	1000+	70m ²	NA
<i>Dual occupancy</i>	All	40m ²	NA
<i>Multi-dwelling housing</i>	All	35m ²	8m ²
<i>Residential flat building</i>	All	25m ²	Studio 4m ²
			1 - Bed 8m ²
			2 - Bed 120m ²
			3 + -Bed 120m ²

- P2 Usable private open space areas should be located to the rear or over the northern portion of the site to maximise privacy and solar access.
- P3 Where private open space areas are to be provided at ground level, it must have a minimum dimension of 4m, or a minimum dimension of 2m where provided above ground level, or 2.4m where it applies to a 3+ bedroom apartment.
- P4 Private open spaces should be located such that they are directly accessible off a main living area of the dwelling.
- P5 In addition to the requirements of P1, multi-dwelling developments are encouraged to provide communal open space areas to encourage social interaction.

Notes: It is considered best practice to provide communal open space areas in the order of 25% to 30% of the site area. A reduction in this requirement could be considered acceptable where private open spaces in excess of the minimum requirements are provided.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****1.5.11 1.5.10 Swimming pools and spas****Objectives**

- O1 To minimise the visual impact of swimming pools and spas.
- O2 To minimise the acoustic impacts on residents of adjoining properties.
- O3 To minimise the use of potable water supplies.

Provisions

- P1 Pools, spas and any associated structures (such as pool coping levels, surrounding decks and the like) are not to exceed 500mm above ground level (existing). Compliance with this requirement requires the applicant to illustrate the proposed RLs against spot RL's provided on the site survey plan.
- P2 The application must be accompanied by cross section plans of the proposed pool through both axis demonstrating proposed finished levels of the pool and surrounds in relation to existing ground levels, the boundaries of the site, and the ground levels (existing) on adjacent sites.
- P3 Pools and any associated structure must be set back a minimum of 1.2m from any property boundary.
- P4 Pools and any associated structures must be set back a minimum of 6m from any habitable room within a dwelling on an adjoining property.
- P5 Where illumination of the pool is proposed, use low level lighting only and direct away from adjoining properties.
- P6 Locate any associated pool equipment in close proximity to the principal dwelling.
- P7 A water tank must be installed and be of sufficient capacity to ensure that the pool can be topped up to the manufacturer's recommended level without the need to rely on potable water supplies. This requirement is over and above any additional requirements associated with P3, P4 and P5 to s.1.6.9 to this Part of this DCP relating to water conservation and water tanks. The tank must be fed by down pipes from a minimum of 50m² of roof area of the dwelling on the site. The size of the water tank must be provided in accordance with that specified in Table B-1.9.

Pool Size (litres)	Rainwater tank size (litres)
<20,000l	1,500l
20,000-40,000l	3,000l
>40,000l	Complies with BASIX

- P8 A pool cover must be installed where a proposed development includes a swimming pool or spa.

1.5.12 1.5.11 Tennis courts**Objectives**

- O1 To minimise adverse affects on residents of adjoining properties.

Provisions

- P1 Must be setback a minimum of 1.5m from any property boundary.
- P2 Must be setback a minimum of 6m from any habitable room of a dwelling on an adjoining property.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- P3 A landscape screen should be provided between a tennis court and adjoining properties and the colour of any associated fencing should be black to blend with landscaping and to minimise disruption to views.
- P4 Must not be floodlit.
- P5 All stormwater run-off should be detained on-site before draining to Council's stormwater system.
- P6 The surface of the tennis court should not be located more than 500mm above or below ground level (existing).

1.5.13 1.5.12 **Garbage storage**

Objectives

O1 To minimise any adverse affects on residents and the wider community by ensuring that adequate garbage storage and holding areas are provided which are conveniently accessible for residents and garbage contractors.

~~O1~~ O2 To ensure developments are designed to maximise resource recovery through waste avoidance, source separation and recycling.

Provisions

Waste Receptacles

P1 Each dwelling must be provided with a waste storage cupboard within the kitchen, capable of accommodating at least 2 days of waste and to enable the source separation of garbage, recyclables and compost within separate containers.

~~P1~~ P2 On-site garbage storage areas must be provided which are capable of accommodating at least the number of garbage and recycling bins indicated in Table B-1.10.

TABLE B-1.10: Waste bin requirements		
No. of dwellings	No. of garbage bins required	No. of recycling bins required
1-3 dwellings	1 x 8 60 litre bin / dw*	1 x 140 litre <u>commingled mobile</u> bin / dw
4- 12 + dwellings	<u>1 x 80 litre bin / dw or</u> 1 x 240 litre bin / 3 4 dws or part thereof	<u>2 x 240 L comingled mobile recycling bin</u> <u>each colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans</u> 1 x 140 litre bin / 2 dws or part thereof or 1 x 240 litre bin / 4 dwellings or part thereof
<u>13 or more</u>	<u>1 x 240 litre bin / 3 dws</u> <u>660 lite bins permitted</u>	<u>2 x 240 litre mobile bins / 15 dws or part thereof</u> <u>660 lite bins permitted</u> <u>colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans</u>

* dw = dwelling

~~P2~~ P3 Notwithstanding the rates to P1, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

P3P4 All multi-dwelling developments containing a lift must provide:

- (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
- ~~(b) an interim~~ recycling room with a minimum dimension of 1.5m square on each level of the building, with at least one point of access to the garbage chute, which is provided with ~~either:~~

~~shelving appropriate to hold a minimum of 4 x 50 litre recycling crates; or~~

- ~~(c) space to accommodate 1 x 240 litre bin;~~
- ~~(d)(b)~~ for the separate collection of recyclable materials.

P4P5 Multi-dwelling developments which do not contain a lift, but propose to incorporate a garbage chute, must comply with the requirements of **P34(a)** and **P34(b)**.

P5P6 A garbage storage area should be located within 2m of the street boundary.

P6P7 Notwithstanding **P654** above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street boundary.

Location

P7P8 If the garbage storage area is to be the collection point, provide clear and unimpeded access that is no more than 2m from the street boundary entrance to the site.

P8P9 Ensure that the garbage storage area is easily accessible from all parts of the building and from the collection area.

P9P10 Locate and design garbage storage areas to complement the streetscape.

P10P11 Ensure garbage/recycling bins/~~green waste bins/general household bulky waste clean-up materials~~ will not be visible from the street in the garbage storage area.

P11P12 Where possible integrate garbage storage areas with the building.

P12P13 Do not place structures for garbage storage areas that are more than 1m high on the boundary or within the front building line.

P13P14 Garbage facilities are to be designed and constructed in accordance with Council's Waste ~~Facility~~ Management Guide (refer to Appendix 3 of this DCP).

1.5.14 1.5.13 Site facilities**Objectives**

- O1 To ensure that site facilities are unobtrusive, integrated into developments, provide for needs of residents and reduce impact of development on the environment.

Provisions

- P1 Provide open air clothes drying facilities in a sunny location, which is adequately screened from streets and public places and receives no less than 2 hours of direct sun per day.
- P2 Provide a lockable mailbox, for each dwelling, close to the main pedestrian entry to the dwelling or building.
- P3 Provide no more than one telecommunications/TV antenna per residential building.
- P4 Provide ancillary storage facilities within residential flat buildings at the rates outlined in Table B-1.11 and linked to each dwelling through provisions of the relevant Strata Plan (at least 50% within the apartment).



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

TABLE B-1.11: Residential storage	
Dwelling Size	Minimum Storage Rate
Studio	6m ³ 4m ³
1 bedroom dwelling	6m ³
2 bedroom dwelling	8m ³
3+ bedroom dwelling	10m ³

1.5.15.14 Servicing of new lots

Objectives

- O1 To ensure new lots are adequately serviced.

Provisions

- P1 Applicant's must demonstrate how the site is to be serviced for gas, water, electricity, drainage, sewerage, telephone and storm water removal, including any easements that need to be created and practical access for long term maintenance.
- P2 All new allotments must provide gravity drainage to the nearest street gutter or inter-allotment drainage system.

1.6 EFFICIENT USE OF RESOURCES

Nearly half the energy consumption in buildings is through heating, cooling, ventilation and lighting. By incorporating passive solar design and technologies that reduce energy consumption it is possible to reduce costs to the resident (e.g. lower energy bills) and to the environment (e.g. a reduction in greenhouse gases and use of non-renewable resources), both of which contribute to sustainable development.

All development applications for residential development, including mixed-use development, must submit an *Efficient Use of Resources Commitment Table* in order to demonstrate the proposed development will achieve an efficient use of resources.

1.6.1 Energy efficiency

Objectives

- O1 To ensure that developments minimise their use of non-renewable energy resources.

Provisions

- P1 A BASIX Certificate is required to be submitted with all residential development types nominated under [SEPP \(Building Sustainability Index: BASIX\) 2004](#).

Note: BASIX assessments and certificates can be obtained on-line at www.basix.nsw.gov.au

- P2 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in s.1.6 to this Section of the DCP for the whole of the building.
- P3 Development should be designed, such that it does not reduce the energy efficiency of buildings on adjoining lands.
- P4 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P5 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P6 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P7 Energy efficient lighting and technology should be used to reduce energy consumption. Consider the use of solar powered illumination.
- P8 Use solar powered lighting for external areas
- P9 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
- (a) orientation or shape of the block;
 - (b) existing overshadowing due to either the surrounding terrain or existing development;
 - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction;
 - (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.
- P10 Where the proposed development involves the installation of any of the following:
- (a) hotwater systems;
 - (b) clothes drier;
 - (c) dishwasher;
 - (d) fixed air conditioning systems (including reverse cycle systems);
 - (e) fixed heating systems;
- they must have a minimum energy star rating of 3.5 stars.

1.6.2 Passive solar design**Objectives**

- O1 To ensure that site layout and building orientation allows for maximum solar access to dwellings, especially to living areas, and are adapted to local climatic conditions and prevailing site characteristics.

Provisions

- P1 To achieve maximum solar access orient the building within 20° west of north to 30° east of north.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Locate the main daytime living areas (e.g. family, dining and meal rooms) on the northern side of dwellings.
- P4 Orient the long axis or length of the building to the northerly aspect.
- P5 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the eaves or shading device should reach this line.
- P6 Ensure windows of living areas that face north will receive at least three hours of sunlight between 9am and 3pm over a portion of their surface during the winter solstice.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- P7 If landscaping is proposed as part of the development, a documented landscape design concept demonstrates how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west facing windows and open car parking areas, and enabling winter sunlight to penetrate outdoor and indoor living and working areas.
- P8 Consideration should be given to using north facing pergolas to shade walls and windows (deciduous vines can be trained over the pergola to provide effective cooling in warm weather).
- P9 Where a north facing pergola contains fixed louvres, space and orient the louvres so that a line between the top of one blade and the bottom of the next makes an angle of 70°.
- P10 Angle louvres to correspond to the lowest altitude angle the sun reaches at noon in winter (31° in Sydney).
- P11 Provide adjustable awnings, shutters and external louvres on east and west facing windows.
- P12 Where main living areas are oriented northwards, aim to achieve a glazed area of 30% of the dwelling's floor area in this direction.
- P13 East and west facing glazing should be minimised and fully shaded at the summer solstice.
- P14 South facing glazing should be kept to a minimum to reduce winter heat losses.

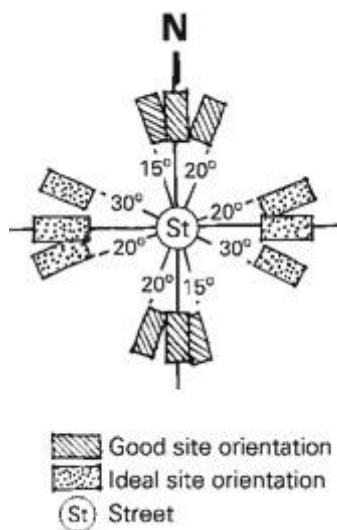


Figure B-1.10:

Good passive solar performance can be achieved at minimal cost if the development is appropriately oriented.

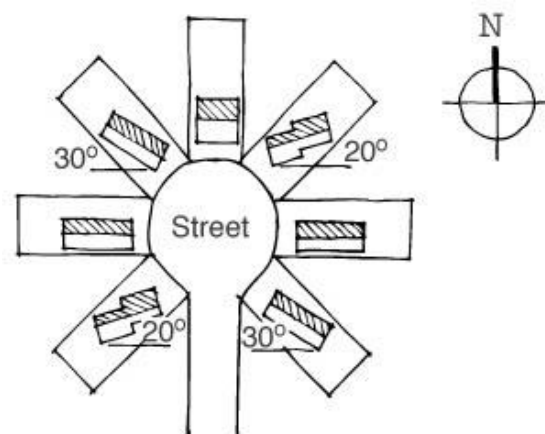
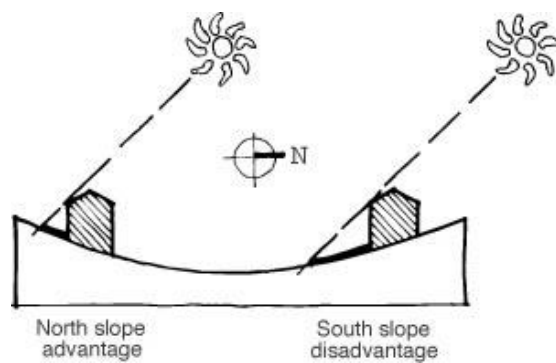


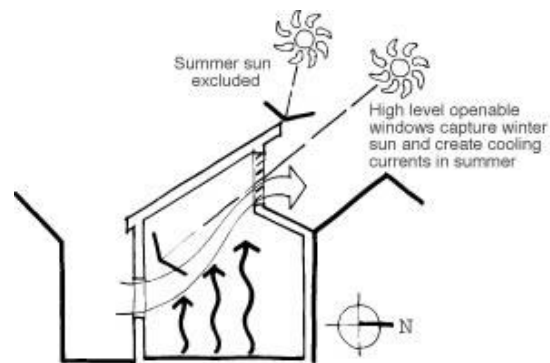
Figure B-1.11:

Figure B-1.11:

Where possible, orient the development such that daytime living areas and outdoor spaces are north-facing.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development****Figure B-1.12:**

A north facing slope increases the potential for access to northern sun and is ideal for higher housing densities. A south facing slope increases the potential for overshadowing

**Figure B-1.13:**

Poor orientation can exclude winter sun, and cause overheating in summer by allowing low angle east or west sun to strike glass surfaces

1.6.3 Thermal Mass and Insulation

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.

Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

Objectives

- O1 To achieve more even, year-round average temperature, making the dwelling more comfortable to live in and resulting in less demand for artificial heating or cooling.

Provisions

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. A concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.

1.6.4 Natural ventilation

Ventilation is essential for good health and prevention of condensation. However, the lack of natural ventilation can cause discomfort for occupants and waste energy if artificial ventilation is installed.

Objectives

- O1 To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

Provisions

- P1 Locate windows and openings in line with each other on opposing walls and with prevailing breezes.
- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

1.6.5 Colours and materials

Colours and materials can be used to absorb or reflect heat from the sun. Dark colours tend to absorb the sun's rays whereas light colours are more reflective. There is little advantage in using dark external colours to absorb heat in winter. However, the use of lighter colours, particularly on the roof area and on east and west facing walls, are particularly advantageous during summer to reflect the sun's heat. Glare effects and streetscape issues need to be considered when choosing external colours.

Objectives

- O1 To maximise the energy efficiency of dwellings.

Provisions

- P1 Buildings should use lighter coloured materials and finishes on main external parts of the building.

1.6.6 Hotwater systems

Objectives

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

Provisions

- P1 New hotwater systems installed in dwellings must not solely rely on electrical mains power to heat the water (n.b. sole electrical hotwater systems are not permitted in new dwellings).
- P2 Install solar powered water heaters on any residential development. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.
- P3 Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- P4 Locate solar cells, heat pumps or any associated structures so as to avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- P5 Centralise solar or heat pump hot water systems in larger scale residential flat buildings or attached dwelling developments, to achieve economies of scale.
- P6 Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

1.6.7 Water conservation**Objectives**

- O1 To minimise the use of potable water.

Provisions

- P1 A BASIX Certificate is required to be submitted with all residential development types nominated under [SEPP \(Building Sustainability Index: BASIX\) 2004](#).

Note: BASIX assessments and certificates can be obtained on-line at www.basix.nsw.gov.au

The following provisions only apply to residential developments that do not require a BASIX Certificate.

- P2 Consideration is to be given to incorporation of grey-water and black-water reticulation systems.
- P3 Where the proposed development involves the installation of new:
 - shower roses;
 - taps for use over a basin, ablution trough, kitchen sink or laundry tub;
 - flow restrictors;
 - toilets;
 - white goods, such as clothes washers or dishwashers;
 they must have the highest WELS star rating available at the time of development.
- P4 Rainwater tanks are to be installed in accordance with the exempt development requirements under [SEPP \(Exempt and Complying Development Codes\) 2008](#).
- P5 Install a stormwater tank where this will not affect amenity, views and other requirements of this section of the DCP.

1.6.8 Stormwater management**Objectives**

- O1 To mimic pre-development or natural drainage systems through the incorporation of WSUD on-site.
- O2 To protect watersheds by minimising stormwater discharge and maximising stormwater quality.
- O3 To minimise off-site localised flooding or stormwater inundation.

Provisions

- P1 An Erosion and Sediment Control Plan for the construction of the building is required in accordance with Part B: Section 17 - *Erosion and Sedimentation Control* of the DCP.
- P2 A Stormwater Drainage Plan is required demonstrating compliance with this subsection as well as Part B: Section 18 – *Stormwater Drainage* of the DCP.



2020 draft amendments - North Sydney Development Control Plan 2013

Residential Development

- P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.
- P4 Use site contouring and landscaped areas to increase on-site infiltration of stormwater.
- P5 Rainwater tanks should be installed for all residential developments, including major alterations and additions, and be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events.
- P6 As a minimum, post-development stormwater discharge rates should be less than pre-development stormwater discharge rates.
- P7 As a minimum, post-development stormwater quality should be improved from pre-development levels.
- P8 Grade land around structures to divert surface water clear of existing and proposed structures and adjoining premises.
- P9 On -site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff.
- P10 Do not construct over any registered easement without the approval of the body benefiting from the easement.
- P11 Do not construct within 3m of a sewer/water main without the prior approval of the relevant service authority.
- P12 Impervious surfaces should be minimised.
- P13 Ensure paved areas are at least 50% pervious.
- P14 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m² must also submit a Water Sensitive Urban Design report from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.
- P15 All developments with a gross floor area greater than 2000m² are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:
- (a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;
 - (b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;
 - (c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;
 - (d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.

1.6.9 Waste Management & Minimisation

Objectives

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

Provisions

- P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 - *Waste Management* of the DCP.
- P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).

North Sydney Development Control Plan 2013 – 2020 draft amendments**Residential Development**

- P3 Adequate recycling systems must be provided in the design of the garbage room.
- P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.
- P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.
- P6 The storage of any hazardous waste materials must be adequately secured.

1.6.10 Green roofs

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building's running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

Objectives

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.
- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.
- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.
- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

Provisions

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces which are generally flat, must submit a roof plan demonstrating how the new available roof space⁹ contributes to the achievement of at least three of the above objectives.
- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

1.6.11 Wind Turbines**Objectives**

- O1 To manage the impacts of wind turbines

⁹ "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.

**2020 draft amendments - North Sydney Development Control Plan 2013*****Residential Development*****Provisions**

P1 Wind turbines are:

- (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
- (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
- (c) not to affect the structural integrity of the building;
- (d) should not detract from the significance of a heritage item or a heritage conservation area;
- (e) not to be located along a bat or bird flyway; and
- (f) to be installed in accordance with manufacturer's specifications.

P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):

- (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.



SECTION 2 COMMERCIAL & MIXED USE DEVELOPMENT

2.1 INTRODUCTION

The North Sydney LGA contains a variety commercial centres ranging from one of Australia's largest commercial centres down to small scale neighbourhood centres focusing on one or a small cluster of retail shops and services.

The most significant commercial centre in the North Sydney LGA is the North Sydney Central Business District (CBD), which primarily comprises tall commercial towers with some isolated mixed commercial and residential development. Its close proximity to Sydney Harbour and City of Sydney provides the area with a vibrant and successful commercial centre. The CBD is well serviced by public transport and provides access to a wide range of employment, cultural, social, educational and recreational opportunities. Conversely, the amenity of the CBD is compromised by a general lack of open space, access to solar access and intensively used public walkways. Its good access to public transport and proximity to the Sydney CBD, reinforces the need to encourage high grade commercial floor space to ensure that the CBD continues to contribute to its status as a "global city" as identified under the Metropolitan Strategy.

The remaining centres of North Sydney comprise a variety of mixed use areas zoned either *B1 Neighbourhood Business*, *B4 Mixed Use* or *IN2 Light Industrial*. These centres generally provide for a wide range of residential, commercial and high tech industrial floorspace. The proximity of residential and commercial development can create potential conflicts which must be addressed at the design stage such that amenity of residents is maximised while also enabling commercial premises to operate effectively and contribute to a vibrant centre.

2.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that commercial and mixed use developments:

- O1 can meet the aims and residential and employment population targets as outlined in the State Government's *Metropolitan Strategy* and *Inner North Subregional Strategy*,
- O2 can meet the aims and dwelling targets of Council's *Residential Development Strategy*,
- O3 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;
- O4 provide various grades and sizes of commercial floorspace to accommodate a mix of business, service, high tech industry, retail and recreational uses,
- O5 are designed to contribute positively to their surroundings and particularly to diversity, vitality, social engagement and 'a sense of place',
- O6 provide active street frontages both during the day and night,
- O7 contribute to maximising public transport usage, walking and cycling,
- O8 provide an acceptable level of amenity to residents living within and adjoining centres,
- O9 are designed to mitigate against the extreme impacts of the sun, wind and rain,
- O10 provide adequate natural light to buildings, public places and streets,
- O11 incorporate innovative sustainable design to reduce energy and water consumption and meets or exceeds sustainability requirements,
- O12 minimise the acoustic impacts on residents from non-residential activities,
- O13 maximise opportunities for the sharing of views,



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- O14 creates safe and high quality urban environments through careful design of buildings and use of materials, and a well designed and maintained public domain,
- O15 encourages the provision of adaptable office development which meets the requirements of new office technology and caters for variations in office layout and use,
- O16 soften the highly urbanised landscape by introducing water and greenery,
- O17 minimise stormwater runoff, maintain and improve stormwater quality and encourage recycling where possible, and
- O18 contribute to attractive and well designed public open spaces to service increased population of the area.

2.1.2 When does this section of the DCP apply?

This section of the DCP applies to:

- (a) development for any purpose on land zoned:
 - (i) *B1 Neighbourhood Centre*,
 - (ii) *B3 Commercial Core*,
 - (iii) *B4 Mixed Use zone*.
- (b) development for any non-residential purpose on land zoned *IN2 Light Industry*, and
- (c) development for any purpose on land zoned *SP2 Infrastructure*, except where any adjacent or adjoining land is zoned:
 - (i) *R2 Low Density Residential*,
 - (ii) *R3 Medium Density Residential*,
 - (iii) *R4 High Density Residential*, or
 - (iv) *E4 Environmental Living*.

Where the subject land is zoned *SP2 Infrastructure* and any adjacent or adjoining land is zoned *R2 Low Density Residential*, *R3 Medium Density Residential*, *R4 High Density Residential* or *E4 Environmental Living*, development applications will be required to comply with Part B: Section 3 – *Non-residential development in residential zones* of the DCP.

If land zoned *SP2 Infrastructure* is located adjacent to one or more ~~than one~~ of the following zones:

- (a) *B1 Neighbourhood Centre*,
- (b) *B3 Commercial Core*,
- (c) *B4 Mixed Use zone*,
- (d) *IN2 Light Industry*,

then the controls of the most restrictive zone will apply to the subject site. For example, if the subject site is located adjacent to land zoned *B1 Neighbourhood Centre* and *B4 Mixed Use*, then the provisions of the *B1 Neighbourhood Centre* would apply.

2.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 8 – Outdoor Dining and Display of Goods on the Footpath;
- (c) Part B: Section 9 – Advertising and Signage;

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- (d) Part B: Section 10 – Car Parking;
- (e) Part B: Section 11 – Traffic Guidelines for Development;
- (f) Part B: Section 12 – Access;
- (g) Part B: Section 13 – Heritage and Conservation;
- (h) Part B: Section 14 – Contamination and Hazardous Building Materials;
- (i) Part B: Section 15 – Bushland;
- (j) Part B: Section 16 – Tree and Vegetation Management;
- (k) Part B: Section 17 – Erosion and Sediment Control;
- (l) Part B: Section 18 – Stormwater Drainage;
- (m) Part B: Section 19 – Waste Management; and
- (n) Part B: Section 20 – Public Infrastructure.

2.1.4 Relationships to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) SEPP No.65 – Design Quality of Residential Apartment Development;
- (b) The DoP's Residential Flat Apartment Design Code Guide;
- (c) SEPP (Affordable Rental Housing) 2009;
- ~~(e)~~(d) Liveable Housing Australia's Liveable Housing Design Guidelines;
- ~~(d)~~(e) SEPP (Housing for seniors and people with a disability) 2004;
- ~~(e)~~(f) SEPP (Building Sustainability Index: BASIX) 2005;
- ~~(f)~~(g) SEPP (Infrastructure) 2007;
- ~~(g)~~(h) The DoP's Development Near Rail Corridors and Busy Roads – Interim Guideline (19 December 2008);
- ~~(h)~~(i) SREP (Sydney Harbour Catchment) 2005; and
- ~~(i)~~(j) The DoP's Sydney Harbour Foreshores and Waterways Area DCP (2005);
- ~~(j)~~(k) The St Leonards / Crows Nest Planning Study – Precinct 1 (2012).

2.2 FUNCTION

The main financial and business activities are complemented by a variety of other supporting infrastructure, activities and services located in and around the area which are essential to its functioning as a place where people work, live and visit.

Diversity of people, environments and experiences encourages activity and contributes to the popularity of areas. Diversity attracts many users, extends the usefulness of the area and contributes to the sustainability of both community and environment.

2.2.1 Diversity of activities, facilities, opportunities and services**Objectives**

- O1 To ensure a diversity of activities, facilities, opportunities and services is provided, including high grade business accommodation, community services, employment, entertainment, government agencies, health and welfare, recreation and retail.
- O2 To ensure that streets are appropriately activated to encourage pedestrian use.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

Provisions

- P1 Non-residential buildings or components of buildings should incorporate a variety of different sized spaces that reflect a site's location in the commercial centre hierarchy (i.e. large floor plates should be provided in higher order centres with small floor plates in lower order centres).
- P2 Consideration should be given to incorporating community and entertainment facilities within a development.
- P3 A variety of uses should be provided at street level, which contributes positively to economic and social vitality.
- P4 Avoid blank walls that face streets and laneways at the ground level.
- P5 Enhance the amenity of the public domain to meet the needs of the workforce, residents and visitors.
- P6 Mixed use developments within the *B1 —Neighbourhood Centre*, *B4 —Mixed Use* or *IN2 —Light Industrial* zones should:
- (a) ensure all residential common areas of the building (including the principal entrance to the building) are accessible to all persons regardless of mobility; and
 - (b) have the retail/commercial uses located on the ground floor, retail/commercial or residential uses on the first floor, and residential uses on upper floors.

2.2.2 Maximise use of public transport

Objectives

- O1 To ensure that developments maximise access to public transport, walking and cycling.
- O2 To try and achieve a modal split of 60% public transport and 30% private car.

Provisions

- P1 Locate pick up and drop off points for public transport and taxi ranks as close as possible to public spaces and activities.
- P2 Locate short stay (ten minute) parking spaces within or as close as possible to meeting places.
- P3 Limit the amount of long stay off street commuter parking ~~on site~~ to that which existed at the time of gazettal of NSLEP 2001 (Amendment No.9 – North Sydney Centre) on the 28 February 2003.
- P4 Minimise any non-residential parking on site.
- P5 Bicycle storage facilities are provided in accordance with Part B: Section 10 - *Car Parking and Transport* of the DCP.
- P6 Provide showers for use by cyclists and people that walk to work.

2.2.3 Mixed Residential Population

Objectives

- O1 To provide a mixed residential population in terms of age, gender, household type and size, education, income and employment, including households with children, households on low to moderate incomes, households with aged or disabled persons.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development****Provisions**

~~P1~~ ~~Mixed use developments incorporating residential accommodation should aim to achieve a dwelling yield generally consistent with Council's Residential Development Strategy (2009)¹.~~

~~P2~~**P1** Mixed use developments incorporating residential accommodation containing less than 20 dwellings must include, at least two of the following dwelling types:

- (a) studio;
- (b) 1-bedroom;
- (c) 2-bedroom; and
- (d) 3-bedroom.

~~P3~~**P2** Despite ~~P2~~**P1** above, no more than 55% of all dwellings must comprise a combination of both studio and 1-bedroom dwellings.

~~P4~~**P3** Mixed use developments incorporating residential accommodation containing 20 or more dwellings should provide a mix of dwelling sizes in accordance with Table B-2.1.

Dwelling Size	% of Total Dwellings
studio	10-20%
1 bedroom	25-35%
2 bedroom	35-45%
3 bedroom+	10-20%

~~P4~~ Variations to the dwelling mix within ~~P2~~**P3** or ~~P4~~**P3** will not be considered, unless the applicant can adequately demonstrate by an authoritative analysis of current and future market demand that the suggested mix is not reasonable.

~~P5~~ In mixed use developments containing residential accommodation, all new dwellings must satisfy the Silver level performance requirements of the *Livable Housing Design Guidelines*. The incorporation of Gold and Platinum level universal design features is strongly supported.²

Note: For details on the universal design features and performance requirements of the *Livable Housing Design Guidelines* visit <http://www.livablehousingaustralia.org.au/>.

~~P5~~**P6** A minimum of ~~15~~**20**% of dwellings in mixed use developments containing more than 5 dwellings must comprise adaptable housing³, and be designed and constructed to a minimum Class C Certification under AS 4299 – Adaptable Housing.

~~P6~~**P7** Where adaptable housing is to be provided, the adaptable housing components must:

- (a) be integrated into the overall design of the development, and must not be isolated; and

¹ ~~Dwelling yield will be ultimately determined through a development's compliance with other relevant controls contained within the LEP and DCP.~~

² This provision applies to residential development which requires development approval and does not apply to alterations and additions to existing homes or complying development under NSW State Codes.

³ Adaptable housing is designed with accessible features that can be modified to meet changing needs of residents over time. Typical adaptable features include level and wider doorways and corridors, slip resistant floor surfaces, reachable power points, lever door handles and lever taps. When designing adaptable housing consult AS 1428, 4299 and AS 4586.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

(b) not use a different standard of materials and finishes to the remainder of the building.

P8 Where universally designed and adaptable dwellings are proposed, those dwellings must be clearly identified as such on the submitted development application plans.

P7P9 Developments requiring adaptable housing must also satisfy the provisions of Part B Section 12.5 of this DCP.

P8P10 Provide services and facilities within the development that meet the needs of different population groups and build flexibility into communal spaces to meet changing needs.

2.2.4 Hotel ~~Design~~ of tourist and visitor accommodation

Objectives

O1 To ensure that hotels or motel accommodation and serviced apartments are not used or converted for permanent residential accommodation.

O2 To minimise impacts on the operation of other uses, where the short term visitor accommodation is provided within a mixed use development.

Provisions

P1 ~~No more than A maximum of~~ 50% of rooms to hotel or motel accommodation must ~~not~~ be provided with kitchens or kitchenettes.

P2 Rooms to hotel or motel accommodation ~~are to~~ must be provided in accordance with the dimensions indicated in Table B-2.2.

TABLE B-2.2 - Minimum and maximum room sizes		
Number of persons	Minimum Size	Maximum Size
1	10.5m ²	27m ²
2	16m ²	27m ²
3	21.5m ²	27m ²
4 (max)	27m ²	27m ²

P3 All tourist and visitor accommodation developments must provide ~~C~~ common facilities such as conference rooms, restaurants and bars ~~must be provided~~.

P4 Balconies to hotel or motel accommodation rooms are not permitted.

P4P5 Where tourist and visitor accommodation is to be provided within a mixed use development, it must be provided with separate and secured access from other land use activities accommodated within the building.

2.2.5 Tourist and visitor accommodation ~~Hotel~~ management

Objectives

O1 To ensure that tourist and visitor accommodation ~~hotels~~ are appropriately managed.

Provisions

P1 Hotels or motel accommodation ~~is~~ are to be operated as one entity with a central management structure.

P2 A Management Statement, stating that the premise is a hotel or motel with common facilities, or a serviced apartment should be submitted with the DA to ensure that the premise operates as a hotel or motel or serviced apartment.

P3 Prior to the granting of any development consent, the Management Statement should be jointly signed by Council and applicant.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

P4 Maximum period of tenure for guests must not exceed 13 weeks.

P5 [Hotel or motel accommodation](#) Rooms are to be serviced daily.

2.3 ENVIRONMENTAL CRITERIA

A clean and protected environment is important to the community. It contributes to the comfort and wellbeing of current users and to the sustainability of the environment for future generations.

2.3.1 Clean Air**Objectives**

O1 To ensure that development does not adversely affect air quality.

Provisions

P1 Operating plant, building materials and finishes should be incorporated that are non-toxic and reduce toxic emissions.

P2 Discourage use of the private motor car and encourage walking, cycling and use of public transport.

P3 Car parking is provided in accordance with Part B: Section 10 - *Car parking and Transport* of the DCP.

2.3.2 Noise**Objectives**

O1 To ensure reasonable levels of acoustic amenity to nearby residents.

Provisions

P1 Noise emission associated with the operation of non-residential premises or non-residential components of a building must not exceed the maximum 1 hour noise levels (LAeq 1 Hour) specified in Table B-2.3.

Day	Time Period		Max 1 hour noise level (LAeq 1 Hour)
	Week	Time	
Weekday	Day	7am – 6pm	60 dBA
	Evening	6pm – 10pm	50 dBA
	Night	10pm – 7am	45 dBA
Weekend	Day	8am – 7pm	60 dBA
	Evening	7pm – 10pm	50 dBA
	Night	10pm – 8am	45 dBA

Notes: LAeq (1hour) readings are to be measured during the noisiest 1 hour period between Day – 7/8am to 6/7pm, Evening – 6/7pm – 10pm and Night – 10pm to 7/8am.

P2 In terms of determining the maximum noise levels as required by P1 above, the measurement is to be taken at the property boundary of the nearest residential premises. Within a mixed use development, the boundary is taken to be nearest floor ceiling or wall to a residential dwelling on the site.

P3 Despite P1 above, the noise emission associated with the operation of non-residential premises or non-residential components of a building must not exceed 5 dBA above the background maximum 1 hour noise level (LAeq 1 Hour) during the day and



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

evening and not exceeding the background level at night when measured at the boundary of the property.

- P4 Council may require the submission of an Acoustic Report to ensure compliance with P1 above.
- P5 Plant and machinery should incorporate noise reduction measures to minimise their impacts.
- P6 Developments should be designed and / or incorporate features that reduce noise transmission.
- P7 Where practical, development should incorporate adequate measures for tonal, low frequency, impulsive, or intermittent noise.
- P8 Developments must comply with *EPA Industrial Noise Policy 2000* in particular the modification required for acceptable noise level (ANL).

2.3.3 Wind Speed

Objectives

- O1 To ensure pedestrian comfort is not adversely affected by wind when walking along public streets or sitting down in public spaces.

Provisions

- P1 Buildings should be designed to reduce wind velocity at footpaths and public outdoor spaces.
- P2 Development should not result in the wind speed exceeding 13m/s at footpaths and accessible outdoor spaces.
- P3 A Wind Impact Report, prepared by an appropriately qualified person, must be submitted with any application where the proposal results in the building exceeding 33m in height.

2.3.4 Reflectivity

Objectives

- O1 To minimise the impacts by reflected light and solar reflectivity from buildings on pedestrians and motorists.

Provisions

- P1 Buildings should provide a greater proportion of solid to void on all facades and use non-reflective materials.
- P2 Buildings should use non-reflective glass and / or recess glass behind balconies.
- P3 Sun shields, such as awnings, canopies and pergolas should be provided to glazed areas.
- P4 Council may require the submission of a Reflectivity Study prepared by a suitably qualified consultant.

2.3.5 Artificial illumination

Objectives

- O1 To minimise the impact of artificial illumination on the amenity of residents and pedestrians.
- O2 To provide a safe urban environment without adverse effects on surrounding development or the public domain.
- O3 To minimise the impact of artificial illumination in contributing to sky glow.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development****Provisions**

- P1 External facades of buildings should not be floodlit.
- P2 Where external artificial illumination is proposed:
- it should be designed and sited to minimise glare.
 - It must comply with the standards set out in Australian Standard AS 4282 – *Control of the Obtrusive Effects of Outdoor Lighting*.
- P3 Illumination of roof top and/or podium level facilities is not to exceed the curfew outlined in Table B-2.4.

Zone	Curfew Time
B3 Commercial Core	1.00am
B1 Neighbourhood Centre B4 Mixed Use IN2 Light Industry	11.00pm

- P4 Entrances must be well lit and do not produce shadows or adverse glare.
- P5 Staff entrances which are separated from the main building entrance must be well lit and opportunities for casual surveillance is maximised.
- P6 Timers and sensors should be used to minimise sky glow.
- P7 Council may require the submission of a Lighting Report for a development prepared by an appropriately qualified person.

2.3.6 Awnings**Objectives**

- O1 To provide adequate weather protection for people using streets and other public spaces.

Provisions

- P1 Provide continuous, horizontal awnings on all street frontages which are activated by ground floor uses and those streets identified in the relevant area character statement (refer to Part C of the DCP), using materials that are sun, rain and wind proof.
- P2 Awnings must be provided as required in Table B-2.5.

Requirement	Zone	
	B3 Commercial Core B4 Mixed Use	B1 Neighbourhood Centre
Minimum Width	2m (min)	2m (min)
Setback from kerb -	General	1.1m (or 600mm where walkway is not of sufficient width)
	To accommodate street trees	1.5m
		2.0m



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

TABLE B-2.5 – Awnings		
Requirement	Zone	
	B3 Commercial Core B4 Mixed Use	B1 Neighbourhood Centre
Height above footpath level	3.2m - 4.2m	3.0m - 3.6m

- P3 New awnings should match the height of existing awnings on adjacent sites.
- P4 Weather seals are to be provided between new and existing awnings on adjacent sites and between the awning and the building.
- P5 Where appropriate, temporary shade structures such as retractable blinds, umbrellas and pergolas may be provided (e.g. to outdoor café and gardens).
- P6 Openings with a minimum dimension of 1.5m - 2m (measured from kerb) by 2.5m wide must be provided in awnings located over public footpaths to allow for the accommodation of street trees.

2.3.7 Solar access

Objectives

- O1 To ensure that solar access is maintained to Special Areas, open spaces and publicly accessible outdoor places.
- O2 To maintain solar access to residential areas surrounding the North Sydney Centre.
- O3 To avoid the creation of long solid masses of development which prevent the penetration of daylight and/or sunlight through to pedestrian levels and to northern and eastern facades of buildings.
- O4 To ensure that all dwellings have reasonable access to sunlight and daylight.

Provisions

- P1 Developments within the North Sydney Centre must comply with the height and overshadowing requirements contained within cl.4.3, and cl.6.4 of NSLEP 2013.
- P2 Developments located outside of the North Sydney Centre should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:
- (a) any solar panels;
 - (b) the windows of main internal living areas;
 - (c) principal private open space areas; and
 - (d) any communal open space areas.

located on the subject property and any adjoining residential properties.

Note: *Main internal living areas excludes bedrooms, studies, laundries, storage areas.*

- P3 Despite P2 above, living rooms and private open spaces for at least 70% of dwellings within a residential flat building or shoptop housing should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).
- P4 New development should not overshadow existing or proposed public open spaces located outside of the North Sydney Centre between 11.30am and 2.30pm.
- P5 Spaces are to be created between taller buildings to avoid a solid mass of development and to allow daylight and/or sunlight to penetrate through to pedestrian level.
- P6 Setbacks must be provided between buildings above the podium level.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P7 Provide a mix of sun-protected and unprotected areas in public open space, roof top gardens and other outdoor spaces.
- P8 Avoid providing apartments within mixed use developments that have a sole orientation to the south. Where south facing apartments can not be avoided, ensure that they are provided with adequate access to natural light (e.g. by providing enlarged windows, skylights and the like). No more than 15% of all dwellings in the development must not receive no direct sunlight between 9am and 3pm at mid-winter.
- P9 The use, location and placement of photovoltaic solar panels take into account the potential permissible building form on adjoining properties.

2.3.8 Views

Due to North Sydney's sloping topography and proximity to Sydney Harbour, views and vistas comprise special elements that contribute to its unique character and to the amenity of both private dwellings and the public domain.

New development has the potential to adversely affect existing views. However, the ability to share views becomes increasingly more difficult in locations of existing or anticipated areas of high density (e.g. North Sydney Centre, St Leonards and Milsons Point). Whilst no one is entitled to a view, attempts should be made to consider the potential impact on ~~Accordingly, there is a need to strike a balance between facilitating new development while preserving, as far as practicable, access to views from surrounding properties.~~ existing views and share those where reasonably possible.

When considering impacts on views, Council will generally not refuse a development application on the grounds that the proposed development results in the loss of views, where that development strictly complies with the building envelope controls applying to the subject site.

Objectives

- O1 To protect and enhance opportunities for vistas and views from streets and other public places.
- O2 To protect and enhance existing views and vistas from streets and other public spaces.
- O3 To provide additional views and vistas from streets and other public spaces where opportunities arise.
- O4 To encourage view sharing as a means of ensuring equitable access to views from dwellings, whilst recognising development may take place in accordance with the other provisions of this DCP and the LEP.

Provisions

- P1 Where appropriate, the opening up of views should be sought to improve the legibility of the area.
- P2 Provide public or semi-public access to top floors where possible (e.g. restaurants, roof top gardens and facilities).
- P3 Use setbacks, design and articulation of buildings to maintain street views, views from public areas and those identified in the relevant area character statement (refer to Part C of the DCP).
- P4 Maintain and protect views identified in the relevant area character statement (refer to Part C of the DCP) from future development.
- P5 ~~Where a proposal is likely to adversely affect views from either public or private or public land,~~ Council will give consideration to the Land and Environment Court's Planning Principles for view sharing established in Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor [2013] NSWLEC 1046 and Tenacity Consulting v Warringah Council [2004] NSWLEC 140. The Planning Principles ~~is~~ are available to view on the Land and Environment Court's website



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

http://www.leg.justice.nsw.gov.au/planning_principles). (www.lawlink.nsw.gov.au/leg)

2.3.9 Acoustic privacy

Objective

- O1 To ensure all residents within mixed use developments are provided with a reasonable level of acoustic privacy.

Control

- P1 This subsection only applies to the residential component of any mixed use development.
- P2 New dwellings shall be designed and constructed to comply with the criteria specified in Table B-2.6 for all noise intrusion from external noise sources (including mechanical services noise from within the development itself), with windows and doors closed:

TABLE B-2.6: Acoustic Amenity		
Internal Space	Time Period	Max 1 hr noise level (LAeq 1 Hour)
Living areas	Day or Night	≤ 40 dBA
Sleeping Areas	Day or Night	≤ 35 dBA

Notes: Readings are to be LAeq (1hour), when measured during the noisiest 1 hour period between Day 7am to 10pm; and Night – 10pm to 7am.

- P3 Where multiple dwellings are provided within the same building, the residential components of the building shall be designed and constructed to comply with the requirements in Table B-2.7 regarding acoustic insulation of walls and floors.

TABLE B-2.7: Acoustic transmission	
Item	Criteria
Field Sound Reduction Index R'w of walls floors services and ducts	BCA as Amended, Except that Field Noise Reduction Index of all inter-tenancy walls shall be designed to achieve ≥R'w55 and the intent of the BCA requirements.
Field Sound reduction Index R'w of doors	Any door (including the effects of its frame and any edge gaps) in a wall between a dwelling and a stairwell or other internal common area shall be designed to achieve an ≥R'w28
Field Impact Isolation Class (FIIC) of floors <u>Impact Isolation of Floors</u>	Where the floor of a dwelling separates a habitable room of one dwelling and another habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like of a separate tenancy, the floor shall be designed to achieve a weighted standardised impact sound pressure level, L_{n'tw} not more than 55 dB. <u>Where the floor separates a habitable room of one dwelling and another habitable room, bathroom, toilet, laundry, kitchen, plant room, stairway, public corridor, hallway and the like of a separate tenancy, the floor shall be designed to achieve a Field Impact Insulation Class of FIIC ≥55.</u>

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P4 An acoustic report prepared by a certified acoustic consultant must be submitted with all development applications which involves the construction of 4 or more new dwellings and must address the requirements to P2.
- P5 Buildings are to be designed and rooms positioned to reduce noise transmission within and between dwellings.
- P6 Bedrooms should be designed so that wardrobes provide additional sound buffering between rooms within the dwelling or between adjoining dwellings over and above the requirements in P3 above.
- P7 Windows and doors should be located away from external noise sources, or buffers used where separation can-not be achieved.
- P8 Materials with low noise penetration properties should be used where practical.
- P9 Locate bedrooms and private open spaces away from noise sources such as garages, driveways, mechanical equipment and recreation areas.
- P10 Mechanical equipment, such as pumps, lifts or air conditioners should not be located adjacent to bedrooms or living rooms of dwellings within the development or on adjoining properties.
- P11 Where dwellings are located on busy roads incorporate the following into the design of the development to reduce traffic noise within the dwelling:
- (a) cavity brick walls;
 - (b) double glazing;
 - (c) solid core doors;
 - (d) concrete floors; and
 - (e) recessed balconies.
- P12 Development comprising places of public worship, hospitals, educational facilities or child care centres or containing residential uses on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of SEPP (Infrastructure) 2007. An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the [SEPP \(Infrastructure\) 2007](#).
- P13 Where possible, avoid the use high brick fences on busy roads. High fences present a harsh and bland appearance to the street, obstruct views from the footpath to gardens and dwelling entries, reduce amenity for pedestrians and reduce casual surveillance of the street. Try to reduce acoustic impacts through other acoustic reduction measures.

2.3.10 Vibration**Objectives**

- O1 To minimise the impact on safety and the operation of road and rail tunnels.

Provisions

- P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). In particular, consideration should be given to the vibration criteria contained within the Department of Environment Climate Change and Water's *Assessing*



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

Vibration: a technical guideline. A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.

2.3.11 Visual privacy

Objectives

- O1 To ensure that existing and future residents are provided with a reasonable level of visual privacy.

Provisions

- P1 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- P2 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices.
- P3 Provide suitable screening structures or planting to minimise overlooking from proposed dwellings to the windows, balconies or private open space of adjacent dwellings, to windows, balconies or private open space of dwellings within the same development.
- P4 Provide visual separation between any non-residential use and residential uses within buildings and sites.
- P5 The residential components of mixed use developments are to provide adequate separation between habitable rooms, balconies and non-habitable rooms, consistent with [SEPP 65](#). The relevant separation distances are reproduced in Table B-2.8.

Building height (metres)	Separation between habitable rooms and balconies	Separation between habitable balconies & non-habitable rooms	Separation between non-habitable rooms
Up to <u>4 storeys</u> (approx. 12m)	12m	9m	6m
<u>5 to 8 storeys</u> (approx. 12-25m)	18m	12m	9m
<u>9 storeys +</u> (approx. 25m +)	24m	18m	12m

- P6 Council may consider a variation to the building separation control within P5 above, but only where the applicant can demonstrate that the variation has been made in response to site and context constraints and that the variation is not made at the expense of amenity (e.g. visual and acoustic privacy, outlook, solar access). However, Council will not consider a variation if an apartment's only outlook is onto an area that is under the minimum building separation distance.

2.4 QUALITY BUILT FORM

Commercial centres and their skylines evolve. Well designed buildings respond to the environment of the centre in terms of the various scales at which they are experienced. They can also make a positive contribution to the character and identity of the centre and provide a benchmark for innovative design in building and environmental technology.

Buildings in centres should have a positive relationship with relevant topographical features, surrounding buildings and the townscape when viewed from all directions.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

Proposals for large scale developments have the potential for dramatic impacts on the urban environment. They can harm qualities that people value about a place such as solar access and scale. For these reasons proposals for tall buildings are particularly subject to very close scrutiny.

Proposals will be assessed in terms of their positive contribution and any adverse impacts associated with their design and siting. They will be evaluated for the quality of their design and their response to their urban context.

The relationship of proposals to transport infrastructure will be considered in the assessment. This includes existing capacity available, the quality of links between transport and the site, and the feasibility of making improvements to those links.

Any building must be sustainable in the broadest sense taking into account its social and economic impact, based on whole life costs and benefits.

2.4.1 Context**Objectives**

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

Provisions

- P1 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).
- P2 A Site Analysis is undertaken in accordance with Part A: Section 5 - *Site Analysis* of this DCP.

2.4.2 Site Consolidation**Objectives**

- O1 To enable the creation of a human scale that also reflects a consistent subdivision pattern.
- O2 To enable the creation of suitably sized commercial floor plates that can be tenanted easily.

Provisions

- P1 Amalgamate lots to achieve lot frontage identified in the relevant area character statement (refer to Part C of the DCP).
- P2 Break down the apparent length of buildings by incorporating articulation, design and detailing and or a change in materials, finishes and colours.

2.4.3 Setbacks**Objectives**

- O1 To enable a reduction in the impact of scale.
- O2 To ensure adequate ventilation, solar access, privacy, view sharing and a reduction of adverse wind effects.
- O3 To improve pedestrian flow and amenity and allow a range of activities to be accommodated.

Provisions**General**

- P1 Provide a setback for public space at ground level where indicated in the relevant area character statement (refer to Part C of the DCP).



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P2 New development must give consideration to the setbacks of adjacent buildings and heritage items.

Front

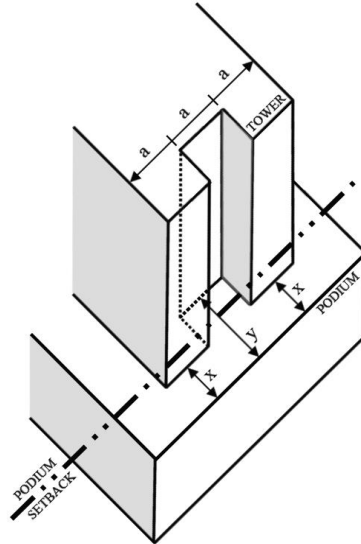


Figure B-2.1:

Weighted average is the average of projections and recesses from setback above podium (i.e. $x + x + y / 3 =$ podium setback)

- P3 A zero metre setback must be provided, unless an alternative setback is identified within the in the relevant area character statement (refer to Part C of the DCP).
- P4 That part of the building located above the podium must be setback a weighted average (refer to Figure B-2.1) in accordance with the relevant area character statement (refer to Part C of the DCP).

Side & Rear

- P5 A zero metre setback, unless an alternative setback is identified within the relevant area character statement (refer to Part C of the DCP).
- P6 Despite P5 above, buildings containing non-residential activities must be set back a minimum of 3m from the property boundary where the adjoining site has balconies or windows to main living areas of dwellings or serviced apartments located at the same level.
- Note:** Side setbacks may be affected by building separation requirements and or podium level setback requirements.
- P7 Despite P5 above, a development proposed on land adjoining or adjacent to a **r**Residential or **R**recreation zone must not exceed a building height plane commencing:
- at 3.5m above ground level (existing) and projected at an angle of 45 degrees internally to the site from all boundaries that directly adjoin land zoned **R2** —Low Density Residential, **R3** —Medium Density Residential, **R4** —High Density Residential, **RE1** —Public Recreation, or
 - at 3.5m above ground level (existing) and projected at an angle of 45 degrees internally to the site from the centre line of any adjoining road or laneway separating the site from land zoned **R2** —Low Density Residential, **R3** —Medium Density Residential, **R4** —High Density Residential, **RE1** —Public Recreation.

North Sydney Development Control Plan 2013 – 2020 draft amendments



Commercial & Mixed Use Development

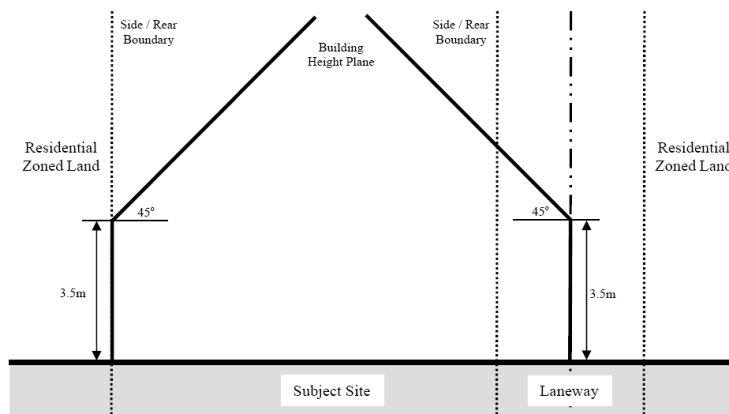


Figure B-2.2:
Building height plane requirements

- P8 Where setbacks are required from existing property boundary this should be clear of all structures above and below ground level, excluding awnings and other elements allowed by Council.
- P9 Where an applicant seeks a basement structure built to the property boundary fronting a laneway in the *B1 – Neighbourhood Centre* or *B4 – Mixed Use* zone for the purposes of underground car parking, Council may require a 1.5m setback at street level to be provided subject to an s.88B instrument application outlining public access rights, clear of any structure to 1.5m below ground level (existing) and 3m above ground level (existing) and requiring all maintenance, cleaning and the like to be the responsibility of the property owner. Applicants are advised to contact Council prior to the lodgement of any development application seeking a basement car park built to the property boundary fronting any laneway to determine if the setbacks in this provision are required to be met.
- P10 Stratum subdivisions will generally not be accepted for dedication of land/airspace to Council.

2.4.4 Podiums

Objectives

- O1 For buildings to reinforce a human scale when read from the public domain.
- O2 To ensure that laneways are integrated into pedestrian network.
- O3 To ensure that laneways are safe and comfortable for pedestrians.

Provisions

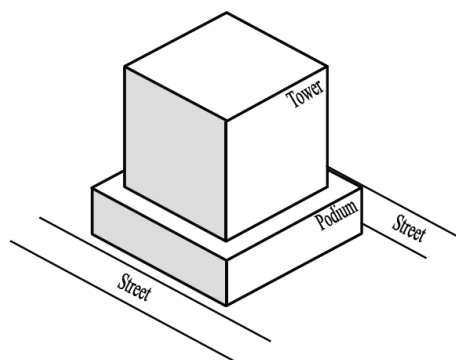


Figure B-2.3:
Podium/tower form of development



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P1 Where required, a podium must be provided along all street frontages including laneways, with a height and setback above the podium, in accordance with the relevant area character statement (refer to Part C of the DCP).
- P2 Podiums should match the height and setbacks of adjacent buildings or the average of the heights of the adjacent podiums having regard to their existing nature and/or their redevelopment potential.
- P3 Where the ground level changes across the width of a site, the podium should be stepped at an appropriate location to maintain a characteristic podium height.

2.4.5 Building design

Objectives

- O1 To ensure that buildings are designed to reinforce the urban character of a locality.
- O2 That buildings clearly define streets, street corners and public spaces.

Provisions

- P1 Floor to ceiling heights should be provided in accordance with the minimum requirements set out in Table B-2.9.

TABLE B-2.9: Minimum floor to ceiling height requirements			
Zone	Ground Floor	First Floor	Upper Floors
B1 Neighbourhood Business	3.3m	2.7m	2.7m
B3 Commercial Core	3.3m	3.3m	3.3m
B4 Mixed Use	3.3m	3.3m	2.7m
IN2 Light Industrial	3.3m	2.7m	2.7m

- P2 Council may consider a variation to the minimum requirements in P1, but only if the applicant can demonstrate that the dwelling or non-residential floor space is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow apartments / commercial tenancies with large amounts of window area).
- P3 The apparent length of buildings should be broken down through the use of articulation, design and detailing, changes in materials and colours.
- P4 High quality materials should be used throughout the building design.
- P5 Podiums are to be built to the boundary of the site unless providing a setback for public space at ground level as required by the relevant area character statement (refer to Part C of the DCP).
- P6 Buildings should be built predominantly to setback alignment.
- P7 Building should be articulated and have a positive relationship with the public domain in terms of scale and setbacks.
- P8 Building elements, such as materials, finishes, and window dimensions should relate to neighbouring buildings.
- P9 Buildings are to respect the setting and curtilage of heritage items (refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).
- P10 Buildings should incorporate architectural detailing and ornamentation which provides a rich visual reference for pedestrians.
- P11 Balconies are to be incorporated within the setback or building envelopes.
- P12 Within the *B1 —Neighbourhood Centre* zone, provide a traditional two storey shopfront parapet form along the primary street frontages, with any development above two

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

storeys (where permissible) set back in accordance with the relevant area character statement.

2.4.6 Skyline**Objectives**

- O1 To provide a distinctive and well designed skyline through the introduction of visually interesting elements in the articulation and detailing of the upper levels and roofs of buildings.

Provisions

- P1 Buildings located on land within the North Sydney Centre must comply with the building height requirements outlined in cl.4.3 [and cl.6.3](#) of NSLEP 2013.
- P2 The built form should step down from the centre of each commercial or mixed use centre to a comparable scale at the interface of any adjoining residential zone.
- P3 Roofs should be designed such that they are integral with the overall design of the building.
- P4 All roof top located building plant and services are to be contained within a single structure. It should be centrally located to avoid overshadowing and other impacts.
- P5 If telecommunication aerials are to be provided, they must be incorporated into the roof top design, and not comprise ad-hoc additions.
- P6 With respect to buildings greater than 30m in height, and all buildings within the North Sydney Centre, the roof is to be designed such that consideration is given to the building being seen in a regional view catchment.
- P7 All plant room equipment must not be visible from any location viewed from ground level.

2.4.7 Junction and termination of streets**Objectives**

- O1 To ensure that the design and form of buildings reinforces the junction and termination of streets (excluding laneways).

Provisions

- P1 Buildings located on the corner of a street intersection or at the termination of a street should:
- (a) be designed with increased emphasis to anchor primary vistas and nodal points;
 - (b) be designed such that the corner of the building addressing an intersection is reinforced through utilisation of splays, curves, building entries and other architectural elements;
 - (c) where located at a street intersection, incorporate a minimum 1.5m splay measured from the corner of the intersection along each property boundary; and
 - (d) be designed such that the building's height is concentrated on that section of the building located at the corner of the street intersection or is centralised on the street façade where it is located at the termination of a street.

2.4.8 Balconies - Apartments**Objectives**

- O1 To ensure the provision of functional private open space for apartments.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

Provisions

- P1 Balconies must be incorporated within building envelope (as specified by setbacks and or building height plane) and should not be located on roofs, podiums or be cantilevered.
- P2 Balconies should be integrated into the overall architectural form and detail of the building.
- P3 No balconies, verandahs or the like are to project over the public domain.
- P4 Where a proposal involves the conversion of an existing commercial building, and that commercial building's envelope does not comply with the setback and/or building envelope controls for the site, any new balcony must not project beyond the existing building's envelope.
- P5 Balconies should not be enclosed.
- P6 Notwithstanding P5, Council may permit the enclosure of a balcony, but only if:
- (a) the building is predominantly characterised by enclosed balconies; or
 - (b) if the building is not predominately characterised by enclosed balconies, subject to the approval of a balcony strategy for the building.
- P7 A balcony strategy should:
- (a) include details outlining the size, scale and choice of materials of the proposed enclosure(s); and
 - (b) be adopted by the body corporate before being submitted to Council.

2.4.9 Through-site pedestrian links

Objectives

- O1 To increase pedestrian permeability through commercial and mixed use centres.
- O2 To increase linkages to facilities, outdoor spaces and public transport.
- O3 To provide safe and usable pedestrian spaces.
- O4 To increase the amenity for pedestrians.

Provisions

- P1 Provide linkages through sites to other streets and laneways as identified in the relevant area character statement (refer to Part C of the DCP) applying to the site or where enhancing pedestrian movement to public transport infrastructure.
- P2 Provide linkages to facilities, outdoor spaces and public transport.
- P3 Provide public access through pedestrian links from 6am to 10pm daily.
- P4 Pedestrian links must be lined with active uses along at least one side of the link to engage pedestrians.
- P5 Pedestrian links must be a minimum of 6m in width that is free from obstructions.
- P6 Escalators must be provided within the link where there is a substantial change in level.
- P7 The number of pedestrian entries to the link is maximised.
- P8 The extent of natural light to the link should be maximised where possible.
- P8P9 Where a through-site link is to be provided along the side boundary of a property, it should be open to the sky.
- P9P10 Signage must be provided at the entry to the linkage, indicating public accessibility and the street to which the connection links.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

~~P10~~**P11** Opportunities for integration of public art installations within the link are to be maximised.

~~P11~~**P12** The linkage is to be designed to positively respond to the “safer by design” principles.

2.4.10 Streetscape**Objectives**

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.
- O2 To promote the creation of lively and active street and laneway frontages.
- O3 To create visual interest in the built form.
- O4 To create a feeling of safety both by day and night.
- O5 To minimise visual clutter associated with overhead infrastructure.

Provisions

- P1 The ground level of buildings should align with the corresponding level of the adjacent footpath, laneway or outdoor space.
- P2 Continuous active uses, such as shops and cafes, should be provided at the ground level of the building to all streets, laneways and public spaces.
- P3 Where practical, the building’s ground level façade to a laneway should be provided as an active frontage (e.g. has a retail or commercial premises fronting the laneway).
- P4 Landscaping and changes in level at building frontages is to be avoided where possible to facilitate natural surveillance of public areas and views into buildings.
- P5 All ground level windows fronting street, laneways and public spaces must be glazed with clear glass, to promote active surveillance of the public domain.
- P6 All ground level shopfronts are to have a zero metre setback unless specified in the relevant area character statement (refer to Part C of the DCP).
- P7 Introduce visually interesting elements to the building façade such as articulation, detailing and art works.
- P8 Streetscape elements, such as street furniture, lighting, paving, awnings, outdoor seating and umbrellas, are to be consistent with Council’s Public Domain Style Manual and Design Codes.
- P9 Undergrounding of overhead infrastructure should be provided in association with significant new development, consistent with the North Sydney Council Undergrounding Master Plan.

2.4.11 Entrances and exits**Objectives**

- O1 To enable equitable access to all persons regardless of ability.
- ~~O2~~ **O2** To ensure that entrances are clearly visible from the street and convey a sense of address.

~~O2~~**O3** To maximise safety and amenity of occupants to building containing a mixture of land uses.

Provisions

- P1 Main entrances and exits located at the front of the site must be directly visible from the street.
- P2 At least one main entrance to the building provides a continuous path of travel.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P3 Entrances must not be obscured by landscaping or other obstacles and have clear sight lines.
- P4 Entrances are clearly identifiable to reduce confusion and unintentional entry.
- P5 If exits to the building are closed after hours, this must be indicated at the entrance of the building.
- P6 Entrance lobbies are well illuminated, with seating provided and a firm and level non-slip floor surface.
- P7 Places of safe refuge are incorporated into the overall design of buildings. Lift lobbies or toilets may be used as all or part of a safe refuge.
- P8** Access to the building must be designed in accordance with the provisions contained within Part B: Section 12 – Access of the DCP.
- P9** Separated pedestrian entrances and lobbies are to be provided where it is proposed to accommodate within the same building, the following mixture of land uses:
- (a) residential accommodation and non-residential development; or
- (b) hotel or motel accommodation or serviced apartments and any other form non-residential development.

2.4.12 Nighttime appearance

Objectives

- O1 To improve the visual interest of the street and cityscape by night.

Provisions

- P1 Encourage the use of large windows to enable internal illumination to spill onto public footpaths and public areas.
- P2 Decorative elements or prominent architectural features of a building should be illuminated, but only where they do not result in adverse impacts upon nearby residents.

2.4.13 Public spaces and facilities

Objectives

- O1 To ensure that buildings contribute to external and internal public spaces and facilities nearby and inclusion of these areas as part of the public domain.
- O2 To ensure that buildings interact with and contribute positively to their surroundings at street level.
- O3 To ensure that buildings contribute to diversity, vitality, social engagement and “a sense of place”.

Provisions

- P1 In terms of built form and intensity, new development should respect the scale, character and density of existing development located adjacent to business zoned land.
- P2 Development should not detrimentally affect the amenity of the existing area, having regard to its redevelopment potential.
- P3 A range of outdoor spaces should be provided. Larger spaces and deeper footpaths provide opportunities for a wider range of activities to be accommodated.
- P4 Avoid cluttering spaces and changes of level.
- P5 Locate facilities that attract people, such as public phones, seating and information kiosks, in public spaces to reinforce activity at ground level.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P6 Avoid over-management of public spaces by security patrols or through the use of closed circuit television (CCTV).

2.5 QUALITY URBAN ENVIRONMENT

The design of buildings meets the needs of the widest range of people in the community from childhood to old age. This includes people with any form of disability. Commercial centres should be barrier free for the disabled travelling within the centre in the public domain as well as in the use of private property. Safe and enjoyable continuous paths of travel should be provided for pedestrians with rear lanes offering convenient short cuts.

Natural surveillance of areas lowers the likelihood of vandalism and crime. Clear sight lines and the proximity of dwellings and retail areas to the public domain assist in creating a safer environment. High walls and barriers obscure sight lines and can increase the likelihood of crime.

2.5.1 Accessibility**Objectives**

- O1 To ensure that buildings are made accessible to all persons regardless of their mobility.

Provisions

- P1 Buildings are to be designed in accordance with the provisions contained within Part B: Section 12 - Access of the DCP.

2.5.2 Safety and security**Objectives**

- O1 To ensure that a high level of personal safety and security is provided within the development.

Provisions

- P1 Design routes between building entrances to maximise personal safety. Routes from parking areas to lift lobbies are particularly important in this regard. Clear lines of sight and well lit routes are required.
- P2 Where open space and pedestrian routes are provided, they must be clearly defined, and have clear and direct sightlines for the users.
- P3 Adequate lighting must be provided to open spaces, entrances and pedestrian areas to avoid the creation of shadowed areas.
- P4 Rear service areas and access lanes should either be well secured or easily visible.
- P5 Land use activities which operate after normal business hours should be located along well-used pedestrian routes.
- P6 Public toilets, telephones and other public facilities must be provided with direct access and good visibility from well-used public spaces.
- P7 Robust and durable design features should be used where relevant to discourage vandalism.
- P8 Consider the use of bollards or low walls and the careful design of shopfronts to decrease the likelihood of ram raids and provide higher levels of security for shop owners or tenants.
- P9 The use of security grilles at the street frontage is discouraged. If security grilles are necessary then install on the inside of the shopfront and maintain clear visibility into the shop. Use toughened glass.
- P10 Solid security rollers to shopfronts are not permitted.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P11 Fire escapes should not be recessed into the building form. If it is necessary locate them in recesses, then the recess must be shallow to provide for personal security of pedestrians.
- P12 Buildings should be designed to allow for the overlooking and natural surveillance of rear lanes (e.g. from retail and other uses at all levels of the building).
- P13 Rear lanes should be provided with safe and secure lighting.
- P14 Clear sight lines should be maintained around all vehicle access points.
- P15 Street numbering of buildings must be clearly visible from street at all times of the day such that they are easily identifiable.

2.5.3 Illumination

Objectives

- O1 To ensure the safety of pedestrians in the public domain after dusk.

Provisions

General

- P1 The following areas must be illuminated in accordance with *AS 1158.3.1 - Pedestrian (P)*:
- (a) public footpaths;
 - (b) laneways; and
 - (c) areas under publically accessible awnings over public or private property.
- P2 Accent lighting should be used to highlight solid sections of buildings which adjoin public footpaths.
- P3 Level of lighting provided, and fittings used, should be consistent with that of nearby properties.
- P4 Lighting is to be provided in accordance with *AS/NZS 1158.3.1:1999 Pedestrian (P) - "pedestrian area performance and installation requirements"* except in the following instances:
- (a) Within the North Sydney CBD Character Area:
 - (i) Illuminance values in the range of 150% to 400% of the Lighting Category P6 illuminances.
 - (ii) Maintained horizontal average illuminance – 30 lux.
 - (iii) Minimum maintained horizontal average illuminance – 10 lux.
 - (iv) Maintained illuminance uniformity – 10.
 - (v) Maintained vertical illuminance – 10 lux.
 - (b) Within all other business zones:
 - (i) Illuminance values in the range of 100% to 300% of the Lighting Category P6 illuminances.
 - (ii) Maintained horizontal average illuminance – 20 lux.
 - (iii) Minimum maintained horizontal average illuminance – 7 lux.
 - (iv) Maintained illuminance uniformity – 10.
 - (v) Maintained vertical illuminance – 7 lux.
- P5 As a minimum requirement, all external lighting should operate, from dusk until dawn on Thursday, Friday and Saturday nights, and from dusk until midnight on all other nights. Extended illumination may be considered in the *B3_-Commercial Core zZone* only.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P6 Control is initiated by a suitably adjusted/calibrated photo-electric switch should be incorporated to turn on at dusk and that the lights will be at full output when the daylight illuminance in the subject areas falls to the required illuminances stipulated above.
- P7 Luminaires must be suitable for the installation conditions (non-corroding, sealed against ingress of water, dust and insects) and utilize lamps with a luminous efficacy not less than 70 lumens per watt.
- P8 Luminaires should be aesthetically compatible with the design of the awnings and building façade to which they are attached.
- P9 Bare lamp fluorescent luminaires are not permitted.
- P10 The use of recessed downlights (with suitable broad lighting distribution) is encouraged wherever practical.
- P11 Where the design of the awning or building façade precludes the installation of recessed downlights, use surface mounted luminaires compatible with the design of the awning/façade.

2.5.4 High quality residential accommodation**Objectives**

- O1 To provide a high level of internal amenity for those who reside in the building.

Provisions

- P1 Apartments within mixed use developments, must be designed to provide the following minimum internal areas⁴:
- (a) Studio ~~40m²~~ 35m²
 - (b) 1 bedroom 50m²
 - (c) 2 bedrooms ~~80m²~~ 70m²
 - (d) 3+ bedrooms ~~100m²~~ 90m²
- P2 Include courtyards, balconies and gardens as the principal open space area for residents. These should have solar access for a minimum of 2 hours a day measured at June 21st.
- P3 Communal corridors must have a minimum width of 2m to facilitate movement (i.e. no right angled corners).
- P4 No more than ~~10~~ 8 dwellings are to be accessible from a single common lobby space.
- P5 Avoid the use of double loaded corridors.
- P6 Maximum depth of a habitable room from a window, providing light and air to that room, is 10m.
- P7 Apartments have a minimum width of 4m. An apartment's width should increase relative to an increase in its depth.
- P8 Single aspect apartments have a maximum depth of 8m from a window.
- P9 The habitable space serviced by a window is no more than 10 times the glazed area of the window.

⁴ Minimum internal space excludes balconies, garages and ancillary storage space. For multi-dwelling developments with one predominant dwelling type strict compliance with minimum space is required.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

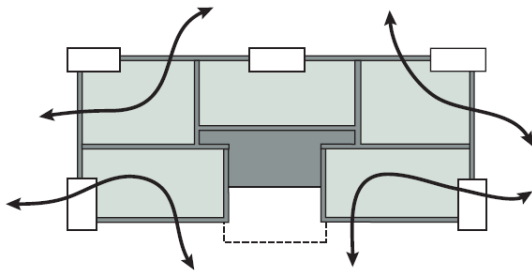


Figure B-2.5:

Corner apartments can achieve effective natural cross ventilation

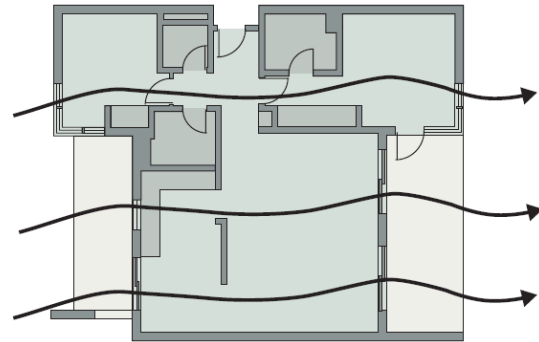


Figure B-1.8:

This optimal layout allows air flow directly from one side of the apartment to the other.

- P10 At least 60% of apartments are to be provided with cross ventilation (i.e. window openings that face different directions). For apartments with no cross ventilation, ceiling fans must be provided.
- P11 Utilise double glazing, awnings or window solar screens to reduce reliance on artificial cooling of buildings.
- P12 The amount of glazing on eastern and western elevations is to be minimised and incorporate external shading devices.
- P13 Amenity and safety of residents is protected from intrusion by users of the non-residential parts of the development (e.g. through the use of security access to lifts and car parking).

2.5.5 Lightwells and Ventilation

Objectives

- O1 To ensure that apartments within mixed use developments are provided with sufficient natural solar access and ventilation, where the provision through conventional means (i.e. windows) is adversely restricted or compromised.

Provisions

- P1 Council does not support the use of lightwells for the provision of light and ventilation to dwellings. However, Council may consent to the use of lightwells, but only if the following criteria are satisfactorily met:
- (a) the lightwell does not provide the primary source of natural daylight and ventilation to any habitable room of a dwelling within the development; and
 - (b) the dimensions of the lightwell comply with the building separation requirements set out in P5 to s.2.3.11 to this Part of the DCP (e.g. if non-habitable rooms face into a lightwell under 12m in height, the lightwell should measure 6m x 6m in plan); and
 - (c) the lightwell is directly connected at ground level to streets or lanes in buildings greater than 30m in height to allow air movement in the lightwell; and
 - (d) all building services (e.g. utility installations, pipes, cabling and the like) are concealed and not overlooked by principal living rooms or bedrooms; and
 - (e) the lightwell is fully open to the sky.
- P2 Despite P2(b) above, a lesser dimension may be considered, but only if it can be satisfactorily demonstrated that acoustic privacy, visual privacy and daylight access to all dwellings can be provided.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P3 Alternative methods of ventilation of dwellings may be considered, but only if it can be satisfactorily demonstrated that there is no impact on privacy, noise, and fire safety.
- P4 If an alternative method of ventilation is proposed, submit a ventilation report by a certified ventilation consultant in accordance with the AS 1668, which recommends that the minimum natural cross ventilation rate of airflow should be 60L/s and the minimum removal of excess heat should be 10 air changes per hour, to provide reasonable comfort to occupants.

2.5.6 Private Open Space**Objectives**

- O1 To ensure that residents of apartments within mixed use developments are provided with a reasonable level of outdoor amenity.
- O2 To ensure that private open spaces are a sufficient size to be usable.

Provisions

- P1 Apartments within mixed use developments must provide at least one ~~the following minimum~~ private open space areas with the following minimum areas:
- (a) Studio ~~8m²~~ 4m²
 - (b) 1 bedroom 8m²
 - (c) 2 bedrooms ~~12m²~~ 10m²
 - (d) 3+ bedrooms ~~120m²~~
- Note: Best practice standard for balcony size is 15% of floor area of the apartment.*
- P2 Private open spaces must provide a minimum depth of 2m, or 2.4m where it relates to a 3+ bedroom apartment ~~and area of 8m²~~.
- P3 Where apartments are proposed without private open space, the size of the apartment must be increased by ~~a minimum of 8m² (i.e. reflecting the minimum private open space requirement)~~.
- P4 Private open spaces should be located such that they are directly accessible off a main living area of the dwelling.
- P5 In addition to the requirements of P1, multi-dwelling developments are encouraged to provide communal residential areas to encourage social interaction.
- Notes: It is considered best practice to provide communal areas in the order of 25% to 30% of the site area. A reduction in this requirement could be considered acceptable where private open spaces in excess of the minimum requirements are provided.*
- P6 Communal residential spaces:
- (a) should comprise a mixture of indoor and outdoor spaces (such as gymnasium, pool and meeting rooms for residents);
 - (b) must be provided in developments containing more than 15 bedrooms, with a minimum area of 20m² or 1m² per bedroom, whichever is the greater;
 - (c) may be provided in form of an internal room as long as it has a minimum area of 75% of the total residential communal area requirement (as required in P6(b) above), with the remainder appropriately located in the external recreation area; and
 - (d) must be provided with access to natural light and not be located in basements.

2.5.7 Vehicular access**Objectives**

- O1 To enhance pedestrian safety.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

O2 To minimise the disruption to the streetscape from vehicle crossovers.

O3 To enhance the visual streetscape.

Provisions

P1 Where available and practical, all vehicle access must be provided from laneways.

P2 Service vehicle access should be combined with parking access.

P3 Vehicular access points should be limited to a maximum of one access point per building.

P4 Where possible, shared or amalgamated vehicle access points with an adjoining building should be provided.

P5 Vehicle entries, walls and ceilings should be finished with high quality materials, finishes and detailing, similar to the overall external facades of the building.

P6 Service ducts and pipes should be concealed when viewed from the public domain.

P6P7 Parking areas must be designed to enable vehicles to enter and leave the site in a forward direction.

2.5.8 Car Parking

Objectives

O1 Maintain existing on-site car parking provision for employees and visitors.

Provisions

P1 Provide on-site car parking in accordance with Part B: Section 10 – *Car Parking and Transport* of the DCP.

P2 All car parking must be provided underground.

P3 Where security doors/gates are proposed provide an intercom system to facilitate visitor/service access to underground parking areas.

P4 Disabled and visitor parking spaces must be designated common property once the development is subdivided.

2.5.9 Garbage Storage

Objectives

O1 To ensure sufficient space is provided on site for waste storage.

O2 To ensure garbage storage areas are screened from the public domain.

O3 To ensure convenient access for collection.

Provisions

General

P1 Communal on-site waste storage, recycling and collection points must be provided for each development site.

P2 Separate waste garbage storage facilities must be provided where a development contains a mixture of both for the residential and commercial components of the development uses. Access to these separate storage areas is to be restricted to their respective users.

P3 A garbage storage area should be located within 2m of the street or laneway boundary.

P4 Notwithstanding P3 above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street or laneway boundary.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P5 Garbage storage facilities should not be located in conjunction with the main pedestrian entrances to a building.
- P6 Garbage bins stored in a collection facility should be located within 3m of the facility's entrance.
- P7 Convenient access for on-site movement and collection should be provided.
- P8 More than one communal on-site waste storage and recycling area should be provided on large or steep sites, or where there is more than one Council collection point.
- P9 Garbage storage areas must be screened from streets and laneways to discourage the illegal dumping of rubbish and unsightly mess visible to pedestrians.
- P10 Garbage storage areas must be located and managed to avoid causing a nuisance from smells, insects or animals.
- P11 Sufficient space must be provided to accommodate any on-site treatment facilities (e.g. compaction) proposed to be incorporated.
- P12 Garbage storage areas should be adequately protected from inclement weather. Where appropriate, the area should be enclosed or undercover.
- P13 Storage areas must be well ventilated and drained to a lawfully approved sewerage system.
- P14 Where a garbage chute is provided or required:
- a separate garbage chute must be provided for the residential and commercial components of the building;
 - the garbage chute room must be adequately ventilated and incorporate fire safety and other services in accordance with the BCA.
- P15 Garbage facilities are to be designed and constructed in accordance with Council's Waste [Facility Management](#) Guide (refer to Appendix 3).

Commercial components

- P16 On-site garbage storage areas must be provided which are capable of accommodating the number of garbage and recycling bins as indicated in Table B-2.10. However, industry standards for waste generation rates may be used where these differ from the Council rates or if no Council rate is given.

TABLE B-2.10: Waste bin requirements			
Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
Child care facilities	All types	20L / child /week	10L / child /week
Office buildings	General office use	0.01-0.03m ³ 10L / 100m ² GFA / day	10L / 100m ² GFA / day
Retail Trading	Shops ≤to 100m ²	500.1-0.2m ³ L / 100m ² GFA / day	25L / 100m ² GFA / day
	Shops ≥ 100m ²	50L / 100m ² GFA / day	50L / 100m ² GFA / day
	Large-s Supermarkets, Family-centres	0.1-3m ³ -660L / 100m ² GFA / day	130L / 100m ² GFA / day
	Showroomspping-malls	40L / 100m ² GFA / day Dependant of development. Apply appropriate combination of factors.	10L / 100m ² GFA / day



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

TABLE B-2.10: Waste bin requirements			
Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
	Greengrocers	0.2-0.4m³ <u>240L</u> / 100m ² GFA / day	<u>410L / 100m² / day</u>
	Florist / plant shop	0.9m³ <u>900L</u> / 100m ² GFA / day <u>(combined)</u>	
	Butcher / <u>Delicatessen</u>	0.9m³ <u>80L</u> / 100m ² GFA / day	<u>Variable, but average 50L / 100m² GFA / day</u>
	Bakery	0.9m³ <u>295L</u> / 100m ² GFA / day	<u>165L / 100m² GFA / day</u>
	Fish	0.9m³ <u>580L</u> / 100m ² GFA / day. <u>The shop Waste receptacles</u> shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C	<u>Variable</u>
Catering Food and drink premises	<u>Take away Food and drink premises</u>	0.3-0.6m³ <u>80L</u> / 100m ² meals GFA / day 0.15m³ for bottle recycling / 100 meals / day.	<u>240L / 100m² GFA / day</u>
	<u>Restaurants and cafes</u>	<u>10L / 1.5m² GFA / day</u>	<u>120L / 100m² GFA / day</u>
	<u>Registered clubs Pub Small bar</u>	0.3-0.6m³ <u>50L</u> / 100m ² bar area meals / day <u>80L / 100m² restaurant GFA / day</u> 0.05m³ for bottle recycling / 100 meals / day.	<u>50L / 100m² bar area / day</u> <u>50L / 100m² dining area / day</u>
Assembly rooms	Social recreational or religious premises	0.6m³ <u>50L</u> / 100m ² GFA / day	<u>10L / 100m² GFA / day</u>
	Entertainment facilities	0.12m³ <u>1L</u> / 400 seats / session <u>screening</u>	<u>0.5L / 4 seats / screening</u>
Tourist and visitor accommodation	<u>Backpacker accommodation</u>	<u>40L / occupant space / week</u>	<u>20L / occupant space / week</u>
	<u>Hotel and motel accommodation</u>	<u>5L / bed space / day</u> <u>50L / 100m² bar area / day</u> <u>10L / 1.5m² dining area / day</u>	<u>5L / bed space / day</u> <u>50L / 100m² bar area / day</u> <u>50L / 100m² dining area / day</u>
	<u>Serviced apartments</u>	<u>120L / apartment / week</u>	<u>60L / apartment / week</u>
Industrial	-	Dependant upon industry type	<u>Dependant upon industry type</u>

P17 Notwithstanding the rates to P16, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.

P18 All developments containing a lift must provide:

- (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building with at least one point of access to the garbage chute, ~~which is provided with shelving appropriate to hold a minimum of 4 x 50~~ with the space to accommodate at least 1 x 240 litre recycling ~~bin~~ creates for the separate collection of recyclable materials.
- P19 The area allocated must accommodate any privately arranged collection (e.g. daily or weekly, etc. collections).
- P20 Source separation must be provided within the garbage storage area to maximise recycling and reduction of waste sent to land fill.
- P21 Food and drink premises and any other premises involved in the storing of perishable goods are required to:
- provide specialised containment for food scraps;
 - Arrange regular/daily collection of food scraps; and
 - Provide refrigerated garbage rooms where large volumes of perishables (such as seafood) and infrequent collection is proposed.
- P22 Grease traps may be required in certain circumstances (refer to Sydney Water may have specific trade waste requirements).
- P23 Special arrangements are required for the storage and disposal of any special waste material, such as medical or hazardous wastes. Applicants should contact Council and Environment Protection Authority for further information.

Residential component

- P24 On-site garbage storage areas must be provided which are capable of accommodating at least the number of garbage and recycling bins as indicated in Table B-2.11.

No. of Apartments	No. of garbage bins required	No. of recycling bins required
1-3	1 x 680 litre bin / dw*	1 x 140 litre bin / dw
4-12	1 x 680 litre bin / dw or 1 x 240 litre bin / 34 dws	1 x 140 litre bin / 2 dws or 1 x 240 litre bin / 4 dws, <u>2 x 240 L</u> <u>comingled mobile recycling bin</u> each colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans
13 or more	1 x 240 litre bin / 34 dws <u>660 litre bins permitted</u>	2 x 140 litre or 1 x 240 litre <u>mobile bins</u> / 154 dws <u>or part thereof;</u> <u>660 litre bins permitted</u> colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans

* dw = dwelling

- P25 Notwithstanding the rates to P24, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.
- P26 All developments containing a lift must provide:
- a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

~~(b)~~—an interim recycling room with a minimum dimension of 1.5m square on each level of the building, with at least one point of access to the garbage chute, which is provided with ~~either:~~

~~(c)~~—shelving appropriate to hold a minimum of 4 x 50 litre recycling crates; or

~~(d)~~—space to accommodate 1 x ~~2~~40 litre bin

~~(e)~~(b) for the separate collection of recyclable materials.

P27 Developments which do not contain a lift, but propose to incorporate a garbage chute, must comply with the requirements of P26(a) and P26(b).

P28 Each dwelling must be provided with a waste storage cupboard within the kitchen, ~~which is of sufficient size to hold~~capable of accommodating at least 2—a single day's waste and to enable source separation of garbage, recyclables and compost material in separate containers.

2.5.10 Site facilities

Objectives

O1 To ensure that any site facilities are unobtrusive, integrated into developments, provide for occupants needs and reduce impacts on the environment.

Provisions

General

P1 Site facilities should be located in the most accessible and convenient location and, if possible, located near regularly staffed areas such as reception areas.

P2 Direct access should be provided to site facilities. The use of long corridors and blind corners should be avoided. The use of lighting and mirrors should be used in problem areas.

P3 Site facilities should be designed to encourage their use by keeping them clean and vandal resistant. Access routes should be clearly signed and information provided in facilities to report maintenance and vandalism.

P4 Seating is open to view and well lit after dark.

P5 Provide no more than one telecommunications/TV antenna per building.

Commercial

P6 Services such as ATMs, self service vending machines and telephones should be:

- (a) located in areas of frequent activity,
- (b) be well lit after dark,
- (c) located away from concealed areas, and
- (d) be well maintained and vandal resistant.

P7 ATMs and self service vending machines must not be located in recesses and must be designed to incorporate mirrors or reflective material so users can observe people approaching from behind.

P8 ATMs and self-service vending machines must be unobtrusive and sympathetically integrated into shop-fronts and are not to obstruct pedestrian access.

P9 Where ATMs or self-service vending machines issue paper receipts, the machine must incorporate a rubbish receptacle which is integrated into the overall design of the machine.

P10 To ensure that self-service vending machines do not distribute inappropriate material to minors, the applicant must demonstrate to Council's satisfaction how the distribution of restricted material/s will be restricted.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development****Residential**

- P11 Open air drying facilities should be provided in a sunny location which are adequately screened from streets and public places.
- P12 Provide a lockable mailbox for each dwelling close to the main pedestrian entry to the dwelling or building.
- P13 Provide ancillary storage facilities at the rate outlined in Table B-2.12 and linked to each dwelling through provisions of the relevant Strata Plan (at least 50% within the apartment).

Dwelling Size	Minimum Storage Rate
Studio	6m ³ 4m ³
1 bedroom dwelling	6m ³
2 bedroom dwelling	8m ³
3+ bedroom dwelling	10m ³

- P14 Basement storage facilities will not be permitted for conversion to car parking spaces, either informally or by means of lodging a development application or a s.96 application to modify a development consent.
- P15 Incorporate car wash bays in mixed use developments where there are more than 4 dwellings within the development.

2.5.11 Temporary structures**Objectives**

- O1 To ensure that the location of temporary structures promotes public safety and amenity.
- O2 To encourage vitality, diversity and natural surveillance in the community without causing adverse effects on the streetscape.

Provisions

- P1 Temporary structures must not be located:
- in locations that hinder access to power or water access points;
 - within 5m from front and/or side boundaries to facilitate pedestrian movement;
 - which breach traffic signs or hinder pedestrian or vehicular movement (e.g. in driveways or doorway entrances.);
 - in such a way as to impact on informal or formal through site links or areas formally designated for public access; and
 - near fire protection equipment or exits.
- P2 Mobile carts or stalls:
- are not permitted on road shoulders;
 - may be subject to a limited period of consent and hours of operation;
 - must not provide any live or amplified music or other sounds promoting the cart or stall;
 - must comply with the [Food Act 2003](#), the National Code for Food Vending Vehicles and Temporary Food Premises and the Building Code of Australia;



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- (e) should use biodegradable materials for all coffee/drink cups, cutlery and/or packaging of pre-cooked food stuffs;
 - (f) should be designed and use colours and materials that are compatible with the nature of Council's plazas; and
 - (g) must obtain the relevant Council permit and display it during the hours of operation.
- P3 Temporary stalls on public footpaths will be generally limited to Mount Street Plaza and Elizabeth Plaza, Ernest Place.
- P4 Internal temporary structures should be compatible with the interior design of the building within which it is to be located.
- P5 Outdoor temporary structures are designed to be consistent with streetscape through their design and use of materials, colours and finishes.
- P6 Maximum of one coffee cart within a 200m radius.
- P7 Signage for any mobile cart is limited to one business identification sign affixed to the front panel of the cart and must not exceed 50% of that area.
- P8 Any ancillary equipment should not be visible from the street and should be stored directly inside the temporary structure.
- P9 Mobile cart/stall operators are responsible for the control of litter generated by the cart or stall.
- P10 Tables and chairs are not permitted to be provided for patrons. A stool may be permitted for the operator only.

2.6 EFFICIENT USE OF RESOURCES

The commercial and retail sectors are significant users of electricity and are major contributors to greenhouse emissions in Australia. Improving energy efficiency is one of the most cost effective ways of reducing greenhouse gas emissions. The pursuit of energy efficiency can bring economic, social and environmental benefits. Another reason to encourage energy efficiency is the reduction in maintenance costs and improved leasability and saleability of the building.

Reducing waste has environmental, social and economic benefits. There are many opportunities in the development process to reduce the amount of waste and to maximise the amount of material that is recycled and reused, rather than going to landfill.

The amount of stormwater runoff in an area relates directly to intensity of development in that area. The more impervious to stormwater an urban area is, the larger the runoff quantities are and thereafter the impact on the environment.

. Applicants must comply with the submission requirements and performance targets set out in Table B-2.13 in order to demonstrate the proposed development will achieve an efficient use of resources.

TABLE B-2.13: Non-residential thresholds, submission requirements and performance targets

Threshold/size	Submission requirement	Performance target
Alterations affecting less than half the original building or tenancy (measured over the roof and the outer walls)	An Efficient Use of Resources Commitment Table (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-sections.

North Sydney Development Control Plan 2013 – 2020 draft amendments



Commercial & Mixed Use Development

TABLE B-2.13: Non-residential thresholds, submission requirements and performance targets

Threshold/size	Submission requirement	Performance target
Alterations affecting more than half the original building or tenancy (measured over the roof and the outer walls)	The development must comply with the relevant submission requirements as if it were a new development.	The development must comply with the relevant performance targets as if it were a new development.
Less than 2000m² GFA	An Efficient Use of Resources Commitment Table (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section.
2000m²-5000m² GFA	An Efficient Use of Resources Commitment Table (to be completed by the applicant); AND A NABERS Energy Commitment Agreement and associated documentation (see s.2.6.1(P21) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section. The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.
	A WSUD report from a suitably qualified consultant.	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
>5000m² GFA	A NABERS Energy Commitment Agreement and associated documentation (see s.2.6.1(P21) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.
	A WSUD report from a suitably qualified consultant; AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
	Evidence that the building design has been awarded a Green Star rating; OR If evidence of a Green Star rating being awarded is not available at DA stage or	The base building, or the whole building where there is to be one tenant to occupy the whole building, must achieve a 5 star Green Star rating; OR



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

TABLE B-2.13: Non-residential thresholds, submission requirements and performance targets

Threshold/size	Submission requirement	Performance target
	if a Green Star rating tool is not available for the particular type of non-residential development proposed, a Sustainability Report including an Efficient Use of Resources Commitment Table (to be completed by suitably qualified consultants) must be submitted.	If a Sustainability Report which includes an Efficient Use of Resources Commitment Table is required it must demonstrate compliance with / consideration of (as relevant) DCP provisions within the Efficient Use of Resources sub-section and demonstrate that the development will achieve a very high degree of environmental sustainability.

2.6.1 Energy efficiency

Most commercial buildings or premises could reduce their energy consumption by at least 20% by investing in the latest energy efficient equipment. Such investment invariably offers a highly profitable rate of return, resulting in cost-effective energy savings with the positive result of reducing emissions.

Nearly half of energy consumption in buildings is due to heating, cooling, ventilation, office equipment and lighting. A typical energy bill is 25% of a building's total operating costs. By incorporating passive solar design strategies and using building techniques that minimise energy use, it is possible to reduce energy associated costs by up to 60%.

The main sources of energy use in commercial buildings include heating and cooling (air-conditioning), lighting and the use of office equipment. The way the occupants operate and maintain a building is crucial to its energy efficiency so just having a smart design does not guarantee an efficient building. Controls in this section of the DCP seek to acknowledge these facts by addressing both building design and maintenance.

BASIX – Building Sustainability Index

Developments involving the construction of a new dwelling and some alterations to existing dwellings will require the submission of a BASIX certificate. For further information, visit www.basix.nsw.gov.au.

National Australian Built Environment Rating Scheme (NABERS)

North Sydney Council encourages developers to obtain a NABERS rating for commercial and commercial components of buildings. The rating assesses a building's performance in terms of its Greenhouse gas emissions during its operation.

The Rating Scheme, which is managed by the Department of Environment, Climate Change and Water (DECCW), allows owners and occupiers of commercial and commercial components of buildings to benchmark the greenhouse performance of their premises on scale of one to five. One represents the most polluting and five, the least polluting, with three representing best market practice. New commercial buildings, refurbishments, tenancies and fitouts will have to demonstrate compliance with this DCP by signing DECCW's NABERS – Energy Commitment Agreement and achieving a minimum 4.5 star rating for the base building, whole building for tenancies (as appropriate).

Green Star

North Sydney Council encourages developers to obtain a Green Star rating for developments involving the provision of substantial commercial floor space. The Green Star rating system, which is managed by the Green Building Council of Australia, is a comprehensive, national, voluntary environmental rating system that evaluates the environmental design and construction of buildings. Approximately, 11 per cent of Australia's CBD⁵ commercial office

⁵ Figures obtained from the Green Building Council of Australia, circa October 2010.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

buildings are Green Star certified, reinforcing that building "green" is now a business imperative.

The following Green Star Certified Ratings are available:

- **4 Star Green Star Certified Rating** (score 45-59) signifies 'Best Practice' in environmentally sustainable design and/or construction
- **5 Star Green Star Certified Rating** (score 60-74) signifies 'Australian Excellence' in environmentally sustainable design and/or construction
- **6 Star Green Star Certified Rating** (score 75-100) signifies 'World Leadership' in environmentally sustainable design and/or construction

Although Green Star certification requires a formal process, any project can freely download and use the Green Star tools as guides to track and improve their environmental attributes. Refer to www.gbca.org.au.

Objectives

- O1 To ensure that developments minimise their use of non-renewable energy resources.
- O2 To ensure that buildings are designed such that the air conditioning plant meets performance requirements, while minimising energy usage.
- O3 To encourage the use of energy efficient lighting.

Provisions**General**

- P1 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in this subsection for the whole of the building.
- P2 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
- (a) orientation or shape of the block;
 - (b) existing overshadowing due to either the surrounding terrain or existing development;
 - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction; and
 - (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.
- P3 Ensure that the development does not reduce the energy efficiency of buildings in the vicinity.
- P4 Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating and cooling, not the whole building.
- P5 Where the proposed development involves the installation of any of the following:
- (a) hotwater systems;
 - (b) clothes drier;
 - (c) dishwasher;
 - (d) fixed air conditioning systems (including reverse cycle systems);
 - (e) fixed heating systems;
- they must have a minimum energy star rating of 4.5 stars.
- P6 Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient LED lighting.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P7 Car parking areas should be designed and constructed so that electric vehicle charging points can be installed at a later time.
- P8 Where appropriate and possible, the development of the public domain should include electric vehicle charging points or the capacity for electric vehicle charging points to be installed at a later time.
- P9 Improve the efficiency of hot water systems by insulating hot water systems.
- P10 Wherever possible solar hot water systems should be provided.
- P11 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P12 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P13 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P14 Energy efficient lighting and technology should be used to reduce energy consumption. Consider the use of solar powered illumination.
- P15 Use solar powered lighting for external areas.

Residential component

- P16 A BASIX Certificate is required to be submitted with all developments incorporating residential development types nominated under SEPP (Building Sustainability Index: BASIX) 2004.

Note: *BASIX assessments and certificates can be obtained on-line at www.basix.nsw.gov.au*

Commercial components

- P17 In multi-floor or multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for light, air-conditioning and power within each floor and/or tenancy and/or strata unit. Locations are to be identified on the development plans. Electricity sub-metering should be provided for significant end uses that will consume more than 10,000 kWh/a.
- P18 Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.
- P19 Locate appliances and equipment that generate waste heat, (such as copiers) in areas separated from the spaces requiring cooling.
- P20 Buildings, or the commercial components of mixed use buildings, that have a gross floor area greater than 2000m² must be capable of achieving a minimum 4.5 star rating under DECCW's NABERS Energy. In this regard, the following information is required to be lodged with the relevant certifying authority (Council or an accredited certifier) prior to the issue of a Construction Certificate:
- (a) Evidence that a Commitment Agreement has been entered into with DECCW, to deliver this Star rating for the base building (i.e. services traditionally supplied as 'common' to tenants, such as air conditioning, lifts and common area lighting) or for the whole building where the applicant is to occupy the entire building.
 - (b) An independent energy assessment report that follows the guidelines in DECCW's *NABERS Energy and Water for Offices Rules for collecting and using data*. This document can be obtained from www.nabers.com.au www.nabers.gov.au/;
 - (c) A computer building simulation in accordance with DECCW's *NABERS Energy Guide to Building Energy Estimation*. This document can be obtained from www.nabers.com.au www.nabers.gov.au/. The computer building simulation is required to demonstrate to the satisfaction of Council, or the private certifier if

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

Council is not the certifying authority, that the building can reasonably be expected to achieve the proposed rating under realistic operating conditions.

- P21 Developments involving the provision of more than 5,000m² of office floor space must demonstrate that the development can achieve a minimum 5 star rating under the Green Building Council of Australia's Green Star – Office rating tool. The rating tool can be obtained from the Green Building Council of Australia's website - www.gbca.org.au.

2.6.2 Passive solar design**Objectives**

- O1 To ensure that site layout and building orientation allows for maximum solar access and are adapted to local climatic conditions and prevailing site characteristics.

Provisions

- P1 To achieve maximum solar access for the buildings residential components of a building orient the building within 20° west of north to 30° east of north.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Locate the main daytime living areas (e.g. family, dining and meal rooms) on the northern side of apartments.
- P4 Orient the long axis or length of the building to the northerly aspect.
- P5 East and west facing glazing should be minimised and fully shaded at the summer solstice.
- P6 Ensure windows of living areas to apartments that face north will receive at least three hours of sunlight between 9am and 3pm over a portion of their surface during the winter solstice.
- P7 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the eaves or shading device should reach this line.
- P8 Optimise natural light access to reduce the amount of energy used to run artificial lighting (limiting the internal depth of the building allows efficient use of natural light).
- P9 If landscaping is proposed as part of the development, a documented landscape design concept shows how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living and working areas.
- P10 Consideration should be given to using north facing pergolas to shade walls and windows (deciduous vines can be trained over the pergola to provide effective cooling in warm weather).
- P11 Where a north facing pergola contains fixed louvres, space and orient the louvres so that a line between the top of one blade and the bottom of the next makes an angle of 70°.
- P12 Angle louvres to correspond to the lowest altitude angle the sun reaches at noon in winter (31° in Sydney).
- P13 Where main living areas are oriented northwards, aim to achieve a glazed area of 30% of the dwelling's floor area in this direction.
- P14 South facing glazing should be kept to a minimum to reduce winter heat losses.
- P15 Buildings are designed, wherever possible, to include a north facing roof where a solar hot water system or collector can be installed.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

2.6.3 Thermal mass and insulation

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.

Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

Objectives

- O1 To achieve more even, year-round average temperature, making the building more comfortable for occupants and resulting in less demand for artificial heating or cooling.

Provisions

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. a concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.
- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.
- P7 Heat loss/gain is minimised through the use of awnings, shutters or high performance glazing (e.g. double glazing).

2.6.4 Natural ventilation

Objectives

- O1 To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.
- O3 To ensure that workers are provided with direct access to fresh air and to assist in promoting thermal comfort for occupants

Provisions

- P1 Locate windows and openings ~~of apartments~~ in line with each other on opposing walls and with prevailing breezes.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

2.6.5 Water Conservation**Objectives**

- O1 To minimise the use of potable water .
 O2 To encourage the reuse of greywater, rainwater and stormwater.

Provisions**General**

- P1 Where the proposed development involves the installation of new:
 (a) shower roses;
 (b) taps for use over a basin, ablution trough, kitchen sink or laundry tub;
 (c) flow restrictors;
 (d) toilets;
 (e) white goods, such as clothes washers or dishwashers;
 they must have the highest WELS star rating available at the time of development.
- P2 Recycled water (serviced by dual reticulation) should be utilised for permitted non-potable uses such as toilet flushing, laundry, irrigation, car washing, fire fighting, industrial processes and cooling towers..
- P3 Harvest and use rainwater for garden irrigation and toilet flushing.
- P4 Collect and reuse stormwater runoff for subsurface irrigation.
- P5 Use endemic plants (as listed on Council's website) and xeriscape principles in landscaping.
Note: Xeriscape principles essentially seek to limit the use of water for irrigation, through the design of landscaped areas and careful use of vegetation.
- P6 Install water efficient irrigation systems and controls.
- P7 Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other significant end uses.
- P8 Where cooling towers are used they are:
 (a) to employ alternative water sources where practical; or
 (b) to include a water meter connected to a building energy and water metering system to monitor water usage; and
 (c) to be connected to a recirculating cooling water loop; and
 (d) discouraged where they are a single pass cooling systems; and
 (e) to be connected to a conductivity meter to ensure optimum circulation before discharge.
- P9 Install a pool cover where the proposed development includes an external swimming pool.

Commercial

- P10 Rainwater tanks or other alternative water sources including recycled water systems are to be installed to minimise the use of potable water and maximise the use of alternative water sources.
- P11 Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P12 Separate meters are to be installed on separate units of occupancy in non-residential BCA class 5, 6 and 7 buildings.
- P13 A reporting system should be developed to inform/educate occupants about the building's water consumption.
- P14 Use waterless urinals.
- P15 Install sensor operated taps, or automatic shutoff taps, especially in public areas.

Residential

- P16 A BASIX Certificate is required to be submitted with all buildings incorporating residential development types nominated under SEPP (Building Sustainability Index: BASIX) 2004.

Note: BASIX assessments and certificates can be obtained on-line at www.basix.nsw.gov.au

2.6.6 Waste Management & Minimisation

Objectives

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

Provisions

- P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 - *Waste Management* of the DCP.
- P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).
- P3 Adequate recycling systems must be provided in the design of the garbage room.
- P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.
- P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.
- P6 The storage of any hazardous waste materials must be adequately secured.

2.6.7 Stormwater management

Objectives

- O1 To mimic pre-development or natural drainage systems through the incorporation of WSUD on-site.
- O2 To protect watersheds by minimising stormwater discharge and maximising stormwater quality.
- O3 To minimise off-site localised flooding or stormwater inundation.

Provisions

- P1 An *Erosion and Sediment Control Plan* for the construction of the building is required in accordance with Part B: Section 17 - *Erosion and Sedimentation Control* of the DCP.
- P2 A *Stormwater Management Plan* for the operation of the building is required demonstrating compliance with this subsection as well as Part B: Section 18 - *Stormwater Management* of the DCP.
- P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development**

- P4 Rainwater tanks should be installed for all developments, including major alterations and additions and mixed-use developments. Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events.
- P5 As a minimum, post-development stormwater discharge rates should be less than pre-development stormwater discharge rates.
- P6 As a minimum, post-development stormwater quality should be improved from pre-development levels.
- P7 On-site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff
- P8 Impervious surfaces should be minimised.
- P9 Ensure paved areas are at least 50% pervious.
- P10 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m² must also submit a Water Sensitive Urban Design report from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.
- P11 All developments with a gross floor area greater than 2000m² are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:
- (a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;
 - (b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;
 - (c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;
 - (d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.

2.6.8 Building Materials**Objectives**

- O1 To encourage the use of materials which have a low environmental impact during their life cycle.
- O2 To encourage the use of toxin free material to minimise the health impact of materials used indoors.
- O3 To maximise the energy efficiency of buildings.

Provisions

- P1 Products with the least life cycle impact should be favoured.
- P2 The use of the following types of building materials are to be maximised wherever possible:
- (a) materials which are sourced from renewable and abundant resources;
 - (b) materials which are durable;
 - (c) locally manufactured materials and produced;
 - (d) materials with a low embodied energy content;
 - (e) salvaged and/or recycled materials;
 - (f) timber used be obtained from certified sustainable sources;
 - (g) materials with a high recycled content (>50%);
 - (h) low volatile organic compound (VOC) emitting materials;



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- (i) mechanical fixings instead of adhesives and glues, wherever possible;
 - (j) when using Medium Density Fibreboard, ensure that it has a low formaldehyde content;
 - (k) use toxin-free floor finishes;
- P3 Avoid the use of the following:
- (a) copper, chrome, cadmium, lead, mercury, cyanide, and formaldehyde;
 - (b) materials, sealants and adhesives containing PVC;
 - (c) wood treated with CCA;
 - (d) solvents.
- P4 Use physical termite barriers (made of granite or stainless steel) instead of chemicals where possible.
- P5 Buildings should use lighter coloured materials and finishes on main external parts of the building.

2.6.9 Adaptive reuse of buildings

Objectives

- O1 To encourage the adaption and reuse of buildings.

Provisions

- P1 Where feasible, existing buildings are to be reused in preference to demolition.
- P2 Buildings should be designed to encourage adaptable office floorspace to accommodate changing occupier requirements.

2.6.10 Waste Management & Minimisation

Objectives

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

Provisions

- P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 Waste Management of the DCP.
- P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).
- P3 Adequate recycling systems must be provided in the design of the garbage room.
- P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.
- P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.
- P6 The storage of any hazardous waste materials must be adequately secured.

2.6.11 2.6.10 Hotwater systems

Objectives

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development****Provisions**

- P1 New hotwater systems installed in dwellings must not solely rely on electrical mains power to heat the water (n.b. sole electrical hotwater systems are not permitted in new dwellings).
- P2 Install solar powered water heaters on any residential development. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.
- P3 Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.
- P4 Locate solar cells, heat pumps or any associated structures so as to avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- P5 Centralise solar or heat pump hot water systems in larger scale residential flat buildings or attached dwelling developments, to achieve economies of scale.
- P6 Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

2.6.12.6.11 Green roofs

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building's running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

Objectives

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.
- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.
- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.
- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

Provisions

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces must submit a roof plan demonstrating how the new available roof space⁶ contributes to the achievement of at least three of the above objectives.

⁶ "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

2.6.13 2.6.12 Wind Turbines

Objectives

- O1 To manage the impacts of wind turbines.

Provisions

- P1 Wind turbines are:
- (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
 - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
 - (c) not to affect the structural integrity of the building;
 - (d) should not detract from the significance of a heritage item or a heritage conservation area;
 - (e) not to be located along a bat or bird flyway; and
 - (f) to be installed in accordance with manufacturer's specifications.
- P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
- (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
 - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

2.7 PUBLIC DOMAIN

The public domain includes streets and laneways, parks, plazas and malls, as well as areas for café and restaurant seating, entries and foyers to buildings and the interface where buildings meet the street or an adjoining open space.

The quality of the public domain has an impact on how people relate to their surroundings, how they use the public domain, how comfortable they feel in it, how they feel about it, and what they think about it. The public domain allows for freedom of movement, access to a range of services and activities. It provides space to relax in, meet friends, 'hang out', congregate and be entertained in. It above all contributes to community identity and sense of place.

Design of the public domain is important - too often buildings relate poorly to the public domain and public spaces are just the left over spaces between buildings. A well designed public domain is one which is accessible to all, encourages a diverse range of activities and users throughout an extended period of the day, and is safe and comfortable for all users. Successful streets and public spaces are the ones we enjoy walking along, shopping at or sitting in.

All Public Domain design should be in accordance with the *North Sydney Centre Domain Strategy*, the *St Leonards Public Domain Strategy* and *North Sydney Council Infrastructure Manual*.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Commercial & Mixed Use Development****2.7.1 Street furniture, landscaping works, utilities and equipment****Objectives**

- O1 To ensure that street furniture, landscaping works, utilities and equipment positively contribute to the community's enjoyment of the public domain, but does not impede pedestrian movement and safety or reduce visual quality.

Provisions

- P1 Where relevant, all works should be designed in accordance with:
- (a) North Sydney Centre Public Domain Strategy;
 - (b) St Leonards Public Domain Strategy; and
 - (c) North Sydney Council Infrastructure Manual.
- P2 Where present, overhead wires are to be relocated underground along property boundaries, consistent with the North Sydney Council Undergrounding Master Plan.
- P3 Seating should be provided in public spaces that are not allocated to a specific use (e.g. a café) for people to 'hang out', take refuge and rest.
- P4 Seating or seating areas should be positioned at the edge of footpaths where through movement is not obstructed.
- P5 Pedestrian sight lines should not be obstructed by landscaping or other street improvements.
- P6 Public areas should be free from clutter and unclear level changes, having particular regard for accessibility.
- P7 Publicly accessible areas are to be provided with a high quality of lighting for security and amenity purposes.

2.7.2 Public entertainment and expression**Objectives**

- O1 To ensure that venues for public entertainment and expression of community identity are provided.

Provisions

- P1 Formal and informal spaces for public entertainment should be provided.
- P2 Multi-functional street furniture should be incorporated into the design (e.g. a flat bench may become an informal plinth for performance artists).
- P3 At least one space within the North Sydney Centre must be provided that is large enough to hold an open air performance or market.
- P4 Public notice boards and kiosks should be provided in locations where people will be gathering.
- P5 Space should be provided within buildings for community facilities such as exhibition areas, recreational facilities or cinemas.

2.7.3 Public art**Objectives**

- O1 To contribute to the cultural life and enjoyment of commercial areas.
- O2 To allow for community self expression.

Provisions

- P1 The design of public art should be in accordance with *North Sydney Centre Public Domain Strategy*.



2020 draft amendments - North Sydney Development Control Plan 2013

Commercial & Mixed Use Development

- P2 Artworks should be integrated into the design of public spaces and the publically accessible locations of private developments (i.e. main entrances, lobbies, street frontages, gardens, walls and rooftops).
- P3 Council's Arts and Culture Officer should be consulted in the design and execution stages for any public artwork, prior to development consent being issued.
- P4 Community groups should be consulted in the design of artworks.
- P5 Consideration should be given to artworks that serve a dual role (e.g. as play equipment for children, informal seating or a marker for a meeting place).
- P6 Artwork should demonstrate its relevance to its location, reflecting the area's history, culture or local community.
- P7 Artwork should enhance a sense of place or the distinctive identity of the area.
- P8 Council's *Arts Plan* should be considered in the design of all public art. It documents the process for completing an Arts Plan submission where an Arts Plan is lodged with a development application.

2.7.4 Paving

Objectives

- O1 To ensure pedestrian surfaces are safe for all users.
- O2 To ensure that pedestrian routes are clearly identified.
- O3 To ensure that paving is constructed from materials that provide consistency and continuity of streetscape.

Provisions

- P1 Except where negotiated with the Council, all footpath paving along property frontages must be provided in accordance with Council's specifications (including requirements for disabled access).
- P2 The extent, nature and type of paving materials include tactile surfaces in appropriate locations to assist the visually impaired.
- P3 Paving may be considered as part of public art, but only in consultation with Council.

2.7.5 Native vegetation and water

Objectives

- O1 To increase the provision of native vegetation and water in the public domain and publically accessible areas within private developments.

Provisions

- P1 All works should be designed in accordance with *North Sydney Centre Public Domain Strategy*.
- P2 Water features, utilising non-potable water, should be considered for inclusion within public spaces, building entrances, foyers, facades and rooftops.
- P3 Roof top gardens should be considered for incorporation where practicable and where they do not result in unreasonable amenity impacts to adjoining and neighbouring properties.
- P4 Trees should be planted where appropriate to provide shade, shelter and fauna.
- P5 Development on properties in proximity to bushland must be consistent with the requirements of Section 15 – *Bushland* to Part B of the DCP.

Note: Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.



SECTION 3 NON-RESIDENTIAL DEVELOPMENT IN RESIDENTIAL ZONES

3.1 INTRODUCTION

Non-residential development in residential zones generally comprises, but is not limited to, the following types of uses:

- Child care centres;
- Educational establishments;
- Information and education facilities;
- Health care facilities (including health consulting rooms, medical centres and hospitals);
- Places of worship;
- Community facilities;
- Neighbourhood shops; and
- Entertainment facilities.

There are also some instances, where non-residential development occurs within residential zones that operate pursuant to existing use rights (refer to Division ~~4.1110 to Part 4~~ of the [EP&A Act](#)) or are a permissible use pursuant to cl.2.5 and Schedule 1 – *Additional Permitted Uses* to NSLEP 2013.

The majority of these uses are primarily operated from large scale buildings which are often inconsistent with the scale of residential development occurring within the residential zones. They can also lead to additional impacts on residential amenity in terms of traffic impacts and noise.

The purpose of this Section of the DCP is to provide guidance to applicants for the development of non-residential development in residential zones such that the impacts on residential amenity is minimised.

3.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that non-residential development in residential zones:

- O1 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;
- O2 does not have adverse impacts on residential amenity or environmental quality;
- O3 is in context with surrounding development;
- O4 contributes to the garden setting and lower scale character of North Sydney's residential neighbourhoods;
- O5 is consistent with the character that is described in the relevant area character statements; and
- O6 incorporates innovative sustainable design to reduce energy and water consumption, and meets or exceeds sustainability requirements.

3.1.2 When does this section of the DCP apply?

This Section of the DCP applies to:



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- (a) all development within the *R2- Low Density Residential, R3- Medium Density Residential* ~~and~~, *R4- High Density Residential* and E4 Environmental Living zones other than for the following:
- (i) Attached dwellings;
 - (ii) Boarding houses;
 - (iii) Dual occupancies;
 - (iv) Dwelling houses;
 - (v) Group homes;
 - ~~(v)~~ (vi) Multi dwelling housing;
 - ~~(vi)~~ (vii) Residential flat buildings;
 - (viii) Secondary dwellings
 - ~~(viii)~~ (ix) Semi-detached dwellings;
 - ~~(viii)~~ (x) Seniors housing; or
 - ~~(ix)~~ (xi) Shop top housing.
- (b) development for any purpose on land zoned *SP2— Infrastructure*, and where any adjacent or adjoining land is zoned:
- (i) *R2— Low Density Residential*,
 - (ii) *R3— Medium Density Residential*,
 - (iii) *R4— High Density Residential*, or
 - (iv) *E4— Environmental Living*.

If land zoned *SP2 Infrastructure* is located adjacent to one or more than ~~one of~~ the following zones:

- (a) *R2— Low Density Residential*,
- (b) *R3— Medium Density Residential*,
- (c) *R4— High Density Residential*, or
- (d) *E4— Environmental Living*,

then the controls of the most restrictive zone will apply to the subject site. For example, if the subject site is located adjacent to land zoned *R2 Low Density Residential* and *R4 High Density Residential*, then the provisions of the *R2 Low Density Residential* would apply.

3.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (c) Part A: Section 3 – Submitting an Application;
- (d) Part B: Section 5 – Child Care Centres;
- (e) Part B: Section 9 – Advertising and Signage;
- (f) Part B: Section 10 – Car Parking;
- (g) Part B: Section 11 – Traffic Guidelines for Development;
- (h) Part B: Section 12 – Access;
- (i) Part B: Section 13 – Heritage and Conservation;
- (j) Part B: Section 15 – Bushland;
- (k) Part B: Section 16 – Tree and Vegetation Management;

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

- (l) Part B: Section 17 – Erosion and Sediment Control;
- (m) Part B: Section 18 – Stormwater Drainage;
- (n) Part B: Section 19 – Waste Management; and
- (o) Part B: Section 20 – Public Infrastructure.

3.1.4 Relationships to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following:

- ~~(a)~~ SEPP (Educational Establishments and Child Care Facilities) 2017;
- ~~(a)~~~~(b)~~ SEPP (Infrastructure) 2007;
- ~~(b)~~~~(c)~~ The DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008);
- ~~(c)~~~~(d)~~ SREP (Sydney Harbour Catchment) 2005;
- ~~(d)~~~~(e)~~ The DoP's *Sydney Harbour Foreshores and Waterways Area DCP (2005)*; and
- ~~(e)~~~~(f)~~ The Rural Fire Services *Planning for Bush Fire Protection (2006)* guidelines.

3.2 ENVIRONMENTAL CRITERIA

The quality and amenity of the residential environment is important to the community. It contributes to the comfort and wellbeing of current residents and to the sustainability of residential areas and the environment for future users. The quality and amenity of non-residential development can be maintained and improved by minimising the impacts of development by utilising some or all of the following approaches.

3.2.1 Topography**Objective**

- O1 To ensure that the natural topography and landform are maintained
- O2 To retain existing vegetation and allow for new substantial vegetation and trees.
- O3 To minimise the adverse effects of excavation on the amenity of neighbouring properties.
- O4 To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.
- O5 To ensure the structural integrity of adjoining properties.
- ~~O~~6 To minimise adverse effects of adjoining transport infrastructure.

Provisions

- P1 Development that includes excavation must not be carried out unless:
 - (a) the development is in accordance with and promotes the objectives to this subsection; and
 - (b) land stability of the site and adjoining land is preserved; and
 - (c) the natural drainage patterns of the land and catchment will not be disrupted; and
 - (d) adverse effects on other properties are avoided or minimised.
- P2 New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.
- ~~P~~P3 Development should not result in the ground level (finished) being greater than 500mm above or below ground level (existing).



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

~~P2~~ ~~New development should not result in the removal or covering of rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls.~~

~~P3~~P4 Excavation should not occur within 1m of any property boundary.

P5 The depth of soil around buildings must be sufficient to sustain trees as well as shrubs and smaller scale gardens.

P6 Consent must not be granted where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.

P7 Where practical,

(a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.

(b) a minimum of 30% of the unexcavated area should be located within the front setback.

(c) a minimum 1.5m wide strip of landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.

P4P8 Basement car parks, where permitted, must not extend to the full width of a site.

3.2.2 Properties in proximity to bushland

Objectives

O1 To ensure that development located within proximity of land zoned *E2 —Environmental Conservation* is compatible with long term conservation and management of Council's Bushland reserve system in accordance with Council's Bushland Plan of Management and other relevant legislation and policies.

Provisions

P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - *Bushland* of the DCP.

Note: Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.

P2 Maintain existing ground levels on land adjoining land zoned *E2— Environmental Conservation*.

3.2.3 Properties on Bush Fire Prone Land

Objectives

O1 To minimise the risk of harm to persons and property in the event of a bush fire.

Provisions

P1 Where relevant, new development on Bush Fire Prone Land must comply with the relevant requirements of the [NSW Rural Fire Service's Planning for Bush Fire Protection \(as amended\) guidelines](#).

P2 Bushfire mitigation controls must be integrated wholly within the boundaries of the land being developed. Asset Protection Zones or other mitigation controls must not be placed on Council.

3.2.4 Properties with a foreshore frontage

Objectives

O1 To promote a scale and form of development that enhances the scenic, environmental and cultural qualities of the foreshore.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

O2 To ensure that development considers coastal processes, such as sea level rise.

O3 To ensure development is consistent with Council's *Foreshore Access Strategy*.

Provisions

P1 Development on land adjacent to the foreshore must be designed with regard to sea level rise.

Note: Further information about sea level rise can be obtained from the Department of Planning (www.planning.nsw.gov.au).

P2 Development must be on land adjacent to the foreshore must be designed with regard to the provisions of [SREP \(Sydney Harbour Catchment\) 2005](#) and *Sydney Harbour Foreshores and Waterways Area DCP (2005)*.

P3 Development must not alienate public access to foreshores by the location of foreshore structures.

P4 Mature trees or significant landscaping should not be removed in order to locate foreshore structures.

P5 Sea walls, rock outcrops or sandstone platforms should not be removed or covered in order to locate foreshore structures.

P6 Minimise disturbance of existing surface and underground drainage to minimise run-off into the water.

P7 In accordance with Part B: Section 15 – *Bushland* and Part B: 16 – *Tree and Vegetation Management* of the DCP, preserve existing trees and vegetation wherever feasible and replace any tree or vegetation removed or damaged as part of development.

P8 Natural materials and colours should be used that blend with the water, foreshore sandstone and vegetation, for any foreshore structure.

P9 Avoid the use of large areas of blank, hard or reflective surfaces.

P10 Buildings or structures must respect the topographical features of the site.

Note: For example, buildings are not cantilevered, but follow the topography.

P11 Retaining walls must not exceed 500mm in height individually or where more than one retaining wall is proposed, a cumulative height of 500mm.

3.2.5 Noise**Objectives**

O1 To ensure reasonable levels of acoustic amenity to nearby residents.

Provisions

P1 Noise emission associated with the operation of non-residential premises must not exceed the maximum 1 hour noise levels (LAeq 1 Hour) specified in Table B-3.1.

Time Period			Max 1 hour noise levels (LAeq 1 Hour)	
Day	Week	Time	Urban Area*	Suburban Area#
Weekday	Day	7am – 6pm	60 dBA	55 dBA
	Evening	6pm – 10pm	50 dBA	45 dBA
	Night	10pm – 7am	45 dBA	40 dBA
Weekend	Day	8am – 7pm	60 dBA	55 dBA



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

TABLE B-3.1: Noise Emission Limits				
Time Period			Max 1 hour noise levels (LAeq 1 Hour)	
Day	Week	Time	Urban Area*	Suburban Area#
	Evening	7pm – 10pm	50 dBA	45 dBA
	Night	10pm – 8am	45 dBA	40 dBA

Notes: *Laeq (1hour) readings are to be measured during the noisiest 1 hour period between Day – 7/8am to 6/7pm, Evening – 6/7pm – 10pm and Night – 10pm to 7/8am.*

* Urban Area – applies to any allotment of land zoned SP1– Special Activities or SP2— Infrastructure that is located adjacent to land zoned B1— Neighbourhood Centre, B3— Commercial Core or B4— Mixed Use.

Suburban Area – Applies to any allotment of land not classified as an urban area.

- P2 In terms of determining the maximum noise levels as required by P1 above, the measurement is to be taken at the property boundary of the nearest residential premises.
- P3 Despite P1 above, the noise emission associated with the operation of non-residential premises must not exceed 5 dBA above the background maximum 1 hour noise level (LAeq 1 Hour) during the day and evening and not exceeding the background level at night when measured at the boundary of the property.
- P4 Council may require the submission of an Acoustic Report to ensure compliance with P1 above.
- P5 Plant and machinery should incorporate noise reduction measures to minimise their impacts.
- P6 Developments should be designed and / or incorporate features that reduce noise transmission.
- P7 Where practical, development should incorporate adequate measures for tonal, low frequency, impulsive, or intermittent noise.
- P8 Developments must comply with *EPA Industrial Noise Policy 2000* in particular the modification required for acceptable noise level (ANL).

3.2.6 Reflectivity

Objectives

- O1 To minimise the impacts by reflected light and solar reflectivity from buildings on pedestrians and motorists.

Provisions

- P1 Buildings should provide a greater proportion of solid to void on all facades and use non-reflective materials.
- P2 Buildings should use non-reflective glass and / or recess glass behind balconies.
- P3 Sun shields, such as awnings, canopies and pergolas should be provided to glazed areas.
- P4 Council may require the submission of a Reflectivity Study prepared by a suitably qualified consultant.

3.2.7 Artificial illumination

Objectives

- O1 To minimise the impact of artificial illumination on the amenity of residents and pedestrians.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

O2 To provide a safe urban environment without adverse affects on surrounding development or the public domain.

O3 To minimise the impact of artificial illumination in contributing to sky glow.

Provisions

P1 External facades of buildings should not be floodlit.

P2 Where external artificial illumination is proposed:

(a) it should be designed and sited to minimise glare

(b) It must comply with the standards set out in Australian Standard AS 4282 – *Control of the Obtrusive Effects of Outdoor Lighting*.

P3 Illumination of roof top and/or podium level facilities is not to exceed 10pm on any day.

P4 Entrances must be well lit and do not produce shadows or adverse glare.

P5 Staff entrances which are separated from the main building entrance must be well lit and opportunities for casual surveillance is maximised.

P6 Timers and sensors should be used to minimise sky glow.

P7 Council may require the submission of a Lighting Report for a development prepared by an appropriately qualified person.

3.2.8 Views

Due to North Sydney's sloping topography and proximity to Sydney Harbour, views and vistas comprise special elements that contribute to its unique character and to the amenity of both private dwellings and the public domain.

New development has the potential to adversely affect existing views. Accordingly, there is a need to strike a balance between facilitating new development while preserving, as far as practicable, access to views from surrounding properties.

When considering impacts on views, Council will generally not refuse a development application on the grounds that the proposed development results in the loss of views, where that development strictly complies with the building envelope controls applying to the subject site.

Objectives

O1 To protect and enhance opportunities for vistas and views from streets and other public places.

O2 To protect and enhance existing views and vistas from streets and other public spaces.

O3 To provide additional views and vistas from streets and other public spaces where opportunities arise.

O4 To encourage view sharing as a means of ensuring equitable access to views from dwellings, whilst recognising development may take place in accordance with the other provisions of this DCP and the LEP.

Provisions

P1 Where appropriate, the opening up of views should be sought to improve the legibility of the area.

P2 Use setbacks, design and articulation of buildings to maintain street views and views from public areas.

P3 Maintain and protect views identified in the relevant area character statement (refer to Part C of the DCP) from future development.

P4 Where a proposal is likely to adversely affect views from either public or ~~either~~ private ~~or public~~ land, Council will give consideration to the Land and Environment Court's



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

Planning Principles for view sharing established in [Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor \[2013\] NSWLEC 1046](#) and [Tenacity Consulting v Warringah Council \[2004\] NSWLEC 140](#). The Planning Principles ~~is~~are available to view on the Land and Environment Court's website (http://www.lev.justice.nsw.gov.au/planning_principles).

P4—

3.2.9 Solar access

Objectives

- O1 To ensure that dwellings on adjoining and neighbouring sites have reasonable access to sunlight and daylight.

Provisions

- P1 Developments should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:

- (a) any solar panels;
- (b) the windows of main internal living areas;
- (c) principal private open space areas; and
- (d) any communal open space areas.

located on any adjoining residential properties.

Note: *Main internal living areas excludes bedrooms, studies, laundries, storage areas.*

- P2 Despite P1 above, living rooms and private open spaces for at least 70% of any adjacent dwellings within a residential flat building or shoptop housing should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).
- P3 The use, location and placement of photovoltaic solar panels take into account the potential permissible building form on adjoining properties.

3.2.10 Acoustic privacy

Objective

- O1 To ensure all residents are provided with a reasonable level of acoustic privacy.

Control

- P1 Materials with low noise penetration properties should be used where practical.
- P2 Mechanical equipment, such as pumps, lifts or air conditioners should not be located adjacent to bedrooms or living rooms of dwellings on adjoining properties.
- P3 Where buildings are located on busy roads incorporate the following into the design of the development to reduce traffic noise within the building:
- (a) cavity brick walls;
 - (b) double glazing;
 - (c) solid core doors;
 - (d) concrete floors; and
 - (e) recessed balconies.
- P4 Development comprising places of public worship, hospitals, educational facilities or child care centres on land which is on or is within 100m of a railway corridor, a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of SEPP (Infrastructure) 2007. An acoustic report may be required to be prepared to demonstrate compliance with this Guideline and the acoustic requirements within cl.87(3) and cl.102(3) of the [SEPP \(Infrastructure\) 2007](#).

3.2.11 Vibration**Objectives**

- O1 To ensure that workers are not unreasonably impacted upon by vibrations caused by the operation of railways and roadways.

Provisions

- P1 Development on land which is on or is within 60m of a railway corridor, or is adjacent to a road corridor for a freeway, a tollway, a transit way or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RMS) must consider the requirements of the DoP's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (19 December 2008) in accordance with cl.87(2) and cl.102(2) of [SEPP \(Infrastructure\) 2007](#). In particular, consideration should be given to the vibration criteria contained within the [NSW Environment and Protection Authority's Department of Environment Climate Change and Water's Assessing Vibration: a technical guideline](#). A vibration assessment report may be required to be prepared to demonstrate compliance with these Guidelines.

3.2.12 Visual privacy**Objectives**

- O1 To ensure that adjoining residents are provided with a reasonable level of visual privacy.

Provisions

- P1 Locate windows to avoid direct or close views into the windows, balconies or private open space of adjoining dwellings.
- P2 Where windows are located with a direct outlook to windows of an adjacent dwelling, the windows must be provided with a minimum sill height of 1.5m, or use fixed obscure glazing or other privacy devices.
- P3 Provide suitable screening structures or planting to minimise overlooking to the windows, balconies or private open space of dwellings on adjacent land.
- P4 Signage should not be illuminated.
- P5 Open entertaining spaces such as terraces, patio, gardens and the like on roof tops are generally not supported.
- P6 Despite P5 above, open spaces on roofs may be considered, but only if:
- the space is designed such that there is no potential for existing or future overlooking of the space and subsequent noise and privacy issues;
 - the space is setback at least 1m from the extent of the external enclosing walls to the floor level below; and
 - the space does not exceed 50% of the floor area of the storey immediately below or 18m², whichever is the lesser; and
 - there is no other appropriate ground level space for outdoor recreation.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

3.3 QUALITY BUILT FORM

In response to their local context, buildings need to be designed to respect the existing topography and relate to the rhythm and pattern of characteristic buildings in the prevailing streetscape. A comfortable and memorable street will be one where no one building or feature dominates.

Kerb and guttering, footpaths, fences, front gardens and the street frontage of buildings all contribute to the appearance of a street and influence how people feel in them and about them. Streets where people feel comfortable will exhibit consistency in these elements and relationships between the scale of these elements.

3.3.1 Context

Objectives

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

Provisions

- P1 A Site Analysis is undertaken in accordance with Part A: Section 5 – *Site Analysis* of this DCP.
- P2 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).

3.3.2 Streetscape

Objectives

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.

Provisions

- P1 All works within the road reserve must be undertaken in accordance with the *North Sydney Council Performance Guide* (refer to Part B: Section 20 – *Public Infrastructure* of the DCP).
- P2 All existing sandstone kerb and guttering must be retained and maintained.
- P3 Existing street trees are to be retained and protected by avoiding excavation or building within the drip line of the tree (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
- P4 Plant new trees of the same species that are present in the street, or in accordance with guidelines or strategies adopted by Council.
- P5 Maintain a nature strip on-street if one exists.

3.3.3 Laneways

Objectives

- O1 To ensure that laneways are functional, attractive, safe and comfortable places for use by residents as part of their public space and pedestrian network.

Provisions

- P1 The height of buildings facing laneways should respect the width of the lane (i.e. a one storey building generally provides the most appropriate scale).
- P2 Where car parking is only capable of being located at the boundary to the laneway, only open car spaces or carports will be permitted (i.e. roller doors are not permitted).

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

- P3 No more than 50% of the width of a laneway frontage may be allocated for car accommodation of any kind, or car park entrances.
- P4 Laneway fences are to be softened by planting trees and shrubs that hang over or through fences.
- P5 Existing trees on land that abut the laneway should be retained.
- P6 All new and rebuilt fences and structures (including car parking spaces) must be setback at least 1.2m from the laneway frontage. This setback is to be landscaped with appropriate low maintenance plants.

3.3.4 Subdivision pattern**Objectives**

- O1 To ensure that the characteristic subdivision pattern remains apparent, even if lots are subdivided or amalgamated.

Provisions

- P1 Maintain lot sizes, shape and orientation identified in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, that are characteristic of the area.
- P2 Design and locate buildings to reinforce the characteristic subdivision pattern in the neighbourhood.
- P3 Break down the bulk of larger buildings, where lots have been amalgamated, with bays or indents on the original building line.

3.3.5 Siting**Objectives**

- O1 To maintain the characteristic building orientation and siting.

Provisions

- P1 Buildings are to be sited in accordance with that described in the relevant area character statement (refer to Part C of the DCP), or if not identified in the relevant area character statement, sited to relate to neighbouring buildings.
- P2 Site buildings within a single building form, addressing the street.
- P3 Orient each external wall parallel to the corresponding boundary of the site, unless another orientation is characteristic.

3.3.6 Setbacks**Objectives**

- O1 To reinforce the characteristic pattern of setbacks and building orientation within the street.
- O2 To control the bulk and scale of buildings.
- O3 To provide separation between buildings.
- O4 To preserve the amenity of existing dwellings and provide amenity to new dwellings in terms of shadowing, privacy, views, ventilation and solar access.

Provisions**Front**

- P1 The front setback must match the alignment of the primary facades of buildings on adjoining properties. Where different setbacks occur, the average of the setbacks of those primary facades is to be used.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

P2 An increased setback may be required where there is a need to reduce the visual dominance of a large scale premises through the incorporation of landscaping or other screening and design treatments.

Side

P3 Building setbacks are to comply with the requirements set out in Table B-3.4.

TABLE B-3.2: Side Setback Requirements					
Zone	Minimum Setback Requirement				
R2 – Low Residential Density	1 st storey (up to 4m)	900mm			
	2 nd storey (up to 7m)	1.5m			
	3 rd storey or higher (more than 7m)	2.5m			
R3 – Medium Residential Density E4 Environmental Living	3 rd storey or higher (more than 7m)	2.5m			
R3 – Medium Residential Density	1st storey (up to 4m)	900mm			
	2nd storey (up to 7m)	1.5m			
	3rd storey or higher (more than 7m)	2.5m			
R4 – High Residential Density	On land with a height limit of 12m or less	1.5m ; and The building must not exceed a building height plane commencing at 3.5m above ground level (existing) from side boundaries and projected internally to the site at 45 degrees (refer to Figure B-1.3).			
	On land with a height limit greater than 12m	<table border="1"> <tr> <td>1st to 3rd storey (up to 10m)</td> <td>4.5m</td> </tr> <tr> <td>Above 3rd storey (more than 10m)</td> <td>6.0m</td> </tr> </table>	1 st to 3 rd storey (up to 10m)	4.5m	Above 3 rd storey (more than 10m)
1 st to 3 rd storey (up to 10m)	4.5m				
Above 3 rd storey (more than 10m)	6.0m				

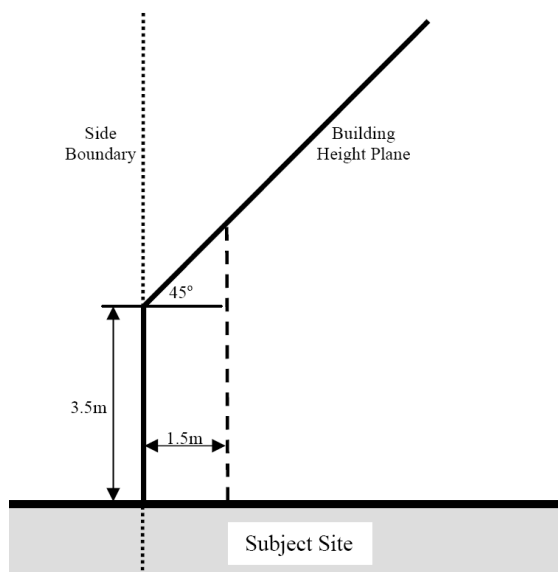


Figure B-3.1:

Setback and building height plane controls for the *R4 – High Density Residential* zone, where the height limit is equal to 12m or less.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

- P4 Where possible, side setbacks should match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement (refer to Part C of the DCP).
- P5 Despite P3 above, the building must be set back a minimum of 3m from the property boundary, where the adjoining site has balconies or windows to main living areas of dwellings or serviced apartments located at the same level.

Rear

- P6 Provide rear building setbacks that match those on adjoining properties, or, if adjoining properties are not characteristic, with setbacks identified in the relevant area character statement (refer to Part C of the DCP).
- P7 Buildings within the R4 —High Density Residential Zone:
- (a) and where the land is restricted by a height limit of 12m or less, must not exceed a building height plane commencing at 3.5m above ground level (existing) from the rear boundary and projected at an angle of 45 degrees internally to the site (refer to Figure B-3.1); or
 - (b) and where the land is restricted by a height limit in excess of 12m must be setback at least 4.5m from the rear boundary for the 1st to 3rd storeys of the building (no more than 7m above existing ground level) and 6m for any part of the building above the 3rd storey.

Laneways

- P8 Despite P1 and P5 above, all buildings and structures must be setback at least 1.2m from a laneway. This provision does not apply to side setbacks.

3.3.7 Form, massing & scale**Objectives**

- O1 The size of new buildings is consistent with surrounding, characteristic buildings and is not significantly larger than characteristic buildings.
- O2 The design of new buildings reflects and reinforces, or is complementary to, the existing character of the locality.
- O3 That buildings clearly define streets, street corners and public spaces.

Provisions

- P1 The height of buildings is not to exceed that stipulated within cl.4.3 to NSLEP 2013.
- P2 The number of storeys should be consistent with that identified in the relevant area character statement (refer to Part C of the DCP).
- P3 The finished floor height of the ground floor level should be no higher than 1m, measured vertically at any point, above ground level (existing).
- P4 Finished floor to ceiling heights are a minimum of 3.3m at the ground floor and 2.7m for each floor above the ground floor. Council may consider a variation to the minimum requirements, but only if the applicant can demonstrate that the non-residential floor space is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow commercial spaces with large amounts of window area).
- P5 Where alterations and additions are proposed to a development relying on existing use rights, they must not result in the:
- (a) material loss of views from other properties or public places, or
 - (b) material overshadowing of other properties or public places, or
 - (c) material loss of privacy to other properties, or
 - (d) increasing of the overall building height, or



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- (e) landscaped area of the development being below the requirements set out in the DCP, or further decrease the landscaped area where the landscaped area is already below the requirements of the DCP, or
- (f) site coverage of the development exceeding the requirements set out in this DCP, or further increase the site coverage where the landscaped area is already above the requirements of this DCP.

- P6 Balconies must be incorporated within the building envelope.
- P7 Ancillary buildings (e.g. garages, carports, sheds etc) should be a much smaller scale than the principle building.
- P8 Where a building is to be located amongst buildings having a consistent form and scale the size, location and proportions of window, door openings and other distinctive features such as roof form should be carried over to the new development.
- P9 Provide smaller door and window openings within masonry walls, so that glass does not dominate the façade.
- P10 Where practical, each tenancy to a building should be provided with an individual entrance from a public street or public place.
- P11 The apparent length of buildings should be broken down through the use of articulation, design and detailing, changes in materials and colours.
- P12 High quality materials should be used throughout the building design.
- P13 Building elements, such as materials, finishes, and window dimensions should relate to neighbouring buildings.
- P14 Buildings are to respect the setting and curtilage of heritage items (refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).

3.3.8 Entrances and exits

Objectives

- O1 To enable equitable access to all persons regardless of ability.
- O2 To ensure that entrances are clearly visible from the street and convey a sense of address.

Provisions

- P1 Main entrances and exits located at the front of the site must be directly visible from the street.
- P2 At least one main entrance to the building provides a continuous path of travel.
- P3 Entrances must not be obscured by landscaping or other obstacles and have clear sight lines.
- P4 Entrances are clearly identifiable to reduce confusion and unintentional entry.
- P5 If exits to the building are closed after hours, this must be indicated at the entrance of the building.
- P6 Entrance lobbies are well illuminated, with seating provided and a firm and level non-slip floor surface.
- P7 Places of safe refuge are incorporated into the overall design of buildings. Lift lobbies or toilets may be used as all or part of a safe refuge.
- P8 Access to the building must be designed in accordance with the provisions contained within Part B: Section 12 – *Access* of the DCP.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones****3.3.9 Colours and materials****Objectives**

- O1 To ensure new buildings reflect and reinforce the existing and desired character of a locality.

Provisions

- P1 Buildings should use materials identified in the relevant area character statement (refer to Part C of the DCP), if provided.
- P2 Natural colours and muted and earth tones should be used for major areas of the building, such as walls and roof, with stronger colours restricted to smaller features, such as window frames, doors and architectural detailing.
- P3 Avoid the extensive use of reflective glass, reflective metal and plastics on the exterior of buildings.
- P4 Buildings should incorporate a high proportion of masonry to glass as follows - if a vertical or horizontal line is drawn in any position on any façade it should not pass over more than 50% of glass, or 75% of clear opening and glass.
- P5 Solar panels should be integrated into building design where possible.

3.3.10 Front fences**Objectives**

- O1 To ensure that front fences contribute to a characteristic pattern of fences.
- O2 To enable causal surveillance of the public domain, minimising the potential for criminal activities to occur.
- O3 To provide visual and acoustical privacy.
- O4 To minimise their dominance on the street and contribute to a garden setting.

Provisions

- P1 Fences should be designed similar to those identified in the relevant area character statement (refer to Part C of the DCP), or where no style and type is provided, they should be characteristic with those within the visual catchment of the site, when viewed from directly opposite the site.
- P2 The use of tall security fencing should be avoided. Where security fencing is demonstrated to be required, it must be primarily open in design such that it does not obscure the main building and is to be and supplemented with landscaping.
- P3 Fences may need to be articulated to minimise their visual impact.
- P4 Fences must not reduce the significance of any heritage item or heritage conservation area.

3.4 QUALITY URBAN ENVIRONMENT

The design, site layout and facilities of non-residential development should meet the needs of the future occupants, without having adverse affects on nearby residents or on the wider community and environment.

The design of buildings meets the needs of the widest range of people in the community from childhood to old age. This includes people with any form of disability.

Natural surveillance of areas lowers the likelihood of vandalism and crime. Clear sight lines ~~and the proximity of dwellings~~ assist in creating a safer environment. High walls and barriers obscure sight lines and can increase the likelihood of crime.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

3.4.1 Accessibility

Objectives

O1 To ensure that buildings are made accessible to all persons regardless of their mobility.

Provisions

P1 Buildings are to be designed in accordance with the provisions contained within Part B: Section 12 - Access of the DCP.

3.4.2 Safety and security

Objectives

O1 To ensure that a high level of personal safety and security is provided within the development and public domain.

Provisions

- P1 Design routes between building entrances to maximise personal safety. Routes from parking areas to lift lobbies are particularly important in this regard. Clear lines of sight and well lit routes are required.
- P2 Adequate lighting must be provided to open spaces, entrances and pedestrian areas to avoid the creation of shadowed areas.
- P3 Rear service areas and access lanes should either be well secured or easily visible.
- P4 Robust and durable design features should be used where relevant to discourage vandalism.
- P5 The use of security grilles at the street frontage is discouraged. If security grilles are necessary then install on the inside of the shopfront and maintain clear visibility into the shop. Use toughened glass.
- P6 Solid security rollers to shopfronts, building entries and the like are not permitted.
- P7 Fire escapes should not be recessed into the building form. If it is necessary locate them in a recess, then the recess must be shallow to provide for personal security of pedestrians.
- P8 Buildings should be designed to allow for the overlooking and natural surveillance of rear lanes (e.g. from retail and other uses at all levels of the building).
- P9 Rear lanes should be provided with safe and secure lighting.
- P10 Clear sight lines should be maintained around all vehicle access points.
- P11 Street numbering of buildings must be clearly visible from street at all times of the day such that they are easily identifiable.
- P12 Maximise views of the street and building entries and communal areas within the development.
- P13 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).
- P14 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.

3.4.3 Vehicular Access & Car Parking

Objectives

- O1 To provide adequate on-site car parking for residents.
- O2 To ensure adequate access for all vehicles.
- O3 To maintain garden settings.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

O4 To minimise adverse visual impacts on the appearance of the street or building.

Provisions**Quantity**

P1 Comply with the parking requirements within Part B: Section 10 – *Car Parking and Transport* of the DCP.

Location

P2 All parking should be provided underground (i.e. within a basement) or where provided at grade, must be adequately screened from the public domain. At grade car parking may only be permitted, where it can be demonstrated that the development can comply with the landscaping and site coverage controls contained within this Section of the DCP.

P3 Where security doors/gates are proposed, an intercom system to facilitate visitor/service access to underground parking areas must be provided.

P4 Design accessways and driveways to:

- (a) enable vehicles to enter the parking space or garage in a single turning movement;
- (b) enable vehicles to leave the parking space in no more than two turning movements;
- (c) enable vehicles to avoid queuing on public roads; and
- (d) comply with AS 1428.2 Design for Access and Mobility.
- (e) comply with the requirements of vehicular crossings and driveways as set out in Section 20.4 to this Part of the DCP.

P5 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.

P6 Driveway and pedestrian access must be separated.

P7 The use of car spaces within a development is restricted to the occupiers of that development.

P8 Garages, carports or other like parking structures must not be located between the primary street frontage and the primary street façade of the building.

P9 Despite P8 above, car parking spaces (i.e. not within a garage, carport or other structure) may be located between the primary street frontage and the primary street façade of the building, but only if:

- (a) no other on-site parking exists or is possible;
- (b) no rear laneway exists to provide vehicle access from the laneway rather than from the street;
- (c) no demolition or partial demolition of the property is required to cater for the space;
- (d) any excavation required is minimal in comparison to the area of the parking space;
- (e) on-street parking is constrained by commuter parking and/or RMS clearways;
- (f) the parking space is uncovered;
- (g) porous materials are used for the parking space's surface;
- (h) landscaped area complies with the minimum requirements under s.1.5.5 to this Part of the DCP, or if it is already less than the minimum requirement, the it is not further reduced;



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- (i) adequate space to fit vehicles within property boundary exists to avoid overhang onto the footpath;
- (j) it complies with AS 2890.1.

Access

- P10 Provide vehicular access, directly from a public road.
- P11 Where the site has frontages to both a street and a rear laneway, vehicular access should be provided from the laneway rather than the street.
- P12 Do not compromise streetscape, building form and landscaped area, or heritage significance through the provision of vehicle access.
- P13 Provide a minimum of 5.5m between gates or doors to parking areas and the boundary of the site to allow a car to be within the property boundary while the gates/doors are opening.
- P14 If security gates/doors are to be used provide an intercom to allow access for visitors.
- P15 Set back any development, including fences, at least 1.2m from a boundary with a laneway to provide adequate turning space within the lane.

3.4.4 Site Coverage

Objectives

- O1 To ensure that development is balanced and in keeping with the optimum capacity of the site with no over development.
- O2 To ensure that development promotes the existing or desired future character of the neighbourhood.
- O3 To control site density.
- O4 To limit the building footprint so as to ensure adequate provision is made for landscaped area.

Provisions

- P1 Maximum site coverage must be in accordance with Table B-3.3.

TABLE B-3.3: Maximum Site Coverage Requirements		
Zone	Lot Size (m²)	Site Coverage (max)
R2 —Low Density Housing <u>E4 Environmental Living</u>	0-229	65%
	230-499	50%
	500-749	40%
	750-999	35%
	1000+	30%
R3 —Medium Density Housing	All	50%
R4 —High Density Housing	All	45%

- P2 For the purposes of P1, the following items are considered to constitute site coverage:
 - (a) buildings as defined by the [EP&A Act](#);
 - (b) garages and carports;
 - (c) sheds;
 - (d) enclosed / covered decks, pergolas and the like;
 - (e) swimming pools, spa pools and the like:

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

- (f) other structures including:
- (i) permanent BBQ structures;
 - (ii) cabanas;
 - (iii) external staircases;
 - (iv) gazebos;
 - (v) greenhouse/glasshouse;
 - (vi) plant rooms;
 - (vii) rainwater tanks;
 - (viii) ramps;
 - (ix) garbage storage facilities.

However, site coverage excludes:

- (g) any basement;
- (h) unenclosed balconies¹, decks, pergolas and the like;
- (i) paving and patios (porous and non-porous);
- (j) driveways and car stand areas (porous and non-porous);
- (k) water features; or
- (l) anything else defined as landscaped area.

- P3 For the purposes of P1, the area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area and site coverage.

3.4.5 Landscape Area**Objectives**

- O1 The specific objectives of the landscaped area controls are to:
- (a) promote the character of the neighbourhood;
 - (b) provide useable open space for the enjoyment of workers;
 - (c) provide a landscaped buffer between adjoining properties;
 - (d) maximise retention and absorption of surface drainage water on site;
 - (e) minimise obstruction to the underground flow of water;
 - (f) promote substantial landscaping, that includes the planting of trees that when mature will have significant canopy cover;
 - (g) control site density;
 - (h) minimise site disturbance;
 - (i) contributes to streetscape and amenity;
 - (j) allows light to penetrate between buildings;
 - (k) encourage the provision of space for biodiversity conservation and ecological processes; and
 - (l) provide a buffer between bushland areas and development.

¹ Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

Provisions

P1 Provide a minimum landscaped area and maximum un-built upon area in accordance with Table B-3.4.

TABLE B-3.4: Minimum Landscaped Area and Site Coverage Un-built upon Area Requirements

Zone	Lot Size (m ²)	Landscaped Area (min)	Un-built upon area (max)
R2 —Low Density Housing R3 —Medium Density Housing E4 Environmental Living	0-229	15%	20%
	230-499	30%	20%
	500-749	40%	20%
	750-999	45%	20%
	1000+	50%	20%
	All	30%	20%
R4 —High Density Housing	All	40%	15%

P2 For the purposes of P1:

(a) landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area²; and

~~(a)~~(b) The area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area, landscaped area and un-built upon area; and

~~(b)~~(c) the following items are considered to constitute un-built upon area:

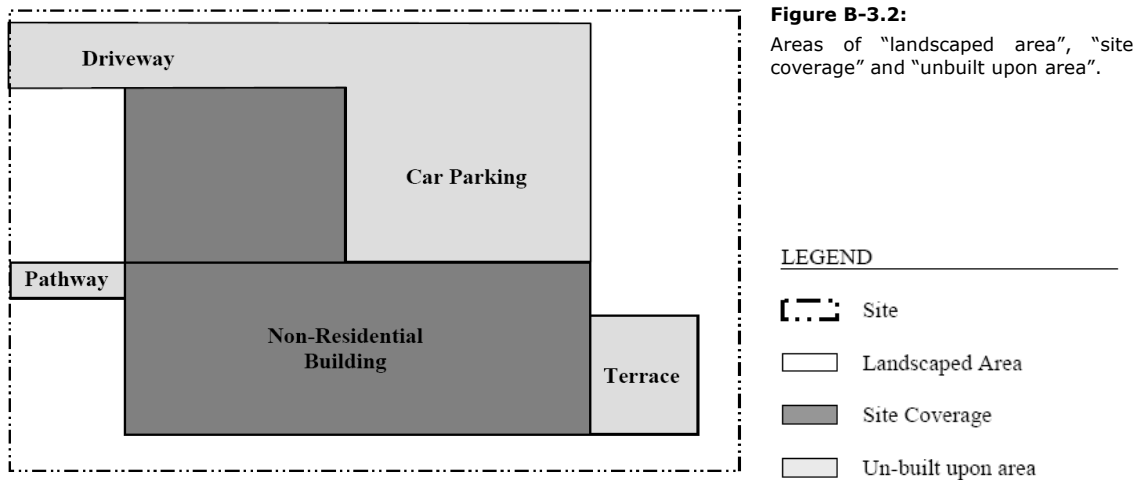
- (i) any part of a basement which does not comprise site coverage;
- (ii) unenclosed balconies³, decks, pergolas and the like;
- (iii) paving and patios (porous and non-porous);
- (iv) driveways and car stand areas (porous and non-porous);
- (v) water features; or

however, un-built upon area excludes:

- (vi) anything else comprising site coverage; or
- (vii) anything else comprising landscaped area.

² Landscaping located above a basement or on the roof of a building does not constitute "landscaped area".

³ Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

- P3 Avoid creating landscaped areas that are broken into a series of small fragmented unusable areas.
- P4 Establish a significant landscaped setting for pathways and paved areas.
- P5 Use planting to create a buffer against cold winter winds (generally westerly), or to direct cooling breezes in summer (generally north easterly).
- P6 Locate driveways and pathways at least 500mm from common boundaries.
- P7 Provide screen planting, including trees, within the 1.5m setback from the common boundary.
- P8 Retain existing mature vegetation and trees and show what measures are to be implemented to protect this vegetation during construction (refer to Part B: Section 16 – *Trees and Vegetation Management* of the DCP).
- P9 Vegetation and landscape elements should be selected and designed to avoid overshadowing existing solar panels or roof spaces which are capable of accommodating solar panels.
- P10 Use pervious materials or stepping stones where pathways are incorporated within side setbacks.

3.4.6 Excavation**Objectives**

- ~~O1—To retain existing vegetation and allow for new substantial vegetation and trees.~~
- ~~O2—To minimise the adverse effects of excavation on the amenity of neighbouring properties.~~
- ~~O3—To minimise excavation and site disturbance so as to retain natural landforms, natural rock faces, sandstone retaining walls and the like and to retain natural water runoff patterns and underground water table and flow patterns.~~
- ~~O4—To ensure the structural integrity of adjoining properties.~~
- ~~O5—To minimise adverse effects of adjoining transport infrastructure.~~

Provisions

- ~~P1—Development that includes excavation must not be carried out unless:~~
- ~~(a) the development is in accordance with and promotes the objectives of this subsection;~~
 - ~~(b) land stability of the site and adjoining land is preserved;~~



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

~~(c) the natural drainage patterns of the land and catchment will not be disrupted; and~~

~~(d) adverse effects on other properties are avoided or minimised.~~

~~P2 Consent must not be granted to a development where the excavation for any associated garages, car parking, plant rooms or ancillary storage and access thereto exceeds 70% of the site area.~~

~~P3 Where practical:~~

~~(a) a minimum of 50% of the un-excavated area should be located at the rear of the site. Sites with dual or rear lane frontages, this area may be relocated to allow buildings to address the secondary frontage.~~

~~(b) a minimum of 30% of the un-excavated area should be located within the front setback.~~

~~(c) a minimum 1.5m wide strip of soft landscaped area should be located along at least one side boundary. A minimum 1.5m wide strip should be provided along both boundaries where the site width permits.~~

~~P4 Basement car parks must not extend to the full width of a site.~~

3.4.73.4.6 Landscaping

Objectives

- O1 Landscaping and planting satisfies minimum performance standards and is sustainable and appropriate to the site.
- O2 Landscaping should not adversely impact upon the amenity and usability of adjoining properties.
- O3 To encourage biodiversity conservation and ecological processes.
- O4 To provide a buffer between bushland and development.

Provisions

P1 Development on properties in proximity to bushland must be consistent with the requirements of Part B: Section 15 - *Bushland* of the DCP.

Note: Refer to the *Bushland Buffer Map* in Appendix 4 to this DCP to determine if the subject property is located in proximity to bushland.

P2 Retain existing trees wherever practical.

P3 Avoid works which are to occur within the drip line of any tree that has a height greater than 6m, or a girth greater than 1m, measured 1m above the base of the tree.

P4 Where a development proposes to incorporate plant containers, they should have a minimum diameter of 110mm and a minimum depth of 135mm.

P5 Developments should incorporate locally occurring native species and reduce water and fertilizer requirements.

P6 Achievement of maximum density, pursuant to Council's controls, will be subject to retention of significant trees (as identified by Council) and other important topographic features.

P7 Minimise disturbance of natural ground levels, native vegetation and topography in the vicinity of identified significant trees.

P8 New hedges must not result in the unreasonable reduction of access to sunlight or views. A condition may be imposed on a development consent which may restrict the maximum height of a hedge.

P9 Trees should provide at least 50% canopy cover over landscaped areas at maturity.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

P10 Plant the largest growing and longest lived tree species appropriate to the site conditions.

P11 Council encourages the incorporation of green walls into developments where appropriate.

Notes: Refer to the North Sydney Council Green Roof and Wall Resource Manual for technical guidance on the design, construction and maintenance of green walls.

3.4.83.4.7 Front gardens**Objectives**

- O1 To maximise water infiltration on a site.
O2 To soften the built form.

Provisions

- P1 The entire front setback must not be paved or concreted.
P2 Where car parking and driveways are located in the front yard, use the minimum amount of paving as practicable.
P3 Front gardens should merge with those on adjoining properties and support the landscape character of the area.
P4 Plant trees and shrubs that will hang over or through fences.
P5 Complement the existing landscape character of the street, including street planting undertaken through Council's Street Tree Strategy (refer to Part B: Section 16 – *Tree and Vegetation Management* of the DCP).
P6 Design front gardens that will soften and complement the view of buildings from the street and surrounding properties.
P7 Do not provide medium height, dense planting around building entries.

3.4.93.4.8 Garbage Storage**Objectives**

- O1 To ensure sufficient space is provided on site for waste storage.
O2 To ensure garbage storage areas are screened from the public domain.
O3 To ensure convenient access for collection.

O3~~O4~~ To ensure developments are designed to maximise resource recovery through waste avoidance, source separation and recycling.

Provisions

- P1 On-site garbage storage areas must be provided which are capable of accommodating the number of garbage and recycling bins as indicated in Table B-3.5. However, industry standards for waste generation rates may be used where these differ from the Council rates or if no Council rate is given.

TABLE B-3.5: Waste bin requirements

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
Child care facilities	All types	<u>20 L / child / week</u>	<u>10 L / child / week</u>
Office buildings	General office use	<u>0.01-0.03m³ 10 L / 100m² GFA / day</u>	<u>10 L / 100m² GFA / day</u>



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

TABLE B-3.5: Waste bin requirements			
Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
Retail Trading	Shops to < 100 m ²	0.1-0.2m³ 50 L / 100 m ² GFA / day	25 L / 100 m ² GFA / day
	Shops > 100 m ²	50 L / 100 m ² GFA / day	50 L / 100 m ² GFA / day
	Large supermarkets, Family centres Supermarkets	0.1-3m ³ 660 L / 100 m ² GFA / day	130 L / 100 m ² GFA / day
	Showrooms Shopping malls	Dependant of development. Apply appropriate combination of factors. 40 L / 100 m ² GFA / day	10 L / 100 m ² GFA / day
	Greengrocers	0.2-0.4m ³ 240 L / 100 m ² GFA / day	410 L / 100 m ² GFA / day
	Florist / plant shop	0.9m ³ 900 L / 100 m ² GFA / day (combined)	
	Butcher / Delicatessen	0.9m ³ 80 L / 100 m ² GFA / day	Variable, but average 50 L / 100 m ² GFA / day
	Bakery	0.9m ³ 295 L / 100 m ² GFA / day	165 L / 100 m ² GFA / day
	Fish	0.9m ³ 50 L / 100 m ² GFA / day. Waste receptacles shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C	Variable The shop shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C
Catering Food and drink premises	Take away food and drink premises	0.3-0.6m ³ 80 L / 100 m ² GFA / day 100 meals / day	0.15m ³ for bottle recycling 240 L / 100 m ² GFA / day / 100 meals / day.
	Restaurants and cafes	10 L / 1.5 m ² GFA / day	120 L / 100 m ² GFA / day
	Registered clubs Pub Small bar	0.3-0.6m ³ 50 L / 100 m ² bar area / day 100 meals / day 80 L / 100 m ² restaurant GFA / day	50 L / 100 m ² bar area / day 50 L / 100 m ² restaurant GFA / day 0.05m ³ for bottle recycling / 100 meals / day.
Assembly rooms	Social recreational or religious premises	0.6m ³ 50 L / 100 m ² GFA / day	10 L / 100 m ² GFA / day
	Entertainment facilities	0.12m ³ 1 L / 400 seats / session screening	0.5L / 4 seats / screening
Tourist and visitor accommodation	Backpacker accommodation	40 L / occupant space / week	20 L / occupant space / week
	Hotel and motel accommodation	5 L / bed space / day 50 L / 100 m ² bar area / day 10 L / 1.5 m ² dining area / day	5 L / bed space / day 50 L / 100 m ² bar area / day 50 L / 1.5 m ² dining area / day
	Serviced apartments	120 L / apartment / week	60 L / apartment / week
		-	Dependant upon industry type

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

* GFA = gross floor area

- P2 Notwithstanding the rates to P1, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.
- P3 All developments containing a lift must provide:
- (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
 - (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building with at least one point of access to the garbage chute, ~~which is provided with shelving appropriate to hold~~ with space to accommodate 1 x 240L bin ~~a minimum of 4 x 50 litre recycling crates~~ for the separate collection of recyclable materials.
- P4 A garbage storage area/s should be located within 2m of the street or laneway boundary.
- P5 Notwithstanding P4 above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street or laneway boundary.
- P6 Garbage storage facilities should not be located in conjunction with the main pedestrian entrances to a building.
- P7 Garbage bins stored in a collection facility should be located within 3m of the facility's entrance.
- P8 Convenient access for on-site movement and collection should be provided.
- P9 More than one communal on-site waste storage and recycling area should be provided on large or steep sites, or where there is more than one Council collection point.
- P10 Garbage storage areas must be screened from streets and laneways to discourage the illegal dumping of rubbish and unsightly mess visible to pedestrians.
- P11 Garbage storage areas must be located and managed to avoid causing a nuisance from smells, insects or animals.
- P12 Sufficient space must be provided to accommodate any on-site treatment facilities (e.g. compaction) proposed to be incorporated.
- P13 Garbage storage areas should be adequately protected from inclement weather. Where appropriate, the area should be enclosed or undercover.
- P14 Storage areas must be well ventilated and drained to a lawfully approved sewerage system.
- P15 Where a garbage chute is provided or required the garbage chute room must be adequately ventilated and incorporate fire safety and other services in accordance with the BCA.
- P16 Garbage facilities are to be designed and constructed in accordance with Council's Waste Facility Management Guide (refer to Appendix 3).
- P17 Garbage facilities must accommodate any privately arranged collection (e.g. daily or weekly, etc. collections).
- P18 Source separation must be provided within the garbage storage area to maximise recycling and reduction of waste sent to land fill.
- P19 Food and drink premises and any other premises involved in the storing of perishable goods are required to:
- (a) provide specialised containment for food scraps;
 - (b) Arrange regular/daily collection of food scraps; and



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- (c) Provide refrigerated garbage rooms where large volumes of perishables (such as seafood) and infrequent collection is proposed.
- P20 Grease traps may be required in certain circumstances (refer to Sydney Water may have specific trade waste requirements).
- P21 Special arrangements are required for the storage and disposal of any special waste material, such as medical or hazardous wastes. Applicant's should contact Council and Environment Protection Authority for further information.
- P22 Locate and design garbage storage areas to complement the streetscape.
- P23 Ensure garbage/recycling bins/[green waste bins](#) will not be visible from the street in the garbage storage area.
- P24 Where possible integrate garbage storage areas with the building.
- P25 Do not place structures for garbage storage areas, that are more than 1m high on the boundary or within the front building line.

3.5 EFFICIENT USE OF RESOURCES

The commercial and retail sectors are significant users of electricity and are major contributors to greenhouse gas emissions in Australia. Improving energy efficiency is one of the most cost effective ways of reducing greenhouse gas emissions. The pursuit of energy efficiency can bring economic, social and environmental benefits. Another reason to encourage energy efficiency is the reduction in maintenance costs and improved leasability and saleability of the building.

Reducing waste has environmental, social and economic benefits. There are many opportunities in the development process to reduce the amount of waste and to maximise the amount of material that is recycled and reused, rather than going to landfill.

The amount of stormwater runoff in an area relates directly to intensity of development in that area. The more impervious to stormwater an urban area is, the larger the runoff quantities are and thereafter the impact on the environment.

Applicants must comply with the submission requirements and performance targets set out in Table B-~~2.133.6~~ in order to demonstrate the proposed development will achieve an efficient use of resources.

TABLE B-~~2.133.6~~: Non-residential thresholds, submission requirements and performance targets

Threshold/size	Submission requirement	Performance target
Alterations affecting less than half the original building or tenancy (measured over the roof and the outer walls)	An <i>Efficient Use of Resources Commitment Table</i> (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within the Efficient Use of Resources sub-section.
Alterations affecting more than half the original building or tenancy (measured over the roof and the outer walls)	The development must comply with the relevant submission requirements as if it were a new development.	The development must comply with the relevant performance targets as if it were a new development.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments



Non-Residential Development in Residential Zones

TABLE B-2.13.3.6: Non-residential thresholds, submission requirements and performance targets

Threshold/size	Submission requirement	Performance target
Less than 2000m² GFA	An <i>Efficient Use of Resources Commitment Table</i> (to be completed by the applicant).	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section.
2000m²-5000m² GFA	An <i>Efficient Use of Resources Commitment Table</i> (to be completed by the applicant); AND A <i>NABERS Energy Commitment Agreement</i> and associated documentation (see s.2.6.1(P21) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section. The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an Energy Efficiency Report is required it must demonstrate that a high level of energy efficiency will be achieved.
	A <i>WSUD report</i> from a suitably qualified consultant.	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
>5000m² GFA	A <i>NABERS Energy Commitment Agreement</i> and associated documentation (see s.3.2.5.6.1(P2174) below); OR If a NABERS Energy rating tool is not available for the particular type of non-residential development proposed, an Energy Efficiency Report from a suitably qualified consultant that sets out proposed energy efficiency measures; AND	The Commitment Agreement must be for a 4.5 star NABERS rating for the base building, whole building, or tenancies as appropriate; OR If an <i>Energy Efficiency Report</i> is required it must demonstrate that a high level of energy efficiency will be achieved.
	A WSUD report from a suitably qualified consultant; AND	Compliance with / consideration of (as relevant) DCP provisions within Efficient Use of Resources sub-section, particularly regarding on-site detention, discharge rates and quality of discharge; and demonstration that WSUD has been incorporated to the maximum extent practicable.
	Evidence that the building design has been awarded a Green Star rating; OR If evidence of a Green Star rating being awarded is not available at DA stage or if a Green Star rating tool is not available for the particular type of non-residential development proposed, a <i>Sustainability Report</i> including an <i>Efficient Use of Resources Commitment Table</i> (to be completed by suitably qualified consultants) must be submitted.	The base building, or the whole building where there is to be one tenant to occupy the whole building, must achieve a 5 star Green Star rating; OR If a <i>Sustainability Report</i> which includes an <i>Efficient Use of Resources Commitment Table</i> is required it must demonstrate compliance with / consideration of (as relevant) DCP provisions within the Efficient Use of Resources sub-section and demonstrate that the development will achieve a very high degree of environmental



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

TABLE B-2.13.3.6: Non-residential thresholds, submission requirements and performance targets

Threshold/size	Submission requirement	Performance target
		sustainability.

3.5.1 Energy efficiency

Nearly half of energy consumption in non-residential buildings is due to heating, cooling, ventilation, office equipment and lighting. A typical energy bill is 25% of a building's total operating costs. The way the occupants operate and maintain a building is crucial to its energy efficiency so just having a smart design does not guarantee an efficient building. Controls in this section of the DCP seek to acknowledge these facts by addressing both building design and maintenance.

National Australian Built Environment Rating Scheme (NABERS)

North Sydney Council encourages developers to obtain a NABERS rating for commercial and commercial components of buildings. The rating assesses a building's performance in terms of its Greenhouse gas emissions during its operation.

The Rating Scheme, which is managed by the Department of Environment, Climate Change and Water (DECCW), allows owners and occupiers of commercial and commercial components of buildings to benchmark the greenhouse performance of their premises on scale of one to five. One represents the most polluting and five, the least polluting, with three representing best market practice. New commercial buildings, refurbishments, tenancies and fitouts will have to demonstrate compliance with this DCP by signing DECCW's NABERS - Energy Commitment Agreement and achieving a minimum 4.5 star rating for the base building, whole building for tenancies (as appropriate).

Green Star

North Sydney Council encourages developers to obtain a Green Star rating for developments involving the provision of substantial commercial floor space. The Green Star rating system, which is managed by the Green Building Council of Australia, is a comprehensive, national, voluntary environmental rating system that evaluates the environmental design and construction of buildings. Approximately, 11 per cent of Australia's CBD⁴ commercial office buildings are Green Star certified, reinforcing that building "green" is now a business imperative.

The following Green Star Certified Ratings are available:

- **4 Star Green Star Certified Rating** (score 45-59) signifies 'Best Practice' in environmentally sustainable design and/or construction
- **5 Star Green Star Certified Rating** (score 60-74) signifies 'Australian Excellence' in environmentally sustainable design and/or construction
- **6 Star Green Star Certified Rating** (score 75-100) signifies 'World Leadership' in environmentally sustainable design and/or construction

Although Green Star certification requires a formal process, any project can freely download and use the Green Star tools as guides to track and improve their environmental attributes. Refer to www.gbca.org.au.

Objectives

- O1 To ensure that developments minimise their use of non-renewable energy resources.
- O2 To ensure that buildings are designed such that the air conditioning plant meets performance requirements, while minimising energy usage.

⁴ Figures obtained from the Green Building Council of Australia, circa October 2010.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

O3 To encourage the use of energy efficient lighting.

Provisions

- P1 Where alterations affect more than half the total volume of the original building (measured over the roof and the external walls), achieve the targets in this subsection for the whole of the building.
- P2 Consider the following issues when assessing the energy rating of buildings and whether any of these issues prevent the achievement of the energy ratings:
- (a) orientation or shape of the block;
 - (b) existing overshadowing due to either the surrounding terrain or existing development;
 - (c) topography, geology or geo-technical constraints preclude energy saving design such as slab-on-ground construction; and
 - (d) conflict with requirements or guidelines in relation to privacy, area character, building design, bulk and scale or heritage considerations set out in the LEP or the DCP.
- P3 Ensure that the development does not reduce the energy efficiency of buildings in the vicinity.
- P4 Improve the control of mechanical space heating and cooling by designing heating/cooling systems to target only those spaces which require heating and cooling, not the whole building.
- P5 Where the proposed development involves the installation of any of the following:
- (a) hotwater systems;
 - (b) clothes drier;
 - (c) dishwasher;
 - (d) fixed air conditioning systems (including reverse cycle systems);
 - (e) fixed heating systems;
- they must have a minimum energy star rating of 4.5 stars.
- P6 Improve the efficiency of hot water systems by insulating hot water systems.
- P7 Wherever possible solar hot water systems should be provided.
- P8 Fixed heating and cooling systems are not encouraged.
- P9 Incorporate on-site renewable energy sources to supplement energy needs during daily peak energy use.
- P10 In considering proposals for renewable energy, consideration should be given to the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
- P11 Timers and movement sensors should be used to minimise energy consumption, particularly for lighting and mechanical ventilation in public areas.
- P12 Energy efficient lighting and technology should be used to reduce energy consumption. Consider the use of solar powered illumination.
- P13 Use solar powered lighting for external areas.
- P14 Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.
- P15 Locate appliances and equipment that generate waste heat, (such as copiers) in areas separated from the spaces requiring cooling.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- P16 Buildings, or the commercial components of mixed use buildings, that have a gross floor area greater than 2000m² must be capable of achieving a minimum 4.5 star rating under DECCW's NABERS Energy. In this regard, the following information is required to be lodged with the relevant certifying authority (Council or an accredited certifier) prior to the issue of a Construction Certificate:
- (a) Evidence that a Commitment Agreement has been entered into with DECCW, to deliver this Star rating for the base building (i.e. services traditionally supplied as 'common' to tenants, such as air conditioning, lifts and common area lighting) or for the whole building where the applicant is to occupy the entire building.
 - (b) An independent energy assessment report that follows the guidelines in DECCW's *NABERS Energy and Water for Offices Rules for collecting and using data*. This document can be obtained from www.nabers.com.au www.nabers.gov.au/;
 - (c) A computer building simulation in accordance with DECCW's *NABERS Energy Guide to Building Energy Estimation*. This document can be obtained from www.nabers.com.au www.nabers.gov.au/. The computer building simulation is required to demonstrate to the satisfaction of Council, or the private certifier if Council is not the certifying authority, that the building can reasonably be expected to achieve the proposed rating under realistic operating conditions.
- P17 Developments involving the provision of more than 5,000m² of office floor space must demonstrate that the development can achieve a minimum 5 star rating under the Green Building Council of Australia's Green Star – Office rating tool. The rating tool can be obtained from the Green Building Council of Australia's website - www.gbca.org.au.

3.5.2 Passive solar design

Objectives

- O1 To ensure that site layout and building orientation allows for maximum solar access and are adapted to local climatic conditions and prevailing site characteristics.

Provisions

- P1 Buildings should be oriented within 20° west of north to 30° east of north to maximise solar access.
- P2 Adapt site layout and building orientation to local climatic conditions and prevailing site characteristics, such as existing overshadowing, planting and slope.
- P3 Orient the long axis or length of the building to the northerly aspect.
- P4 East and west facing glazing should be minimised and fully shaded at the summer solstice.
- P5 Provide shading devices on north facing walls to completely shade glazing from October to late February. To calculate the extent of shading device, draw a section and extend a line from the base of the window at 70°. The outer edge of the shading device or eaves should reach this line.
- P6 Optimise natural light access to reduce the amount of energy used to run artificial lighting (limiting the internal depth of the building allows efficient use of natural light).
- P7 If landscaping is proposed as part of the development, a documented landscape design concept shows how the landscaping contributes to energy efficiency by providing substantial shade in summer, especially to west-facing windows and open car park areas, and admitting winter sunlight to outdoor and indoor living and working areas.
- P8 Buildings are designed, wherever possible, to include a north facing roof where a solar hot water system or collector can be installed.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones****3.5.3 Thermal mass and insulation**

Thermal mass is the ability of a material to absorb heat energy. Materials like concrete, bricks and tiles are deemed to have a high thermal mass, as they require a lot of heat energy to change their temperature. Lightweight materials such as timber have low thermal mass. More thermal mass results in more even range in inside air temperature. Appropriate use of thermal mass throughout your home can make a big difference to comfort and heating and cooling bills.

Thermal mass is not a substitute for insulation. Thermal mass stores and re-radiates heat whereas insulation stops heat flowing into or out of the building. A high thermal mass material is not generally a good thermal insulator.

Insulation acts as a barrier to heat flow and is essential to keep your home warm in winter and cool in summer. A well insulated and well designed home will provide year-round comfort, cutting cooling and heating bills by up to half. This, in turn, will reduce greenhouse gas emissions.

Objectives

- O1 To achieve more even, year-round average temperature, making the building more comfortable for occupants and resulting in less demand for artificial heating or cooling.

Provisions

- P1 To maximise natural heating, provide flooring that will absorb heat from the winter sun (i.e. a concrete slab floor on the ground offers the best thermal massing properties, whilst timber floors have minimal performance in terms of thermal mass. Dark coloured tiles laid over a concrete slab is the most desirable covering in terms of maximising the performance of thermal mass in a dwelling).
- P2 To maximise natural cooling, protect thermal mass from summer sun with shading and insulation. Allow cool night breezes and air currents to pass over the thermal mass, drawing out all the stored energy.
- P3 Incorporate masonry walls and insulated walls and ceilings to contribute to the effectiveness of thermal mass.
- P4 Thermal insulation is used in the roof, walls and floor.
- P5 Ceiling/roof insulation must have at least an R3.0 rating or equivalent and wall insulation must have at least an R1.5 or equivalent rating. Insulation of cavity brick walls is not required. These ratings are based on AS 2627: Part 1-1993.
- P6 Use bulk or reflective insulation, or a combination of both, to achieve the required insulation value.
- P7 Heat loss/gain is minimised through the use of awnings, shutters or high performance glazing (e.g. double glazing).

3.5.4 Natural ventilation

Ventilation is essential for good health and prevention of condensation. However, the lack of natural ventilation can cause discomfort for occupants and waste energy if artificial ventilation is installed.

Objectives

- O1 To ensure that workers are provided with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- O2 To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

Provisions

- P1 Locate windows and openings ~~of apartments~~ in line with each other on opposing walls and with prevailing breezes.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- P2 Provide ceiling fans for use in summer (fans produce a cooling air movement that is preferable to letting in the hot daytime air).

3.5.5 Water Conservation

Objectives

- O1 To minimise the use of potable water.
O2 To encourage the reuse of greywater, rainwater and stormwater.

Provisions

- P1 Where the proposed development involves the installation of new:
- (a) shower roses;
 - (b) taps for use over a basin, ablution trough, kitchen sink or laundry tub;
 - (c) flow restrictors;
 - (d) toilets;
 - (e) white goods, such as clothes washers or dishwashers;
- they must have the highest WELS star rating available at the time of the development.
- P2 Recycled water (served by dual reticulation) should be utilised for permitted non-potable uses such as toilet flushing, laundry, irrigation, car washing, fire fighting, industrial processes and cooling towers.
- P3 Harvest and use rainwater for garden irrigation and toilet flushing.
- P4 Collect and reuse stormwater runoff for subsurface irrigation.
- P5 Use endemic plants (as listed on Council's website) and xeriscape principles in landscaping.
- Note: Xeriscape principles essentially seek to limit the use of water for irrigation, through the design of landscaped areas and careful use of vegetation.*
- P6 Install water efficient irrigation systems and controls.
- P7 Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other significant end uses.
- P8 Where cooling towers are used they are:
- (a) to employ alternative water sources where practical; or
 - (b) to include a water meter connected to a building energy and water metering system to monitor water usage; and
 - (c) to be connected to a recirculating cooling water loop; and
 - (d) discouraged where they are a single pass cooling systems; and
 - (e) to be connected to a conductivity meter to ensure optimum circulation before discharge.
- P9 Install a pool cover where the proposed development includes an external swimming pool.
- P10 Rainwater tanks or other alternative water sources including recycled water systems are to be installed to minimise the use of potable water and maximise the use of alternative water sources.
- P11 Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation.
- P12 Separate meters are to be installed on separate units of occupancy in non-residential BCA class 5, 6 and 7 buildings.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

- P13 A reporting system should be developed to inform/educate occupants about the building's water consumption.
- P14 Use waterless urinals.
- P15 Install sensor operated taps, or automatic shutoff taps, especially in public areas.

3.5.6 Waste Management & Minimisation**Objectives**

- O1 To minimise material usage and waste during building, construction and demolition.
- O2 To minimise the level of waste during operation reduce new building material usage and minimise volume of demolition materials.

Provisions

- P1 A Waste Management Plan for the demolition, construction and operation of the building must be provided in accordance with Part B: Section 19 - *Waste Management* of the DCP.
- P2 The building should be designed to encourage waste minimisation (e.g. source separation, reuse and recycling).
- P3 Adequate recycling systems must be provided in the design of the garbage room.
- P4 Materials with long lives and low maintenance needs are encouraged to be incorporated.
- P5 Contractors and sub-contractors employed to undertake proposed construction works and waste removal should be educated about the waste objectives of the development.
- P6 The storage of any hazardous waste materials must be adequately secured.

3.5.7 Stormwater management**Objectives**

- O1 To mimic pre-development or natural drainage systems through the incorporation of WSUD on-site.
- O2 To protect watersheds by minimising stormwater discharge and maximising stormwater quality.
- O3 To minimise off-site localised flooding or stormwater inundation

Provisions

- P1 An Erosion and Sediment Control Plan for the construction of the building is required in accordance with Part B: Section 17 - *Erosion and Sedimentation Control* of the DCP.
- P2 A *Stormwater Management Plan* for the operation of the building is required demonstrating compliance with this subsection as well as Part B: Section 18 - *Stormwater Management* of the DCP.
- P3 Demonstrate how run-off from the site will be minimised and the quality of water leaving the site will be improved.
- P4 Rainwater tanks should be installed for all developments, including major alterations and additions and mixed-use developments. Rainwater tanks should be plumbed to appropriate end uses, including toilet flushing, water features, car washing and garden irrigation, to ensure sufficient use of tank water so that capacity exists to accommodate rainwater from storm events.
- P5 As a minimum, post-development stormwater discharge rates should be less than pre-development stormwater discharge rates.
- P6 As a minimum, post-development stormwater quality should be improved from pre-development levels.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- P7 On-site stormwater detention, including the use of grass swales and detention basins, should be pursued where practicable to minimise and filter stormwater runoff
- P8 Impervious surfaces should be minimised.
- P9 Ensure paved areas are at least 50% pervious.
- P10 In addition to a Stormwater Drainage Plan, residential developments with a gross floor area greater than 2000m² must also submit a Water Sensitive Urban Design report from a suitably qualified consultant demonstrating that WSUD has been incorporated to the maximum extent practicable and that stormwater discharge will be reduced to the maximum extent practicable.
- P11 All developments with a gross floor area greater than 2000m² are to undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:
- (a) Litter and vegetation larger than 5mm: 90% reduction on the Baseline Annual Pollutant Load;
 - (b) Total Suspended Solids: 85% reduction on the Baseline Annual Pollutant Load;
 - (c) Total Phosphorous: 65% reduction on the Baseline Annual Pollutant Load;
 - (d) Total Nitrogen: 45% reduction on the Baseline Annual Pollutant Load.

3.5.8 Building Materials

Objectives

- O1 To encourage the use of materials which have a low environmental impact during their life cycle.
- O2 To encourage the use of toxin free material to minimise the health impact of materials used indoors.

Provisions

- P1 Products with the least life cycle impact should be favoured.
- P2 The use of the following types of building materials are to be maximised wherever possible:
- (a) materials which are sourced from renewable and abundant resources;
 - (b) materials which are durable;
 - (c) locally manufactured materials and produced;
 - (d) materials with a low embodied energy content;
 - (e) salvaged and/or recycled materials;
 - (f) timber used be obtained from certified sustainable sources;
 - (g) materials with a high recycled content (>50%);
 - (h) low volatile organic compound (VOC) emitting materials;
 - (i) mechanical fixings instead of adhesives and glues, wherever possible;
 - (j) when using Medium Density Fibreboard, ensure that it has a low formaldehyde content;
 - (k) materials which are non-toxic, including toxin-free floor finishes;
- P3 Avoid the use of the following:
- (a) copper, chrome, cadmium, lead, mercury, cyanide, and formaldehyde;
 - (b) materials, sealants and adhesives containing PVC;
 - (c) wood treated with CCA;

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Non-Residential Development in Residential Zones**

(d) solvents.

- P4 Use physical termite barriers (made of granite or stainless steel) instead of chemicals where possible.

3.5.9 Adaptive reuse of buildings**Objectives**

- O1 To encourage the adaption and reuse of buildings.

Provisions

- P1 Where feasible, existing buildings are to be reused in preference to demolition.
- P2 Buildings should be designed to encourage adaptable office floorspace to accommodate changing occupier requirements.

3.5.10 Hotwater systems**Objectives**

- O1 To ensure the most efficient water heating methods are used to assist in the reduction of greenhouse gas emissions and use of non-renewable resources.

Provisions

- P1 New hotwater systems ~~installed in dwellings~~ must not solely rely on electrical mains power to heat the water ~~(n.b. sole electrical hotwater systems are not permitted in new dwellings)~~.
- P2 Install solar powered water heaters ~~on any residential development~~. Solar powered water heaters may be either gas or electrically boosted, but boosting should be limited to a maximum of 50% of total heating requirement with the remainder of heating requirements achieved through solar gain.
- P3 Where it can be demonstrated that insufficient solar access is available for a solar powered system install a heat pump or natural gas system.
- P4 Locate solar cells, heat pumps or any associated structures so as to as avoid impact on the aesthetics of a building, the streetscape, or heritage significance of a building or conservation area.
- ~~P5 Centralise solar or heat pump hot water systems in larger scale residential flat buildings or attached dwelling developments, to achieve economies of scale.~~
- ~~P6~~^{P5} Where it can be demonstrated that the installation of a low greenhouse gas emission water heating system would require additional expenditure which is not cost-effective over a five year period other systems may be considered.

3.5.11 Green roofs

A green roof can comprise a roof system that is designed to promote the growth of various forms of vegetation, renewable energy production and/or water collection technology on the tops of buildings. Although a green roof is only one element of a building, it is extremely important when considering the long term sustainability of buildings and their impacts on the environment.

Green roofs can not only assist in minimising impacts on the environment but can also help to reduce a building's running costs.

Applicants are requested to consult the *North Sydney Council Green Roof and Wall Resource Manual* for technical guidance on the design, construction and maintenance of green roofs.

Objectives

- O1 To provide accessible roof space providing increased amenity for the occupants and visitors of the building.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Non-Residential Development in Residential Zones

- O2 To improve the aesthetics and amenity of the urban environment (this particularly relates to the appearance of the roof when viewed from surrounding buildings).
- O3 To provide space to accommodate renewable energy production.
- O4 To improve stormwater management by controlling both the quality and flow of stormwater.
- O5 To increase biodiversity by the use of plant material, and in particular to promote food production where appropriate.
- O6 To protect the building structure by increasing its thermal protection which will also help to reduce internal heating and cooling requirements.

Provisions

- P1 Development applications for all new buildings or alterations and additions to an existing building that involves the creation of new roof spaces must submit a roof plan demonstrating how the new available roof space⁵ contributes to the achievement of at least three of the above objectives.
- P2 In satisfying provision P1 above, the roof plan must illustrate those parts of the available roof space to be used as a green roof immediately after construction of the proposed works and/or areas capable of being retrofitted for a green roof at a later date. Applicants are encouraged to accommodate green roofs immediately after construction.

3.5.12 Wind Turbines

Objectives

- O1 To manage the impacts of wind turbines

Provisions

- P1 Wind turbines are:
 - (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
 - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
 - (c) not to affect the structural integrity of the building;
 - (d) should not detract from the significance of a heritage item or a heritage conservation area;
 - (e) not to be located along a bat or bird flyway; and
 - (f) to be installed in accordance with manufacturer's specifications.
- P2 Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
 - (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
 - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

⁵ "Available roof space" excludes plant rooms, lift overruns and other equipment such as building maintenance units. Available roof space includes the roof tops of any podiums.



SECTION 5 CHILD CARE ~~CENTRES~~FACILITIES

5.1 INTRODUCTION

Well located and designed child care ~~facilities centres, whether they be home based, centre based or school based,~~ contribute to the well being of children. Children and their caregivers require high quality service in ~~facilitiescentres~~ that enhance the occupants' well being. Services must meet State Government standards and offer a safe, healthy and accessible environment.

The design of ~~a~~child care ~~facilitiescentre~~ must serve the needs of children, babies, care giving staff, clerical staff, kitchen staff, cleaning staff and parents. The design must provide adequate space for each of these groups, and take into account their needs in using and working in the ~~facilitycentre~~.

Child ~~c~~Care ~~Centres~~~~facilities~~ can have adverse impacts on the amenity and safety of an area, especially residential areas, through increased noise, traffic and parking impacts, and need to be considered in any development proposal.

5.1.1 General objectives

To ensure that child care~~centres~~ ~~facilities~~:

- O1 provide affordable, high quality child care, in convenient locations, that meet the needs of the resident and working population;
- O2 operate without adverse impacts on the local area; and
- O3 guide applicants in providing best practice child care environments.

5.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for the construction of or alterations and additions to ~~a centre based~~ child care ~~facilitiescentre~~.

This section does not apply to either home-based child care or school-based child care facilities which satisfy the exempt development or complying development requirements under SEPP (Educational establishments and Child Care Facilities) 2017. However, many of the objectives and provisions for centre based child care facilities may be useful for those wishing to establish such a service.

5.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial Development and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 9 – Advertising and Signage;
- (f) Part B: Section 12 – Access;
- (g) Part B: Section 13 – Heritage and Conservation; and
- (h) Part B: Section 15 – Bushland Areas.

Where there is an inconsistency between this Section and Sections 2 and 3 to Part B of the DCP, the requirements under this Section of the DCP prevails.



2020 Draft amendments - North Sydney Development Control Plan 2013

Child Care FacilitiesCentres

5.1.4 Relationship to other documents

This Section has been prepared with regard to:

- (a) SEPP (Educational Establishments and Child Care Facilities) 2017;
- (b) The Department of Planning, Industry and Environment's Child Care Planning Guideline;
- ~~(a)~~(c) North Sydney Council's Children Services Guide;
- (d) North Sydney Council's Child Care Centres Best Practice Guide~~(2010);~~
- ~~(b)~~(e) North Sydney Council's Best Practice Guidelines for Above Ground Floor Child Care Centres, prepared by KU Children's Services (2019);
- ~~(e)~~(f) NSW Cancer Council's Shade for Early Childhood Services~~(2009);~~
- (g) the Children and Young Persons (Care and Protection) Act 1998 Children (Education and Care Services) Supplementary Provisions Act 2011;
- ~~(d)~~(h) the Education and Care Services Regulations;
- ~~(e)~~(i) the Children's Services Regulation 2004 Children (Education and Care services) Supplementary Provisions Regulation 2019;
- ~~(f)~~(j) the National Quality Standard for Early Childhood Education and Care and School Age Care~~(2009)~~2018);
- ~~(g)~~(k) the Association of Australian Acoustic Consultants' Technical Guidelines – Child Care Centre Noise Assessment.

In this manner, and consistent with the requirements outlined within the Education and Care Children's Services Regulations, a License is required from the Department of Community Services Education (DoECS) prior to operation of the proposed child care facility~~Centre~~. Applicants should consult with DoECS to determine licensing requirements prior to lodgement of a development application with Council. It should be noted that the granting of development consent by Council will not necessarily result in the issuing of a licence from DoECS.

In the case where an inconsistency exists between this Section of the DCP and the NSW Education and Care Services Regulations or the Children (Education and Care services) Supplementary Provisions Regulation 2019~~Children's Services Regulation 2004~~, these Regulations and its~~their~~ successors will prevail.

All applications are required to comply with:

- (a) the performance based standards in the *National Quality Standard for Early Childhood Education and Care and School Age Care* (2009) and its successors;
- (b) the performance based standards in the NSW Education and Care Services Regulations and the Children (Education and Care services) Supplementary Provisions Regulation 2019~~Children's Services Regulation 2004~~ and its~~their~~ successors; and
- (c) the relevant provisions contained within:
 - (i) the Building Code of Australia (Child Care Centres are classified as 9b buildings); and
 - (ii) Australian Standards 1428.3.

Note: The Building Code of Australia and National Building Code are currently undergoing review by the Australian Building Code Board with respect to child care facilities located above ground level and may result in more onerous requirements than that outlined in this Section of the DCP performance-based standards contained within the Children's Services Regulation 2004, were replaced with the National Quality Standard for Early Childhood Education and Care and School Age Care (2009) in January 2012.

North Sydney Development Control Plan 2013 – 2020 Draft amendments**Child Care ~~Facilities~~Centres****5.2 LOCATION****Objectives**

- O1 To ensure that the users of child care ~~facilities~~centres are not affected by adverse noise or air quality or by the presence of inappropriate land uses.

Provisions

- P1 ~~Centre based c~~Child care ~~facilities~~centres must not front a state road (as defined under the Roads Act 1993).
- P2 Child care ~~facilities~~centres must not be located adjacent to or within 100m of a sex service premises or a restricted premises, injecting room, drug clinic or the like.
- P3 An electro-magnetic field and radio frequency impacts assessment must be undertaken where the source is within 300m of ~~a the~~ proposed child care facilitycentre.

5.3 SITING

It is preferable to provide child care ~~facilities~~centres at the ground floor level as they enable high levels of access to soft landscaped outdoor play spaces and enable more efficient and safer evacuation if the need arises. However, Council acknowledges that locating ~~facilities~~centres at the ground level may not always be possible due to the high levels of density of development in some areas (e.g. North Sydney, St Leonards, Neutral Bay town centres).

Objectives

- O1 To provide access to naturally landscaped outdoor play areas.
- O2 To ensure the safe evacuation of children in the event of an emergency.

Provisions

- P1 Child care ~~centres~~facilities should be located at ground level wherever possible.
- P2 Council may consider approving a child care ~~facility located~~centre above ground floor level, subject to the following criteria being met:
- ~~(a) Where the centre has no direct access to ground level (i.e. sites where the ground floor level of the building is the only level of the building provided with access to ground level (existing)) an emergency lift, dedicated to the child care centre is to be provided;~~
- ~~(b)(a) Where the centre is located above the ground floor level but also has direct access to ground level (i.e. buildings on sloping sites), it must provide either a~~fire isolated safe haven is provided within the facility, where children and staff can muster during the initial stages of a fire alert or other emergency;
- ~~(i) safe haven and dedicated fire stair with hand rail designed to stop children falling through is provided; or~~
- ~~(ii) emergency lift dedicated to the centre.~~
- ~~(b) The~~ Where safe haven must s are proposed be physically open onto either:
- ~~(i) a fire stair dedicated to the facility, incorporating handrails designed for children to hold onto and prevent children from falling through; or~~
- ~~(i)(ii) an emergency fire rated lift dedicated to the facility they need to have storage for evacuation near entrance to the safe haven not included in indoor space controls per child.~~
- ~~(c) The safe haven should be of such a size to cater for the maximum capacity of the centre and is to be excluded from the indoor space controls per child (best practice is to provide a minimum of 0.25sqm per child and staff).~~
- ~~(e)(d) An E~~emergency ~~e~~Evacuation ~~P~~plan, prepared by the intended operator of the facility has beenmust be submitted with the development application. The



2020 Draft amendments - North Sydney Development Control Plan 2013

Child Care FacilitiesCentres

Emergency Evacuation Plan must demonstrate how the child care facility may be evacuated independently of any other use within the building. Details of the evacuation proceeds for the remainder of the building will also need to be provided.

(e) Indoor play areas are not impeded by internal features such as columns.

~~(d)~~(f) The minimum area of indoor play spaces are to be increased by the same amount of any decrease in the minimum outdoor play space requirements, unless it can be adequately demonstrated that safe access to an off-site outdoor play area can be provided.

~~(e)~~(g) Outdoor areas are provided with protection from adverse weather.

~~(f)~~(h) Outdoor areas are oriented to the north to maximise solar access and natural light and views.

5.4 CAPACITY AND COMPOSITION

Objectives

- O1 To ensure that impacts from child care ~~centres~~facilities can be appropriately controlled.
- O2 To ensure that a reasonable distribution of child care places is provided for all age groups.
- O3 To ensure that appropriate numbers of staff are provided.

Provisions

P1 A centre based child care ~~facility~~centre should not provide more than 90 child care places.

Note: To ensure a reasonable level of amenity is achieved for adjoining properties, a maximum provision of 75 child care places is considered to be best practice.

P2 Where ~~are a~~ centre based child care ~~facility~~ centre provides more than 75 child care places, the ~~facility~~ centre must provide for small group care (i.e. provision must be made for separate entrances and playgrounds for different age groups).

P3 Due to ~~a~~ the desirability of providing additional child care places for children under the age of 2 years, a component of child care places in Long Day Care services must be allocated to children under the age of 2 years.

P4 The ratio of staff to children must comply with those permitted under the *National Quality Standard for Early Childhood Education and Care and School Age Care (2009~~18~~)*.

5.5 ENTRY

Objective

O1 To ensure that patrons can easily identify the entrance to the ~~facility~~premises and be protected from inclement weather.

~~O2~~ To ensure the safety of children using the facility.

Provisions

P1 Entrances to centre-based and school-based child care ~~facilities~~centres are clearly marked by appropriate signage.

P2 Weather protection, such as an awning, is provided to the main entry to the building containing a centre based or school-based facility and are designed and constructed to complement the building to which it is attached.

North Sydney Development Control Plan 2013 – 2020 Draft amendments**Child Care ~~Facilities~~Centres**

- P3 Where a centre-based child care facility~~centre~~ is located within a building that also accommodates other uses, a separate and clearly marked entrance for the child care centre~~facility~~ must be provided.

5.6 ACCESS AND MOBILITY**Objectives**

- O1 Safe and easy access within, into and out of the child care centre~~facilities~~.

Provisions

- P1 Centres~~Child care facilities~~ must be designed in accordance with Australian Standard 1428.3 (Design for Access and Mobility. Part 3: Requirements for children and adolescents with physical disabilities).

5.7 SAFETY AND SECURITY**Objectives**

- O1 To ensure all users are capable of entering and leaving the child care facility~~centre~~ in a safe manner.

Provisions

- P1 On site parking spaces and set-down and pick-up areas are well lit.
- P2 Entry gates are located within sight of staff in the office.
- P3 Bells, alarms or other suitable mechanisms are to be provided on the entry gate to alert staff as to when someone is entering or leaving the child care facility~~centre~~.
- ~~P4 Centres on the first floor at the highest natural ground level of the building shall have a safe haven and dedicated fire stair with hand rail designed to stop children falling through.~~
- ~~P5 An emergency lift dedicated to the child care centre is to be provided for all centres above first floor level.~~
- ~~P6~~P4 An Emergency evacuation strategy Plan must be submitted activated and provided to Council with any development application.
- ~~P7~~P5 Entry to a child care facility ~~centre~~ should be limited to one secure point, which is to be:
- appropriately located to allow ease of access;
 - adequately signposted;
 - well lit;
 - accessible by pedestrians and motorists;
 - safe from pedestrian and vehicle transition areas;
 - visible from the street if located within a separate building, or building foyer if located in a multiple occupancy building;
 - of sufficient size to prevent congestion, taking into consideration the capacity of the Echild care centre~~facility~~;
 - monitored through either natural or camera surveillance; and
 - incorporate a transitional space which is to be adequately fenced and separated from the entrance.

5.8 AIR QUALITY

It is important to consider the health of children in the local area by providing for them an environment which, ideally, protects them from pollution, and if this is not possible, at least



2020 Draft amendments - North Sydney Development Control Plan 2013

Child Care FacilitiesCentres

manages (and thereby minimises) their exposure to pollutants. This can be achieved by considering the location and design of a child care facilitycentre, and aspects of its operation.

Applications where the environmental risk assessment report indicates that exposure to pollutants cannot be reduced to the satisfaction of Council, may be refused on these grounds.

Objectives

O1 Minimise the health impacts from air pollution on children.

Provisions

P1 All applications must be accompanied by an Air Quality Assessment Report to determine the level of pollutants within and surrounding the site of the proposed child care facilitycentre-site.

P2 Child care facilitiescentres located on or adjacent to:

- (a) major roads (including state and regional);
- (b) roads where there is an average daily traffic rate of more than 5,000 vehicular trips per day; or
- (c) sites where the external noise level exceeds 55 dBA (L_{A90} 24 hours), must incorporate the use of pollution reduction measures such as:
 - (d) air conditioning systems; and
 - (e) play areas located away from pollution sources.

5.9 DROP OFF AND PICK UP OF CHILDREN

Objective

O1 To ensure the safe and efficient transfer of children to and from the child care facilitycentre.

Provisions

P1 Must provide car parking in accordance with Part B: Section 10 – *Car Parking and Transport* of the DCP.

P2 In addition to P1 above, one designated disabled access and one ~~2~~-designated emergency vehicle space must be provided on site in the R2 *Low Density Residential*, R3 *Medium Density Residential*, and R4 *High Density Residential*, SP2 *Infrastructure (Educational Establishment)* and E4 *Environmental Living* zones, and within close proximity in the B1 *Neighbourhood Centre*, B3 *Commercial Core* and, B4 *Mixed Use* and IN2 *Light Industrial* zones (e.g. on-street directly adjacent to the centre).

P3 Provide accessible parking spaces for the set down and pick up of children, no more than 50m from the child care centre.

P4 Car parking provisions do not substantially modify the streetscape.

P5 Spaces are clearly marked to reflect that they are for the exclusive use of the child care users between the peak am and pm hours of the centre (i.e. 7.30am-9.30am and 4.30pm-6.30pm).

P6 Where the parking is provided underground, that parking is located within 20 metres of a lift which has access to the child care centre.

P7 Secure, undercover pram storage should be provided at 1 space for every 2 children under two years of age.

North Sydney Development Control Plan 2013 – 2020 Draft amendments**Child Care ~~Facilities~~Centres****5.10 PLAY SPACES**

Well designed indoor spaces enhance the well being of the users of the child care ~~facility~~centre. The quality of the indoor space affects the level of child involvement and the type of interaction between staff and children.

Indoor space requirements refer to areas used by children for sleeping, eating and playing, and by staff for the caring of children and undertaking duties within the centre. Passageways, kitchens, toilets and shower areas, or other facilities such as cupboards, are not included when calculating this floor area.

Children require outdoor space so they can move freely and engage in vigorous play. Outdoor space also offers sensory stimulation, provided by different surfaces, exposure to fresh air, sunlight, wind and even rain.

Ideally outdoor space will be exposed to the sky to provide direct sunlight, breezes and fresh air, and will have access to shelter and shade. However, it is recognised that in some ~~instances~~child care centres, such as ~~within those located in~~ commercial zones, the provision of this type of space can be difficult, and outdoor space may also be in the form of:

- (a) Podium levels - Particular consideration must be given to access to daylight and sunlight, the safety fencing of outdoor play areas, noise and fire exits.
- (b) Rooftops - Particular consideration must be given to the impact of winds, plant and machinery on nearby rooftops, safety fencing of the play area, and fire exits.
- (c) Indoor / outdoor areas - Particular consideration must be given to isolating the children from the effects of noise, pollution and winds, and access to natural light and air. Planting, climbing equipment and visual features must provide an interesting and stimulating experience for the children.

5.10.1 Indoor spaces**Objectives**

O2 Ensure that adequate indoor space is provided for children and staff to learn and grow.

Provisions

P1 A minimum of 3.25m² of unencumbered indoor floor space per child care place must be provided.

Note: To ensure a reasonable level of amenity is achieved, provision 4.5m² per child care place is considered to be best practice.

P2 In addition to P1, a minimum of 10m² of unencumbered indoor floor space per employee must be provided to accommodate office space/s, staff room/s, sick bay area/s and adult toilet and shower facilities, located within the licensed floor area.

P3 Playroom spaces are to be designed such that they are not impeded by internal building features such as columns.

5.10.2 Transition Areas

A Transition Area comprises an indoor or outdoor area which performs an important role in helping extend children's play into the outside areas (e.g. covered verandah or terrace).

Objectives

O1 Outdoor play in all weather conditions.

O2 Integration of indoor and outdoor play spaces.

O3 Transition areas that are safe, comfortable and of a functional size.



2020 Draft amendments - North Sydney Development Control Plan 2013

*Child Care **FacilitiesCentres***

Provisions

- P1 Transition areas must be located between the indoor space and outdoor space and be able to be supervised from outside of the area.
- P2 The area may be included in calculations of outdoor unencumbered space.
- Note:** *To ensure a reasonable level of amenity for the users of the facility, the provision of Transition Areas in addition to the minimum requirements for indoor and outdoor spaces is considered to be best practice.*
- P3 The area should be a minimum of 4 metres wide.
- P4 The transition area must be designed to allow indoor and outdoor activities to be conducted undercover.
- P5 The transition area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall.

5.10.3 Outdoor space

Objectives

- O1 Ensure that outdoor spaces allow children to play and experience sunlight, breezes and fresh air.
- O2 Ensure that outdoor spaces provide an environmentally, safe and healthy area for play.

Provisions

- P1 A minimum of 7m² of open space per child care place must be provided.
- Note:** *To ensure a reasonable level of amenity is achieved, provision 10m² per child care place is considered to be best practice.*
- P2 Must not be located directly adjacent to a state road.
- P3 Ensure that exposure to adverse weather and environs such as external noise, pollution and winds is minimised.
- P4 Locate seating and outdoor play equipment in shaded areas.
- P5 Ensure outdoor space has a northern orientation with access to views and receives a minimum of 2 hours direct sunlight per day.
- P6 Ensure outdoor space is adequately shaded in accordance with guidelines set out in the NSW Cancer Council's *Shade for Early Childhood Services* publication.
- P7 Physical shading devices are to provide sun protection to children and to be integrated into the design of the building.
- P8 The playground space should be a compact square, rectangular or L-shaped area sited on one or two sides of the building, to facilitate functional use by children and effective supervision by staff.
- P9 Use plant species in landscaping that are not harmful to children or the environment. Avoid the use of noxious and environmental weeds (as listed on Council's website).
- P10 A detailed landscape plan prepared by a qualified landscape architect or other design professional with demonstrated experience in the design of children's play spaces must be submitted with any development application for a child care [facilitycentre](#). The landscape plan must illustrate:
- (a) the separation of play areas for different age groups including the location of low fencing, planting and other structures which divide the areas but allow for interaction between the ages;
 - (b) the separation of outdoor play space into active and quiet zones;
 - (c) the type and placement of any fixed play equipment;
 - (d) the location and type of shade structures;

North Sydney Development Control Plan 2013 – 2020 Draft amendments**Child Care FacilitiesCentres**

- (e) the use of a variety of surfaces such as timber decking, artificial grass, sand etc. Surfaces are to comply with AS 4422 – Playground Surfacing;
- (f) the use of a variety of textures, shapes and forms, with a blend of natural and artificial materials and plantings, that are highly interactive with the children and stimulate the senses;
- (g) storage areas which can be used by staff without leaving the children;
- (h) access to water should be available in the playground so that staff can fill up water troughs of supply water to the sandpit to enhance children's play;
- (i) drainage;
- (j) sandpits that:
 - (i) have a minimum depth of 450mm;
 - (ii) are designed to minimise the spillage of sand, preferably with an edge that can be swept; and
 - (iii) incorporate a cover when not in use.
- (k) Outdoor play spaces located above ground level must be enclosed by a combination of walls and fences a minimum of 1800mm high to prevent children from falling or climbing out of the space and to prevent items from being thrown out of the space.

5.10.4 Indoor-Outdoor spaces**Objectives**

- O1 To ensure useable outdoor space is provided for children regardless of locational constraints.

Provisions

- P1 Indoor-outdoor spaces will only be considered in locations where it can be proven that the required level of outdoor space can not be provided.

Note: *The North Sydney Centre, St Leonards and mixed use areas of Crows Nest, Milsons Point, Neutral Bay and Cremorne are examples of where the provision of indoor-outdoor spaces may be considered acceptable.*

- P2 A landscape plan must be prepared by a qualified professional and submitted with any proposal for a child care facilitycentre, detailing the same variety of elements and design considerations as outdoor spaces (refer to Section 5.10.3).
- P3 Spaces are to be provided with natural light through windows and skylights.
- P4 Spaces must incorporate higher floor to ceiling heights than indoor spaces.
- P5 Spaces should be provided with access to natural air flows and the ability for children to see out.
- P6 Spaces to be provided with a sandpit and associated drainage for water play.
- P7 Spaces should include a variety of natural materials.
- P8 Spaces must be physically separated from indoor spaces with visual and physical access between the two areas for staff and children.
- P9 Spaces are not impeded by internal features such as columns.

5.10.5 Play Equipment**Objectives**

- O1 To ensure the safety of children using play equipment.



2020 Draft amendments - North Sydney Development Control Plan 2013

Child Care FacilitiesCentres

Provisions

- P1 Any outdoor play equipment must comply with Australian Standards and include appropriate ground surfacing. The surface around and underneath play equipment must comply with Australian and NZ Standard AS/NZS4422:1996.

5.10.6 Fences

Objectives

- O1 To ensure that fences complement the exist design features of the building, and adjoining buildings where appropriate.
- O2 To ensure that fences provide maximum protection for children.

Provisions

- P1 All fences within and bordering child care facilitiescentres are to meet the Australian Standards for safety. The design and height of fencing should prevent children from scaling, or crawling under the fence.
- P2 Use materials and finishes for fences that complement characteristic visual elements in the surrounding physical environment and do not dominate the streetscape.
- P3 If perimeter fences of the outdoor space are close to a major road or a hazard, make them higher than the Australian Standard of 1200mm.

P4 Provide a childproof self-locking mechanism on all gates.

P4P5 Fences to outdoor play spaces located above ground level should be a minimum of 1800mm high.

5.11 VISUAL AND ACOUSTIC PRIVACY

Good management of privacy issues ensures the child care facilitiescentres are well integrated within the local context.

While child care centresfacilities are beneficial within a community, there can be noise issues arising from the operation of the centrefacility, which can be addressed by considering the location and orientation of outdoor space, driveways, parking and access. In residential areas the location of windows and doors can influence noise impacts on nearby homes.

5.11.1 Visual privacy

Objectives

- O1 To ensure that both the users of the facility and adjoining property owners are afforded appropriate levels of visual privacy.

Provisions

- P1 Provide screening by trees, fencing and window coverings to minimise overlooking and noise impacts.
- P2 Locate any play structures at least 3m from any property boundary located adjoining a residential property.

5.11.2 Acoustic privacy

Objectives

- O1 To ensure that the operation of the child care centre-facility does not adversely impact on the acoustic amenity of adjoining properties.

Provisions

- P1 All applications must be accompanied by an Acoustic Report prepared by a suitably qualified acoustic consultant.

North Sydney Development Control Plan 2013 – 2020 Draft amendments**Child Care *FacilitiesCentres***

- P2 Noise levels (measured at any point on the boundary of the site between the proposed Centre and adjoining property) do not exceed 5dB(A) above the L₉₀ background level during the hours of operation. Council may consider a variation to this requirement, but only if the applicant can adequately demonstrate that an alternative method of controlling the impact as outlined in the Association of Australian Acoustic Consultants' *Technical Guidelines – Child Care Centre Noise Assessment*.
- P3 Where practical, locate noisy areas such as outdoor play areas, vehicle access and pathways away from habitable windows of adjoining dwellings.
- P4 Consideration is given to using appropriate noise reduction measures, such as:
- (a) Appropriate location of areas of high noise generation;
 - (b) Double glazing on windows;
 - (c) Acoustic fences; and
 - (d) Construction materials incorporating sound insulation properties.



SECTION 8 OUTDOOR DINING AND DISPLAY OF GOODS ON THE FOOTPATH

8.1 INTRODUCTION

Outdoor dining and display of goods can add to the diversity and vibrancy of our urban environment. In the right circumstances, outdoor dining and ~~areas used for the goods display~~ of goods areas can contribute to street life and draw people to an area. It also improves the amenity of public spaces, provides causal surveillance and assists in business prosperity.

However, careful attention to the location, layout, design and management of outdoor dining and goods display and ~~areas used for the display of goods~~ is required to ensure that these function effectively and do not interfere with the safety and primary function of the footpath or nearby road.

8.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 To enable the appropriate use of footpaths such that they contribute to the diversity and attractiveness of shopping areas;
- O2 To ensure that the use of footpaths contribute to the expression of local character and identity;
- O3 To ensure that any ancillary use of the footpath does not interfere with the safety and functioning of the footpath or any nearby road;
- O4 To create comfortable settings for outdoor dining; and
- O5 To prevent the ad-hoc proliferation of advertising on footpaths.

8.1.2 When does this section of the DCP apply?

This section of the DCP applies to use of the footpath for outdoor dining or for the display of goods ~~whether it that~~ requires development consent under the provisions of ~~NS~~ the LEP 2013 or. ~~In some instances, outdoor dining and display of goods on the footpath domain may be permitted without development consent (See Part 2 – Exempt Development Code, Codes SEPP and Schedule 2 – Exempt Development, NSLEP 2013).~~ Despite whether consent is or is not required, a permit will be required from Council for any use of the footpath.

With respect to the term “footpath”, this term extends to include all parts of a road reserve which are dedicated to the primary movement of pedestrians, whether permanently constructed as a footpath or on a temporary basis. These controls have been formed with regard to the **North Sydney Outdoor Dining & Goods Display Policy**.

With respect to the term “outdoor dining”, this term relates to activities associated with a lawfully approved food and drink premises (which includes a restaurant, or cafe, takeaway food and drink premise, milk bar or tavern / pub or small bar). Furthermore, “outdoor dining area” incorporates the serving of food and or drink in the public domain and any associated furniture such as seating, tables, barriers, planters, umbrellas, heaters and the like.

This ~~s~~Section should be referred to by anyone intending to make a development application to Council for consent to use part of the footpath for outdoor dining or for the display of goods, specifically in the design stage.

Council will also use this ~~s~~Section ~~in the assessment of any development application which requires development consent to use part of the footpath for outdoor dining or for the display of goods, specifically in the design stage.~~ when issuing a permit for outdoor dining or goods display on the footpath where the proposal is deemed to be exempt development to ensure a consistent approach is applied to the use of the public domain.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Outdoor Dining and Display of Goods on the Footpath

8.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 2 – Commercial and Mixed Use Development;
- (c) Part B: Section 12 – Access.

8.1.4 Relationship to other documents or planning policies

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

- (a) *North Sydney Outdoor Dining and Display of Goods Policy*;
- (b) The Office of Liquor Gaming and Racing's *Footpath Strategy*.

8.1.5 Additional permits

Where an applicant seeks to provide outdoor dining or ~~an outdoor goods~~ display area on the footpath, they may also be required to obtain one or more of the following:

- (a) an approval under s.68 of the [Local Government Act 1993](#);
- (b) an approval under s.125 of the [Roads Act 1993](#); and
- (c) a consent under s.138 of the [Roads Act 1993](#).

Inquire with Council to ascertain if the permits are required.

8.2 USE OF LANEWAYS FOR OUTDOOR DINING

Pursuant to s.125 of the [Roads Act 1993](#) Council may grant approval to the operator of a "restaurant or café" or adjacent to a footway of a public road to use part of that footway for the purposes of a restaurant. A footway is defined under the [Roads Act 1993](#) as:

footway means that part of a road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic).

Council has a long standing policy for the activation of its laneways in the Business zones under its LEP. To encourage the achievement of this policy position, Council will from time to time investigate the potential for the temporary closure of some laneways to vehicular traffic during specified times to enable the carriageway portions of a laneway to be used for pedestrian access, outdoor dining or the display of goods.

Before Council has the power to grant a development consent under s.~~4.1680(1)~~ of the [EP&A Act, 1979](#) or an approval under s.125 of the [Roads Act 1993](#), to permit use of the carriageway portions of a laneway for outdoor dining or the display of goods, it needs to be satisfied that the laneway has been appropriately closed to vehicular traffic pursuant to s.116 of the [Roads Act 1993](#). Figure B-8.1 outlines the process to be undertaken in the temporary closing of a laneway to enable Council to approve outdoor dining or the display of goods within a laneway.

The creation of pedestrian access in the road reserve on a temporary basis or otherwise may facilitate the lodgement of a development application for outdoor dining on the display of goods. Development applications will be assessed on their individual merits. The facilitation of a pedestrian area through temporary road closures or restriction of vehicle access must not be construed in any way as to the limiting or fettering the exercise of any statutory discretion or duty.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments



Outdoor Dining and Display of Goods on the Footpath

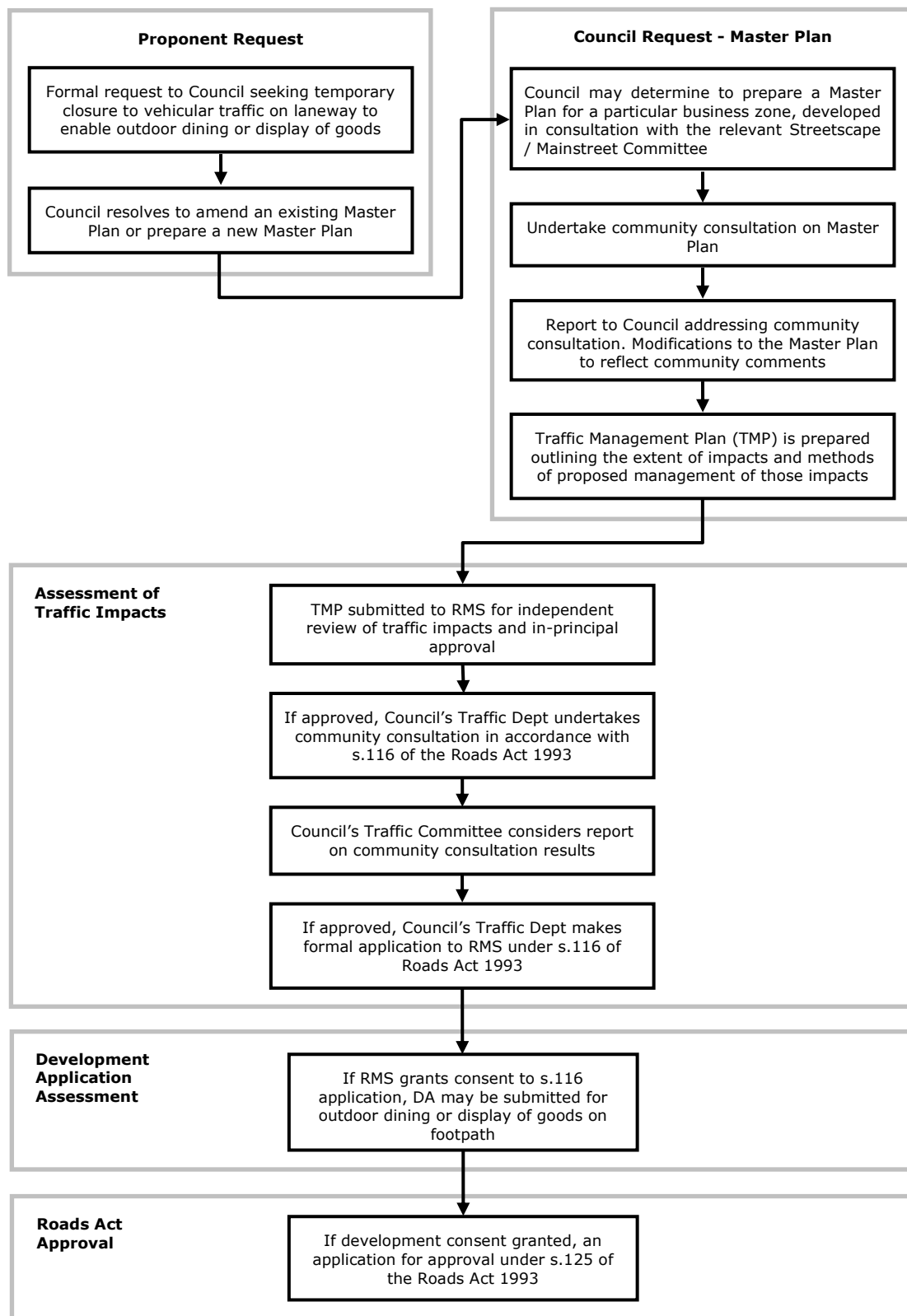


Figure B-8.1: Process for the temporary closure of roads to vehicular traffic to enable pedestrian access, outdoor dining and the display of goods.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Outdoor Dining and Display of Goods on the Footpath

8.3 FUNCTION

8.3.1 Location

Objectives

- O1 To create opportunity for the enlivening of existing commercial streets, whilst minimising impacts on residential and pedestrian amenity.

Provisions

- P1 Outdoor dining or goods display areas will only be permitted on a "footway" as defined under the [Roads Act 1993](#), where it is provided in conjunction with a new or an existing food and drink premises or retail premises shop (i.e. within or adjacent to the *B1 —Neighbourhood Centre*, *B3 —Commercial Core* or *B4 —Mixed Use* zones) for which development consent has been granted.
- P2 Avoid locating outdoor dining or goods display areas on footpaths adjacent to arterial roads or too close to fast moving vehicles, where the safety and comfort of patrons may be compromised by vehicle conflict, noise or air pollution.
- P3 Where possible, cluster outdoor dining or goods display areas to minimise impacts on the pedestrian environment.
- P4 Avoid locating outdoor dining or goods display areas near housing where noise and odours may reduce residential amenity.
- P5 Outdoor dining and goods display areas and any associated structures or equipment must not obscure a driver's or pedestrian's view of advisory and regulatory traffic signs or controls.
- P6 Outdoor dining or goods display areas and any associated structures or equipment must not impede access to any public/private utility or stormwater drainage pit.
- P7 Must be consistent with the objectives of the relevant *Locality Character Statement* contained within the ***North Sydney Outdoor Dining and Display of Goods Policy***.

8.3.2 Public transport

Objectives

- O1 To ensure that access to and operation of public transport is not compromised.

Provisions

- P1 Outdoor dining and goods display areas and any associated structures and equipment must not be located in a manner that interferes with the use of public transport or with pedestrian or vehicular access thereto.

8.3.3 Emergency access

Objectives

- O1 To ensure that emergency access to business premises is not compromised.

Provisions

- P1 Outdoor dining and goods display areas must be capable of being cleared of all temporary structures within 1 hour to enable emergency access to repair buildings or critical infrastructure. When access is required, 2 working days notice will be given for routine works and 1 hour notice for emergency works.
- P2 Outdoor dining and display areas and any associated structures and equipment must not be located such that they hinder access by emergency personnel.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Outdoor Dining and Display of Goods on the Footpath****8.4 SOCIAL AMENITY****8.4.1 Noise****Objectives**

O1 To minimise acoustic impacts on nearby residents.

Provisions

P1 Live or recorded entertainment such as music, broadcast programs or the like is not permitted within outdoor dining or display areas.

8.4.2 Lighting**Objectives**

O1 To provide a safe and comfortable environment for pedestrians and patrons, whilst minimising impacts on nearby residents.

Provisions

P1 Provide adequate lighting to ensure the safety and comfort of both patrons and pedestrians alike.

P2 Lighting must be design~~ed~~ such that it does not disturb neighbouring shops or nearby residences.

8.4.3 Solar access**Objectives**

O1 To provide a comfortable environment within which to enjoy outdoor dining or shopping.

Provisions

P1 Solar access to nearby open spaces, outdoor dining areas or residential areas, is not to be obstructed, particularly between the hours of 12 noon and 2.00pm.

P2 Locate outdoor dining areas that have good solar access and daylight.

8.4.4 Weather protection**Objectives**

O1 To provide a comfortable environment within which to enjoy outdoor dining or shopping.

Provisions

P1 Outdoor dining and goods display areas should rely on the use of existing awnings for weather protection. Where awnings are not available, Council may consider, where appropriate, the use of removable umbrellas or retractable blinds.

P2 The use of clear plastic roll down weather screens off umbrellas may be permitted, but only where necessary and only in periods of heavy rain.

P3 Use of weather protection screens which are not attached to an umbrella or an awning are not supported by Council. However, such screens may be permitted by Council, but only where Council is satisfied that the following instances can be met:

- (a) The outdoor dining area to be protected is to be isolated from any other food or drink premises which has an outdoor dining area and is not to be erected in any significant streetscape.
- (b) It can be demonstrated by an appropriately qualified wind consultant that the subject site is subject to adverse wind conditions (i.e. wind tunnel).



2020 Draft Amendments - North Sydney Development Control Plan 2013

Outdoor Dining and Display of Goods on the Footpath

- P4 Such structures will be removed from the public domain outside of business hours of the associated premises.
- P5 The structures must be sympathetically designed to integrate with the streetscape.
- P6 Structures should be transparent where possible to maintain pedestrian sightlines.
- P7 Umbrella overhang of the licensed area may be required to achieve the desired streetscape appearance. In such instances the Permit holder shall indemnify the Council.
- P8 Where heaters are proposed, they are to be safely positioned where they do not obstruct the passage of pedestrians or vehicles - ensure that heaters are stable and will not fall or be knocked over.

8.4.5 Cleaning

Objectives

- O1 To ensure that the public domain is maintained to a high standard.

Provisions

- P1 Approved outdoor dining and goods display areas are to be cleaned on a daily basis, including the removal of all litter, food scraps and the like.
- P2 Applicants must take precautions to ensure the prevention of any potential damage to the footpath (such as staining or cracking of surfaces) and other Council property (such as street signage). A management plan is to be submitted to Council outlining the proposed procedures should such an event occur.

8.4.6 Views

Objectives

- O1 To ensure the safety of pedestrians and drivers by not obscuring important sightlines.

Provisions

- P1 Structures and equipment associated with an outdoor dining or display area must maintain a clear view to shop entrances and shop windows so that the business can be clearly identified by pedestrians.
- P2 Structures and equipment associated with an outdoor dining or display area must maintain clear sight lines for drivers and pedestrians.

8.5 BUILT FORM

8.5.1 Structures and designated areas

Objectives

- O1 To ensure that pedestrian movements are not adversely affected after the ceasing of business operations associated with outdoor dining or the display of goods.

Provisions

- P1 Permanent structures to delineate the outdoor dining or display area are not permitted.
- P2 Removable screens/barriers or removable planter boxes, may be used to delineate the designated area to prevent pedestrians stumbling into the area.
- P3 All structures, equipment and materials associated with the outdoor dining or goods display must be removed from the footpath at the end of each day's trading (includes tables, chairs, display stands and the like, but excludes fixed umbrellas or required markers/planter boxes which has prior approval).

North Sydney Development Control Plan 2013 – 2020 Draft Amendments

**Outdoor Dining and Display of Goods on the Footpath**

P4 Markers may be placed on the footpath to define the designated area to the satisfaction of Council.

8.5.2 Layout and dimensions**Objectives**

O1 To ensure that sufficient space is made available for safe movement of pedestrians during the use of the footpath for outdoor dining or the display of goods.

Provisions

P1 Minimum setback to the kerb is to be provided in accordance with Table B-8.1:

Location	High Traffic Risk*	Medium Traffic Risk [#]	Low Traffic Risk ⁺
High pedestrian traffic [^]	3.0m	2.5m	2.5m
Medium pedestrian traffic [^]	2.5m	2.0m	2.0m
Low pedestrian traffic [^]	2.0m	1.5m	1.2m

* **High traffic risk**

- high volume
- high speed
- travel lane adjacent to kerb
- requires vehicle protection to separate outdoor dining from traffic lane if outdoor dining is adjacent to kerb

[#] **Medium traffic risk**

- medium volume
- medium speed
- parking adjacent to kerb
- requires fence to separate outdoor dining from traffic if outdoor dining is adjacent to kerb

⁺ **Low traffic risk**

- low volume
- low speed
- parking adjacent to kerb
- requires minor planters to separate outdoor dining from traffic

[^] **Pedestrian traffic rates** are identified in the on the Area Management System Permit Areas for Outdoor Dining & Goods Display Areas on the Footpath Map contained within the North Sydney Outdoor Dining and Goods Display Policy

P2 Despite the above requirements, each situation shall be assessed on its merits. An increased setback may be required to achieve appropriate levels of safety for pedestrians, patrons and/or drivers. Alternatively a decreased setback may be permitted, but only where a barrier to Council's satisfaction is installed that ensures the safety of pedestrians and patrons alike.

P3 Minimum setback to specific street infrastructure and furniture is to be provided in accordance with Tables B-8.2 and B-8.3.

Object	Setback
General Items <i>Trees and tree plots; front of public seating; rubbish bins; bicycle hoops, parking signs; parking meters; phone boxes; bus stop shelters</i>	900mm
Essential Services <i>Fire hydrants; hose reel cupboards; fire exit doors; fire equipment stores; substations; communication poles</i>	
Other items <i>Bollards; way finding signs, back of public seating</i>	500mm
Items not listed above	See Table B-8.3



2020 Draft Amendments - North Sydney Development Control Plan 2013

Outdoor Dining and Display of Goods on the Footpath

TABLE B-8.3: Minimum setback to street infrastructure and furniture (other)

Location	high traffic risk*	medium traffic risk#	low traffic risk+
High pedestrian traffic	2.5m	2.0m	2.0m
Medium pedestrian traffic	2.0m	1.5m	1.5m
Low pedestrian traffic	1.5m	1.0m	1.0m

- P4 Minimum setback to intersections, public spaces and other outdoor dining or display areas is to be provided in accordance with Table B-8.4:

TABLE B-8.4: Minimum setback requirements to street intersections / public spaces / dining areas

Object	Setback
Street intersections, from the building corner	45° sightline angle in accordance with Figure B-8.2 below.
Dining and display areas shared with road (i.e. no kerb or street closure)	4m
Water's edge (i.e. MHWM)	2m
Clearance between adjoining dining or display areas with no separation screen	250mm

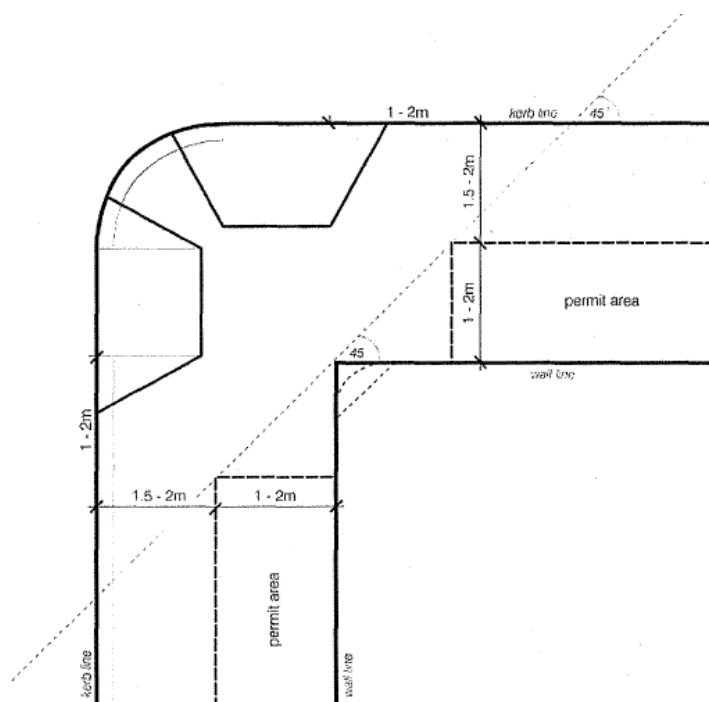


Figure B-8.2:

Setbacks from street intersections.

- P5 The designated area must not obstruct any pedestrian entry or exit to any building.
- P6 Minimum setback of 3m from any construction zones occurring on adjacent land. This is a temporary requirement to ensure the safety of patrons during the course of construction works on adjoining properties.
- P7 Where possible, locate the area directly adjacent to the host premises.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Outdoor Dining and Display of Goods on the Footpath**

- P8 Toilet facilities for patrons are to be provided in accordance with the provisions of the Building Code of Australia (Part F) within the associated premises/business for the total number of seats/patrons accommodated both internally and externally. The total number of patrons to be accommodated is calculated based on 1m²/person or available seating floor area.

8.5.3 Furniture and equipment**Objectives**

- O1 To provide a consistent approach to the provision of furniture and equipment within the public domain.
- O2 To ensure the safety and amenity of both patrons using outdoor dining and goods display areas, and pedestrians and drivers passing by.
- O3 To minimise the visual impact upon the character of an area.

Provisions**General Requirements**

- P1 Outdoor furniture / equipment is to be provided in accordance with that identified in Schedule 5 of the **North Sydney Outdoor Dining & Goods Display Policy**.
- P2 Outdoor furniture / equipment is to be of a commercial grade, to ensure that the safety of patrons and pedestrians.
- P3 All temporary furniture and equipment must be removed from the footpath and stored within the premises, at all times outside of the approved operating hours of the premises.
- P4 Where temporary screens or barriers are used in conjunction with planter boxes, they must uniform in appearance for the premises that they serve, but only where there is more than one screen or planter proposed.
- P5 Temporary furniture and equipment must be stable and not prone to falling over when knocked over by pedestrians or blown over in high winds.
- P6 All furniture and equipment must be strong, durable, waterproof and weather resistant.
- P7 Furniture and equipment should not contain sharp edges, hinges or other moving parts which could be hazardous to the safety of users.
- P8 Furniture and equipment must be capable of being easily moved and folded or stacked for storage.
- P9 Only purpose made structures will be permitted for the display of goods (i.e. do not use make-shift display stands such as milk crates or packing boxes).
- P10 Payment points or garbage bins must not be located in the outdoor area.
- ~~P11 Cigarette butt bins must be provided within outdoor dining areas or ashtrays provided on tables.~~
- ~~P12~~**P11** All furniture and equipment is to be constructed of materials and comprise colours appropriate to outdoor use such as powder coated or polished aluminium, brushed or stainless steel, neutral or painted timber, canvas, non-reflective materials and darker colours (white is not suitable as it deteriorates rapidly in the urban environment).
- ~~P13~~**P12** Ensure that the display of goods is neat and tidy at all times.

Screens or Barriers

- ~~P14~~**P13** Must not be a permanent structure. However, Council may consider approving a permanent screen or barrier, but only where the applicant can demonstrate that the structure/s:
- (a) will not reduce the safety of pedestrians using the footpath, and



2020 Draft Amendments - North Sydney Development Control Plan 2013

Outdoor Dining and Display of Goods on the Footpath

- (b) will not adversely obstruct emergency access; and
- (c) will not adversely reduce pedestrian flows; and
- (d) are required to provide added safety protection when located along busy roads, and
- (e) will not detract from the urban streetscape.

P15P14 Maximum height of 900mm. Screens on sloping sites may be "levelled off" by use of an adjustable telescopic foot or the like.

P16P15 Maximum individual length of 1.2m. Where more than one screen or barrier is proposed, they must be joined with a common lift-off pedestal. Screens must not be chained or roped together.

P17P16 The screen or barrier must comprise a stainless steel, aluminium or painted metal frame, with a fabric or vinyl insert which is either bonded or laced to the frame. Glass or perspex inserts and plastic frames are not permitted. However, Council may consider approving glass or perspex insert screens, but only where the applicant can demonstrate that these types of screens will positively contribute to the streetscape and are consistent with other similar screens in the locality.

P18P17 The screens or barriers must not contain any advertising other than a logo of the type permitted under Schedule 6 of the ***North Sydney Outdoor Dining & Goods Display Policy***.

Planter boxes

P19P18 Must not be a permanent structure. However, Council may consider approving a permanent planter box, but only where the applicant can demonstrate that the structure/s:

- (a) will not jeopardise the safety of pedestrians, and
- (b) will not adversely obstruct emergency access; and
- (c) will not adversely reduce pedestrian flows; and
- (d) will not detract from the urban streetscape.

P20P19 Non-permanent planter boxes must be capable of being moved from the footpath to overnight storage by a single person.

P21P20 Maximum individual length 1.2m.

P22P21 Maximum height 900mm (excluding plants).

P23P22 Plants are to be of a hardy pot species or in season flowering species (which are changed when not in season).

Heaters

P24P23 Heaters must not be a permanent structure. However, Council may consider approving a permanent heater/s, but only where the applicant can demonstrate that the heater:

- (a) is attached to the host building in accordance with the manufacturer's specifications; and
- (b) is located a minimum height of 2.7m above the footpath; and
- (c) is located a minimum of 500mm or the manufacturer's specified distance, whichever is the greater, above and to the side of any combustible materials; and
- (d) is capable of being removed without detrimentally affecting the structure or appearance of the building; and
- (e) must not be attached to a heritage item.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments**Outdoor Dining and Display of Goods on the Footpath**

P25P24 Must be located a minimum of 800mm from any kerb (Measured from the edge of the heater canopy reflector).

P26P25 Tabletop heaters are not permitted.

P27P26 Heaters must comply with the relevant gas association or electricity authority requirements.

P28P27 Electric heaters must comply with the relevant Australian Standards and must be connected to a circuit fitted with an earth leakage cut off device.

P29P28 Gas heaters must incorporate an integrated gas bottle and must be fitted with a compliant (in service date) gas bottle with a safety shut off valve (in case of tipping over).

Tables and Chairs

P30P29 Chairs and tables must not comprise permanent structures.

P31P30 Council may consider approving integrated bench tables and seats remaining in place overnight but they are to be fitted with an anchoring device to the building or to the ground.

P32P31 Chairs must not be positioned such that a patron's back is facing the kerb, unless there is a minimum free space of 1.2m between the chair and the kerb or any safety screen/barrier located between the chair and the kerb.

P33P32 Chairs and tables are to be maintained in a serviceable condition.

Umbrellas

P34P33 Must not be a permanent structure. However, Council may consider approving a permanent umbrella, but only where the applicant can demonstrate that the structure/s:

- (a) will not jeopardise the safety of pedestrians using the footpath, and
- (b) are required to provide added protection along busy roads, and
- (c) will not detract from the urban streetscape.

P35P34 Minimum setback of 600mm from the kerb and the umbrellas' edges.

P36P35 Must not extend beyond the extent of the designated outdoor dining area, unless it can be demonstrated that an overhang is required to provide adequate weather protection.

P37P36 Removable umbrellas must be secured by a stabiliser foot or other restraining device to avoid wind instability, and be capable of being removed in thirty minutes.

P38P37 Minimum UV rating of 50 and must be waterproof.

P39P38 All umbrellas used by a single premise or a building are to be the same colour and type. Where a locality is predominantly characterised by umbrellas with a single colour or type, then any new umbrellas must be consistent with that characteristic colour or type.

P40P39 Gutters may be installed between adjacent umbrellas to provide continuous cover.

P41P40 Clear plastic roll down screens may be permitted on umbrellas, but only where they are provided in accordance with the manufacturer's specifications/instructions and are only used during inclement weather.

P42P41 Umbrellas must not contain any advertising other than a logo of the type permitted under Schedule 6 of the **North Sydney Outdoor Dining & Goods Display Policy**.

Retractable canopies

P43P42 Roll out or retractable canopies are to be fitted and operated in accordance with the manufacturer's specification and must be of commercial grade.

P44P43 Any motorised canopy must be capable of being manually retracted.



2020 Draft Amendments - North Sydney Development Control Plan 2013

Outdoor Dining and Display of Goods on the Footpath

P45P44 Any retractable canopy must be capable of being retracted in a minimum of 10 minutes.

P46P45 Council may require a wind assessment to be carried out by a suitably qualified consultant if it considers that a site is unsuitable for such a structure.

P47P46 Canopies are to be fully retracted at all times outside of the approved operating hours of the premises.

P48P47 Canopies must not be anchored to the pavement or other structures on the footpath. However, Council may consider the anchoring of a canopy to the footpath, but only where it can be demonstrated in writing by a qualified wind consultant that such a system is required.

P49P48 Minimum setback of 600mm from the kerb. Where there is no kerb, a maximum projection of 2.5m applies.

P50P49 Minimum clearance of 3.2m above the pavement, or consistent with prevailing retractable blinds in the vicinity of the proposal.

P51P50 Minimum UV rating of 50 and must be waterproof.

P52P51 All canopies used by a single premises or building are to be the same colour and type. Where a locality is predominantly characterised by canopies with a single colour or type, then any new canopies must be consistent with that characteristic colour or type.

P53P52 Clear plastic roll down screens may be permitted off the sides of a canopy (i.e. not fronting the street), but only where they are provided in accordance with the manufacturer's specifications/instructions and are only used during inclement weather.

P54P53 Canopies must not contain any advertising other than a logo of the type permitted under Schedule 6 of the ***North Sydney Outdoor Dining & Goods Display Policy***.

Display stands

P55P54 Must not be a permanent structure.

P56P55 Display stands are to be fitted with a stabiliser foot or locking wheels/rollers. On sloping sites a tether may be required.

P57P56 Mobile trolley tables are to have at least 2 wheels which are capable of being locked to prevent movement.

P58P57 Display tables must incorporate weatherproof fitted covers for protection during short periods of inclement weather. If goods are to be stored beneath the table, they are to be stored on storage shelves or drawers integrated into the table and not located on the ground. If materials are to be stored under the table on shelves, the table is to be fitted with a skirt or doors to screen the storage areas from public view.

8.5.4 Advertising

Objectives

O1 To minimise visual clutter on an area.

Provisions

P1 Limited advertising may be displayed on furniture and equipment, with a maximum of one advertisement per item, limited in size so that it is a minor element only.

P2 Where logos are proposed, these are to comply with Schedule 6 of the ***North Sydney Outdoor Dining & Goods Display Policy***.

P3 Do not display any general advertising.

P4 Do not place sandwich boards on the footpath.

North Sydney Development Control Plan 2013 – 2020 Draft Amendments***Outdoor Dining and Display of Goods on the Footpath*****8.5.5 Shared table areas****Objectives**

O1 To provide flexibility in the provision of outdoor dining.

Provisions

P1 Council will accept applications for shared dining table areas from cooperative community groups and/or businesses. Careful attention must be given to location, layout, design and management of the proposed areas to be assessed by Council. Should approval be granted, a formal management agreement would be necessary to ensure the area is suitably maintained and operated.



SECTION 10 CAR PARKING AND TRANSPORT

10.1 INTRODUCTION

~~Due to its geographical location within Metropolitan Sydney, North Sydney's transport infrastructure not only accommodates the travel demands of its residents and workers, it also caters to needs of a significant level of cross regional trips. Increased parking provision directly results in increases in traffic flow and; congestion, which subsequently and parking demand leads to reduced levels of service for all modes of transport, public transport through longer journey times, and loss of fleet efficiency. For pedestrians, increased traffic means more difficulty in walking and increased noise levels on major roads. This can result in roads that are intimidating environments for pedestrians.~~

~~This increase in traffic generation conditions can also lead to loss in residential, pedestrian and cyclist amenity, safety of all transport modes and further lead to increased use of private vehicles as alternative transport modes become less attractive.~~

~~The North Sydney Transport Strategy seeks to manage these issues by outlining Council's transport vision and priorities for the LGA. The vision focuses on issues of safety, transport security, social well being, active health, fair access to parking, environmental sustainability, local environments, transport affordability, congestion and business activity.~~

~~In particular, it seeks to prioritise the efficient movement of people and goods by walking, cycling, and public transport with lower levels of priority given to private vehicular transport.~~

10.1.1 General objectives

The objectives of this Section of the DCP are to ensure that:

- ~~O1~~ O1 the objectives, strategies, planning priorities and actions of the *Greater Sydney Region Plan – A Metropolis of Three Cities* and the *North District Plan* are implemented;
- ~~O2~~ O2 the objectives, strategies, planning priorities and actions of the *North Sydney Local Strategic Planning Statement* are implemented;
- ~~O3~~ O3 the vision and priorities of the *North Sydney Transport Strategy* are achieved;
- ~~O4~~ O4 existing levels of traffic generation are contained and reduced;
- ~~O5~~ O5 public transport, including walking and cycling, is the main form of travel mode;
- ~~O6~~ O6 parking is adequate and managed in a way that maintains pedestrian safety and the quality of the public domain whilst minimising traffic generation;
- ~~O7~~ O7 parking is limited to minimise impacts on surrounding areas;
- ~~O8~~ O8 parking is accessible to all user groups;
- ~~O9~~ O9 minimal impacts occur on the provision of on-street parking;
- ~~O10~~ O10 ensure consideration is given to the provision of bicycle parking and facilities; and
- ~~O11~~ O11 the actions of the *Metropolitan Plan for Sydney 2036* are implemented, a development's transport demand is effectively managed through its lifetime.

10.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications.

10.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;



2020 draft amendments - North Sydney Development Control Plan 2013

Car Parking and Transport

- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development; and
- (d) Part B: Section 3 – Non-residential development in residential zones;
- (e) Part B: Section 5 – Child Care Centres;
- (f) Part B: Section 4 – Boarding houses; and
- (g) Part B: Section 6 – Sex services and restricted premises.

10.1.4 Relationship to other documents

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

(a) North Sydney Local Strategic Planning Statement;

(b) North Sydney Transport Strategy;

(c) SEPP (Infrastructure) 2007;

The Infrastructure SEPP lists the types of developments which are required to obtain the RMS's concurrence prior to the issuing of development consent

~~(d)~~ The Road and Traffic Authority's Maritime Service's Guide For Traffic Generating Developments;

(e) Planning Guidelines for Walking and Cycling (2004) prepared by NSW Department of Infrastructure, Planning and Natural Resources and the NSW Roads and Traffic Authority.

(f) Performance Guide

The Guide will direct you to the references, which have been adopted by Council for designing traffic facilities associated with the development of private property.

~~(g)~~ North Sydney Council Resident Parking Permit Policy.

10.2 PARKING PROVISION

10.2.1 Quantity Requirements

Objectives

O1 To facilitate an increase in the use of public and alternative transport modes including walking and cycling.

O2 To minimise the reliance on private car usage.

~~O3~~ To ensure that an appropriate level of sufficient on-site car parking is provided on-site to cater for the users of the development, with regard to a site's proximity and access to other sustainable transport modes.

~~O10 To minimise the reliance on private car usage.~~

~~O11 To facilitate the use of public and alternative transport modes including walking and cycling.~~

Provisions

Residential Development

P1 Provide on-site car parking, ~~including visitor parking not exceeding at~~ the maximum rates stated in Table B-10.1.

TABLE B-10.1 – Residential Parking Rates

North Sydney Development Control Plan 2013 – 2020 draft amendments

**Car Parking and Transport**

Development Type	Zone	Location	Maximum Parking Rate	
<ul style="list-style-type: none"> dual occupancies dwelling houses semi-detached dwellings 	All	All	1-2 bedrooms	1 space / dw*
			3 or more bedrooms	2 spaces /dw
<ul style="list-style-type: none"> attached dwellings multi-dwelling housing 	All	All	Studio, 1-2 bedrooms	1 space / dw
			3 or more bedrooms	1.5 spaces / dw
			Visitor	0.25 space / dw (min of 1 space)
<ul style="list-style-type: none"> residential flat buildings shop top housing 	B4 – Mixed Use	All	Studio, 1 bedroom	0.5 space / dw
			2 or more bedrooms	1 space / dw
			Motorcycle parking	1 space / 10 car spaces
	All zones other than B4 – Mixed Use	All	Studio, 1-2 bedrooms	1 space / dw
			3 or more bedrooms	1.5 spaces / dw
			Visitor	0.25 space / dw (min of 1 space)
<ul style="list-style-type: none"> boarding houses 	All	All	1 / 12 beds	
<ul style="list-style-type: none"> seniors housing 	All	All	1 / 5 dw	

* dw = Dwelling

P2 For residential flat buildings, shop-top housing and attached dwellings, on-site car parking provision ~~significantly~~ below maximum rates specified in Table B-10.1, ~~will generally only be considered if~~ is encouraged where the proposed development has good access to public transport, ~~due to the impact that unmet on-site parking demand may have on surrounding residential streets, if viable alternative transport modes are not available.~~

P3 For residential developments containing 4 or more dwellings, a car wash bay is to be provided within the visitor parking area. The car wash bay may comprise a visitor car space. The wash bay is to be adequately drained and connected to the sewer line.

P4 The use of car spaces is restricted to the occupiers(s) of a development.

P5 Designate ~~disabled and~~ visitor car parking spaces as common property.

P6 Developments containing adaptable housing must allocate at least one accessible parking space to each adaptable dwelling.

Non-Residential Development

P7 Provide on-site car parking not exceeding at the maximum rates specified in Table B-10.2.

Development Type	Zone	Location	Maximum Parking Rate
------------------	------	----------	----------------------



2020 draft amendments - North Sydney Development Control Plan 2013

Car Parking and Transport

Development Type	Zone	Location	Maximum Parking Rate
All uses	B3 – Commercial Core	North Sydney Centre	1 space / 400m ² GFA*
All uses not listed in Table B-10.3 - Specific Uses	B1 – Neighbourhood Centre	All	1 space / 100m ² non-residential GFA
	B3 – Commercial Core	All locations except North Sydney Centre	1 space / 400m ² non-residential GFA
	B4 – Mixed Use	North Sydney Centre Milsons Point St Leonards	1 space / 400m ² non-residential GFA
		Crows Nest Neutral Bay Cremorne	1 space / 60m ² non-residential GFA
	IN2 – Light Industrial	All	1 space / 100m ² non-residential GFA

* GFA = gross floor area

P8 For specific non-residential uses, provide on-site car parking not exceeding the maximum rates specified in Table B-10.3.

Development Type	Maximum Parking Rate		
Boat repair facilities	<ul style="list-style-type: none"> 1 space / 200m² Appropriate loading facilities 		
Child care centres	<ul style="list-style-type: none"> Staff: 1 space / 2 employees with a max. of 3 spaces Parents: 2 spaces / < 24 places - 2 spaces 3 spaces / ≥ 24 places and above - 3 spaces 		
Educational establishments	<ul style="list-style-type: none"> 1 space / 6 staff 		
Entertainment Facilities	<ul style="list-style-type: none"> 1 space / 100m² 		
Food and drink premises (excluding Pubs)	<ul style="list-style-type: none"> 1 space / 50m² 		
Funeral chapels Funeral homes	<ul style="list-style-type: none"> 1 space / 5 seats 		
Hospitals	<ul style="list-style-type: none"> 1 space / 6 beds + 1 space / 4 staff 		
Hotel and motel accommodation Pubs Registered clubs (excluding residential)	<ul style="list-style-type: none"> 1 space / 100m² (licensed floor area), 1 space / 5 bedrooms 		
Light industries	<ul style="list-style-type: none"> 1 space / 200m² Appropriate loading facilities 		
Medical centres	<table border="0"> <tr> <td>North Sydney Centre Milsons Point St Leonards</td> <td> <ul style="list-style-type: none"> 1 space / 400m² </td> </tr> </table>	North Sydney Centre Milsons Point St Leonards	<ul style="list-style-type: none"> 1 space / 400m²
North Sydney Centre Milsons Point St Leonards	<ul style="list-style-type: none"> 1 space / 400m² 		

North Sydney Development Control Plan 2013 – 2020 draft amendments



Car Parking and Transport

TABLE B-10.3 – Parking rates for specific non-residential uses	
Development Type	Maximum Parking Rate
	All other areas <ul style="list-style-type: none"> • 4 spaces / 100m²
	<ul style="list-style-type: none"> • Proposals for medical centres must include traffic report accurately predicting traffic generation based on similar sized medical centres
Places of public worship	<ul style="list-style-type: none"> • 1 space / 100m²
Recreational establishments	<ul style="list-style-type: none"> • 3 spaces / 100m²
Recreational facilities	<ul style="list-style-type: none"> • 1 space / 100m²
Restricted premises Sex service premises	<ul style="list-style-type: none"> • 1 space / 205m²
Serviced apartments	<ul style="list-style-type: none"> • 1 space / 5 apartments
Service stations Vehicular repair stations	<ul style="list-style-type: none"> • 2 spaces / workshop bay
Supermarkets	North Sydney Centre Milsons Point St Leonards <ul style="list-style-type: none"> • 1 space / 400m² of GFA
	All other areas <ul style="list-style-type: none"> • 4 spaces / 100m² of GFA
Vehicular sales or hire establishment	<ul style="list-style-type: none"> • 1 space / 100m²

P9 On-site car parking provision ~~significantly~~ below maximum rates specified in Tables B-10.2 and B-10.3 ~~will generally only be considered if~~ is encouraged where the proposed development has good access to public transport ~~due to the impact that unmet on-site parking demand may have on surrounding residential streets, if viable alternative transport modes are not available.~~

~~P10~~ Parking within the North Sydney Centre may exceed the requirements in Table B-10.2, but only where the level of non-residential parking provided does not exceed the number legally existing on the 28 February 2003.

~~P11~~P10 Council must not grant consent for car parking spaces for entertainment facilities unless the location and availability of existing public car parking in the vicinity of the proposed entertainment facility has been considered. Any car parking allowed specifically for the entertainment facility may, with consent, also be available only for short-stay parking during the hours of 9.30am to 6pm, but for no other purpose.

~~P12~~P11 In addition to P7 and P8 above, parking for motor cycles must be provided at the minimum rate of 1 space per 10 cars or part thereof.

Note: Submit a Traffic and Transport Study prepared by an appropriately qualified person, if required.

10.2.2 Car Share Schemes

Car ~~sharing~~share schemes ~~can be designed to enhance~~support sustainable transport modes, such as walking, cycling and public transport by filling a “mobility gap” – that is providing access to a vehicle on an “as needs” basis, without the high cost of ownership or private parking space provision.

Objectives

O1 To minimise the negative impacts of vehicular traffic associated with new development on the safety and efficiency of existing roads and the amenity of the North Sydney community.



2020 draft amendments - North Sydney Development Control Plan 2013

Car Parking and Transport

Provisions

P1 Council ~~may consider~~supports the provision of car share parking in residential, mixed use and commercial developments. Where a car share scheme is to be provided but only if:

- (a) The number of car share parking spaces provided does not replace more than 25% of the ~~total~~maximum off-street parking requirement if those care share spaces had not been provided, excluding any residential visitor parking spaces; and
- (b) Each car share space does not replace less than 3 or more than 4 of the maximum residential and/or non-residential parking space requirements.

~~Note: The installation of car share parking to replace general off-street parking is optional and at the discretion of the developer.~~

P2 Where car share spaces are to be provided on private land, they must be:

- (a) Publicly accessible 24 hours a day, 7 days a week;
- (b) Located as close as practical to site's entry to the public road;
- (c) Where more than one space is to be provided, located adjacent to one another;
- (d) Clearly marked for use by car share scheme vehicles only; and
- (e) Identified as common property on any registered title of land and not sold or leased to an individual.

10.3 DESIGN AND LAYOUT

10.3.1 General

Objectives

- O1 To ensure that the parking area is adequately designed to enable the manoeuvring and accommodation of the types of vehicles likely to use the site.
- O2 To ensure that parking areas are adequately designed for mobility impaired persons.
- O3 To ensure that the servicing of the site is adequately accommodated for on site.

Provisions

- P1 The size and design of all parking spaces, loading facilities and any associated manoeuvring areas must be in accordance with AS2890.
- P2 1-2% of all non-residential parking spaces are to be designated for use by the disabled.
- P3 Car parking spaces for people with disabilities or their associates are provided adjacent or close to the principal public entrance in accordance with AS 1428.2.
- P4 Motor cycle parking must have a minimum dimension of 1.2m x 3m.
- P5 Council does not support the use of use of turntables for vehicular manoeuvring unless there is no feasible alternative.
- P6 Where security doors/gates are proposed, an intercom system is to be provided to facilitate visitor/service access to underground parking areas.
- P7 Where ~~relevant, provide security between~~ resident parking and ~~publicly accessible~~ non-resident parking is to be provided within the same development, vehicular access to the private residential areas of the parking areas is to be restricted through appropriate security measures.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Car Parking and Transport****10.3.2 Stacking of parking spaces****Objective**

- O1 To minimise the impact on existing vegetation and landscape features and to prevent adverse safety impacts for drivers and pedestrians.
- O2 To minimise inconvenience to all users of the parking spaces.
- O3 To minimise impacts on the surrounding road system.

Provisions

- P1 Council does not support the stacking of parking spaces in the non-residential component of developments. However, Council may permit the stacking of spaces, but only where:
 - (a) the number of stacked spaces does not exceed 25% of the total number of non-residential spaces; or
 - (b) where the parking spaces are in the same ownership or strata lot.
- P2 Council does not support the use of mechanical car stacker systems for the provision of car parking. However, Council may consent to the use of a mechanical car stacker, but only where it can be demonstrated:
 - (a) That the use of the mechanical stacker will enable a reduced level of excavation to preserve existing significant tree(s) and or natural landscape features on the site;
 - (b) That the site's shape is physically constrained, such that conventional parking arrangements would not enable compliance with the parking provision requirements of this DCP;
 - (c) Where a single car stacker system accommodates more than 10 vehicles within a multi-dwelling housing development, a residential flat building, a mixed use or commercial premises, that a car waiting space is provided entirely on the site and adjacent to the mechanical stacker to enable a vehicle to wait while the stacker is in use. The waiting area must be located such that it does not interfere with the ability for a vehicle to enter and leave the stacker, while a car is occupying the waiting area.

Note: A car stacker system referred to in P2(c) refers to a system which uses a lift and/or horizontal moving platforms.

10.4 LOADING AND SERVICING FACILITIES**Objectives**

- O1 To ensure that adequate off street loading, deliver and servicing facilities are provided.
- O2 To minimise the impacts of loading, deliveries and servicing operations on the safety and efficiency of the surrounding road system.

Provisions

- P1 Off-street loading and unloading facilities should be provided for all commercial and industrial premises as required by Council. The requirement for, number and size of loading bays will be determined by Council having regard to the:
 - (a) Intended use of the premises;
 - (b) Frequency of deliveries / collections;
 - (c) Size and bulk of goods to be delivered / collected;
 - (d) Size of vehicles to be used;
 - (e) Practicality of accommodating delivery and service vehicles on site; and
 - (f) Likely impacts on traffic safety and efficiency on adjoining roads.



2020 draft amendments - North Sydney Development Control Plan 2013

Car Parking and Transport

P2 Developments containing more than 30 dwellings but less than 60 must provide at least 1 service delivery space, capable of accommodating at least 1 Medium Rigid Vehicle.

P3 Developments containing more than 60 dwellings must provide at least 1 service delivery space, capable of accommodating at least:

- (a) 1 Heavy Rigid Vehicle; or
- (b) 2 Medium Rigid Vehicles.

Note: For the purposes of P2 and P3 above, Medium Rigid Vehicles and Heavy Rigid Vehicles are deemed to be same as that described in Section 2 of Australian Standard AS 2890.2 - Parking facilities - Part 2: Off-street commercial vehicle facilities.

P4 Provide loading spaces and courier parking spaces near vehicle entry points to a site and lifts.

P4P5 Height clearances, including access routes to the required loading spaces must comply with Australian Standard AS 2890.2.

10.5 BICYCLE PARKING AND ASSOCIATED FACILITIES

Objective

O1 To encourage the use of bicycles as an environmentally beneficial form of transport and an alternative to the use of private motor vehicles.

Provisions

Number

P1 All new development is to provide on-site, secure bicycle parking spaces and storage for residential accommodation in accordance with the minimum rates specified in Table B-10.4 with the following exceptions:

- (a) where an apartment in a residential building has a basement storage area on title that is large enough to accommodate a bike and being no smaller than a Class 1 Security Level A bike locker, then additional bike parking for that apartment is not required; and
- (b) where a proposed use is not included below, bicycle parking and storage rates will be considered on merit taking into consideration rates for similar uses in Table B-10.4 as well as those contained in the *NSW Planning Guidelines for Walking and Cycling* (2004).

TABLE B-10.4: Minimum Bicycle Parking Rates		
Development Type	Rate	
	Occupants	Visitor / Customer
Residential		
<i>Residential accommodation</i>	1 / 1 dwelling	1 / 10 dwellings
Tourist and Visitor Accommodation		
<i>Serviced apartments, Hotels and motels</i>	1 / 4 staff	1 / 20 rooms
<i>Backpackers accommodation</i>	1 / 4 staff	1 / 10 beds
Commercial Premises		
<i>Office premises, Business premises</i>	1 / 150m ² GFA	1 / 400m ² GFA
<i>Bulky goods premises</i>	1 / 600m ² GFA	1 / 1000m ² GFA
<i>Shop, Restaurant or cafe</i>	1 / 250m ² GFA	2 + 1 / 100m ² over 100m ² GFA

North Sydney Development Control Plan 2013 – 2020 draft amendments



Car Parking and Transport

TABLE B-10.4: Minimum Bicycle Parking Rates		
Development Type	Rate	
	Occupants	Visitor / Customer
Shopping centre	1 / 200m ² GFA	1 / 300m ² sales GFA
Pub	1 / 100m ² GFA	1 / 100m ² GFA
Entertainment facility	-	Greater of 1 / 15 seats or 1 / 40m ² GFA
Place of public worship	-	Greater of 1 / 15 seats or 1 / 40m ² GFA
Industry		
Industry, Warehouse or Distribution centre	1 / 10 staff	-
Community		
Child care centre	1 / 10 staff	2 / centre
Medical centre, Health consulting rooms	1 / 5 practitioners	1 / 200m ² GFA
Tertiary educational institution	1 / 10 staff	1 / 10 students
Swimming pool	1 / 10 staff	2 / 20m ² of pool area
Library	1 / 10 staff	2 + 1 / 200m ² GFA
Art gallery or museum	1 / 1000m ² GFA	1 / 200m ² GFA
Other		
	On merit. Council will give consideration to the rates contained within the <i>Planning guidelines for walking and cycling 2004</i> .	

- P2 Bicycle parking facilities are to be additional to other parking requirements.
- P3 The minimum number of bicycle parking spaces is to be rounded up to the nearest whole number if it is not a whole number.

Type

- P4 Secure bicycle parking facilities are to be provided in accordance with the following:
- Security Level A Class-1 or 2B facilities for occupants ~~or of~~ residential dwellings (Security Level A Class-1 is preferred);
 - Security Level B Class-2 facilities for staff/employees of any land use; and
 - Security Level C Class-3 facilities for visitors of any land use.

Note: The security level classes of facilities are described in detail within AS 2890.3.

Design

- P5 Design bicycle parking and storage facilities in accordance with the relevant Australian Standards that apply at the time.

Location

- P6 Locate private bicycle storage facilities within basement parking levels of the building where provided.



2020 draft amendments - North Sydney Development Control Plan 2013

Car Parking and Transport

- P7 If private storage facilities are located in a basement, they are to be located:
- (a) on the uppermost level of the basement; and
 - (b) as close to the primary entry point as possible; and
 - (c) subject to security camera surveillance where such security systems exist.

Access

- P8 A safe path of travel from Security Class A and B facilities~~bike parking areas~~ to entry/exit points is to be clearly marked.
- P9 Access to Security Class A and B facilities ~~bike parking~~ areas are to be:
- (a) a minimum of 1.8m wide to allow passage of a pedestrians and bikes to pass each other (access ways can be shared with vehicles within buildings and at entries to buildings);
 - (b) accessible via a ramp;
 - (c) clearly identified by signage; and
 - (d) accessible via appropriate security/intercom systems.
- P10 Locate Security Level 3 ~~visitor storage~~ facilities in an accessible at-grade location near a major public entrance to the development, preferably undercover, is able to be passively surveyed from the public domain and/or the proposed or adjoining developments, is well lit to enable adequate night time use and is to be signposted.

Changing / shower facilities

- P11 For non-residential uses, the following facilities for bike parking are to be provided at the following rates:
- (a) 1 personal locker for each bike parking space;
 - (b) 1 shower and change cubicle for up to 10 bike parking spaces;
 - (c) 2 shower and change cubicles for 11 to 20 or more bike parking spaces are provided;
 - (d) 2 additional shower and change cubicles for each additional 20 bike parking spaces or part thereof;
 - (e) Showers and change facilities may be provided in the form of shower and change cubicles in a unisex area or in both female and male change rooms; and
 - (f) Locker, change room and shower facilities are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance where there are such building security systems.

10.6 GREEN TRAVEL PLANS

Travel Plans identify typical travel demand and mode share for a proposed development based on empirical analysis of similar developments, then identify what actions will be delivered to increase walking, cycling, public transport and ride sharing mode share, thereby reducing the negative impacts of the traffic generated by the development on the North Sydney community. Green Travel Plans (GTP) are a site specific plan which provides details to visitors/ workers on how to access that site by walking, cycling or public transport and form a key action in the Metropolitan Plan for Sydney 2036. GTP~~Travel Plan~~s encourages people to consider alternate means to accessing a site rather than by private motor vehicle and may also be known as:

- (a) Workplace Travel Plan (e.g. for commercial premises and industry and the like);
- (b) Education Travel Plans (e.g. educational establishments);
- (c) Residential Travel Plans (e.g. residential accommodation); and

North Sydney Development Control Plan 2013 – 2020 draft amendments**Car Parking and Transport**

- (d) Visitor and Leisure Travel Plans plus others (e.g. Tourist and visitor accommodation and recreational facilities)

Objectives

- O1 To encourage employees, residents and visitors ~~within an organisation~~ to make greater use of public transport, cycling, walking and car sharing for commuting, visiting and work related journeys.

Provisions

- P1 ~~A~~Green Travel Plans must be submitted with all development applications that involve:
- (a) New, or redevelopment of, educational establishments which result in the total number of students exceeding 100 persons.
 - (b) New, or redevelopment of, non-residential developments which result in the total floor space of the development exceeding 2,000m² (approximately 100 employees in an office development).
 - (c) The provision of 50 or more dwellings.
- P2 Components/~~strategies~~ of a ~~Green~~ Travel Plan ~~will likely vary according to the nature of the proposed development and may incorporate~~should include:
- (a) empirical analysis of typical travel demand and mode share outcomes for walking, cycling, public transport and private vehicular use for similar developments (base case scenario);
 - (b) a vision and objectives for the Travel Plan that are consistent with the community's vision for transport as detailed in the North Sydney Transport Strategy;
 - (c) specific, measurable, ambitious and realistic targets, including time-frames for achieving them;
 - (d) an action plan, with links to identified targets, that demonstrates how these actions will deliver the Travel Plan vision, reduce travel demand and/or increase walking, cycling, public transport and ride sharing for trips to and from the site. This could include:
 - (i) Identification and promotion of public transport options to access the site (for example, on a website and /or business cards);
 - (ii) Preparation of a Transport Access Guide (TAG) for the site.
Note: *Transport Access Guides (TAGs) provide information to staff and clients on how to reach places via public transport, walking or cycling. More information on development, implementation and publicising TAGs is available on the Roads and Traffic Authority website: www.rta.gov.au/usingroads/traveldemandmanagement/transportaccessguides/index*
 - (iii) Implementation of a car pool system for employees;
 - (iv) Introduce staff car sharing scheme for fleet vehicles;
 - (v) Use taxis or public transport for work related journeys;
 - (vi) Provide priority parking for staff who car pool with more than 2 passengers;
 - (vii) Encouragement of cycling and walking to the ~~site~~workplace through generous provision of bicycle parking, showers and lockers;
 - (viii) Incentive schemes to encourage employees to commute using sustainable transport modes (such as the provisions of public transport vouchers/subsidised public transport tickets);
 - (ix) Allocation of designated parking spaces for a car sharing scheme;
 - (x) Prominent display of a large map of cycling routes (i.e. in the foyer of a residential, educational or business complex);



2020 draft amendments - North Sydney Development Control Plan 2013

Car Parking and Transport

- (xi) Provide staff with cycling allowances, loans and insurance together with bicycle storage and showering and changing facilities; and
- (xii) Provision of a bus to pick up and drop off staff to the nearest railway station.

~~(a) The undertakings made in the submitted GTP will be included under the terms of any development consent~~

Note: *The strategies listed in P2 above do not comprise an exhaustive list and Council will consider alternative strategies that reduce the reliance on the use of private motor vehicles.*

~~(b)~~ (e) undertakings to regularly evaluate and review the Travel Plan, including a submission to Council, to ensure that proposed travel demand management and walking, cycling, public transport, ride share and private vehicle mode share outcomes for the development are achieved.

- P3 ~~At Council's discretion~~ The maximum, parking requirements for on-site car parking may be reduced on the basis of a written agreement between Council and the owner/occupiers for the implementation of a Green Travel Plan.
- P4 The undertakings made in a Green Travel Plan submitted with a development application may be included as conditions to any development consent.

10.7 TRAFFIC & PARKING IMPACT ASSESSMENT

10.7.1 Objectives

O1 To ensure that a proposed development's impact on the surrounding arterial and local road network, identification of transport infrastructure requirements and cost implications are adequately considered prior to issuing of development consent.

10.7.2 Provisions

P1 A Traffic & Parking Impact Assessment must be submitted with all development applications that are also required to be referred to the Roads and Maritime Services under cl.104 and Schedule 3 of the Infrastructure SEPP, and for all applications which are classified as designated development pursuant to s.4.10 of the EP&A Act 1979.

P2 Council may require a Traffic & Parking Impact Assessment to be submitted with a development application for one or more of the following types of new developments, regardless of whether they are captured by cl.104 and Schedule 3 to the Infrastructure SEPP:

- (a) Child care centres
- (b) Drive-in take-away food outlets
- (c) Education facilities
- (d) Entertainment facilities
- (e) Health care facilities
- (f) Hotel and motel accommodation
- (g) Industrial premises
- (h) Public car parks
- (i) Places of public worship
- (j) Pubs
- (k) Recreation and tourist facilities
- (l) Registered clubs
- (m) Retail premises comprising supermarkets and or shopping centres

North Sydney Development Control Plan 2013 – 2020 draft amendments**Car Parking and Transport**

(n) Service stations

(o) Other developments. Generally, if there is a significant expansion or modification to an existing development type, as outlined in the list above, then a Traffic & Parking Impact Assessment must be submitted with the development application. Seek Council Officer advice for further information.

P3 The following issues are to be considered when preparing a Traffic & Parking Impact Assessment for Council to adequately assess the traffic impacts of a proposed development:

(a) Existing traffic generation

(b) Proposed traffic generation

(c) Capacity of road network

(d) Environmental capacity of the road network

(e) Traffic safety

(f) Traffic amelioration

(g) Off-street parking

(h) On-street parking

(i) On-street metered parking

(j) Vehicle access

(k) Public & active transport

(l) Street lighting

(m) Construction Management Plan

(n) Work zones

(o) Partial road closure (temporary)

(p) Full road closure (temporary)

(q) Cyclists and cycle paths

Note. Refer to the Performance Guide for more details.



SECTION 11 ~~TRAFFIC GUIDELINES FOR DEVELOPMENT~~ CONSTRUCTION MANAGEMENT

11.1 ~~INTRODUCTION~~

~~In the period between 1996 and 2006 the North Sydney Council LGA experienced increases in population (5,882 people), number of dwellings (3,730 dwellings) and resident car ownership (3,806 cars). In addition, North Sydney is a major employment centre in the Sydney Region providing employment for an estimated 60,053[±] people. In the next 10 years, it is expected that the number of workers in North Sydney will increase by 22,600. As a consequence the North Sydney Council LGA will face additional pressures on parking, and the traffic and transport network.~~

~~Since new development is a primary contributor to population growth in North Sydney, the cost of providing new traffic facilities to service the growing population must be borne by the developer.~~

~~In 1993, Council developed a *North Sydney Traffic Strategy* in consultation with residents, Precincts and other interested parties. The Strategy, which is updated regularly, outlines a number of objectives with regard to managing traffic and minimising the impact of vehicles on residential amenity.~~

~~The North Sydney Traffic Strategy has several principles to guide action, including safety, access, equity, environment, participation and amenity. To fulfil the overall vision based on these principles, five broad strategies have been proposed:~~

- ~~• The Commuter Strategy,~~
- ~~• The Through Traffic Strategies,~~
- ~~• The Villaging Strategy,~~
- ~~• The "Movement Without Cars" Strategy, and~~
- ~~• The Residential Amenity Strategy~~

~~The Roads and Traffic Authority (now the Roads and Maritime Services — RMS) have developed the Guide to Traffic Generating Developments (2002 Issue 2.2), which provides a guideline to the likely traffic generation associated with various types of development, and the likely impact of this traffic generation on the surrounding road network and residential amenity.~~

~~Generally, Council would expect that new developments would minimise the traffic impacts, in line with the North Sydney Traffic Strategy.~~

11.1.1 ~~General Objectives~~

~~The objectives of this Section of the DCP are to:~~

- ~~O1 Provide safe and efficient travel routes for all vehicles in the North Sydney LGA.~~
- ~~O1 Increase driver awareness of existing traffic facilities in North Sydney.~~
- ~~O1 Increase awareness of the developer's traffic management responsibilities.~~
- ~~O1 Encourage compliance with Council's traffic management strategies and standards.~~
- ~~O1 Reduce the number of vehicle and pedestrian incidents.~~
- ~~O1 Assist designers understanding of Council and RMS assessment requirements.~~

[±] ~~ABS 2006 Australian Census~~



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management ~~Traffic Guidelines for Development~~

~~O1—Ensure the safety of cyclists, pedestrians and passing traffic during construction of development.~~

~~O1—Cater for current and future growth of vehicle traffic usage.~~

~~O1—Minimise the disruption to pedestrians and traffic during construction.~~

~~11.1.2—When does this section of the DCP apply?~~

~~This Section of the DCP applies to development applications which result in substantial traffic generation.~~

~~11.1.3—Relationships to Other Sections~~

~~Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:~~

- ~~(a)——Section 3—Submitting an Application.~~

~~11.1.4—Relationships to Other Documents~~

~~Where relevant, this section of the DCP should be read in conjunction with the following:~~

~~(a)——**Performance Guide**~~

~~The Guide will direct you to the references, which have been adopted by Council for designing traffic facilities associated with the development of private property.~~

~~(b)——**Infrastructure SEPP**~~

~~The Infrastructure SEPP lists the types of developments which are required to obtain the RMS's concurrence prior to the issuing of development consent.~~

~~11.2—TRAFFIC MANAGEMENT PLAN~~

~~11.2.1—Objectives~~

~~O1—To ensure that a proposed development's impact on the surrounding arterial and local road network, identification of transport infrastructure requirements and cost implications are adequately considered prior to issuing of development consent.~~

~~11.2.2—Provisions~~

~~P1—A Traffic Management Plan must be submitted with all development applications that are also required to be referred to the Roads and Traffic Authority under cl.104 and Schedule 3 of the Infrastructure SEPP, and for all applications which are classified as designated development pursuant to s.77A of the EP&A Act 1979.~~

~~P2—Council may require a Traffic Management Plan to be submitted with a development application for one or more of the following types of new developments, regardless of whether they are captured by cl.104 and Schedule 3 to the Infrastructure SEPP:~~

- ~~(a)——Child care centres~~
~~(b)——Drive in take-away food outlets~~
~~(c)——Education facilities~~
~~(d)——Entertainment facilities~~
~~(e)——Health care facilities~~
~~(f)——Hotel and motel accommodation~~
~~(g)——Industrial premises~~
~~(h)——Public car parks~~

North Sydney Development Control Plan 2013 -2020 draft amendments**~~Traffic Guidelines for Development~~ Construction Management**

- ~~(i) — Places of public worship~~
- ~~(j) — Pubs~~
- ~~(k) — Recreation and tourist facilities~~
- ~~(l) — Registered clubs~~
- ~~(m) — Retail premises comprising supermarkets and or shopping centres~~
- ~~(n) — Service stations~~
- ~~(o) — Other developments. Generally if there is a significant expansion or modification to an existing development type, as outlined in the list above, then a Traffic Management Plan must be submitted with the development application. Seek Council Officer advice for further information.~~

~~P3 — The following issues are to be considered when preparing a Traffic Management Plan for Council to adequately assess the traffic impacts of a proposed development:~~

- ~~(a) — Existing traffic generation~~
- ~~(b) — Proposed traffic generation~~
- ~~(c) — Capacity of road network~~
- ~~(d) — Environmental capacity of the road network~~
- ~~(e) — Traffic safety~~
- ~~(f) — Traffic amelioration~~
- ~~(g) — Off street parking~~
- ~~(h) — On street parking~~
- ~~(i) — On street metered parking~~
- ~~(j) — Vehicle access~~
- ~~(k) — Public & active transport~~
- ~~(l) — Street lighting~~
- ~~(m) — Construction Management Plan~~
- ~~(n) — Work zones~~
- ~~(o) — Partial road closure (temporary)~~
- ~~(p) — Full road closure (temporary)~~
- ~~(q) — Cyclists and cycle paths~~

~~**Note.** Refer to the Performance Guide for more details.~~

11.3 CONSTRUCTION MANAGEMENT PLAN

~~Before starting construction of a development which has been issued development consent, Council will usually require:~~

- ~~(a) — Construction Management Plan,~~
- ~~(b) — Section 138 Permit (issued under the Roads Act, 1993), and~~
- ~~(c) — Construction Certificate~~

11.3.1 Objectives

~~O1 — To ensure that a development approved by Council are constructed and operated in such a way that it minimises the impact upon the surrounding road network and the wider community.~~



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management~~Traffic Guidelines for Development~~

11.3.2 Provisions

~~P1—A Construction Management Plan should contain a Safe Work Method Statement and be lodged with Council (as part of the development application) prior to applying for a Section 138 Permit and any subsequent Construction Certificate. Refer to Council's Performance Guide for further details.~~

~~P1—A Construction Management Plan should give consideration to the following (traffic) issues:~~

- ~~(a)—The proposed method of access to and egress from the site for construction vehicles.~~
- ~~(b)—Disruption to traffic flows~~
- ~~(c)—Preferred construction access~~
- ~~(d)—Vehicles leaving the construction site in a forwards direction.~~
- ~~(e)—Through traffic is to be maintained at all times.~~
- ~~(f)—Maintain access to all neighbouring properties at all times.~~
- ~~(g)—Proposed method of traffic control; controllers must be qualified.~~
- ~~(h)—Proposed method of pedestrian management.~~
- ~~(i)—Access routes through the Council area~~
- ~~(j)—Method of loading and unloading materials and equipment~~
- ~~(k)—Location of any cranes~~
- ~~(l)—Location of any Work Zones (approval of the construction management plan does not imply that the proposed Work Zone will be approved, that is still subject to Traffic Committee approval)~~
- ~~(m)—Temporary, full or partial road closures~~
- ~~(n)—Information to local residents and advertising as required.~~
- ~~(o)—Method of demolition and construction~~
- ~~(p)—Areas used for storage of demolition materials, construction materials and waste containers.~~
- ~~(q)—Method/device to remove loose material from all vehicles and/or machinery.~~
- ~~(r)—Method of support to any adjoining properties~~
- ~~(s)—Protection for Council and adjoining properties.~~
- ~~(t)—Other site specific considerations (as applicable).~~
- ~~(u)—Safe Work Method Statement~~

~~P1—Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the Roads Act 1993 and s.68 of the Local Government Act 1993. These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.~~

11.4 MONITORING AND MAINTENANCE

~~All traffic control work identified in a Traffic Management Plan, must be carried out in strict accordance with that Plan. Council is authorised to undertake any work for the purpose of making the site safe in event of an emergency and all cost incurred will be borne by the developer.~~

~~If a bond applies, Council must inspect the completed work for any damage to Council's infrastructure before returning the bond.~~

North Sydney Development Control Plan 2013 -2020 draft amendments**Traffic Guidelines for Development Construction Management**

~~Traffic works must be completed as soon as possible to minimise disruption to vehicular and pedestrian traffic.~~

~~Erosion and sedimentation controls must be in place before starting any excavation works. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.~~

11.1 INTRODUCTION

Construction activities, which includes demolition, earthworks, underpinning, construction or remediation activities have the ability to adversely affect the amenity of existing residents and workers of North Sydney through temporary increases in noise, vibration, airborne pollution and/or transport movements. These issues can sometimes be compounded when multiple sites in close proximity to one another are undergoing construction at the same time. Council is obliged to manage these temporary site issues for the benefit of the wider community.

In some instances, Council will require the preparation of a detailed Construction Management Plan (CMP). The need for a CMP depends upon the nature of work, likelihood of disruptions, impacts on local amenity, dangers or risks involved, traffic management or any other relevant issue that may cause adverse impacts on the wider community as a result of a development's construction.

The requirement for a CMP typically arises from the imposition of a specific condition/s on a development consent. Council recognises the high costs associated with the preparation of a detailed CMP and that contractors to construct a proposed development are typically not appointed until after a development consent has been issued and that the request for detailed CMP's may not be appropriate as part of the development application process. However, indicative CMP's maybe request depending on site circumstance. This Section of the DCP outlines the minimum requirements that need to be addressed in preparing a CMP. A development consent may also require additional matters over and above that contained within this Section of the DCP to be addressed.

11.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 Establish suitable time periods within which demolition, earthworks, construction or remediation activities can be undertaken;
- O2 Establish a framework for the approval of out of hours permits for development works;
- O3 Establish circumstances where a modification to the consent may be required to allow out of hours works;
- O4 Establish the instances when a Construction Management Plan is required;
- O5 Outline the matters for consideration in the preparation of Construction Management Plans.

11.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development that involve physical works to a site.

This Section also contains detailed heads of consideration for when a CMP is required to be prepared in accordance with a condition/s imposed on a development consent. A CMP may be required if a proposed development includes:

- (a) Basement excavation;
- (b) External works exceeding \$1million;
- (c) Demolition within 2m of a street alignment;
- (d) Demolition of 2 or more storeys;



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management~~Traffic Guidelines for Development~~

- (e) Where traffic management measures are required for a period of two or more weeks; or
- (f) Any other case where the consent authority considers that a CMP should be provided due to the nature of the work or locality or potential disruption to amenity, public safety, on street parking provision or traffic safety.

11.1.3 Relationship to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 14 – Contamination and Hazardous Building Materials;
- (c) Part B: Section 17 – Erosion and Sediment Control;
- (d) Part B: Section 19 – Waste Minimisation and Management; and
- (e) Part B: Section 20 – Public Infrastructure.

11.1.4 Relationship to Other Documents

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) Environmental Planning and Assessment Act 1979 (EP&A Act);
- (b) Environmental Planning and Assessment Regulation 2000 (EP&A Regulations);
- (c) Protection of the Environment Operations Act 1997 (PoEO Act);
- (d) North Sydney Construction Works Management Strategy;
- (e) North Sydney Enforcement and Compliance Policy

11.2 OPERATING HOURS, NOISE AND VIBRATION

11.2.1 Objectives

- O1 To minimise the impact of noise and vibration on the immediate neighbourhood.
- O2 To provide a framework to plan and cater for construction activities outside normal hours.
- O3 To minimise the likelihood of damage to adjacent buildings and structures.
- O4 To manage general community and developer expectations.

11.2.2 Provisions

Primary Construction Hours

- P1 Building works must not occur outside the time periods outlined in Table B-22.1.

<u>TABLE B-22.1 – Primary Construction Hours</u>		
<u>Location</u>	<u>Day</u>	<u>Hours</u>
<u>B3 Commercial Core</u> <u>B4 Mixed Use</u>	<u>Monday – Friday</u>	<u>7.00am – 7.00pm</u>
	<u>Saturday</u>	<u>8.00am – 1.00pm</u>
	<u>Sunday</u> <u>Public holiday</u>	<u>No work permitted</u>
<u>All other zones</u>	<u>Monday – Friday</u>	<u>7.00am – 5.00pm</u>
	<u>Saturday</u>	<u>8.00am – 1.00pm</u>
	<u>Sunday</u>	<u>No work permitted</u>

North Sydney Development Control Plan 2013 -2020 draft amendments**~~Traffic Guidelines for Development~~ Construction Management****TABLE B-22.1 – Primary Construction Hours**

Location	Day	Hours
	Public holiday	

P2 Despite P1 above, construction activities that only involve the internal fit out of a fully enclosed space may be permitted up to 9pm on a Monday – Friday inclusive in the B3 Commercial Core and B4 Mixed Use zones only and subject to the further provisions of this policy.

P3 Extended primary construction hours may be considered beyond the hours outlined P1 either as part of the principal development application or by way of a modification application made under s.4.55 of the EP&A Act. Such requests must provide the following information:

- (a) * a detailed management plan including the nature of the proposed works and how impacts will be mitigated;
- (b) supporting noise and traffic reports which demonstrate that impacts on the community can be minimised;
- (c) details of how the extended works will be of benefit to the community and the environment generally, and
- (d) the acceptance that approval will only be granted subject to conditions that will see the withdrawal or modification of the privilege so given upon justified and unresolved complaint

Works outside of Primary Construction Hours: Out-of-Hours Permits

P4 The time periods within Table B-22.1 may be extended for certain “one-off” events, but only after an Out-of-Hours Permit has first been approved and issued by Council.

P5 In determining whether Council will approve of an out of hours permit, Council will consider the following:

- (a) Nature, location and extent of work to be undertaken to limit potential nuisance;
- (b) Location of the site in relation to sensitive zones (e.g. residential zones);
- (c) The urgency or emergency nature of the works;
- (d) Safety requirements such as risk to public/workers;
- (e) Sequential / timing issues;
- (f) Traffic management considerations;
- (g) Noise reduction measures;
- (h) Measures to be taken to address any potential complaints;
- (i) Proven track record of the site;
- (j) Requirements of other authorities; and
- (k) Public interest

P6 An out of hours Permit will not be approved:

- (a) if the site is located either directly adjacent to or across the road from a site that have been issued an Out-of-Hours Permit within 3 days of the request for an Out-of-Hours Permit;
- (b) for more than 3 consecutive nights, unless it can be adequately demonstrated that it is required for the purposes of protecting public safety;
- (c) for concreting works, or other low impact construction works which can be carried out within the normal construction hours;



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management~~Traffic Guidelines for Development~~

- (d) where there is no demonstrated justification with regard to traffic or public safety or amenity impacts;
- (e) where previous Permits have been issued and have resulted in justified complaint; and
- (f) if the request is received less than 72 hours before the proposed date of out of hours works are to commence.

Noise and Vibration

- P7 Large scale demolition and construction projects/sites will be required to incorporate a Noise and Vibration Management Plan (N&VMP) within the CMP to address construction noise which may cause nuisance or disturbance as a result of the close proximity of any noise sensitive premises and/or the particular scope of the development or the equipment being employed. A N&VMP will need to be provided for demolition work and for potentially noisy building construction activities such as piling, compacting and concrete pouring processes.
- P8 The N&VMP is to consider the time and duration of proposed activities, the nature of the activities intended at the site and the ambient background noise level in the surrounding noise sensitive uses and the actual likely impact on those sensitive uses.
- P9 To ensure that noise and nuisance complaints are managed on site in the first instance, signage specifying any security measures and key contact details must be erected on the perimeter of the site in accordance with the signage provisions under Section 11.3.2 to Part B of the DCP.

11.3 PUBLIC SAFETY, AMENITY AND SITE SECURITY

11.3.1 Objectives

- O1 To ensure that the general public is adequately protected from activities occurring on building sites.
- O2 To manage the protection of public assets and infrastructure.

11.3.2 Provisions

Fencing

- P1 The site should be secured by a fence, hoarding or other suitable barrier.
- P2 Hoardings, perimeter fencing or other site barriers used must not be able to be climbed or allow unauthorised entry.
- P3 Before and during building work, all excavations must be fenced so they do not pose a danger to life or property to the satisfaction of the relevant certifying authority and Council.
- P4 Hoardings, barriers and other perimeter fencing must be suitably lined to limit public viewing to designated viewing areas. This will ensure pedestrian flow is not impeded and adequate site-public interaction is accommodated.
- P5 At least one viewing point per site must be provided.
- P6 All hoardings and other safety related structures must be maintained to SafeWork NSW standards.
- P7 Footpaths and roadways generally will be maintained in a fit for purpose condition at the developers expense.

Safety and Security

- P8 Adequate lighting, safety signage and traffic controls are to be provided. Temporary lighting shall provide an even lighting level and must meet the requirement outlined in the AS/NZS 1558 Road Lighting series.

North Sydney Development Control Plan 2013 -2020 draft amendments**Traffic Guidelines for Development Construction Management**

P9 For refurbishments, renovations and additions, occupants of existing buildings must be prevented from accessing these areas of the building where works are being carried out through adequate security measures to the satisfaction of the relevant certifying authority.

P10 Security measures must be in place at all times when building activities are not in operation. This may include perimeter barriers, locks (either mechanical or electronic), surveillance systems, security lighting and motion detectors.

P11 Where a building site cannot be fully secured, consideration must be given to the use of a security service to prevent unauthorised access.

P12 Security measures must be provided to prevent construction work or protective measures from facilitating unauthorised access to an adjoining building(s) and to safeguard site materials and equipment.

P13 All dangerous chemicals need to be properly stored in secure areas located away from emergency exits, safety measures or stormwater pits. Required quantities of chemicals need to be nominated and procedures put in place for the location of storage facilities, secure access and spillage procedures. Refer to AS 1940-1993 Storage and Handling of Flammable and Combustible Liquids. Signage for dangerous goods must be in accordance with AS1216 - 1995 Class Labels For Dangerous Goods. Hazardous materials must be stored in a manner approved by SafeWork NSW.

P14 Explosives shall not be used for demolition or excavation.

Signage

P15 Signage specifying any security measures and key contact details shall be erected on the perimeter of the building site (i.e. attached to the building, fence or hoarding), with one sign provided on each street frontage and plainly visible to the public domain.

P16 At a minimum, each sign shall contain at least the following information:

(a) The name and contact details (including phone) of the:

(i) Developer;

(ii) Chief Contractor;

(iii) Principal Certifying Authority;

(b) A 24 hour emergency contact name and phone number;

(c) Website address where the community may find details of the construction activities in accordance with Part B: Section 11.8 of the DCP.

P17 One sign per street frontage is permitted advertising the proposed development under construction on the land. Each sign should not exceed a display area of five (5) square metres or 10% of the relevant ground level fence or hoarding elevation whichever is the lesser. It must not be an animated or internally-illuminated and be removed in its entirety when the construction work is completed or the security fencing or hoarding is removed.

P18 Any sign, road markings, street furniture, parking meters, etc, affected by the works shall be relocated or protected and, or, kept in good repair. When installing hoardings, attention shall be paid to the effects that such items may have on pedestrian and cycle travel paths at intersections. This may mean installing temporary pedestrian ramps, tactiles, etc. Approval shall be sought from Council to install temporary indents or pedestrian ramps, etc.

Public Domain

P19 Any damage to the footpath, road, kerb and channel, stormwater drains and street furniture that results from excavation, demolition and building work is the responsibility of the builder or developer. Any damage which may impact on pedestrians, cyclists and motorists' safety shall be repaired immediately.



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management~~Traffic Guidelines for Development~~

- P20 Bicycle paths must be maintained where existing bicycle access is provided adjacent to a construction site.
- P21 Developers and builders must ensure there are no tripping hazards from the hoarding or perimeter fencing on nearby footpaths. Hoardings must be maintained in such a state as to minimise the risk of damage to pedestrians, their clothing and their belongings. Electrical, plumbing and other services extending over footpaths must be covered over, and pedestrian and disability access facilitated by a ramp. Ramps must have a non-slip surface, a handrail, and a minimum gradient of 1:14 unless the existing topography of the street or road dictates some variation to this ratio.
- P22 Determine whether the street or footpath or part thereof needs to be occupied by builders, above or below the public domain. The general public must be protected from construction activities including vehicle loading and off-loading within the public domain. Precautions must be fully specified and include the following measures:
- (a) The use of spotters and traffic controllers;
 - (b) Restriction on the hours of operation of these activities (non peak hours);
 - (c) Restriction on the type of work being carried out (welding, etc.);
 - (d) Machinery to be used;
 - (e) Security mesh or barriers to separate the public from the work area.
- P23 When using skips or rubbish bins, take the following steps to prevent disruption to public areas:
- (a) Place skips or rubbish bins away from public thoroughfares, pedestrian and bicycle access areas;
 - (b) Specify times and methods for loading and unloading of bins or skips;
 - (c) Indicate location and height of chutes (if proposed);
 - (d) Protect pavements and streets and conduct dilapidation surveys before and after works have taken place.
- P24 When using cranes or mobile lifting equipment, take the following steps to prevent disruption to public areas:
- (a) Ensure equipment does not restrict public thoroughfares and pedestrian access or, where restricted access is unavoidable, use gantries or other overhead protection
 - (b) Determine lifting zones for medium to long term use of the equipment
 - (c) Protect pavements and streets and conduct dilapidation surveys before and after works have taken place
 - (d) Implement procedures and lifting techniques to ensure safety on adjoining streets and footpaths
 - (e) Use traffic management controls and signage.
- P25 Unless otherwise permitted, an obstruction must not protrude from premises causing it to interfere with pedestrians or traffic in a public place.
- P26 Unless otherwise permitted, all construction materials must be stored onsite and not in the street or public space.
- P27 When a crossover is required for vehicular access to the site, consider:
- (a) The type and size of trucks entering the site
 - (b) The loading and potential for damage to the existing crossover and footpath
 - (c) The nature of protection of crossover and pavements
 - (d) The need for a dilapidation survey of the footpath before and after works have taken place.

North Sydney Development Control Plan 2013 -2020 draft amendments**Traffic Guidelines for Development Construction Management**

P28 In the case of potential damage to assets in the public domain, a financial deposit for an amount determined by Council must be lodged in conjunction with the necessary local law permit application, along with a requirement to reinstate damaged assets at the completion of works.

P29 In the event that works may disrupt parks and gardens managed by Council, consultation and approvals including park protection measures, ongoing maintenance requirements and reinstatement methods will be required from Council's Open Space and Environmental Services Division to ensure there is no damage to flora, fauna and services. Grass verges and medians are also to be protected.

Street Space Occupation

P30 All necessary permits must be obtained from Council to occupy and use the space on the road, footpath or other public land.

P31 Adequate barriers must be installed to prevent the public from accessing the construction area. Any occupation or activity presenting a hazard to the public must be provided with suitable barriers.

P32 Pedestrian access areas must have a minimum width of 1.2m clear on the footpaths (1.5m preferable). Where possible, two way passing bays 1.8m wide should be provided at not more than 20m intervals.

P33 Any permit issued by Council will be time limited. If the permit is not renewed within twenty one (21) days of its expiry orders will be issued to require the removal of any temporary structure or to restrain the use of the benefit otherwise permitted by the permit

Excavation

P34 Excavations adjacent to or in close proximity to a road or pathway must be designed to support the road or pathway.

P35 Excavations adjacent to existing adjoining buildings must be designed to support the adjoining buildings or structures.

P36 The location and extent of excavations on a site must be specified and the means of containing sediment, especially in wet weather, must be detailed. The area of land to be cleared must also be minimised and stripping and excavating the site should be avoided until building is about to start.

Prevent Unsightly Premises

P37 Raw materials stored on the site must be adequately secured to prevent unnecessary and unsightly dispersal of the materials around the site and public areas (streets and footpaths).

P38 Trucks leaving the site must be adequately cleaned to ensure soil, mud and other site debris is prevented from spilling onto adjoining roads and footpaths. Roads and footpaths should be cleaned on a regular basis with consideration to water efficiency.

P39 Graffiti and other posters or stickers on hoardings and fencing must be removed on at least a weekly basis, or immediately if it is offensive in nature.

General Management

P40 Existing trees and vegetation not proposed to be removed as part of any development consent must be protected in accordance with Section 16 to Part B of this DCP.

P41 If building works are for demolition only and the site is to be left vacant, it must be cleared of all unsightly debris, left in a clean state and fully fenced with solid hoarding. The owner is responsible for the site after it has been vacated by the demolisher, principal builder or contractor. Council may require a financial deposit to ensure the owner adequately accepts their responsibility.

P42 Pedestrian signs must not be damaged, defaced, removed or altered in any way. New pedestrian signs must not be installed without Council approval.



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management~~Traffic Guidelines for Development~~

P43 Any precautions for public protection within the street/public domain must comply with Council's and WorkSafe requirements.

11.4 AIR AND DUST MANAGEMENT

11.4.1 Objectives

O1 To ensure that air quality (airborne dust and pollutants) in and around a construction site is maintained at acceptable levels throughout the construction period.

11.4.2 Provisions

P1 Provide details of any equipment and activities that may cause excessive dust or otherwise effect air quality. Dust suppression techniques/equipment may be required depending upon the following:

(a) Weather and wind conditions

(b) Exposure/proximity to the public and surrounding buildings

(c) Proximity to air intake vents on adjacent buildings. Intake from these vents must be prevented through the installation of adequate filters or other approved measures.

P2 Minimise dumping of loose materials on a site. If dumping of loose material is unavoidable, detail methods for preventing dust and other airborne matter impacting on the surrounding area. Ensure these measures are adequate when the site is unattended.

P3 Minimise airborne dust arising from trucks and other vehicles entering and leaving the site by providing details on the method and frequency of watering down driveways and trucks with consideration to water efficiency.

P4 Specify materials to be stored on site and their exposure to wind and the weather elements. Detail methods for preventing loose materials from becoming airborne.

P5 Perimeter fencing must be designed to minimise the impact of dust on the public and adjacent areas.

P6 Equipment powered by internal combustion engines must be properly maintained and regularly serviced to prevent the discharge of excessive pollutants, including smoke and/or toxic fumes or odours, and must meet acceptable noise levels.

P7 Exhausts and ductwork from equipment must be located away from air intakes, windows, enclosed areas and public areas.

P8 Materials can only be cut in designated areas set away from boundaries and public areas, with adequate dust (and noise) suppression. Where cutting needs to occur in situ, localised dust suppression measures must be utilised.

P9 The provisions of the *PoEO Act* and associated regulations also apply.

11.5 EROSION AND SEDIMENT CONTROL

11.5.1 Objectives

O1 Prevent contamination of, or damage to, stormwater drains and waterways.

O2 Ensure sediment from the building site is retained on-site during construction work.

11.5.2 Provisions

P1 An Erosion and Sediment Control Plan is incorporated into the CMP and address the requirements within Section 17 – Erosion and Sediment Control to Part B of this DCP.

P2 The provisions of the *PoEO Act* and associated regulations also apply.

North Sydney Development Control Plan 2013 -2020 draft amendments**Traffic Guidelines for Development Construction Management****11.6 WASTE MANAGEMENT****11.6.1 Objectives**

- O1 Maximise the re-use and/or recycling of construction and demolition waste.
- O2 Waste material to be collected and stored on site until its removal.

11.6.2 Provisions

- P1 A Waste Management Plan is incorporated into the CMP and address the relevant requirements within Section 19 – Waste Minimisation and Management to Part B of this DCP.

11.7 TRAFFIC MANAGEMENT**11.7.1 Objectives**

- O1 Minimise disruption to traffic (vehicles, pedestrians and cyclists) caused by construction activities to ensure the safety of all road users.

11.7.2 Provisions

- P1 A Traffic Management Plan is incorporated into a CMP, where the proposed development will have an impact upon vehicle, waste collection, cyclist and/or pedestrian flows.
- P2 The following issues must be considered in a Traffic Management Plan:
- (a) The proposed method of access to and egress from the site for construction vehicles.
 - (b) Disruption to vehicular, pedestrian and cyclist traffic flows.
 - (c) Preferred construction access.
 - (d) Vehicles leaving the construction site in a forward direction.
 - (e) Through traffic is to be maintained at all times.
 - (f) Maintaining access to all neighbouring properties at all times.
 - (g) Proposed method of traffic control; controllers must be qualified.
 - (h) Proposed method of pedestrian management.
 - (i) Access routes through the Council area.
 - (j) Method of loading and unloading materials and equipment.
 - (k) Location of any cranes.
 - (l) Location of any Work Zones (approval of the construction management plan does not imply that the proposed Work Zone will be approved, that is still subject to Traffic Committee approval).
 - (m) Temporary, full or partial road closures.
 - (n) Information to local residents and advertising as required.
 - (o) Method of demolition and construction.
 - (p) Areas used for storage of demolition materials, construction materials and waste containers.
 - (q) Method/device to remove loose material from all vehicles and/or machinery.
 - (r) Method of support to any adjoining properties



2020 draft amendments - North Sydney Development Control Plan 2013

Construction Management~~Traffic Guidelines for Development~~

- (s) Protection for Council and adjoining properties.
- (t) Other site-specific considerations (as applicable).
- (u) Safe Work Method Statement.

P3 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the Roads Act 1993 and s.68 of the Local Government Act 1993. These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

Monitoring and maintenance

- P4 All traffic control work identified in a Traffic Management Plan, must be carried out in strict accordance with that Plan. Council is authorised to undertake any work for the purpose of making the site safe in event of an emergency and all cost incurred will be borne by the developer.
- P5 If a bond applies, Council must inspect the completed work for any damage to Council's infrastructure before returning the bond.
- P6 Traffic works must be completed as soon as possible to minimise disruption to vehicular and pedestrian traffic.
Erosion and sedimentation controls must be in place before starting any excavation works. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.

11.8 COMMUNITY INFORMATION

11.8.1 Objectives

- O1 To keep the community informed as to the types and extent of construction activities occurring on construction sites, so that they may better plan their days around intrusive activities.

11.8.2 Provisions

- P1 A website is to be established which outlines the staging of the proposed construction activities, types of noises to be anticipated and the length of time that such activities are to be undertake during the day and during each stage.
- P2 Details of the website is to be provided on any security notice attached to the boundary of the site.
- P3 At a minimum, the website is to be updated on a weekly basis if required to take into account any potential variations to the initial timeframes for works being undertaken.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access****SECTION 12 ACCESS****12.1 INTRODUCTION**

North Sydney Council is committed to the creation of a community focused upon endless opportunities, fundamental human rights and social justice. In this manner, the DCP aims to provide provisions for the promotion and acceptance of people as individuals and their access to a fair and equal opportunity to participate in community life. The Australian Government's [Disability Discrimination Act 1992](#) (DDA) prohibits discrimination against people with a disability or their associates in a range of areas including transport, education, employment, accommodation and premises to which the public is entitled to enter or use. The [DDA](#) states that failure to provide equal access is unlawful, unless to do so would impose an unjustifiable hardship.

The built environment should adequately reflect the diversity and needs of the community by allowing the free movement and function of individuals throughout the Council area independently and with dignity. North Sydney Council is seeking to promote an independent and safe lifestyle for the whole of its community through the provision of dignified access. Dignified access means a design or process:

- (a) Enables independent access to premises, good and services, without assuming assistance is required;
- (b) Is equitable and fair; it does not take longer or force people to travel further;
- (c) Facilitates the participation and inclusion of people experiencing a disability; and
- (d) Creates places where people feel at-ease, safe and connected.

Dignified access encompasses the ways in which people get to and from places, how people navigate a space or building, and how people access its facilities and services. –Provisions ~~of~~ for dignified access and mobility ~~should~~ benefit not only people with disabilities, but the community at large.

North Sydney Council is committed to the broadening of opportunities for people who work, play and live in the Local Government Area (LGA). This section of the DCP aims to improve mobility, encourage universal design and provide safe, equitable and dignified access for all people regardless of disability.

12.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 To ensure that the public domain and design of new development provides permeability, legibility, flexibility, consistency, integration and clarity to allow for the access needs of all members of the community.
- O2 To provide ~~appropriate levels of~~ safe, equitable and dignified access and ~~mobility~~ encourage universal design for in new developments, upgrades to existing buildings, public buildings and public open space.
- ~~O3~~ O4 To provide safe, equitable and dignified access within all new developments and ensure that substantial building work carried out on or intensified use of existing buildings provides upgraded levels of access and facilities for all people.
- ~~O4~~ O5 To encourage opportunities for people with disabilities to participate in the design process to foster inclusive design outcomes.
- ~~O5~~ O6 To increase community awareness of disability affecting certain sections of the community through continued investigation and design best practice and further encourage the educational and promotional awareness of access and mobility issues.
- ~~O6~~ O7 To introduce standards for adaptable housing and universal design to recognise the more diverse accommodation needs of the community, particularly people with



2020 draft amendments - North Sydney Development Control Plan 2013

Access

disabilities and older people and allow for flexibility in modification to cater for occupants with existing disabilities or progressive disabilities.

~~6.07~~ To provide an adequate supply of car parking facilities for use by people with disabilities.

12.1.2 When does this section of the DCP apply?

This Section of the DCP applies to:

- (a) all development applications for new development or alterations and additions to existing non-residential development under NSLEP 2013 (e.g. those buildings generally comprising Classes 3, 5, 6, 7, 8 and 9 buildings as classified under the Building Code of Australia (BCA));
- (b) all development applications required to provide adaptable housing under Part B: Section 1 – *Residential Development* to this DCP (refer to subsection 1.2.1);
- (c) All development applications for new or alterations and additions to a boarding house or a group home; and
- (d) All development applications for new or alterations and additions to child care centres.

However, this Section of the DCP does not apply to:

- (e) Work that merely preserves the value or use of an existing asset (e.g. work maintaining, repairing and replacing - unless the maintenance involves works on an existing access barrier which can be easily modified to provide equitable access);
- (f) Works to a component of a building that does not effect access (e.g. installation of a ventilation system);
- (g) Development that does not require building work and is not a significant public use that involves a public authority, service or function such as a health service facility, public administration building, retail premises, place of public worship, restaurant or hotel (e.g. a small change of use with no associated construction works);
- (h) Development that does not require a development application and which BCA approval is not required;
- (i) Class 1 and Class 4 buildings classified under the BCA.

12.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 4 – Boarding Houses;
- (f) Part B: Section 5 – Child Care Centres;
- (g) Part B: Section 6 – Sex Services and Restricted Premises;
- (h) Part B: Section 8 – Outdoor Dining and Display of Goods on the Footpath;
- (i) Part B: Section 10 – Car Parking and Transport;
- (j) Part B: Section 13 – Heritage and Conservation; and
- (k) Part B: Section 20 – Public Infrastructure.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access****12.2 LEGISLATIVE FRAMEWORK****12.2.1 The Disability Discrimination Act 1992 ([DDA](#))**

The DDA aims to eliminate, as far as possible, discrimination against persons on the ground of disability in areas of:

- (a) Work, accommodation, education, access to premises, clubs and sport;
- (b) The provision of goods, facilities, services and land;
- (c) Existing laws; and
- (d) The administration of Commonwealth laws and programs.

Under the [DDA](#), any area legally accessible to the public must also be accessible to people with a disability. The [DDA](#) covers both new and existing buildings as well as places under construction. Applicants proposing to undertake a development should be aware of the requirements of the [DDA](#), the [EP&A Act](#), the Disability (Access to Premises – Buildings) Standards and the BCA.

More information on the [DDA](#) can be obtained from the Human Rights and Equal Opportunity Commission website: www.humanrights.gov.au

12.2.2 Disability (Access to Premises – Building) Standards

On 1 May 2011 the Disability (Access to Premises – Buildings) Standards (Premises Standards) commenced operation. The Premises Standards take a fresh approach to access to premises by harmonising the requirements of the [DDA](#) and those of the Building Code of Australia. The result is that access requirements will be applied consistently to new buildings and new building work throughout Australia, and will be enforced through existing and effective State and Territory building approval processes.

Copies of the Premises Standards, an explanatory statement and frequently asked questions can be viewed and downloaded from www.ag.gov.au/premisesstandards. In addition, the Australian Human Rights Commission has produced Guidelines on the application of the Premises Standards. These guidelines are helpful in interpreting the standards and can be viewed and downloaded from www.hreoc.gov.au/disability_rights/standards/PSguide.html.

12.2.3 Building Code of Australia (BCA)

The BCA and the Australian Standards are the basic tools used in respect of access.

Both prescribe the minimum standards that must be achieved in new development in order to provide equitable access for people with disabilities. However, where substantial alterations are proposed to an existing development, the consent authority has the discretion to enforce the provisions of the BCA on existing developments.

The BCA operates on a performance-based basis which allows for a broader range of solutions making it easier to deal with the specialised needs of particular buildings, such as heritage buildings. Within the BCA are “*deemed to satisfy*” provisions which provide one possible building solution that is considered to satisfy the performance based provisions. An alternative solution to the “*deemed to satisfy*” provisions of the BCA may be considered by the consent authority, but only if the applicant can adequately demonstrate that the alternative solution achieves the same outcome as a “*deemed to satisfy*” provision.

Amendments were made to the BCA in 2011 to ensure that it was consistent with the Access Code of the Premises Standards. While legally the two sets of requirements must remain separate documents, the intention is that compliance with the amended BCA and state and territory building laws and regulations will also ensure compliance with the Premises Standards.



2020 draft amendments - North Sydney Development Control Plan 2013

Access

12.2.4 Australian Standards

The BCA makes reference to some of the Australian Standards applicable to the design of equitable access. However, it is suggested that designers and planners consider the relevant and most up to date provisions of both the referenced Australian Standards and relevant non-referenced Australian Standards in respect to any development. The most up to date Australian Standards will be referenced during the assessment of any development proposal. At the time of the preparation of this DCP, the following standards apply:

- AS 1428 Design for Access and Mobility,
- AS 1428.1 (~~2001~~2009) General Requirements for Access - New Building Works,
- AS 1428.2 (1992) Enhanced and Additional Requirements - Buildings and Facilities,
- ~~AS 1428.3 (1992) Requirements for children and adolescents with physical disabilities,~~
- ~~AS 1428.4.1 (2002~~2009) Tactile ground surface indicators for orientation of people with vision impairment Means to assist the orientation of people with vision impairment - Tactile ground surface indicators,
- AS 1428.4.2 (2018) Means to assist the orientation of people with vision impairment - Wayfinding signs,
- AS 1428.5 (2010) Communication for people who are deaf or hard of hearing,
- AS 1735.12 (1999) Lifts, escalators and moving walks. ~~Part 12: - F~~Facilities for Persons with Disabilities,
- AS/NZS 2890.6 ~~1 (1993~~2009) Parking facilities. ~~Part 1: -~~ Off-street parking for people with disabilities car parking,
- ~~Banking Industry Guidelines (2002),~~
- AS 4586 (~~2002~~2013) Slip resistance classification of new pedestrian surface materials,
- AS 4663 (~~2002~~2013) Slip resistance measurement of existing pedestrian surfaces, and
- AS 4299 (1995) Adaptable Housing, ~~and~~
- ~~Draft DDA Disability Standard on Access to Premises (2004).~~

Copies of Australian Standards can be obtained from:

Standards Australia
 Level 10, The Exchange Centre
 20 Bridge Street
 Sydney NSW 2000
 Ph: 1800 035 822
www.standards.org.au

12.2.5 Livable Housing Design Guidelines

The Liveable Housing Design Guidelines aim to ensure that future homes are able to meet the changing needs of a variety of occupants over the course of the home's lifetime. They were published in 2010 by Livable Housing Australia and are based on universal design principles. Although these guidelines are not statutory, they currently reflect best practice directions in this industry. Council has incorporated the Silver level performance requirements from the Livable Housing Design Guidelines into this DCP, which focuses on seven core design elements:

- (a) Dwelling access;
- (b) Dwelling entrance;

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access**

- (c) Internal doors and corridors;
- (d) Toilets;
- (e) Showers;
- (f) Reinforcement of bathroom walls; and
- (g) Internal stairways.

The Guidelines and the details of the Silver, Gold and Platinum level performance requirements can be accessed at: <http://www.livablehousingaustralia.org.au/>.

12.3 DEVELOPMENT ASSESSMENT**12.3.1 Variation of Access Provisions**

If providing access is considered to cause unreasonable costs or difficulties and is proven unjustified, an exemption may be applied for. In some cases, compliance with access provisions may not be possible and an alternative solution may be considered more desirable by both the developer and Council. A partial or alternative solution will be preferred, opposed to total exemption from the policy.

Should it be the case that provision of access for people with a disability is not possible, a "statement requesting variation" must be submitted with the development application. The statement requesting variation should address at least the following:

- (a) Technical limits;
- (b) Topographic restrictions;
- (c) The effect, both positive and negative, on other people of providing the required access, for example, people delivering goods, people with prams or trolleys and the staff;
- (d) Safety, design options explored and construction issues;
- (e) Heritage issues;
- (f) The benefit for people with disabilities; and
- (g) The costs involved in providing access.

Applicants should be aware that a variation accepted in one situation may not necessarily be accepted in another. It may also be the case that a partial solution may be preferred rather than a total exception. Access should be provided to the maximum level possible without causing unjustifiable hardship.

The consent authority will consider whether or not the case provided in the statement requesting variation is reasonable and whether or not it should be supported. Each case will be assessed on a merits basis and will consider the possibility of providing partial solutions as submitted in the statement requesting variation.

Applicants should note that the granting of consent by the consent authority to a development that is non-compliant with the BCA or this DCP due to reasons such as technical limits, topographical restriction or heritage significance does not protect the applicant against a complaint being made against them under the [DDA](#).

12.3.2 Access to Heritage Items

North Sydney Council contains a large number of sites of historic, scientific, cultural, social, architectural, natural and/or aesthetic significance. Due to the nature of these locations and their local, regional, national and international importance, access should be available for all members of the community.

The provision of equitable access may involve the modification of significant fabric of the heritage item, which could be in direct conflict with heritage values for the site. Thus,



2020 draft amendments - North Sydney Development Control Plan 2013

Access

development proposals involving heritage items will therefore be assessed on a merit basis. However, the proposal should follow these basic principles:

- (a) The provision of access for people to and within heritage items should have minimal impact on the significant fabric of the item and, as far as possible, be reversible;
- (b) Where such access is likely to have a major adverse impact on significant fabric, alternative solutions should be considered; and
- (c) Alternative solutions may include a temporary ramp, access through a side entrance or the like. However, applicants should note that these solutions will only be acceptable as a 'last resort', and that every effort should be made to ensure that equitable access is provided through the principle entrance of the building.

The alteration or removal of a highly significant fabric in order to provide access to the heritage item could constitute an argument of unjustifiable hardship. However in doing so, it must be clearly established that there are no other suitable alternative solutions to provide access to the building. Should development be proposed in a heritage item that is currently, or proposed to be, publicly accessible, Council will require the submission of a heritage impact statement or conservation management plan which addresses access issues. Where a heritage impact statement is submitted, a separate statement requesting variation is not required.

The heritage impact statement should be prepared by a suitably experienced and qualified heritage practitioner and identify the following points as a minimum:

- (a) Assess the significance of the place;
- (b) Identify and rank the significant elements;
- (c) Determine the existing and required levels of accessibility (this will generally require the input of an access expert);
- (d) Identify the potential impacts (both positive and negative) of providing access to the item;
- (e) Identify and assess the possible design alternatives; and
- (f) Assess the heritage impact of the preferred design solution.

12.3.3 Public Domain and Access

Generally, North Sydney Council does not permit private development which encroaches upon the public domain as it is perceived to be alienation of public space and not in the public's best interest.

However, in some exceptional cases it may be appropriate to allow for development to encroach upon or alter the public domain so that equitable access can be provided to a building. In proposing that access be provided via a ramp or other mechanical device on the public domain or alteration of the public domain the following must be demonstrated:

- (a) Providing access by other means will result in a substantial loss of original fabric of a heritage item, thereby impacting on the significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available;
- (b) The proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available; and
- (c) The safety, accessibility, legibility and consistency of public domain will not be adversely affected.

Should an applicant propose to use the public domain to provide equitable access to a building, Council's consent as owner of the land must be obtained prior to lodgement of a development application. To obtain Council's consent the applicant must fully document all access options that have been pursued.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access**

For further information regarding use of the public domain for equitable access, please contact the Engineering and Property Services Department.

12.4 DESIGN CRITERIA**12.4.1 Continuous Accessible Path of Travel**

A continuous accessible path of travel means a clear, flat and unobstructed ~~n~~ uninterrupted path of travel to or within a building providing access to all required facilities. For non-ambulatory people, this accessible path should not incorporate any step, stairway, turnstile, revolving door, escalator or other impediment which would prevent it from being safely negotiated by people with disabilities.

Objectives

- O1 To ensure that all public spaces are accessible to people with disabilities via a continuous accessible path of travel.
- O2 To ensure that the main path of access for people with disabilities is safe, equitable and dignified.
- ~~O2~~ O3 To encourage new development to incorporate universal design principles.

Provisions

- P1 Continuous accessible paths of travel are to:
- comply with the requirements under AS 1428.1 and 1428.2;
 - be well lit and sheltered from the weather where possible;
 - incorporate rest stations if the travel route is long;
 - provide for the physical separation of pedestrian traffic from vehicular traffic;
 - have the shallowest possible gradient for the distance available; and
 - incorporate walkways, ramps, step ramps or lifts at changes of level along the path of travel.
- P2 The access paths and travel paths should incorporate rest stations if the travel route is long and shelter from the weather where possible.
- P3 Signage and tactile markers should be provided to direct people with disabilities to accessible locations.

12.4.2 Parts of a building required to be accessible**Objectives**

- O1 To ensure that appropriate areas of a building are accessible and located along the accessible path of travel.

Provisions

- P1 Access to buildings and their facilities should be provided in accordance with Table D3.2 of the BCA unless it can be shown that access to an area would be inappropriate because of the particular purpose for which the area is to be used.
- P2 In addition to P1 above, developments that are required to provide adaptable housing pursuant to Part B: Section 1 – *Residential Development* and Part B: Section 2 – *Commercial and Mixed Use Development* to this DCP shall provide access to and within all common areas of the residential component of the development.
- P3 Premises providing fixed seats (e.g. entertainment facility, recreation facility), must provide a minimum of 1 wheelchair space per 100 seats or part thereof, with a minimum of 2 spaces. The positioning of spaces provides equal amenity and choice for all users.



12.4.3 Accessible Room Requirements

This subsection of the DCP applies to buildings containing temporary residential accommodation such as serviced apartments, hotel and motel accommodation.

Objectives

- O1 To ensure that temporary residential accommodation cater for mobility impaired persons.
- O2 To ensure that where than more than one bed or apartment is provided, that a range of amenity and cost of accessible accommodation is available.

Provisions

- P1 Accessible rooms shall be provided in the ratios outlined in Table D3.2 of the BCA for Class 3 developments.
- P2 Where accessible rooms or bedrooms are required pursuant to P1 above, they must:
 - (a) be distributed as equitably as possible amongst the different ranges of amenity provided; and.
 - (b) fully comply with the requirements of AS 1428.1 and AS 1428.2.

12.4.4 Walkways, Ramps and Landings

Objectives

- O1 To ensure that walkways, ramps and landings provide appropriate transitions between sections of different gradients allowing for safe, equitable and dignified access to public places for all members of the community.
- O2 To ensure that landings are provided in appropriate places to function as both resting points and circulation spaces.
- O3 To ensure that appropriate ancillary devices are provided with walkways, ramps and landings to maximise mobility for all people.

Provisions

- P1 Walkways, paths, ramps and landings must be provided in accordance with AS1428.1.
- P2 Handrails are to be provided to walkways, paths, ramps and landings in accordance with AS 1428.1.
- P3 Walkways, paths and landings shall not protrude on the public way, unless prior agreement has been reached between the applicant and North Sydney Council.
- P4 Where applicable, walkways, ramps and landings shall be 'filled in' underneath in order to avoid people with vision impairments walking into the underside.
- P5 Gradients provided between lands should be constant and the angle of approach to changes in gradient should be at or near zero degrees.
- P6 Consideration should be given to providing alternative means to providing access between levels (e.g. where appropriate, lifts should be incorporated).
- P7 At the end of walkways, paths and ramps there should be contrasting surfaces.
- P8 Walkways, paths and ramps should have a slip resistance surface, be well lit, and display tactile markers (refer to AS1428.4) and warnings to assist people with a vision impairment.
- P9 The ramp and any sloping sides should be slip resistant and of a colour that contrasts with the adjoining surfaces.
- P10 The height of the kerb shall comply with the provisions of *Disability Standards for Accessible Public Transport 2002*.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access**

- P11 Kerb ramps are to be provided from the footpath to the road at all intersections and through traffic islands where practicable. The kerb ramps are flush with the footpaths and roadways and avoid ridges which create barriers for wheelchairs and child strollers. Tactile surfaces indicate a kerb ramp for people with impaired vision.
- P12 Consideration should be given to providing alternative means to providing access between levels (i.e. where appropriate, lifts should be incorporated).
- P13 Kerb ramps should be free of any threshold lip.

12.4.5 Doorways and Doors**Objectives**

- O1 To ensure doorways and doors are designed such that all members of the community can traverse the opening without hindrance.

Provisions

- P1 Entrance doors must be provided in accordance with AS 1428.1.
- P2 Where double leaf doors are used, at least one leaf must be in accordance with the minimum clear opening requirements of AS1428.1.
- P3 Adequate circulation space should be provided on both sides of doorways as required by subsection 12.4.6 to this Section of the DCP.

12.4.6 Circulation Spaces**Objectives**

- O1 To ensure that adequate circulation spaces, which allow the easy manoeuvrability of wheelchairs, and rest spaces are provided and positioned so that they do not impact on the circulation space.

Provisions

- P1 Circulation spaces must comply with AS 1428.2.
- P2 All circulation areas and thoroughfares should be clear of any obstruction that will impede access by people using mobility aids or which may cause a hazard for people with a vision impairment (refer to AS1428.4).

12.4.7 Lifts**Objectives**

- O1 To ensure that accessible lifts are installed in public buildings which have more than one level, including parking levels, and are required to be accessible.
- O2 To ensure that the accessible lift forms part of the continuous accessible path of travel.

Provisions

- P1 Accessible lifts shall be installed in new commercial and residential buildings in accordance with AS 1735.12.
- P2 In an existing development, where the installation of a lift complying with AS 1735.12 would cause unjustifiable hardship, a "stairway wheelchair platform lift" complying with AS 1735.7 may be considered.
- P3 Lift lobbies shall be designed to permit the turning of wheelchairs for the purpose of entering and exiting lifts and to permit the easy passage of other persons and be provided with seating.
- P4 Lifts should be equipped with audio announcements to indicate floor level and direction of travel.
- P5 Lifts should be fire-rated to enable evacuation during emergencies.



2020 draft amendments - North Sydney Development Control Plan 2013

Access

12.4.8 Sanitary Facilities

Objectives

- O1 To ensure that adequate sanitary facilities catering for people with disabilities are provided in accessible buildings.
- O2 To require the provision of unisex toilets so that a person can be assisted by an attendant of the opposite sex.

Provisions

- P1 Where equitable access is provided to a building, sanitary facilities for people with disabilities shall be provided in accordance with requirements of AS 1428.2 and Part F2.4 of the BCA.

12.4.9 Car Parking Facilities

Objectives

- O1 To ensure in providing access for people with disabilities, parking spaces designated for people with disabilities are located as near as possible to the main accessible entrance of the building, and are linked by an accessible path of travel.
- O2 To ensure that where adaptable housing is required, one accessible parking space is provided for every adaptable dwelling.

Provisions

- P1 Designated accessible car parking facilities must be:
- (a) be located at the closest point to each accessible public entrance;
 - (b) be linked to an accessible entrance to the building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover.
 - (c) be provided at the rates specified in Table D3.5 to the BCA;
 - (d) designed in accordance with AS 1428.1, 1428.2 and 2890.1 and 2890.6
 - (e) clearly signposted in accordance with AS 1428.2 (including both the designated parking space and the continuous accessible path of travel to that space).
- P2 One accessible car parking space must be provided and allocated to each adaptable dwelling provided within a development.

Set Down Areas

- P3 Where set down areas (e.g. for taxis) are provided, they should be adjacent to a safe continuous path of travel to the facility to be accessed.
- P4 Set down areas should be level with a gradient less than 1:40, have adequate circulation space and be located away from traffic flow.
- P5 Kerb ramps should be provided to allow access to footpaths.
- P6 Off street set down areas should have directional signage from street entry and appropriately signed with both pavement and pillar signage.

12.4.10 Public Telephones on Private Property

Objectives

- O1 To ensure that where public payphones are provided on private land, at least one accessible payphone shall be at an accessible floor level.

Provisions

- P1 Accessible phones should be:
- (a) located along the accessible path of travel; and

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access**

- (b) not obstruct an accessible path of travel; and
 - (c) clearly distinguishable with designated signage.
- P2 Where provided, they must comply with the requirements of AS 1428.2.
- P3 A seat should be provided beside the payphone.
- P4 Where a telephone other than a payphone has been provided, there should be at least one that is available at an accessible floor level.

12.4.11 Fire Safety**Objectives**

- O1 To ensure that consideration is given to additional needs of people with disabilities when designing egress routes and warning systems.

Provisions

- P1 Prior to granting consent Council must give consideration to the following:
- (a) accessible fire rated egress routes or waiting spaces for people with mobility impairments;
 - (b) warning systems have both audible and visual warnings; and
 - (c) Preparation of an emergency management plan which identifies strategies to facilitate emergency egress for people with a disability.

12.4.12 Temporary Structures and Events**Objectives**

- O1 To ensure that consideration is given to additional needs for people with disabilities when planning events and festivals and when designing temporary structures.

Provisions

- P1 Where a temporary festival or event is proposed:
- (a) if the event is to be held in an existing building, access shall be provided to the greatest extent possible;
 - (b) accessible sanitary facilities must be made available; and
 - (c) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities.
- P2 Where a temporary structure is proposed:
- (a) The structure should not reduce the existing level of accessibility;
 - (b) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities; and
 - (c) If applicable, an accessible path of travel should be incorporated to and within the temporary structure.

12.4.13 Signage and Audio Cues**Objectives**

- O1 To ensure that where information (both visual and audio) is required, the appropriate indicators are designed and provided to be understood by all users, including those with sensory disabilities (i.e. sight and sound).

Provisions

- P1 Signage and hearing augmentation systems must be provided in accordance with AS1428.1 and AS 1428.2.



2020 draft amendments - North Sydney Development Control Plan 2013

Access

- P2 Hearing augmentation must be provided for at least 15% of the seating capacity of an entertainment facility.

12.5 ADAPTABLE HOUSING

Objectives

- O1 To ensure that accessible, continuous and safe paths of travel are provided from the property entry point to and through the entrance of adaptable dwellings.
- ~~O2~~ To ensure that all new dwellings incorporate universal design elements to accommodate the changing needs of occupants over their lifetimes.

Provisions

- P1 Adaptable housing must be provided in accordance with ~~P2-P1~~ P5 to Part B: Section 1.2.21 – Residential Development. Adaptable housing in B4 Mixed Use zones must be provided in accordance with P7 to P11 of Section 2.2.3 – Commercial and Mixed Use Development.

- P2 All adaptable housing must be designed and constructed to a minimum Class C certification under AS 4299 – Adaptable Housing.

Note: Class C Certification requires the provision of all "essential features" of AS 4299 to be incorporated within the development. The essential features criterion include:

- (a) Provision of plans showing the housing unit in its pre-adaptation and post-adaptation stages;
- (b) A continuous accessible path of travel;
- (c) Provision of accessible parking spaces;
- (d) Manoeuvrability both internally and externally;
- (e) Adjustable kitchen facilities;
- (f) Adjustable bathroom facilities; and
- (g) Adjustable laundry facilities.

- P3 Where adaptable housing is required, access to and within all of the public areas (i.e. common areas/facilities such as entry lobbies, laundry, bbq areas, gardens and the like) must be provided in accordance with AS 1428.

- P4 Where a development requires the provision of adaptable housing, one accessible car parking space shall be provided and allocated to every adaptable unit.

- P5 Issues to be considered in the assessment of adaptable housing include:

- (a) **Compliance with AS1428.1 and AS1428.2:**

Access to and within the adaptable housing dwellings complies with the requirements of the relevant provisions of the Australian Standards. This includes access to at least one type of each common facility or service provided in the development (e.g. BBQ areas, swimming pools, common laundry facilities etc).

- (b) **Location:**

Adaptable housing units should be provided in convenient locations that are close to facilities such as public transport, community facilities and public services.

Within the development they should be located along the accessible path of travel, preferably close to the main entrance of the building.

- (c) **Bathroom Facilities:**

Bathrooms should be large allowing for wheelchair access and manoeuvring. A bath need not be provided, but the shower should allow for chair access. The hand wash basin and any shelving should be provided at a height that is accessible at both a standing or seated position.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Access****(d) Laundry Facilities:**

The laundry should also be large to allow for wheelchair access and circulation around the appliances. Washing machines and dryers should be front loading, a wall mounted dryer is also preferable.

(e) Circulation Spaces:

Bedrooms and living areas should be an adequate size to allow for ease of movement around furniture. Doorways and entrances are wide enough to facilitate wheelchair access and circulation.

(f) Kitchen Facilities:

The kitchen should be of a flexible design so that modifications can be made if required in the future. Cupboard and pantry shelf heights should be adjustable to make them easy to reach.

(g) Flooring:

Tiles or timber flooring is preferable to carpet. However if carpet is to be provided it should be low pile with no underlay. Non-slip tiling should be provided in wet areas.

(h) Walls:

Walls located along main travel paths and in bedrooms and bathrooms should be reinforced to allow for installation of grab rails if necessary.

(i) Windows:

Windows should be operatable with one hand (preferably sliding) and located no higher than 700mm from the floor.

(j) Landscaping:

Outdoor areas should be designed to be low maintenance, with no lawns and a drip irrigation system. All paving should be even and be wheelchair accessible.

Note: *In order to grant development consent, Council will need to be satisfied that the proposal can comply with the design requirements of AS4299 without major structural or design changes. As part of the development consent, a condition will be imposed requiring the checklist of AS4299 to be completed and submitted with the subsequent construction certificate application. The principal certifying authority will then be required to check that the proposal complies with the technical components of AS4299.*

P6 Car parking must be provided in accordance with Part B: Section 10 – *Car Parking and Transport*.



SECTION 13 HERITAGE & CONSERVATION

13.1 INTRODUCTION

North Sydney has a rich and diverse heritage. It comprises buildings, structures, places, aboriginal and archaeological sites, lookouts, streetscapes, urban patterns, parks and reserves, all of which contribute to the area's cultural life, sense of place and identity.

North Sydney's heritage is identified through the provisions of the LEP (heritage items and heritage conservation areas) and the DCP (contributory, neutral or uncharacteristic items). Each heritage item and heritage conservation area has special qualities. These qualities are intrinsic to their value and make them significant.

The need to accommodate more residents and workers within a constrained area is placing increased pressures on the ability to retain and protect the LGA's heritage. This section of the DCP seeks to provide a balance between these conflicting issues.

13.1.1 Guiding Statement

North Sydney's heritage is a tangible link between the past and present. How it is managed today will determine whether it can still be a link in the future. Council's commitment to protecting North Sydney's heritage resources is expressed in the Guiding Statement.

Heritage conservation does not preclude change. The challenge is to manage pressures for increased development and contemporary living standards in ways that allow the rich tapestry of the historic environment to be retained for present and future generations.

Council will work to protect North Sydney's heritage by:

- (a) Ensuring Council decisions are consistent with policy as expressed in the LEP and the DCP;
- (b) Acknowledging the importance Aboriginal occupation and protecting sites that are important to Aboriginal culture and history;
- (c) Acknowledging and protecting North Sydney's archaeological remnants;
- (d) Committing to responsible management of Council's own heritage resources and heritage in the public domain;
- (e) Not supporting developments that remove or significantly reduce the heritage significance of any heritage item;
- (f) Striving to achieve an appropriate balance between contemporary expectations, environmental sustainability and protecting the elements that make an item significant or important to a conservation area's character;
- (g) Acknowledging and protecting the setting of heritage items;
- (h) Permitting flexible yet sensitive adaptation of heritage affected sites where appropriate. Council responds to guidance from and the planning principles of the NSW Land and Environment Court

Burra Charter

Council acknowledges the principles of and practices recommended by the Burra Charter in the conservation of items of cultural heritage and have informed the preparation of this section of the DCP. The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places). The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

When preparing a development application, the principles of the Burra Charter should be applied. In the event of any inconsistencies between the Burra Charter and the DCP, the DCP will prevail.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

13.1.2 General Objectives

The general objectives of this Section of the DCP are to:

- O1 establish a framework for detailed heritage and conservation planning in North Sydney;
- O2 ensure that Aboriginal heritage and archaeology are taken into consideration;
- O3 ensure that the assessment of applications for works on or in heritage items, heritage conservation areas and in the vicinity of heritage, are based on the identified heritage significance of the heritage item, conservation area, property, location or place;
- O4 ensure that supporting documentation is appropriate to the scale of the proposed works and heritage significance of the heritage item, conservation area, property, location or place;
- O5 facilitate opportunities to improve the understanding and/or appreciation of the heritage significance of any heritage item, conservation area, property, location or place; and
- O6 encourage sustainable development practices through the reuse and recycling of the existing building stock as appropriate.

13.1.3 When does this section of the DCP apply?

This Section of the DCP applies to:

- (a) properties that are individually listed as heritage items;
- (b) properties that form part of a group heritage item listing;
- (c) properties and structures within heritage conservation areas; and
- (d) properties within the vicinity of heritage items and heritage conservation areas.

13.1.4 Relationships to Other Sections

Where relevant, this Section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 9 – Advertising and Signage;
- (f) Part B: Section 12 – Access;
- (g) Part B: Section 15 – Bushland;
- (h) Part B: Section 16 – Trees and Vegetation Management;
- (i) Part B: Section 10 – Car Parking; and
- (j) Part C: Area Character Statements.

13.1.5 Relationship to other planning policies and requirements

Where relevant, this Section of the DCP needs to be read in conjunction with the following:

- [The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance](#), 1999 (Burra Charter);
- [Design In Context: Guidelines for infill development in the historic environment](#), 2005 (NSW Heritage Office);

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation**

In some instances, it may be difficult to reconcile all legislative requirements and heritage values. Council will exercise discretion where appropriate but reserves the right to refuse applications where the objectives or aims of this or other policies are not met.

Where a BASIX Certificate is required, applicants are encouraged to check compliance with BASIX well before the intended lodgement date of the development application as modifications can be required to achieve compliance.

13.1.6 When is development approval required?

Not all maintenance works or development to a heritage item or property within a heritage conservation area requires the lodgement of a development application or the obtaining of development approval. Table B-13.1 provides a guide to the application and approval process for works to a heritage item or to development within a heritage conservation area.

TABLE B-13.1: Development Approval Requirements

Category 1 Minor routine maintenance	No application required No development approval required
Category 2 Routine maintenance	Written request to Council required Council's authorisation required
Category 3 Exempt development	Written request to Council may be required Council's authorisation may be required
Category 4 Complying development	Complying development certificate required to Council or an accredited certifier Complying development certificate required
Category 5 All other works not identified	Development application to Council required Development consent required

Note: If you are unsure about the notification requirements for a particular type of work or development, contact Council's Planning Advisors.

Unless otherwise stated, Table B-13.2 below applies to all heritage items, and to all properties and structures identified as contributory, neutral and uncharacteristic items within heritage conservation areas.

TABLE B13.2: Approval requirements for various examples of development types

Type of Work	Typical Examples
Category 1 – Minor routine maintenance	
<p><u>Description:</u> Work to protect and care for a building or work</p> <p><u>Approval requirements:</u> Development consent is not required for minor routine maintenance works.</p> <p>Such works are permitted as <i>exempt development</i> pursuant to satisfying the provisions of cl.3.1 and Schedule 2 to NSLEP 2013. In particular, refer to development type – "<i>Minor routine maintenance of buildings identified as a heritage item or within a conservation area</i>" within Schedule 2 of NSLEP 2013.</p> <p><u>Application requirements:</u> No application required</p>	<ul style="list-style-type: none"> • Replacement of screws and bolts to secure fixtures. • Re-hinging doors and gates. • Replacement of plumbing and wiring which does not involve the replacement of fixed floor, wall or ceiling linings. • Repairing (excluding the replacement of floorboards), sanding, polishing or oiling floorboards. • Removal or replacement of floor coverings (excluding the removal of floorboards attached to joists or concrete slabs). • Maintenance or upgrade of kitchens or bathrooms (excluding the removal of walls, widening of openings, demolition of chimney breast or fireplaces).



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

TABLE B13.2: Approval requirements for various examples of development types

Type of Work	Typical Examples
	<ul style="list-style-type: none"> • Removal or replacement of built in cupboards. • Removal or replacement of internal light fittings. • Repainting internal surfaces of a building. • Replacement of broken glass panes within windows and does not involve a change in the opacity or colour of the glass. • Replacement of broken roof tiles.
Category 2 – Routine maintenance	
<p><u>Description:</u> Work to protect and care for a building or work that does not alter the structure of the building.</p> <p><u>Approval requirements:</u> Written authorisation must be obtained from Council that states that the proposed works will not have an adverse impact on the heritage significance of an item or conservation area in accordance with cl.5.10(3)(a) of NSLEP 2013.</p> <p><u>Application requirements:</u> The applicant must notify Council in writing and Council must confirm or advise in writing that it is satisfied that the proposed development will not adversely affect the heritage significance of the heritage item.</p> <p>Refer to s.13.1.8 for the information to be included in a letter to Council requesting approval to undertake routine maintenance.</p> <p>If you are unsure about the notification requirement for a particular type of routine maintenance contact Council's Planning Advisors.</p>	<ul style="list-style-type: none"> • Repair, replacement, restoration or reconstruction of: <ul style="list-style-type: none"> ○ front fences ○ paths ○ roofing ○ letter boxes ○ decks ○ damaged guttering ○ damaged tuck pointing or roughcast rendering ○ handrails ○ steps ○ timber windows, doors or joinery • Repair or repainting of: <ul style="list-style-type: none"> ○ chimneys ○ verandahs ○ balcony balustrades ○ valences • Repair of existing tiling to: <ul style="list-style-type: none"> ○ balconies ○ verandahs ○ front steps ○ pathways • Replacing or maintaining gardens with compatible plants, trees, shrubs and lawns. • Removal of unsympathetic and non-original features to the building. • Garden maintenance. • Any other minor maintenance or restoration works not listed above that Council considers are <u>not</u> likely to have an adverse impact on heritage significance.
Category 3 – Exempt development	
<p><u>Description:</u> Development that is considered minor and will have a minimal impact on the local environment.</p> <p><u>Approval requirements:</u> Development consent is not required for exempt development provided the requirements outlined in cl.3.1 and Schedule 2 of NSLEP 2013 are satisfied or the relevant provisions of above mentioned SEPPs.</p>	<p>Refer to Schedule 2 of NSLEP 2013 for a complete list of exempt development applicable to heritage items or properties within a heritage conservation area.</p> <p>In addition, refer to the relevant sections of the following State Environmental Planning Policies (SEPPs) that relate to exempt development:</p> <ul style="list-style-type: none"> • SEPP (Exempt and Complying Development Codes) 2008 • SEPP (Infrastructure) 2007

North Sydney Development Control Plan 2013 – 2020 draft amendments

**Heritage and Conservation****TABLE B13.2: Approval requirements for various examples of development types**

Type of Work	Typical Examples
<p><u>Application requirements:</u> Depending on the type of exempt development, the applicant may be required to notify Council in writing and Council must confirm or advise in writing that it is satisfied that the proposed development would not adversely affect the heritage significance of the item.</p> <p>Refer to s.13.1.8 of this DCP for the information to be included in a letter to Council requesting approval to undertake exempt development.</p> <p>If you are unsure about the notification requirement for a particular type of exempt development contact Council's Planning Advisors.</p>	<ul style="list-style-type: none"> SEPP (Temporary Structures) 2007.
Category 4 - Complying development	
<p><u>Description:</u> Low impact development types that can be addressed by predetermined development standards.</p> <p><i>Complying development does not apply to heritage items listed in Schedule 5 of NSLEP 2013.</i></p> <p>Complying development may apply to contributory, neutral and uncharacteristic items within a heritage conservation area.</p> <p><u>Approval requirements:</u> Development consent is not required for complying development outlined in Schedule 3 of NSLEP 2013.</p> <p>To carry out the development you must obtain a Complying Development Certificate from an accredited certifier, or council.</p> <p>If your application is successful, the council or certifier will issue a Complying Development Certificate, subject to conditions.</p> <p><u>Application requirements:</u> A Complying Development Certificate to be submitted to Council or an accredited certifier.</p> <p>If unsure about the notification requirement for a particular type of complying development, contact Council's Planning Advisors.</p>	<p>Refer to Schedule 3 of NSLEP 2013 for a complete list of complying development.</p> <p>In addition, refer to the relevant sections of the following State Environmental Planning Policies (SEPPs) that relate to complying development:</p> <ul style="list-style-type: none"> SEPP (Exempt and Complying Development Codes) 2008 SEPP (Infrastructure) 2007
Category 5 – Development consent	
<p><u>Description:</u> Development not identified in Categories 1 to 4 inclusive.</p> <p><u>Approval requirements:</u> Development consent is required pursuant to Clause 5.10(2) of NSLEP 2013.</p> <p><u>Application requirements:</u> Development application to be submitted to Council.</p>	<p>All other works not identified above.</p>



13.1.7 Understanding your property's history

There are number of ways to determine the heritage significance of heritage items and conservation areas.

Heritage Inventory data sheets

The first source of information is to determine if there is a Heritage Inventory data sheet for the particular heritage item or conservation area. A Heritage Inventory data sheet has been prepared for all heritage items listed in Schedule 5 to NSLEP 2013. The data sheets are available from the Stanton Library, 234 Miller Street, North Sydney.

It should be noted that not all data sheets are comprehensive and limited details on the data sheet does not mean that the heritage item is not significant.

Researching property history

Where a Heritage Inventory data sheet for a particular heritage item does not have a detailed documented history, additional research is necessary.

The purpose of undertaking research into a property's history is to assist Council in considering how the proposal development's has taken into account the history and significant features of the item. Important or relevant information may include:

- (a) **Construction details:** date, architect/builder, period of subdivision, names of any significant owner or people who have lived at the premises, significant previous uses or associations;
- (b) **Heritage significance:** additional information to supplement details provided on heritage item or heritage conservation area listing sheets
- (c) **Intactness:** details of changes that have been made to the property over time and assessment of the intactness of the item or implications of layers of history.

Area Character Statements

Part C to this DCP contains the Area Character Statements for each Planning Area and Locality Area in the Local Government Area. The Locality Areas are in part based on heritage conservation areas as identified in Schedule 5 to NSLEP 2013. The Character Statements for each of the heritage conservation areas provide an explanation as to why each Area is significant and identifies those elements which positively contribute to the character of that area and those which do not.

North Sydney Heritage Centre

The North Sydney Heritage Centre in the Stanton Library has extensive information about the social and cultural heritage of the local area, with a particular focus on the built environment. The Heritage Centre collects primary and secondary material for a wide range of historical research, including family history, house histories and heritage reports. This is available for the community and is an excellent resource for applicants.

13.1.8 Heritage Applications

Additional submission requirements

Where a proposal seeks to undertake works to a heritage item, on land adjacent to or in the vicinity of a heritage item, or within a heritage conservation area, specific information relating to heritage is required to be submitted to Council for consideration as part of a development application or an authorisation application. The extent of information required depends on the heritage significance of the building, property or conservation area affected, its relative contribution to a heritage conservation area (if applicable), and the scope and nature of works proposed.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****Authorisation Applications**

Authorisation applications comprise Category 2 – Routine Maintenance or Category 3 – Exempt Development works (i.e. refer to Table B-13.2 to this DCP) and require at least the following information to be provided:

- ~~(a) The following information is required to be provided for any authorisation application require:~~
- ~~(b)~~(a) Details of the site;
- ~~(c)~~(b) A description of the proposed work including details of materials, finishes and colours noting changes from existing;
- ~~(d)~~(c) Photographs; and
- ~~(e)~~(d) Where relevant, a statement confirming that all relevant criteria for exempt development have been met.

Development Applications

Development applications comprising Category 5 – Development consent (i.e. refer to Table B-13.2 to this DCP) are required to provide all information listed in the general submission requirements as set out in Part A: Section 3 – *Submitting an Application* of the DCP. In addition to these requirements, heritage applications for Category 5 works may also be required to provide any of the following:

- (a) For development applications for heritage items and buildings in heritage conservation areas may require:
 - (i) A **Heritage Impact Statement**;
 - (ii) All sets of plans clearly indicating, in colour, existing walls to be removed and those to remain;
 - (iii) Measured drawings of the existing building including elevations;
 - (iv) Details of external materials and finishes (including colour schemes);
 - (v) A **Conservation Management Plan**.
- (b) For development applications proposing substantial redevelopment or alterations and additions to, or demolition of heritage items may require:
 - (i) **Demolition Report**;
 - (ii) **Structural Report** prepared by a structural engineer and is to verify that the proposed works will not detrimentally affect the structural stability of the building.
- (c) For development applications for any site in the vicinity of a heritage item (Refer to the vicinity controls at Section 13.4 to this Part) that is likely to impact on the setting of the heritage item may require:
 - (i) a **Heritage Impact Statement**.

Note: Items listed on the State Heritage Register are required to obtain separate approval from the NSW Heritage Council under Section 60 of the NSW [Heritage Act 1977](http://www.heritage.nsw.gov.au/https://www.environment.nsw.gov.au/topics/heritage). Details for application details and exemptions under the [Heritage Act 1977](http://www.heritage.nsw.gov.au/https://www.environment.nsw.gov.au/topics/heritage) are available at <http://www.heritage.nsw.gov.au/https://www.environment.nsw.gov.au/topics/heritage>.

Before preparing an Authorisation Application or Development Application, it is recommended to contact Council to determine the level of additional submission requirements.

Conservation Management Plans

Council requires a conservation management plan to be provided with applications that propose changes to a heritage item of state heritage significance. They may also be required with applications where substantial changes are proposed to large or complex heritage items of local significance, or where Council considers the significance of the heritage item and the extent of change proposed warrant more detailed and rigorous assessment.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

Further details on preparing Conservation Management Plans are available at <http://www.heritage.nsw.gov.au> <https://www.environment.nsw.gov.au/topics/heritage>.

Heritage Impact Statements

Heritage Impact Statements are to be submitted with applications for development affecting:

- (a) Heritage items (other than where a Conservation Management Plan is required) including applications for fire upgrading; and
- (b) Properties within heritage conservation areas.

Heritage Impact Statements should address at least the following:

- (a) Historical development of the site
- (b) Description of the item and its setting (e.g. garden, fences, ancillary buildings, etc)
- (c) Contribution to the streetscape: height, scale, mass, setback, fenestration, architectural style and period
- (d) Heritage significance (use heritage manual criteria/state heritage inventory)
- (e) Affect of proposal on the heritage significance of the building and its setting
- (f) Design options and rationale for the preferred option
- (g) Relevant conservation principles in accordance with ICOMOS Burra Charter

When preparing a Heritage Impact Statement, the chronological layers of a property must be identified to establish the relative heritage significance and conservation value of various elements.

Heritage Impact Statements can be prepared by either a specialist heritage consultant or property owner. However, applicants should be advised that Council will only consider those Statements which adequately address the concerns arising from the proposed development. Guidance on preparing Heritage Impact Statements is available at www.heritage.nsw.gov.au <https://www.environment.nsw.gov.au/topics/heritage>. You may also consult with Council prior to lodging your application.

Demolition and site redevelopment

Requests to demolish heritage items or contributory items within heritage conservation areas are not supported by Council. However, should an applicant insist in pursuing such a request, the onus is on the applicant to demonstrate why the building is not reasonably capable of retention.

Demolition of a heritage item is usually only considered where the structure is unsound. In its determination of any application to demolish a heritage item, Council will give consideration to the relevant Planning Principles established by the Land and Environment Court. The Planning Principles can be viewed on the Land and Environment Court's website (www.lawlink.nsw.gov.au/lec) http://www.lec.justice.nsw.gov.au/planning_principles http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx).

A Demolition Report is required to accompany any application for demolition of a **heritage item** or **contributory item in a heritage conservation area**. The report is to provide details of the heritage significance of the heritage item or contribution of the contributory item to the heritage conservation area, and is to address the matters at s.13.8 to this Part of the DCP.

Plans of the replacement development are to be submitted with any application for demolition. Submitting the documentation to seek approval to demolish a heritage item or contributory item does not imply that approval will be granted. Council may seek independent advice on aspects of any application for demolition.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****13.1.9 Using this section**

Heritage development applications are to be consistent with the DCP aims, objectives and controls that apply to the proposal. Notes in the right-hand column of the DCP and supporting diagrams provide additional detail to assist interpretation of the controls and links to other documents are relevant. The Guiding Statement at s.13.1.2 to this Part of the DCP is an expression of Council's intent for the decision making process for heritage development applications.

The flowchart within Figure B-13.1 illustrates the linear nature of this section, and may assist in navigating through it when preparing a development application.

13.2 ABORIGINAL HERITAGE

There are a number of known Aboriginal places of heritage significance located within the North Sydney Local Government Area. The location of these known places are not readily available to the general public.

There is also potential for the existence of Aboriginal places of significance and Aboriginal objects on sites that are not currently known about. Such places generally occur:

- along the foreshores to water bodies (including creeks and streams);
- on sites containing sandstone outcropping (including flat surfaces above cliffs and scarps, rock shelters on slopes below ridges cliffs and scarps and beneath or part of fallen boulders)

Sites will be more common where properties adjoin bushland and where sandstone cliffs contain overhangs and less common where the land has been heavily modified. Commercial areas where land disturbance has been most intensive will have the lowest frequency of sites.

*Notes: Refer to the [National Parks and Wildlife Act 1974](#) for requirements to protect and preserve Aboriginal objects and places of significance.
Applicants are encouraged to contact the Metropolitan Local Aboriginal Land Council officer, North Sydney Council Aboriginal Heritage Manager and/or the National Parks and Wildlife Service (which forms part of the NSW Office of Environment and Heritage) before lodging a development application.*

Objectives

- O1 Acknowledge the importance of Aboriginal heritage as part of North Sydney's heritage resources.
- O2 Protect Aboriginal objects and Aboriginal places of heritage significance by minimising the likelihood of disturbance from development.
- O3 Minimise potential for interference with archaeological objects as a result of development by encouraging relics to be preserved in-situ.

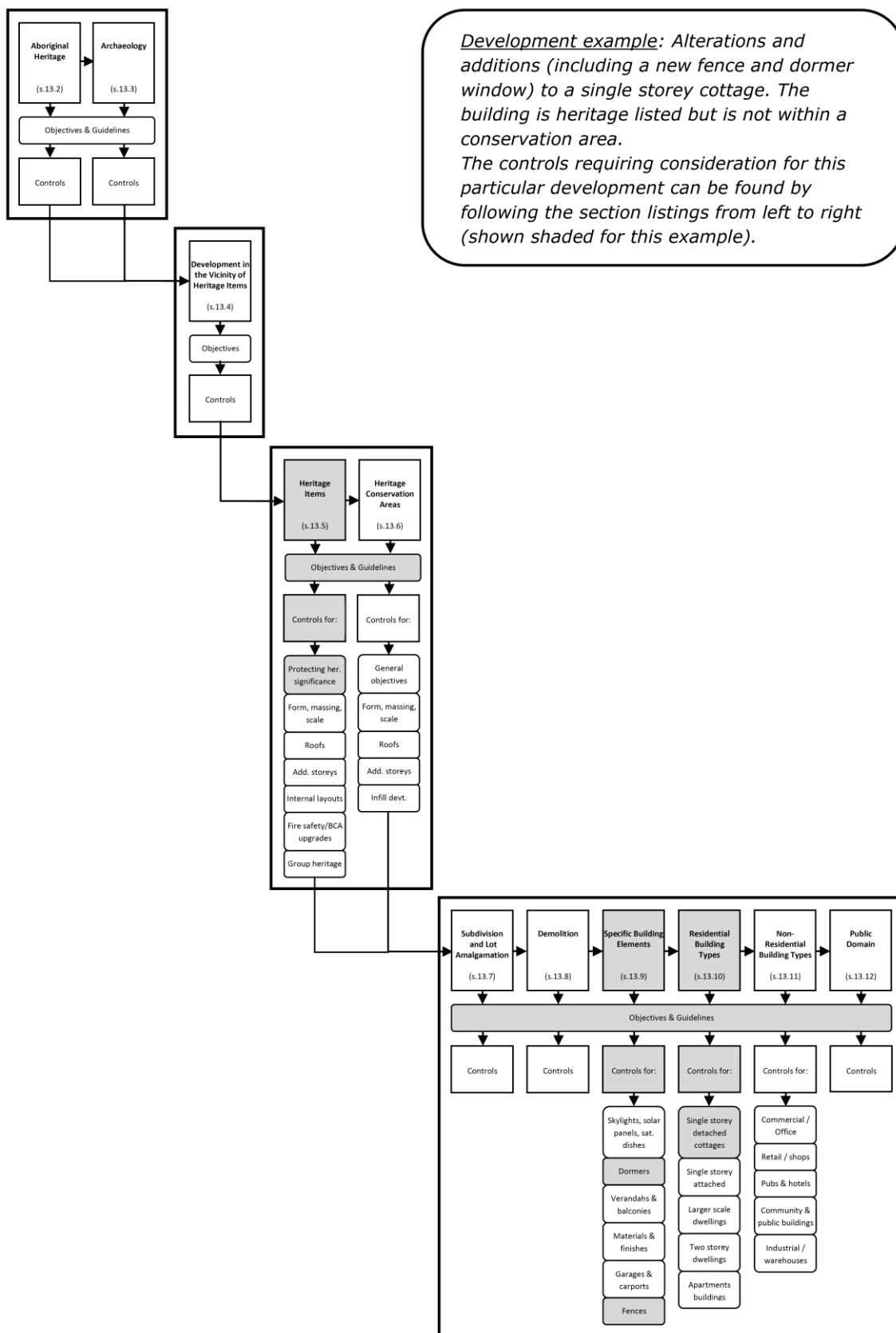
Provisions

- P1 Obtain relevant approvals from other agencies prior to commencing work where a site contains, or has potential for Aboriginal objects.
- P2 Building and landscaping works, including paths and driveways are not to disturb any Aboriginal objects.
- P3 Minimise disturbance and exposure of areas along the foreshore, including excavations for swimming pools, jetties and boat sheds.
- P4 Site structures away from the foreshore where possible.
- P5 Minimise disturbance to rock outcrops and overhangs.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation



Development example: Alterations and additions (including a new fence and dormer window) to a single storey cottage. The building is heritage listed but is not within a conservation area. The controls requiring consideration for this particular development can be found by following the section listings from left to right (shown shaded for this example).

Figure B-13.1:
Flowchart outlining process for using this Section of the DCP.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****13.3 ARCHAEOLOGY**

This subsection of the DCP only deals with non-Aboriginal archaeology (i.e. European Heritage) and refers to sites, which are addressed in s.13.2 above. It primarily relates to sites of known or potential cultural significance, both below and above ground which have the potential to increase our knowledge of earlier human occupation, activities and events.

Notes: *Archaeological resources are protected by the relics provisions of the NSW [Heritage Act 1977](#). A lot of North Sydney's archaeology is related to maritime history. Old machinery and equipment can be an important link to the industrial and maritime heritage of the area.*

Objectives

- O1 Acknowledge the importance of archaeology as part of North Sydney's heritage resources.
- O2 Minimise potential for interference with archaeological heritage as a result of development by encouraging relics to be preserved in-situ.

Provisions

- P1 Minimise the depth and extent of any excavation and locate new work away from areas known to contain archaeological relics.
- P2 Minimise disturbance along foreshore areas where there is a high likelihood of relics. This includes excavation and exposure of subsoil areas for swimming pools, jetties or boat sheds.
- P3 Locate structures to minimise changes to the natural landform.
- P4 Minimise disturbance to below ground and sub-floor areas by careful siting of new work to conserve potential archaeology.
- P5 Ensure reversibility of changes (as relevant).

13.4 DEVELOPMENT IN THE VICINITY OF HERITAGE ITEMS

The setting of a heritage item often contributes to its heritage significance. With historic curtilage, the setting can extend beyond current property boundaries, and will be different for each heritage item.

Development near heritage items is required to consider the potential for new work to impact on the heritage item's setting. This requires an understanding the role of the site in the streetscape, and in relation to the heritage item.

If Council's heritage assessment staff confirm that the vicinity controls will apply to your property, then a **Heritage Impact Statement may be required** with your development application.

Objectives

- O1 Ensure that new work is designed and sited so as to not detrimentally impact upon the heritage significance of the heritage item and its setting.

Provisions

- P1 Respect and respond to the curtilage, setbacks, form, scale and style of the heritage item in the design and siting of new work.
- P2 Maintain significant public domain views to and from the heritage item.
- P3 Ensure compatibility with the orientation and alignment of the heritage item.
- P4 Provide an adequate area around the heritage item to allow for its interpretation.
- P5 Retain original or significant landscape features that are associated with the heritage item or that contribute to its setting.
- P6 Protect and allow interpretation of archaeological features (as appropriate and relevant).



13.5 HERITAGE ITEMS

Heritage items are listed in Schedule 5 of NSLEP 2013. Heritage items can comprise land, works, vegetation, structures, moveable objects, places, buildings, groups of buildings or combinations of some or all of these elements.

Council adopts a "whole property" approach for heritage items. This is because the heritage significance of any heritage item normally relates to more than the front or street façade of buildings.

Council will consider the analysis and weighting of significance to various elements of a property. It is important to discuss the analysis with Council's planning and heritage advisors, prior to the lodgement of any development application.

13.5.1 Protecting heritage significance

Objectives

O1 Ensure changes to heritage items are based on an understanding of the heritage significance of the heritage item.

Note: Council does not support demolition of heritage items as a matter of principle.

O2 Allow change to occur to heritage items to meet amenity and contemporary safety, sustainability or technological standards, provided that those changes are sympathetic to and does not detrimentally affect the heritage significance of the heritage item.

Note: Development to heritage items should be sympathetic, and achieve a reasonable balance between contemporary expectations, environmental sustainability and protecting heritage significance.

O3 Ensure significant features of heritage items are retained and that development is sympathetic to these features with particular regard to bulk, form, style, character, scale, setbacks and materials.

O4 Acknowledge changes over time to heritage items, as subsequent layers may also be of significance.

O5 Encourage reinstatement of missing details and the removal of past unsympathetic changes, to improve overall outcomes to the heritage significance of the heritage item.

O6 Allow changes to the rear of heritage items where the new work does not impact the heritage significance of the heritage item.

O7 Ensure that new uses of heritage items are compatible with the fabric and heritage significance of the item.

O8 Encourage changes to be reversible where possible and appropriate.

Provisions

P1 Retain features (including landscape features) that contribute to the significance of the item.

P2 Remove unsympathetic elements, especially where substantial changes are proposed to a heritage item, and there is potential for an improved heritage outcome.

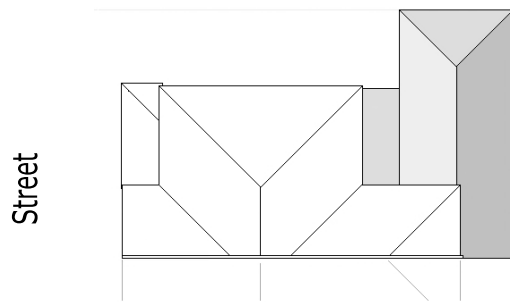
P3 New work is to be consistent with the setback, massing, form and scale of the significant features of the heritage item.

P4 Retain significant fabric, features or parts of the heritage item that represent key periods of the item's history or development.

P5 Locate change away from original areas of the heritage item that are intact. For example, where a building's significance is related to the front of a building, locate new work to the rear.

P6 All works are to be consistent with an adopted Conservation Management Plan/s where applicable.

North Sydney Development Control Plan 2013 – 2020 draft amendments

**Heritage and Conservation****Figure B-13.2:**

Locate change away from the primary intact areas of the heritage item – changes to the rear are often preferable.

13.5.2 Form, massing, scale**Objectives**

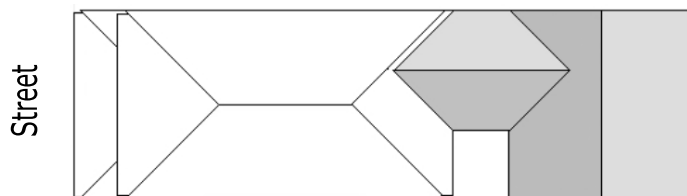
- O1 To allow alterations and additions to heritage items, where the new work does not impact on the heritage significance of the heritage item.
- O2 To maintain and promote the original built form of the heritage item as viewed from the public domain.

Provisions

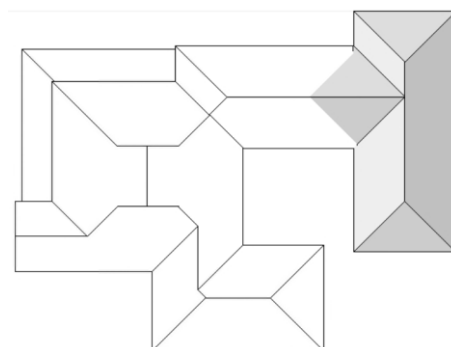
- P1 Locate alterations and additions away from principal elevations and primary forms, and behind and below the main ridge line.

Note: Alterations and additions should occur to the rear of heritage items such that they are not visible from the public domain.

- P2 Ensure that alterations and additions are smaller in scale, height and massing than the existing building.
- P3 Locate additions within characteristic setbacks.

**Figure B-13.3:**

Additions should be smaller in scale and length than the existing building.

**Figure B-13.4:**

New work should maintain the integrity of the building form, allowing the original form to be discerned.

Integrity of building form

- P4 Maintain the integrity of the building form (including the roof form and profile) so that the original building is retained and can be clearly discerned.
- P5 Additions should be submissive in scale in comparison to the original building form (i.e. additions should generally be smaller in footprint than the original building form).



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

13.5.3 Additional storeys

The suitability of adding additional levels to any heritage item will depend on the form, scale, architectural style and heritage significance of the heritage item. Additional storeys are not appropriate where the building is part of an intact group.

Objectives

O1 To minimise the visual dominance of any new work from public places.

Provisions

- P1 Additional storeys must be confined to within the existing roof space or below the gutter line of the main roof. Whole floor additions will not be supported. Refer Figure B-13.6
- P2 The consent authority may consider permitting additional levels at the rear of a building, but only where those levels are located below and behind the main ridge line.

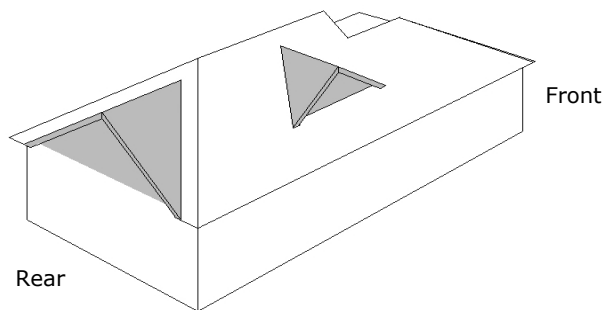


Figure B-13.5:

Consider use of existing roof space at the rear of a building rather than constructing an additional storey.

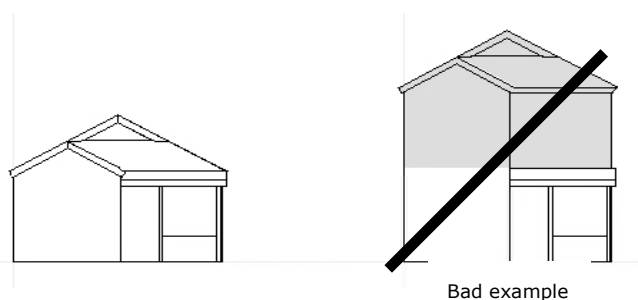


Figure B-13.6:

Whole two floor additions are generally not supported. Consider use of existing roof space with dormer windows subject to the controls in Section 13.7.3. to this Part

13.5.4 Roofs

Roofs are often prominent elements of heritage items in North Sydney, and combine in many heritage conservation areas to give a distinctive skyline pattern.

Objectives

O1 To ensure that original roofs, their hierarchy and materials are retained.

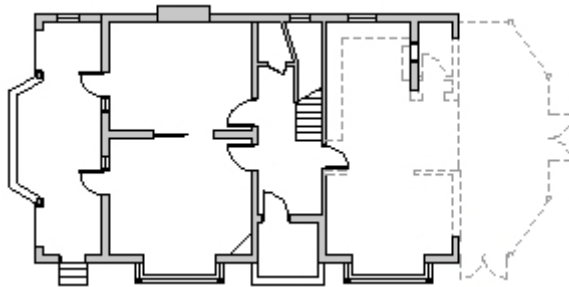
Provisions

- P1 Retain hierarchy of roof forms, with dominant forms maintained on the primary facades.
- P2 Retain original roofing materials, such as slate or terracotta tiles.
- P3 Retain chimneys and other decorative roof elements.
- P4 All new services/drains/etc to be internal and/or of suitable materials.
- P5 Original roof forms are not to be modified to accommodate decks or balconies.

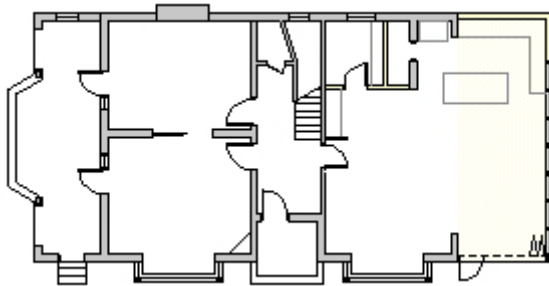
North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****13.5.5 Interior layouts**

The floor plan of a heritage item is normally intrinsic to its built form. Retaining internal elements is often a good way to ensure structural security.

Council seeks the retention of significant interior elements, as a building that retains its traditional layout and features is more likely to retain its significance than a building that has been extensively changed inside.

**Figure B-13.7:**

Demolition is concentrated to the rear and original rooms of significance are left intact.

**Figure B-13.8:**

The rear section is replanned and is the focus of the new work.

Objectives

O1 To ensure that significant interior elements are retained and preserved.

Provisions

P1 Applications are to be accompanied by current photographs of interior features, including walls, floors, ceilings, windows and fireplaces etc.

P2 Minimise change to the original or significant internal room configuration/layout (as appropriate) so that the evolution of the building remains discernable. This can be achieved by retaining wall nibs, decorative ceilings, joinery and original features such as fire places.

~~P3~~ Avoid locating ~~k~~Kitchens or bathrooms must not be located within primary rooms of significance, unless all of the following are achieved:-

(a) all of the original interior detailing is retained;

(b) the volume of the room can still be appreciated;

(c) the original use of the room is still interpretable;

(d) new services do not adversely impact on significant fabric; and

~~(a)~~(e) the works can be fully reversed, such that the room may reverted to its original purpose.

~~P3~~P4 Retain access and relationship to original building entrances and associated hallways.

~~P4~~P5 Retain significant internal original features including joinery, door sets, fire places, flooring, cornices and ceilings.

~~P5~~P6 Locate alterations away from rooms that have intact or significant features.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

P6P7 Ensure new openings have similar dimensions or are compatible with existing openings, such as width and height of double doors.

P7P8 Provide for reversibility of internal changes (where appropriate and reasonable).

13.5.6 Upgrading for fire safety, BCA and other matters

Older buildings do not always meet contemporary building regulations. This is particularly so with many heritage buildings. It is important that these older buildings are upgraded to ensure the safety of their occupants. Whilst some minor upgrades may constitute exempt or complying development, some will also require development consent.

Objectives

O1 To ensure that buildings are constructed to an appropriate standard to ensure the safety of its occupants, whilst retaining heritage significance.

Provisions

P1 Proposed fire upgrades to heritage buildings are to be accompanied by a heritage analysis carried out by a suitably qualified person.

P2 Fire and other upgrades are to be consistent with the heritage significance applicable to the property. Upgrades and replacement of balconies, stairs, timber windows etc are to be sensitive to that significance.

P3 Fire and other upgrading works need to balance the fire safety and other compliance needs with protecting heritage significance. In order to achieve the most appropriate outcome, applicants may need to utilise alternate solutions to BCA compliance issues.

13.5.7 Group heritage items

There are many examples of semi-detached dwellings and attached dwellings which have common or shared features. Alterations and additions to one building within the group can affect the heritage significance of the group as a whole.

The controls in this subsection apply to heritage items that form part of a group as identified on the relevant heritage data inventory sheet.

Where there is a inconsistency between this subsection and another subsection in this Section, this subsection will prevail.

Objectives

O1 Retain the significant features or characteristics of the group but allow flexibility for change where significance will not be affected.

Provisions

P1 Retain significant features that are common to the group.

*Note: Council may require reinstatement of missing details on **group heritage items** where physical or documentary evidence is available*

P2 Locate new work away from the significant elements of the group.

P3 Retain significant historical boundaries.

North Sydney Development Control Plan 2013 – 2020 draft amendments



Heritage and Conservation



Figure B-13.9:

Example of a group heritage item.

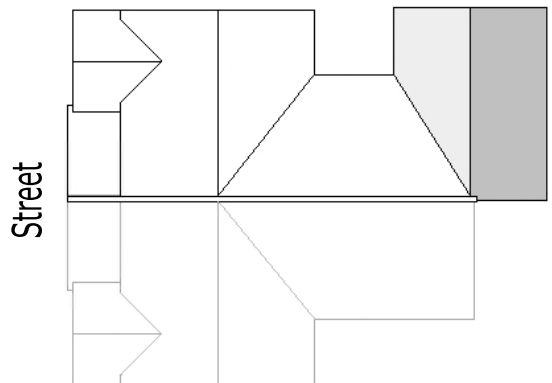


Figure B-13.10:

For group and pair items – locate new work away from the shared and/or significant elements of the group.

13.6 HERITAGE CONSERVATION AREAS

Heritage conservation areas are listed in schedule 5 of the NSLEP 2013 and are illustrated on the Heritage Maps to the LEP. Heritage conservation areas have a cohesive sense of place. Their significance is often a function of the subdivision and street pattern, combined with buildings that share common periods of development, historical associations, materials, form and scale.

Buildings that are not heritage items are identified as contributory, neutral or uncharacteristic. The contribution of any building to the conservation area should guide the approach to development, as set out below.

Note: This Section should be read in tandem with the relevant Area Character Statement (refer to Part C of the DCP). Contributory and uncharacteristic items are listed in Tables App-A.1 and App-A.2 within Appendix A to this DCP. All other properties within a heritage conservation area and is not listed as a contributory or uncharacteristic item is deemed to be a neutral item.



Contributory items are part of the collective significance of the particular conservation area in which they are located. They are important for what they offer to the streetscape or character of the heritage conservation area. As a result, the focus for contributory items is how the building appears in the public domain, and especially from the street.

Council does not support the demolition of contributory items.



Neutral items are not defining, but do not detract from the overall character of a conservation area. They often represent the original era of development and may display the predominant architectural style.

The focus for neutral items is how the building appears in the street and public domain. The intention is to achieve a neutral or improved built outcome by removing previous unsympathetic alterations, or adding features that are characteristic of an area.



Uncharacteristic items are buildings and structures that are intrusive and detract from the character and significance of the heritage conservation area. They are not suitable benchmarks for new developments. Replacement buildings are to achieve a neutral or contributory status.



13.6.1 General Objectives

The objectives to section 13.6 are to:

- O1 Ensure that new development is designed to retain and complement the character and significance of the conservation area (refer to Part C of this DCP for a description of the significance of the heritage conservation area).
- O2 Ensure that contributory items are retained and where practical improved, with a focus to locate new work to the rear or away from publicly visible elevations of building.
- O3 Enable neutral items to be improved such that they contribute to the character of the heritage conservation area through the removal of unsympathetic and inappropriate elements, and reinstating missing details where appropriate.
- O4 Encourage change that will remove uncharacteristic items or reduce the extent of their intrusion.

13.6.2 Form, massing and scale

Objectives

- O1 To ensure new development has a compatible and complementary building form and scale to that which characterises the conservation area.
- O2 To maintain and enhance streetscape character.

Provisions

- P1 Development should reflect the bulk, mass, scale, orientation, curtilage and setbacks of surrounding heritage and contributory items.
- P2 Development should recognise and complement the predominant architectural scale and form of the area.
- P3 Do not obstruct existing views in the public domain, including slot views over and between buildings as these provide connection and contribute to the context of the area's location.
- P4 Reinstatement of characteristic and decorative features to **contributory items** where possible and reasonable where alterations and additions are proposed. This could include reinstatement of verandahs and balconies, joinery, chimneys, fences or window detailing.
- P5 Achieve a neutral or improved outcome to **neutral items** by:
 - (a) respecting original or characteristic building patterns in terms of bulk, form, scale and height;
 - (b) minimising changes to original and characteristic features;
 - (c) removing unsympathetic and uncharacteristic changes and/or;
 - (d) reinstating characteristic details where there is physical or documentary evidence.

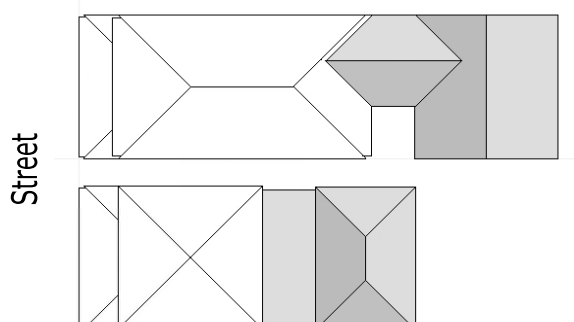


Figure B-13.11:

Minimise changes to the front elevations, consider pavilion extensions.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation**

- P6 Achieve an improved outcome to **uncharacteristic items** by removing the uncharacteristic or intrusive element or incorporating changes to improve the contextual design and visual impact of the site.
- P7 Respond to characteristic building alignments by not building forward of the established or characteristic front setback.
- P8 Repeat any consistent pattern of side and rear setbacks of heritage and contributory items in the vicinity of the site.
- P9 New work may adopt a contemporary character, provided the development is not likely to have a detrimental impact on the characteristic built form of the area, particularly in terms of bulk, scale, height, form or materials.

13.6.3 Roofs**Objectives**

- O1 To maintain the characteristic roof profiles and roofing materials within a heritage conservation area.

Provisions

- P1 Roof form, pitch and materials are to be compatible with heritage and contributory items in the conservation area, as identified in the relevant character area statement (refer to Part C of the DCP).

**Figure B-13.12:**

Roofs can be unifying elements of conservation areas.

**Figure B-13.13:**

Buildings from the nineteenth and early twentieth centuries often have steep pitches and formal geometry that combines to give a distinctive skyline.

13.6.4 Additional storeys and levels**Objectives**

- O1 To ensure that the streetscape and context of the heritage conservation area are respected.

Provisions

- P1 Additional storeys or upper level additions are not supported in heritage conservation areas.
- P2 Despite P1, the consent authority may permit an additional storey or upper level addition, but only if the applicant can demonstrate:
- (a) that the resultant building will exhibit a similar scale to that in the vicinity of the site, and



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

- (b) that the design respects the heritage characteristics of the area.
- (c) that the additional storey does not alter the form or scale of any heritage or contributory items.

Note: *Modest cottages need to retain a small form and height.*

- P3 Typically, additions should be set back behind the main roof lines and should be located substantially within the existing roof.

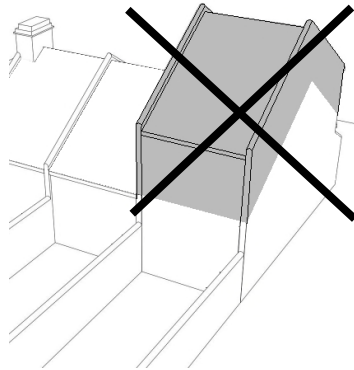


Figure B-13.14:

Additional storeys are usually not appropriate, particularly where the existing building is part of an intact group or streetscape.

13.6.5 Internal layouts

While Council does not seek to control changes within contributory, neutral or uncharacteristic buildings in heritage conservation areas, the internal layout of a building can be indicative of its heritage significance. This significance normally only comes to light once a property owner seeks to undertake new works.

Retaining internal elements is often a good way to ensure structural soundness.

Objectives

- O1 To ensure that significant interiors are retained.

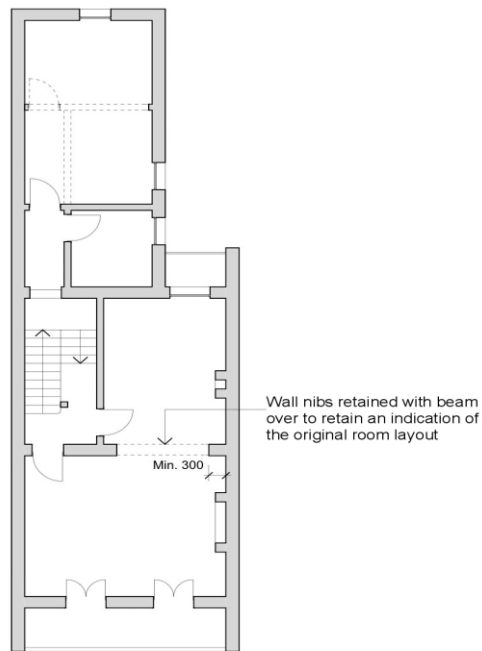
Provisions

- P1 Consideration is given to the internal layouts of buildings.
- P2 Where interior layouts are determined to be significant, they should be retained.

North Sydney Development Control Plan 2013 – 2020 draft amendments



Heritage and Conservation

**Figure B-13.16:**

Retaining wall nibs gives an indication of the original layout.

13.6.6 Infill development in conservation areas

Infill development refers to any new building in a heritage conservation area. Heritage items are good reference points for indicating appropriate bulk, massing, scale, and material usage.

Objectives

- O1 To ensure that new development is consistent in terms of materials, bulk, scale, character and setback with significant buildings in the heritage conservation area.

Provisions

- P1 Infill developments in heritage conservation areas need to positively respond to the setting and special character of the area, as outlined in the relevant character area statement (refer to Part C of the DCP).
- P2 Consideration be given to the NSW Heritage Office's publication *Design In Context* provides guidance for infill development, copies of which are available from their website - <http://www.heritage.nsw.gov.au/docs/DesignInContext.pdf>.

**Figure B-13.16:**

Good infill development responds to the form, scale, setbacks and modulation of characteristic adjoining developments.

**Figure B-13.17:**

Poor infill development does not respond well to adjoining characteristic developments.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

13.7 SUBDIVISION AND LOT AMALGAMATION

The subdivision pattern typically reflects the area's development history and underpins its significance. Unsympathetic developments often occur where there is a change to the characteristic subdivision pattern.

Part C of the DCP contains area character statements for each heritage conservation area, which include extracts from historic maps that illustrate the subdivision of each area over time.

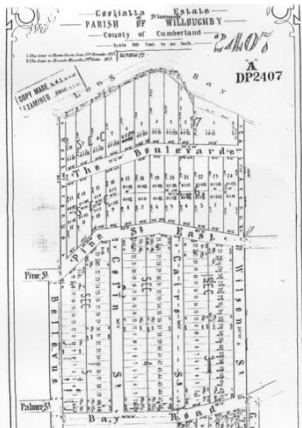


Figure B-13.18
Subdivision of the Carlotta Estate, Cammeray 1889.



Figure B-13.19
The subdivision created a large number of small lots that led to the construction of single storey Federation and Edwardian cottages that are distinctive of the area.

Objectives

- O1 To ensure that the character of heritage conservation areas are not adversely affected from inappropriate development.
- O2 To ensure the significance of heritage items are not reduced through reduced curtilages.

Provisions

- P3 Subdivision patterns should reflect that identified in the relevant area character statements (refer to Part C of the DCP).
- P4 Changes to property boundaries will not be permitted where it will result in the reduction of a curtilage to a heritage item, where it results in an adverse impact upon the items significance.

13.8 DEMOLITION

These controls apply to development applications for demolition works to heritage items and sites within heritage conservation areas.

Objectives

- O1 To ensure that heritage items and buildings which positively contribute to the significance and character of a heritage conservation area retained.
- O2 To outline the criteria which need to be considered by Council should applicant still seek to demolish the heritage item or building which positively contributes to a heritage conservation area.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****Provisions****Demolition of heritage items**

- P1 Heritage items must not be demolished and demolition will not be supported by Council.
- P2 Despite P1 above, Council may consider the demolition of a heritage item, but only where an applicant can satisfactorily demonstrate:
- (a) why it is not reasonable to conserve the heritage item taking into consideration:
 - (i) The heritage significance of the property; and
 - (ii) the structural condition of the building; and
 - (iii) pest inspection reports; and
 - (iv) whether the building constitutes a danger to the public.

Note: A report from a qualified quantity surveyor is required where the costs of retention are part of the justification for the proposed demolition.
 - (b) that alternative options to demolition have been considered with reasons provided as to why the alternatives are not acceptable.

Note: Plans of the replacement building are to be lodged concurrently so that the applications can be assessed concurrently.

Demolition of contributory items

- P3 Contributory items must not be demolished and demolition will not be supported by Council.
- P4 Despite P3 above, Council may consider the demolition of a contributory item, but only where an applicant can satisfactorily demonstrate:
- (a) that the building's contribution to the streetscape or character of the conservation area does not warrant its retention.
 - (b) that alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.
 - (c) That any replacement building is compatible with the characteristic built elements of the heritage conservation area as identified in the relevant Area Character Statement (refer to Part C of the DCP).

Demolition of neutral items

- P5 Neutral items should not be demolished and demolition will generally not be supported by Council.
- P6 Despite P5 above, Council may consider the demolition of a neutral item, but only where the applicant can demonstrate:
- (a) the existing building is not capable of adaptation or modification in a way that will reasonably meet contemporary amenity and living standards while also improving the appearance and contribution of the building to the area's character.
 - (b) that any replacement building improves the contribution of the site to the area's character in terms of form, setbacks, bulk, scale, materials and style.
 - (c) that sustainability outcomes of the proposed replacement development reasonably justify the change.
 - (d) that all reasonable alternatives to demolition have been considered.

Demolition of uncharacteristic items

- P7 Council will only consider the demolition of uncharacteristic items if the applicant can satisfactorily demonstrate:



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

- (a) that the replacement building will allow the site to be reclassified from at least "uncharacteristic" to "neutral".
- (b) that sustainability outcomes of the proposed replacement development reasonably justify the change.

13.9 CONTROLS FOR SPECIFIC BUILDING ELEMENTS

These controls apply to development applications for works to heritage items and sites within heritage conservation areas.

Part C to this DCP contains the Area Character Statements for each Planning Area and Locality Area in the Local Government Area. These Character Statements for each of the heritage conservation areas identify characteristic elements, built form elements which positively contribute to the character of that area. The statements also identify uncharacteristic elements, which detract from the character and heritage significance of a conservation area.

It is important to note that uncharacteristic elements, whilst potentially common within a conservation area, are in fact undesirable, detract from or are simply unsympathetic to the heritage significance of the area. These uncharacteristic elements should be removed wherever possible.

13.9.1 Skylights, solar panels and satellite dishes

Structures placed on the roof a heritage item or building within a heritage conservation area can be intrusive.

Objectives

- O1 To ensure that skylights, solar panels and satellite dishes do not detrimentally impact upon the significance of heritage items and heritage conservation areas.

Provisions

- P1 Locate skylights, solar panels and other roof mounted structures away from visually prominent roof planes and front elevations.



Figure B-13.20:

Skylights are an effective way to improve light and ventilation but need to be carefully located as they can be intrusive on front elevations.

13.9.2 Dormer windows

Dormers can be an effective way to make use of existing space within the home. Dormers should not appear "tacked on" and should not dominate or appear as a second storey. Design clues should be taken from the existing building.

Objectives

- O1 To ensure that dormer windows do not detrimentally impact upon the significance of heritage items and heritage conservation areas.

Provisions

P1 Are to comply with the requirements for dormers in s.1.4.11 to Part B of the DCP.

P2 **Dormers must not be placed on the street elevation of a building.**

North Sydney Development Control Plan 2013 – 2020 draft amendments



Heritage and Conservation

P3 Despite P2, Council may permit a dormer on the street elevation of a building, but only where it can be adequately demonstrated that:

- (a) it will not result in any adverse impacts to significance of any heritage item or heritage conservation area;
- (b) it will not result in any significant impacts on privacy to adjoining properties;
- (c) it will not detract from the coherence of the streetscape; and
- (d) surrounding properties have dormers visible from the street.

Note: For the purpose of this subsection, surrounding properties are defined as those properties in the immediate vicinity which are visible when standing opposite the subject building.

P4 New dormer windows are to be secondary in scale to the roof, and setback from the eaves and ridge line.

P5 Dormers must not have a roof pitch exceeding 36 degrees.

P6 Dormers on the street elevation of a building must not comprise more than $\frac{1}{3}$ of the width of the roof plane upon which they are placed.

P1P7 Dormers must not project above any part of the ridge of the roof plane to which the dormer is attached.

P2P8 The design of the dormer is to complement the style and detailing of the existing building and its roof. Figures B-13.21 and B-13.24 show examples of Victorian and Edwardian dormer windows.

P3P9 Dormers should be set in from any party walls.



Figure B-13.21
Example of a Victorian dormer window



Figure B-13.22:
Example of a Victorian dormer window.

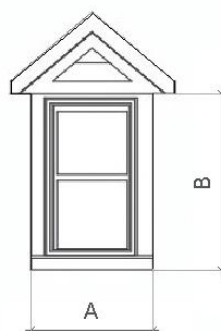


Figure B-13.23:
Suggested dimensions and proportions for a dormer window:

Victorian dormers:

- Width (A) = 900mm (max)
- Width (A):Height (B) = 0.5:1 to 0.7:1

Federation dormers:

- Width (A) = 1200mm (max)
- Width (A):Height (B) = 1:1 to 1.2:1



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation



Figure B-13.24:

The simple roof form of Federation and Interwar houses can be sympathetically altered using dormers that form gablets.

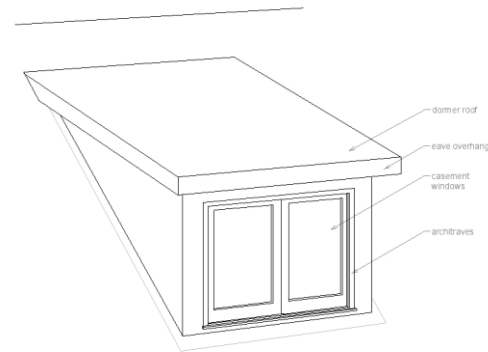


Figure B-13.25

Suggested dimensions and proportions for an Edwardian Arts and Crafts eyelid dormer window:

Height = 1000mm (max)

Width:Height = 2:1 to 2.2:1

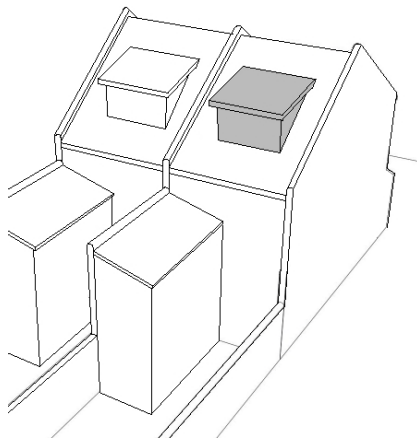


Figure B-13.26

Rear dormers can be larger than front dormers as they have less effect on streetscape. This does not apply where rear or side elevations are visible from the public domain.

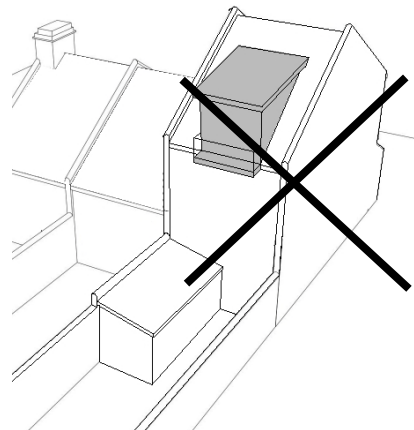


Figure B-13.27

Balcony dormers are not supported.

- P10 On larger houses with hipped roofs, rear dormers are to be inset from the hips to the rear.
- P11 Balcony dormers are not supported. See Figure B-8.25 [13.27](#).
- P12 Where side and rear elevations are visible from the street, dormers are to be similar in scale to front dormers.

13.9.3 Verandahs and balconies

Verandahs and balconies are characteristic elements of many housing styles in Australia. Verandahs create patterns of light and shade, and give depth to the building envelope.

Verandahs are often distinctive architectural features of a building, and can be significant to the character of many street elevations, reinforcing links between buildings. Adjoining buildings can provide clues about missing verandah details, especially in the case of semi-detached or terrace groups.

Objectives

- O1 To ensure that verandahs and balconies do not detrimentally impact upon the significance of heritage items and heritage conservation areas.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation**

- O2 To encourage the retention and reinstatement of original verandahs and balconies, especially where they are significant or contributory to a individual, row or group of buildings.

Provisions

- P1 Retain existing significant or characteristic balconies.
- P2 Reinstall missing verandahs, balustrades or detailing.
- P3 Later and intrusive verandah and balcony enclosures should be removed.
- P4 Enclosing front balconies and verandahs is not supported.
- P5 The design, proportions and detailing of new balconies is to relate to the style, detail and period of the building, and any characteristic elements of the conservation area identified in the relevant character area statement (refer to Part C of the DCP).
- P6 Glass balustrades are not appropriate on pre-1970's buildings or where visible from the public domain.

13.9.4 Materials, colours and finishes

External materials and finishes contribute to the significance of many heritage items and to the characteristic qualities of heritage conservation areas. The Area Character Statements, within Part C of the DCP may contain details in relation to particular heritage conservation areas.

Objectives

- O1 To ensure that materials and finishes are consistent with the characteristic elements of the heritage item or heritage conservation areas.

Provisions

- P1 Retain external face brick or stone walls where they are significant features of a heritage item or identified as part of the characteristic built elements of a heritage conservation area. Rendering of face brickwork will not be permitted unless it comprised a construction method used on the original building.
- P2 Retain original rendering on walls and ensure that any new materials required for repairs are consistent with the original render texture.
- P3 Where new materials are required, ensure that they are easily recognised as new, but are compatible with the key elements of the heritage item.
- P4 Select materials and finishes to reflect their characteristic usage, such as stone at the building base.
- P5 Details of proposed colour scheme are to be provided with the development application.
- P13 Ensure materials, finishes and colours are compatible with the characteristic built elements of the heritage conservation area as described in the relevant Area Character Statement (refer to Part C of the DCP).

13.9.5 Garages and Carports

Many sites in North Sydney are unsuitable for on-site parking. Carports and garages can have a detrimental impact on heritage items and the streetscape of heritage conservation areas. The intention for these controls is to ensure that significant and contributory buildings, with their landscaped settings, remain the dominant element in the streetscape.

Garages, carports and large areas of paving located within the front setback of heritage items and buildings located within heritage conservation areas are generally considered to be uncharacteristic elements.

Notes: All parking structures and spaces must comply with landscaped area and site coverage requirements.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

Objectives

- O1 To ensure that vehicular accommodation does not detrimentally impact upon the significance of the heritage item or heritage conservation area.
- O2 To ensure that off street car parking does not dominate the streetscape.



Figure B-13.28:

Parking spaces combined with high fencing alienates the streetscape and is intrusive.



Figure B-13.29:

Parking spaces located forward of the building line can be intrusive to the streetscape.

Provisions

- P1 Must comply with the provisions contained within s.1.5.4 to Part B of this DCP.
- P2 Rooms/studios located above garages fronting laneways are not supported.
- P3 Do not alter or demolish any part of a building for car parking, carports and garages.
- P4 Roof form, detailing and materials are to compliment the associated building.
- P5 Retain original garages for heritage items and contributory items.
- P6 Any off street parking located within the front setback area is to remain uncovered and be constructed using minimal paving and incorporate soft landscaping.

13.9.6 Fences

Fences are important elements of the streetscape, defining the street line and typically complementing the setting of heritage buildings and contributing to the character of heritage conservation areas.

Fences were traditionally kept low in front of the building line to allow houses to be seen from the street. High fences are often intrusive in the streetscape as they interrupt views to houses.

Fencing styles

The following list of building types indicates what styles of fences are typically associated with that building type and includes where relevant typical heights.

Victorian buildings:

- Iron palisade or woven wire fences
- Timber picket fences in 'acorn' pattern pickets
- Vertical emphasis typically 1100 mm in height

North Sydney Development Control Plan 2013 – 2020 draft amendments

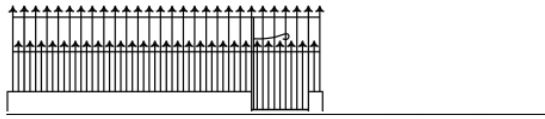
**Heritage and Conservation**

Figure B-13.30:
Victorian palisade

Federation/Edwardian buildings:

- Timber picket fences on a brick or sandstone base course
- Timber framed wire mesh fences
- Brick or sandstone and wrought iron fences with wrought iron infill panels (usually between 1m and 1.5m in height)
- Vertical emphasis typically 900-1200 mm in height, or up to 1500 mm for grand federation houses.



Figure B-13.31:
Federation timber picket on brick base course.

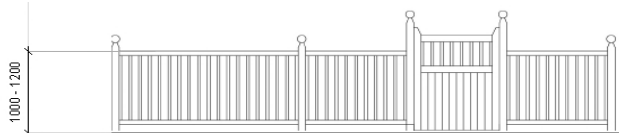


Figure B-13.32:
Edwardian timber fence.

California Bungalows:

- Low brick fences (usually 900mm to 1m in height)
- Brickwork to match the house and some detailing such as curved bricks or corbelling.
- Horizontal emphasis
- 1930s/1940s/1950s housing
- Low brick fences either face brick or rendered (to match the building)
- Some detailing such as curved bricks or corbelling.
- Horizontal emphasis 450-900 mm in height

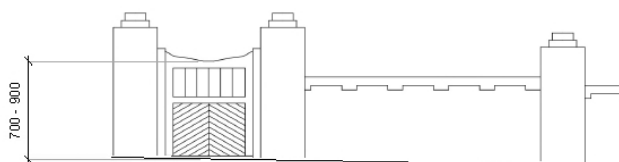


Figure B-13.33:
Inter-war brick fence.

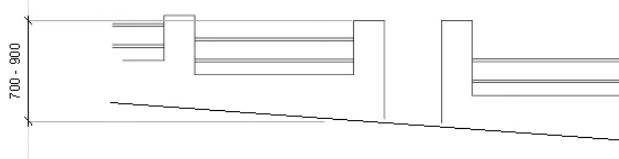


Figure B-13.34:
Inter-war, 1940s and 50's low brick fence.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

Objectives

- O1 To ensure that fences are consistent with the characteristic elements of the heritage item or heritage conservation area.

Provisions

- P1 Retain original fences and gates where they are characteristic elements of a conservation area or add to the significance of the building or place.
- P2 Front fences are to be of a design that is appropriate to the style and period of the building, or characteristic fences of the conservation area.
- P3 Maintain continuous fence lines and heights on streets and laneways.
- P4 The height of a new fence with a heritage conservation area is to be consistent with that identified within the relevant Area Character Statement (refer to Part C of the DCP).
- P5 Retain Depression era rusticated fences.

13.9.7 Gardens

Older buildings usually had a landscaped setting of some kind -even if only the small pocket front garden of a Victorian terrace. It is important to finish the conservation of a property with appropriate treatment of the garden. Original or period plantings and hard landscaping (such as paths) should be identified, retained and restored.

Where no original elements survive in the garden, then a garden appropriate to the period of the building should be planned.

Victorian

Paths: Brick or tessellated tiling, or marble tiling to match the front verandah tiling.

Garden edging: Terracotta decorative garden edging tiles, or metal hoops are both appropriate and available.

Structures: Fernery of lattice, lattice screens, rose pergola, potting shed.

Federation

Paths: Usually tessellated tiled to match front verandah, brick in modest (eg. weatherboard) cottages.

Garden edging: brick, with shaped bricks such as curved bricks being popular.

Structures: Fernery or bush house; pergolas.

Objectives

- O1 To ensure that significant landscape features and trees are retained and reflected in new development.

Provisions

- P1 Retain garden settings and any horticultural features which relate to the heritage significance of the heritage item or conservation area.
- P2 Do not develop front garden areas for carparking or pave extensively.
- P3 Terrace gardens are to retain strong visual relationship to topography.
- P4 Retain significant trees.
- P5 Retain original pathways which contribute to established garden settings.
- P6 Maintain traditional driveway widths and settings.
- P7 Do not fully pave side accessways.



Heritage and Conservation

13.10 GUIDELINES FOR RESIDENTIAL BUILDING TYPES

13.10.1 Single storey detached cottages

Single storey detached cottages typically constructed in the Victorian and Federation periods on varying lot size.

Objectives

- O1 To maintain the scale, form and integrity of the principal or main building.
- O2 To retain original significant details.

Provisions

- P1 In addition to the requirements in sections s13.53-s.13.98 to this DCP, the following characteristic features should be incorporated:
 - (a) Simple floor plans
 - (b) Open verandahs to the front and skillion lean to's at the rear
 - (c) Walls - stone, brick, rendered masonry and weatherboard
 - (d) Roofs - hipped in timber shingles, slate, terra cotta tile and corrugated metal
 - (e) Timber joinery
- P2 New additions should generally comply with the examples illustrated in Figures 13.35 to 13.38.

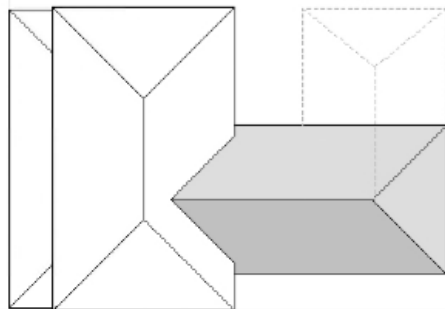


Figure B-13.35:

Simple rear extension replaces skillion, potential for L-shape return.

Inset side walls to clearly distinguish new work.

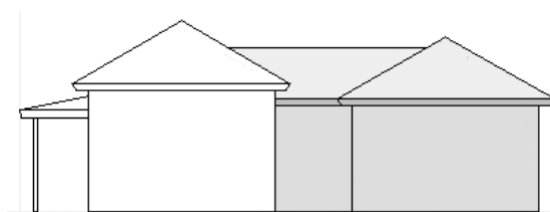


Figure B-13.36:

Ridge height of addition is lower than original cottage.

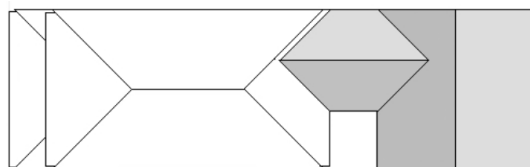


Figure B-13.37:

Pavilion addition linked to original cottage.

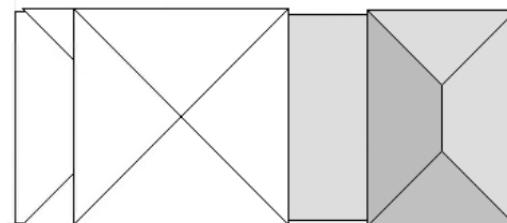


Figure B-13.38:

Pavilion addition linked to original cottage.



13.10.2 Single storey attached dwellings

Single storey attached dwellings typically constructed in the Victorian, Federation and Edwardian periods

Objectives

- O1 To maintain the scale, form and integrity of the original or main building.
- O2 To retain the symmetry of the building pair.

Provisions

- P1 In addition to the requirements in sections s13.53-s.13.98 to this DCP, the following characteristic features should be incorporated:
- (f) Simple forms with open verandahs to the front and skillion lean to's at the rear
 - (g) Lot sizes may vary
 - (h) Walls: stone, brick, rendered masonry and weatherboard
 - (i) Roofs: hipped and gabled in slate, terra cotta tile and corrugated metal
 - (j) Timber joinery
 - (k) Cast iron lacework
- P2 New additions should generally comply with the examples illustrated in Figures 13.39 to 13.42.

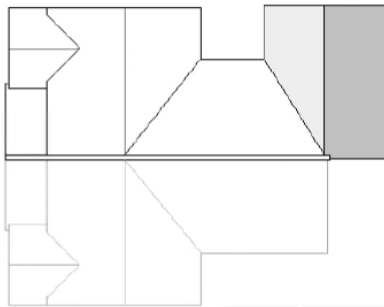


Figure B-13.39:
Simple addition to the rear, repeats roof form.

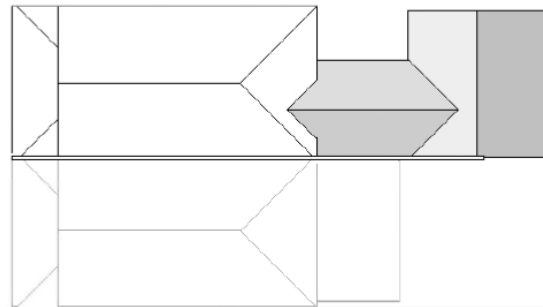


Figure B-13.40:
Pavilion extension retains integrity of the main building.



Figure B-13.41:
Small infill addition to the rear.

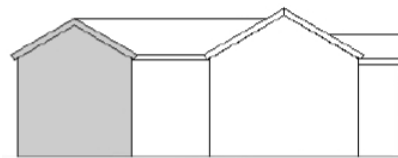


Figure B-13.42:
New work is subservient to the main building in terms of height, bulk and scale.



Heritage and Conservation

13.10.3 Larger scale single dwellings

Single storey dwellings with complex plan and roof forms typically constructed in the Federation and Edwardian periods.

Objectives

- O1 Maintain the scale, form and integrity of the original or main building.
- O2 Retain original significant details.
- O3 Retain original outbuildings.

Provisions

- P1 In addition to the requirements in sections s13.53-s.13.98 to this DCP, the following characteristic features should be incorporated:
- (a) Complex forms with open verandahs to the street
 - (b) Skillion and pitched roof wings at the rear, sometimes constructed as a service wing
 - (c) Often originally sited on large lots
 - (d) Walls: stone bases, brick, rendered masonry, timber shingles, fibro and battens
 - (e) Roofs: hipped and gabled in slate, terra cotta tile and corrugated metal
 - (f) Timber joinery
- P2 New additions should generally comply with the examples illustrated in Figures 13.43 to 13.46.

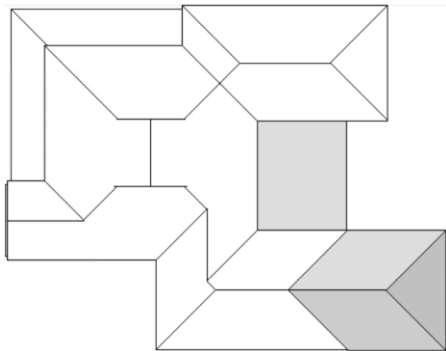


Figure B-13.43:
New work extends existing roof with infill of rear section.

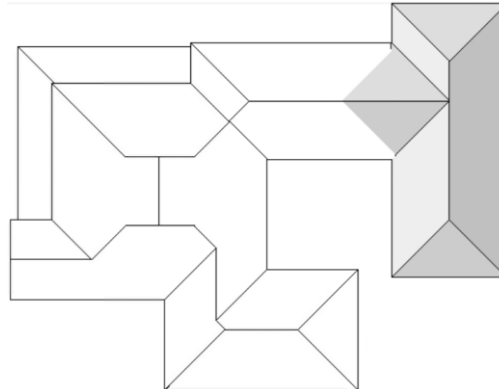


Figure B-13.44:
Wing addition retains integrity of principal building.

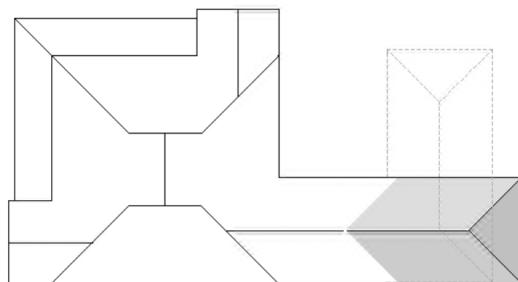


Figure B-13.45:
Simple rear addition extends existing roof line.

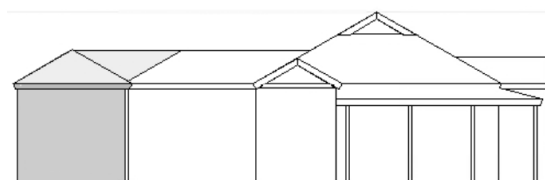


Figure B-13.46:
Height, bulk and scale of addition is smaller than the main building.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

13.10.4 Two storey detached and attached dwellings

Detached and attached dwellings typically constructed in the Victorian, Federation and Edwardian periods.

Objectives

O1 To retain the integrity and form of the original building.

Provisions

P1 In addition to the requirements in sections s13.53-s.13.98 to this DCP, the following characteristic features should be incorporated:

- Simple forms with open verandahs to the front and skillion and pitched roof wings at the rear.
- Lot sizes may vary.
- Walls: stone bases, brick, rendered masonry and weatherboard
- Roofs: hipped and gabled in slate, terra cotta tile and corrugated metal.
- Timber joinery
- Cast iron lace work

P2 New additions should generally comply with the examples illustrated in Figures 13.47 to 13.49.

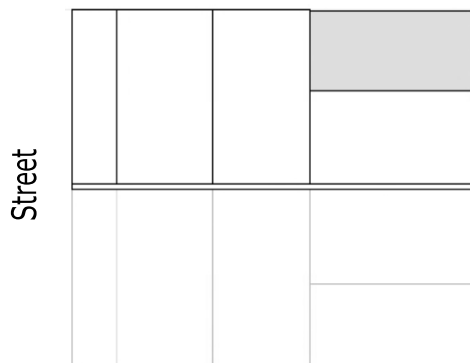


Figure B-13.47:

Locate changes at the rear.

Consider the impact on the attached pair, avoid changes that will affect common walls.

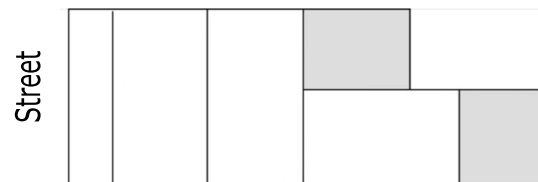


Figure B-13.48:

Side additions may also be suitable.

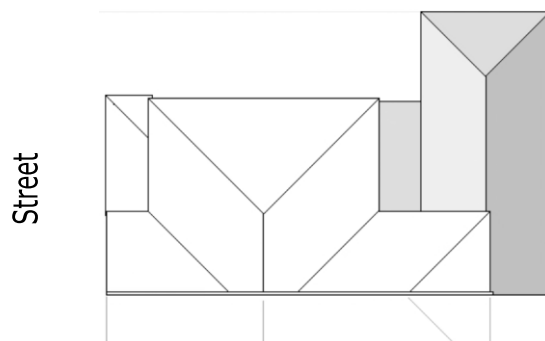


Figure B-13. 49:

Changes to the rear reduce impacts to the shared front elevation.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****13.10.5 Apartment buildings**

North Sydney contains many examples of apartment buildings from the Federation, Edwardian, Inter War and Post War periods. Some are heritage items and many are within heritage conservation areas.

**Figure B-13.55:**

Apartment buildings often exceed current floor space and height controls.

Objectives

- O1 Ensure that changes are sympathetic to significant fabric and building elements and do not have a detrimental impact on the heritage significance of the building.
- O2 Conserve significant building elements and features including verandahs, fenestration patterns, internal lobbies and staircases.

Provisions

- P1 Major changes to the scale and form of apartment buildings should not occur where the additional floor space would compromise the heritage significance of the existing building or surrounding area.
- P2 Alterations and additions are to respond to the articulation and rhythm of the existing building through the repetition of significant features that occur at regular intervals
- P3 Retain original or significant window and opening patterns. New openings are to respect this pattern and not introduce new patterns of window or door openings.
- P4 External awnings, hoods and other overhanging devices that will detract from the buildings form are not permitted.
- P5 Upgrading for compliance with the BCA, fire egress, disable access or service installations or structural upgrade should comply with Section 13.5.6 to this Part of the DCP.
- P6 Refer to section 13.5, 13.63 and 13.97 to this Part of the DCP for other applicable controls.



13.11 GUIDELINES FOR NON-RESIDENTIAL BUILDING TYPES

13.11.1 Commercial and office buildings

North Sydney contains many examples of office buildings from the Inter War and Post War periods. Some are heritage items or may be located in heritage conservation areas. Some contemporary buildings are also listed.

Objectives

- O1 Retain significant fabric and building elements and ensure new work does not compromise the building's significance.
- O2 Conserve important building elements and features including significant facades, fenestration patterns, decorative details, external materials and internal lobbies.
- O3 Ensure new work respects the original style of the building.

Provisions

- P1 Major changes to the scale and form of commercial buildings should not occur where the additional floor space would have a detrimental impact on the heritage significance of the existing building or surrounding area.
 - P2 Additional storeys or roof additions which require the removal of significant roof forms should not occur.
 - P3 Where a roof addition is proposed the new work is to be recessive in colour and distinguishable as new.
 - P4 Alterations and additions are to complement the form of the existing building and be setback from the predominant building envelope (including front and rear building lines) to allow the form of the existing building to remain distinguishable.
 - P5 Alterations and additions are to respond to the articulation and rhythm of the existing building through the repetition of significant features that occur at regular intervals.
 - P6 Retain original, internal and external significant fabric, building elements and features.
 - P7 Original significant elements are not to be removed from a façade.
 - P8 Retain original or significant window and opening patterns. New openings are to reflect this pattern and not introduce new patterns of window or door openings.
 - P9 External awnings, hoods and other overhanging devices that will detract from the building form are not to be attached to the façade.
 - P10 Face brick and sandstone are not to be rendered, painted or coated.
 - P11 Original wall finishes and claddings that are integral to the original design of the building are not to be removed or over-clad.
 - P12 New colour schemes are to be appropriate to the period and style of the building and character of the area. Corporate colours should not be used.
 - P13 Retain original hard and soft landscaping, finishes and sculptures.
 - P14 Original open forecourts and landscaped areas that contribute to the setting of the building are not to be enclosed or covered over.
- Note: Commercial buildings sometimes incorporate forecourts, landscaping and sculptures that form part of the original design intent. These elements are part of the significance and setting of the place and should be conserved*
- P15 Reinstating original hard and soft landscaping, finishes and sculptures is encouraged.
 - P16 Upgrading for compliance with the BCA, fire egress, disable access or service installations or structural upgrade should comply with s.13.54.61 to Part B of this DCP.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****13.11.2 Retail buildings and shops**

Many of the North Sydney's commercial areas are characterised by their significant retail shopfronts and facades that can date from the Victorian period to post war development. As well as being important individually, such shopfronts often contribute to the streetscape. It is particularly important to understand the style and period of the shopfront, particularly where this forms part of a significant row or streetscape.

Materials and detailing should be appropriate to the predominant style and period, and avoid the use of materials that were unavailable during the significant period of development.

Objectives

- O1 Retain significant and contributory shopfronts.
- O2 Promote the reinstatement of original and characteristic shopfront elements.
- O3 Encourage the design of shopfronts to adopt a contemporary interpretation of traditional forms when a part of infill development.
- O4 Ensure that alterations and additions do not compromise the integrity and consistency of heritage conservation areas.
- O5 Retain original interior decorative features.

Provisions

- P1 Original shopfronts, and original building elements and materials of existing shopfronts are to be retained.
- P2 Original shopfronts or significant characteristic elements are to be reinstated or reconstructed where there is evidence of the original style or detailing on the building or within the row or group.
- P3 Solid non-transparent shutters are not supported. Where required, open lattice type security grilles may be installed behind the glazing.
- P4 Shopfronts in new buildings may be contemporary in style, but are to be based on the characteristic elements of traditional and significant shopfronts of adjoining or nearby sites.
- P5 Reinstating previously removed awnings is encouraged, and should be based on historical or physical evidence or typical styles from the period of the building.
- P6 Where additional storeys are contextually appropriate, the new work is to respect the form, scale and detailing of the existing building and not interrupt the parapet line or other significant characteristics of the streetscape.

13.11.3 Pubs and hotels

Pubs and hotels often date from several periods of construction. As a result, significant elements are often associated with different periods of a building's history. A number of pubs and hotels in North Sydney were designed by prominent architects in high quality, contemporary styles.

**Figure B-13.56:**

North Sydney has a number of hotels that are heritage items.
Refer to s.13.98.3 for controls relating to verandahs and balconies.



2020 draft amendments - North Sydney Development Control Plan 2013

Heritage and Conservation

Objectives

- O1 Retain significant fabric and building elements from all significant periods of construction, including interior features.
- O2 Maintain the ongoing use as public houses and hotels.

Provisions

- P1 Refer to sections 13.53 and 13.97 to this Part of the DCP for controls on heritage items and specific development types.

13.11.4 Community and public buildings

Public and community buildings include churches, schools, hospitals and community halls. These buildings often provide a landmark within an area or streetscape, and may have social significance in addition to the significance of the built fabric.

A Conservation Management Plan is required for applications that propose substantial changes to large or complex heritage items, or substantial changes to internal layouts of heritage items.

Objectives

- O1 Ensure changes are sympathetic to the significance of the building and do not compromise the heritage significance from all periods of construction.
- O2 Allow for, and encourage, the ongoing use of community and public buildings for the purpose for which they were constructed.
- O3 Retain significant fabric and building elements.
- O4 Retain significant internal features, including internal open volumes such as large halls.

Provisions

- P1 Refer to sections 13.53 and 13.97 to this Part of the DCP for controls on heritage items and specific development types.

13.11.5 Warehouses and industrial buildings

North Sydney has representative examples of industrial, maritime and workshop buildings. Some are heritage items or within heritage conservation areas. These controls relate to applications for adaptive reuse of changes to such buildings.

Note: *Retaining original and significant fenestration patterns, finishes and decorative details should be a primary aim of adaptive reuse projects.*

Objectives

- O1 Ensure changes are sympathetic to significant fabric and building elements, and do not compromise heritage significance.
- O2 Allow for the interpretation of the significant original form and use of industrial buildings and places.
- O3 Conserve important built elements and equipment including catheads, loading bays, structural systems, flooring, hoists and machinery, piers and wharves.

Provisions

- P1 Refer to sections 13.53 and 13.97 to this Part of the DCP for controls on heritage items and specific development types.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Heritage and Conservation****13.12 HERITAGE IN THE PUBLIC DOMAIN**

The roads, footpaths, verges and land owned or managed by Council include important elements of North Sydney's heritage. These elements are identified within the relevant character area statement (refer to Part C of the DCP).

Objectives

- O1 To ensure development does not adversely impact upon the significance of heritage items in the public domain.

Provisions

- P1 Proposed developments must give due consideration to the retention and enhancement of heritage items in the public domain.



Figure B-13.57:

There are many heritage items in public areas around North Sydney.



SECTION 14 CONTAMINATION AND HAZARDOUS BUILDING MATERIALS

14.1 INTRODUCTION

This Section forms the basis for the management of land contamination and hazardous building materials within the LGA. In addition, it comprises Council's policy for dealing with land contamination under the Department of Planning's (DoP) [Managing Land Contamination: Planning Guidelines \(August 1998\)](#) and [State Environmental Planning Policy No.55 - Remediation of Land \(SEPP 55\)](#). [SEPP 55 and the Guidelines are proposed to be replaced with SEPP \(Remediation of Land\) and Contaminated Land Planning Guidelines, however were yet to be finalised at the time of finalising this version of the DCP, once adopted, the new SEPP and Guidelines will need to be referred to.](#)

14.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 Provide a framework for the integration of land contamination management into the planning and development process with the specific aim to:
 - (a) provide for the appropriate investigation and remediation of contaminated land;
 - (b) ensure that changes of land use will not increase the risk to health or the environment;
 - (c) avoid inappropriate restrictions on land use; and
 - (d) provide information to support decision making and to inform the community about land contamination.
- O2 Provide a framework for the investigation, reporting and removal of hazardous building materials from a site to ensure that risk to the health of the community or environment is not adversely affected.

14.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications involving land which is known or has potential to be contaminated or affects buildings or works constructed and or improved with hazardous building materials.

14.1.3 Relationships to Other Sections

Where relevant, this Section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones; and
- (e) Part B: Section 5 – Child Care Centres.

14.1.4 Relationship to other Documents

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) [Environmental Planning and Assessment Act 1979](#) (EP&A Act 1979);
- (b) [Environmental Planning and Assessment Regulation 2000](#) (EP&A Regulation 2000);



202 draft amendments - North Sydney Development Control Plan 2013

Contamination and Hazardous Building Materials

- (c) [Contaminated Land Management Act 1997](#) (CLM Act 1997);
- (d) [Contaminated Land Management Regulation 1998](#);
- ~~(e)~~ [State Environmental Planning Policy No.55 - Remediation of Land](#) (SEPP 55);
- ~~(e)~~(f) [Draft State Environmental Planning Policy \(Remediation of Land\)](#);
- ~~(g)~~ DoP's [Managing Land Contamination - Planning Guidelines](#) (to be used in association with SEPP 55);
- ~~(f)~~(h) [DoP's Draft Contaminated Land Planning Guidelines](#); and
- ~~(g)~~(i) NSW EPA's [Guidelines for the Assessment and Management of Sites Impacted by Hazardous Ground Gases](#).

This package of legislation and guidelines is cross-referenced and the documents work in conjunction with each other. If, when using the DCP, clarification of any matter is required, refer to the above primary legislative documentation.

14.2 CONTAMINATED LAND

14.2.1 Decision Making Process

In determining all Planning Proposals and development applications, Council will consider the possibility of land contamination and the implications it has for any proposed or permissible future uses of the land. A precautionary approach will be adopted to ensure that any land contamination or hazardous materials issues are identified and dealt with early in the planning process.

Council is required to assess and determine all Planning Proposals and development applications in accordance with the relevant provisions contained within SEPP 55.

Initial Evaluation

As part of every Planning Proposal and development application, Council will conduct an initial evaluation to determine whether contamination is an issue, and whether sufficient information is available for Council to appropriately carry out its planning functions. The initial evaluation checklist is to be addressed on the basis of readily available information held by the Council or provided by the applicant (Also refer to section 3.2.1 of *Managing Land Contamination: Planning Guidelines*).

Initial Evaluation checklist –

- (a) Is the Council aware of any previous investigations about contamination on the land? What were the results, including any previous initial evaluations?
- (b) Do existing Council records show that an activity listed in Appendix 2 has ever been approved on the land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)
- (c) Was the subject land at any time zoned for industrial, agricultural, or defence purposes?
- (d) Is the land currently used for an activity listed in Appendix 2?
- (e) To the Council's knowledge, has the land ever been regulated through licensing or other mechanisms in relation to any activity listed in Appendix 2?
- (f) Are there any land use restrictions on the land relating to possible contamination, such as notices issued by the NSW Environment Protection Authority or other regulatory authority?
- (g) Does a site inspection conducted by the Council (optional) suggest that the site may have been associated with any activities listed in Appendix 2?
- (h) Is the Council aware of information concerning contamination impacts on land immediately adjacent to the subject land which could affect the subject land?

North Sydney Development Control Plan 2013 – 2020 draft amendments**Contamination and Hazardous Building Materials**

If none of the answers suggest that the land might be contaminated or that further enquiry is warranted, the planning process should proceed in the normal way. Further reference to this Section of the DCP will only be necessary if contamination is identified on site during development.

If the initial evaluation indicates that contamination is or may be present, or the Council has insufficient information on which to make a planning decision, then the applicant will be required to engage a suitably qualified consultant to undertake further investigations, as indicated below. The appropriate level of investigation will depend on the circumstances and may involve one or more of the following stages:

- Stage 1 - Preliminary Investigation
- Stage 2 - Detailed Investigation
- Stage 3 - Remedial Action Plan
- Stage 4 - Validation and Monitoring

These four stages are described in further detail in the following subsection of the DCP.

Procedures for Planning Proposals

Council must consider contamination issues in accordance with Clause 6 of SEPP 55 when determining a Planning Proposal.

In addition to these requirements, if Council has reasonable grounds to suspect that the land may be contaminated because of the land's history, condition or other information known to Council, Council will require the submission of:

- (a) a *Preliminary Investigation*; or
- (b) a combined *Preliminary Investigation* and *Detailed Investigation* for a site specific Planning Proposal.

Where a Planning Proposal involves the rezoning of land that covers a large area (e.g. precinct or LGA based) Council may include provisions in an LEP or DCP to ensure that the potential for contamination and the suitability of the land for any proposed use is further addressed prior to the redevelopment of the land.

Subsection 14.2.2 to this Part of the DCP outlines when and what information Council will require relating to site contamination issues to be submitted with a Planning Proposal.

Procedures for Development Applications

Council must consider contamination issues in accordance with Clause 7 of SEPP 55 when determining a development application.

Contamination issues may be addressed by refusing consent, or by issuing consent subject to conditions. In appropriate cases, deferred commencement consent might be issued, requiring remediation and validation to be undertaken prior to other work commencing. Modifications of development applications will be considered under this DCP in the same way as new development applications.

All land affected by a planning decision will be considered under this Section of the DCP. For example, where a development application proposes to dedicate land for open space, the suitability of that land for open space will be considered under this DCP. The Council may require a *Preliminary Investigation* or *Detailed Investigation* and a deed of indemnity in these cases.

Subsection 14.2.2 to this Part of the DCP outlines when and what information Council will require relating to site contamination issues to be submitted with a development application.

14.2.2 Contamination Investigation and Reporting

Due to the technical nature, specialised issues and potential risks to life from contamination, the investigation and reporting requirements set out in the following four stages must be undertaken by a suitably qualified consultant and all associated costs must be borne by the applicant. EPA accredited auditors will be accepted as being suitably qualified consultants.



202 draft amendments - North Sydney Development Control Plan 2013

Contamination and Hazardous Building Materials

Stage 1 - Preliminary Investigation

Stage 1 involves identifying past or present potentially contaminating activities. The purpose of the investigation is to determine whether further detailed investigation is warranted due to the likelihood or evidence of contamination.

Note: *Information sources that may be useful in understanding the history of a site include the following:*

- *Past aerial photographs*
- *Council records - town planning, scheme maps, development and building applications, complaints, pollution incident reports*
- *Local Historical Publications - documents particularly relevant to North Sydney are listed in a Council document "SEPP Research Documents" (1 June 1999.)*
- *Current and previous site owners and occupiers*
- *Current and previous site workers*
- *Long-term residents*
- *Past and Present Telephone Books*
- *Noxious Trades register formerly kept pursuant to the Noxious Trades Act 1902 (repealed 18 November 1991)*
- *Sands Sydney and New South Wales Directory 1858-1932/3*
- *NSW Environment Protection Authority Section 35 Notices, past and present scheduled premises.*
- *Sydney Water Corporation Trade Waste Agreements*
- *Work Cover Authority Dangerous Goods Branch*
- *Power sites containing present and past electrical substations*

The level of investigation must be appropriate to the potential risk from contamination. An investigation is not necessary at the rezoning stage if there is no reason to suspect contamination.

P1 A *Preliminary Investigation* is required to be submitted to Council in accordance with Clause 6 or 7 of [SEPP 55](#) and the DoP's [Managing Land Contamination: Planning Guidelines](#).

~~**Note:** — Also refer to page 22 of the [Managing Land Contamination: Planning Guidelines](#).~~

P2 Council may also require a Preliminary Investigation to be submitted when:

- (a) Council has reasonable grounds to believe the land is contaminated because of the land history, condition, or other information known to Council;
- (b) The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or the circumstances have changed;
- (c) There are restrictions on, or conditions attached to, the use of the site by a regulatory or planning authority that are, or may be, related to contamination, but there is insufficient information available about the nature and extent of contamination;
- (d) Council records indicate that the site is or may be associated with pollution incidents or dumping of wastes;
- (e) The site adjoins land that has been associated with activities that may cause contamination listed in Appendix 2 and it is possible that contamination may have migrated to the subject site; or
- (f) A spot rezoning is proposed to allow a specific development or land use. In these cases a preliminary and detailed investigation may be required to prove the land is suitable for the development or can and will be made suitable.
- (g) The site history is unclear and the site is proposed to be used for residential, educational, recreational, medical or child care uses.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Contamination and Hazardous Building Materials**

- P3 *Preliminary Investigations* and *Detailed Investigations* may be combined into a single report where land is known to contain or have contained a potentially contaminating activity.

If the results of the preliminary investigation conclusively demonstrate that there is no potential for, or existence of, contamination that makes the land unsuitable for the proposed use, then Council will not require any further investigations to be conducted.

Stage 2 – Detailed Investigation

The purpose of Stage 2 is to determine the nature, extent and degree of contamination existing on a site and to assess the risk posed by contaminants to human health and the environment. This information is then used to prepare a *Remedial Action Plan*, if necessary.

- P1 A *Detailed Investigation* is required to be undertaken when the results of the *Preliminary Investigation* demonstrate the potential for or existence of contamination that may affect the proposed use of the land.
- P2 The *Detailed Investigation* must be undertaken and reported in accordance with the DoP's [Managing Land Contamination: Planning Guidelines](#).
- P3 The *Detailed Investigation* must include a statement outlining whether the site is suitable for the proposed use in its current state, or if remediation is necessary to make the site suitable for the proposed use. If remediation is required, the report should also list the feasible remediation options available to remediate the site (refer to section 14.2.5 - Site Audit).

Stage 3 – Remedial Action Plan

The purpose of Stage 3 is to identify and establish remediation objectives, clean up criteria and a strategy for remediation. The *Remedial Action Plan* is also to identify any approvals that need to be obtained from regulatory authorities (refer to the provisions of SEPP 55).

Prior to determining a development application, Council must be satisfied that remedial measures have been, or will be, undertaken in accordance with the submitted *Remedial Action Plan*, to make the site suitable for the proposed use.

Remedial works may require separate development consent (refer to section 14.2.3 - Control of remediation work). If development consent is required for remediation of contaminated land, a *Remedial Action Plan* must be submitted with the development application for approval.

- P1 A *Remedial Action Plan* must:
- be submitted to Council in accordance with the DoP's [Managing Land Contamination: Planning Guidelines](#) if the detailed investigation concludes that the land is not suitable for the proposed use in its present state;
 - demonstrate how the applicant or their consultant proposes to reduce risks to acceptable levels and achieve the clean up objectives for the site;
 - document remedial works to be undertaken at the site and address the matters covered in subsection 14.2.4;
- P2 A *Remedial Action Plan* should include an *Environmental Management Plan*.
- P3 Council may require site auditor comment on the proposed remediation objectives, and clean up criteria, prior to the *Remedial Action Plan* being finalised (refer to subsection 14.2.5 - Site Audit.)

Depending upon the level of information available at the time of assessing a Development Application, the requirement for a *Remedial Action Plan* may be imposed as a condition of consent.

Stage 4 – Validation and Monitoring Report

The purpose of Stage 4 is to confirm that the objectives stated in the *Remedial Action Plan* have been achieved and that any relevant conditions of development consent have been complied with.



202 draft amendments - North Sydney Development Control Plan 2013

Contamination and Hazardous Building Materials

- P1 A *Validation and Monitoring Report* is required to be submitted to Council in accordance with the DoP's *Managing Land Contamination: Planning Guidelines* after remediation works have been completed, and prior to the commencement of new building construction works approved in an associated development consent.
- P2 Applicants are encouraged to use the same consultant who conducted the Preliminary Investigation, Detail Investigation and remediation works to prepare the Validation and Monitoring Report.
- P3 Council will need to be satisfied that the site is suitable for the proposed use when considering any subsequent development applications for the subject site. Hence it is recommended that comprehensive records are maintained during the remediation and validation works for all sites (See subsection 14.2.5 - Site audit.).

Usually Council will place a condition on any development consent granted requiring the submission of a *Validation and Monitoring Report* prior to the issuing of a Construction Certificate. Alternatively, Council may issue a deferred commencement consent for the proposed use, requiring that remediation and validation is undertaken prior to other work commencing.

14.2.3 Control of Remediation Work

Remediation comprises work carried out for the purpose of removing, dispersing, destroying, reducing, mitigating or containing the contamination of any land, or eliminating or reducing any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on the land).

Remediation work is regulated by [SEPP 55](#) (refer to clause 8-18 of the SEPP) and the DoP's [Managing Land Contamination: Planning Guidelines](#).

Remediation work typically falls into either Category 1 or Category 2 works. Development consent is required to undertake Category 1 remediation works, but not for Category 2 works. Broadly speaking, Category 2 remediation work is all remediation work that is not Category 1. The full definition of Category 1 remediation work is contained with clauses 9 and 14 of SEPP 55.

- P1 Remediation work must be undertaken in accordance with the relevant provisions of SEPP 55 and the DoP's [Managing Land Contamination: Planning Guidelines](#).
- P2 In addition to P1, Category 2 remediation must comply with the site management requirements set out in subsection 14.2.4 of this Part of the DCP. Category 2 remediation work that does not comply with Subsection 14.2.4 of this Part of the DCP will be classified as Category 1 remediation work and will require development consent.
- P3 Comprehensive records should be maintained during the undertaking of remediation and validation works for all sites to demonstrate that the site will be suitable for the proposed use.

14.2.4 Site Management Requirements

All Category 2 remediation work must be carried out in accordance with the following site management requirements. These requirements apply to the whole of the North Sydney LGA and have been formulated to ensure that Category 2 remediation work does not adversely impact upon the environment and public amenity.

Category 2 remediation work that does not comply with these requirements will be classified as Category 1 remediation work and will require development consent.

Development applications lodged for Category 1 remediation work should identify any departures from these requirements and any alternative site management measures to be implemented.

Note: Refer to parts 4.4-4.6 of the [Managing Land Contamination: Planning Guidelines](#) in regard to assessment of development applications.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Contamination and Hazardous Building Materials****Remediation Work**

- P1 All remediation work must be carried out in accordance with:
- (a) the [Managing Land Contamination: Planning Guidelines](#); and
 - (b) the standards contained within the NSW Environment Protection Authority guidelines made under the [CLM Act 1997](#).

Notification

- P2 Notice of proposed work must be given to the Council in accordance with SEPP 55, clause 16.

Note: Clause 16 to SEPP 55 requires that the notice to Council must:

- (a) be in writing, and
- (b) provide the name, address and telephone number of the person who has the duty of ensuring that the notice is given, and
- (c) briefly describe the remediation work, and
- (d) show why the person considers that the work is category 2 remediation work by reference to clauses 9, 14 and (if it applies) 15 (1) of SEPP 55, and
- (e) specify, by reference to its property description and street address (if any), the land on which the work is to be carried out, and
- (f) provide a map of the location of the land, and
- (g) provide estimates of the dates for the commencement and completion of the work.

At least 30 days notice is also required, except in the case of work required to be carried out immediately under the terms of a remediation order (in which case, at least 1 day's notice is required).

- P3 The following additional information must be submitted with the notice to the Council:
- (a) copies of any Preliminary Investigation, Detailed Investigation and Remedial Action Plan for the site, and
 - (b) contact details for the remediation contractor and any other party responsible for ensuring compliance of remediation work with regulatory requirements.

Hours of Operation

- P4 All remediation work shall be conducted within the following hours (unless consent conditions provide otherwise):

Monday – Friday: 7am - 5pm

Saturday: 8am - 1pm

Sundays or Public Holidays: No work is permitted

Health and safety

- P5 The work must satisfy applicable occupational health and safety and construction safety regulations, including any Work Cover Authority requirements to prepare a health and safety plan. Site fencing must be installed to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site, and a contact telephone number provided for enquiries.

Noise

- P6 Noise emissions must comply with relevant standards under the [Protection of the Environment Operations Act 1997](#). Vibration from the works must not be felt on any adjoining property.

Air quality

- P7 Materials must not be burnt on the site.
- P8 Vehicles entering and leaving the site with soil or fill material must be covered.
- P9 Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines *Managing Urban*



202 draft amendments - North Sydney Development Control Plan 2013

Contamination and Hazardous Building Materials

Stormwater: Soils and Construction. Odour suppression measures must be carried out to avoid effects on adjoining properties.

Water quality

P10 Runoff must be drained to an adequately bunded central collection sump and treated, if necessary, to meet NSW Environment Protection Authority discharge criteria.

Erosion and sediment control

P11 Erosion and sediment control techniques are to be in accordance with North Sydney Council guidelines on Erosion and Sediment Control. All remediation works shall be conducted in accordance with an erosion and sediment control plan that follows the brochure *Preparing an Erosion and Sediment Control Plan* published by the Department of Conservation & Land Management. The plan must be kept on-site and made available to Council officers on request. (See also Council's leaflet *Erosion and sediment control for urban development*.)

P12 Erosion and sediment control measures must be established prior to commencement of work. All erosion and sediment measures must be maintained throughout the remediation works.

P13 Temporary stockpiles of contaminated materials must be kept in a secure area. Facilities must be installed for cleaning vehicles prior to leaving the site. Detailed designs for any pollution control system, including leachate collection and disposal, must be provided to the Council with notice of proposed work required pursuant to clause 16 of [SEPP 55](#).

Waste

P14 Any removal of contaminated solids from the site must comply with relevant laws for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed of on land without:

- (a) permission of the land owner; and
- (b) development consent from the relevant local council (if required); and
- (c) an environment protection licence from the NSW Environment Protection Authority.

Landscaping and rehabilitation

P15 Disturbed areas must be progressively stabilised and revegetated in accordance with a landscape plan.

Remedial Action Plan

P16 The remediation work must be carried out in accordance with a Remedial Action Plan prepared in accordance with SEPP 55, the DoP's *Managing Land Contamination: Planning Guidelines*, this DCP and any relevant guidelines issued under the [CLM Act 1997](#).

Validation

P17 A validation and site monitoring report prepared in accordance with relevant guidelines issued under the [CLM Act 1997](#) must be submitted to the Council within one month from completion of the remediation work.

P18 All validation and site monitoring reports must be completed by a suitably qualified environmental consultant.

P19 A detailed survey of all sites used for landfill disposal must be prepared within one month from completion of the remediation work, and submitted to Council. The plan must identify the extent and depth of all fill material in relation to existing roadways and buildings. The survey must also include a detailed survey of all sites used as landfill disposal pits, identifying boundaries and depth of disposal pits in relation to existing roadways and buildings.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Contamination and Hazardous Building Materials****Community information**

P20 Reasonable measures must be undertaken by the applicant to keep nearby residents informed about the proposed work, such as signs, leaflets, public meetings, and telephone contact numbers.

Compliance with legislation

P21 Compliance with relevant environmental legislation and planning guidelines is required in addition to the provisions in this section.

Post remediation works

P22 Following validation of the site, notice of completion must be submitted to Council in accordance with clauses 17 and 18 of SEPP 55 and within 30 days of completion of the work.

P23 A copy of the validation report must also be submitted to Council with the notice of completion.

14.2.5 Site Audit

A site audit comprises an investigation to determine one or more of the following:

- (a) the nature and extent of contamination of land
- (b) the nature and extent of the investigation or remediation
- (c) what investigation or remediation is necessary before land is suitable for any specified use or range of uses

Council may request a site audit to be undertaken at any or all stages in the site investigation or remediation process. In accordance with the *Managing Land Contamination Planning Guidelines*, Council will require a site audit prepared by an Environment Protection Authority accredited auditor for contaminated land if Council:

- believes on reasonable grounds that the information provided by the applicant is incorrect or incomplete;
- wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines; or
- does not have the internal resources to conduct its own technical review.

A site audit will be required in most cases, as the Council will usually want to verify whether the information provided by the applicant has followed appropriate standards, procedures and guidelines. The Council will not usually have the internal resources to conduct its own technical review. The applicant is responsible for engaging an accredited auditor to perform a site audit and to pay the costs involved.

When Council requests a site audit, it will also specify any issues to be included in the audit, as well as requiring a site audit to address any issues raised in s.47(1)(b) [CLM Act 1997](#).

Requirements

P1 The following are examples of issues that Council may request a NSW EPA accredited auditor for contaminated land to address when conducting a site audit:

- (a) Has the contaminated land consultant complied with all appropriate standards, procedures and relevant NSW EPA guidelines?
- (b) What further investigation or remediation is required before the land is suitable for any specified use or range of uses?
- (c) Whether the auditor considers that the proposed remediation is adequate, and if undertaken, will render the site to be suitable for the proposed use?
- (d) Whether it can be concluded that there is no unacceptable off-site migration of contaminants?



202 draft amendments - North Sydney Development Control Plan 2013

Contamination and Hazardous Building Materials

(e) Whether the contamination conditions at the site are suitable for in-ground absorption of stormwater?

- P2 Either the applicant or the appointed auditor shall liaise with Council during the preparation of the site audit to ensure that the scope of the site audit addresses the concerns raised by Council.
- P3 For sites that raise complex issues, the site auditor should be engaged during the investigation processes and planning of remedial action, liaising with the consultant and the Council to streamline these processes. The following steps may then be undertaken:
- P4 The auditor may provide a statement to Council indicating that remediation of the site is feasible and environmentally justifiable, and that following remediation, the site is likely to be suitable for its intended use;
- P5 The auditor can review the remedial action plan prepared by the consultant and be satisfied that issues relating to remediation policy, scheduled waste management and off site disposal consents are properly addressed;
- P6 The auditor can review the validation report prepared by the consultant and decide if the site is suitable for its intended purpose and that issues such as groundwater contamination, and contaminant migration have been adequately addressed.

Site Audit Statements

The NSW Environment Protection Authority Guidelines for the NSW Site Auditor Scheme indicate the content and format of site audit statements (see also s.47 of the [CLM Act 1997](#), and Schedule 1 of the [CLM Regulation 2013](#) ~~[CLM Regulation 1998](#)~~ schedule 1.)

Before issuing a site audit statement, the site auditor must prepare and finalise a summary site audit report. The EPA Guidelines for the NSW Site Auditor Scheme outlines what must be included in a site audit report.

14.2.6 Council records and community information

Council has an important role in supplying the community with information regarding land use history, land contamination and remediation. Council also has a statutory responsibility under s.59 of the [CLM Act 1997](#) to include information provided to Council by either the EPA or accredited auditors on Certificates issued under s.~~149~~[10.7](#) of the [EP&A Act 1979](#).

The process of information collection about land contamination is an ongoing process. Information concerning contaminated land will be added to Council's property information system when development applications are processed or when information is provided to the consent authority via other sources.

Information Management

The Council does not hold comprehensive information about land contamination. In the past, little information was kept about contaminated land. The information that Council does have on record relating to contamination generally relates to only a very small number of sites. Council is aware of some land where potentially contaminating land uses have taken place. It is possible that some of these sites are contaminated and that others are not, but can not be determined until further detailed investigations have been undertaken. It is also possible that there are some parcels of land which are contaminated in the local government area that is not known to the Council.

Land contamination is dynamic and no information system can record the nature of all contamination within the local government area at any one time. Council records will change over time as information comes to light. Specifically, the following information will be added to the record for individual parcels of land from time to time:

- Information contained in development applications, indicating use for a potentially contaminating activity listed in Appendix 2.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Contamination and Hazardous Building Materials**

- Reports submitted to Council, including preliminary investigation, detailed investigation, remedial action plans, validation and monitoring reports, and site audit statements.
- NSW Environment Protection Authority declarations and orders issued under the [CLM Act 1997](#) (including voluntary investigation and remediation proposals agreed by the NSW Environment Protection Authority).
- Prior notification of Category 2 remediation works.
- Notification of completion of Category 1 and Category 2 remediation work.

Information about land contamination held within the Council's records will be supplied to the public by the following means (subject to payment of any prescribed fees):

- By issuing Planning Certificates (~~s.149~~[10.7](#) Certificates) on application to Council.
- By providing access to documents in accordance with the [Government Information \(Public Access\) Act 2009](#) ~~Freedom of Information Act 1989~~ and other legislation.

Information relating to land contamination or the likelihood of land contamination is gathered, kept and disseminated, so as to:

- Provide a basis for informed planning decisions that consider land use history
- Provide reliable information to the community
- Minimise risk to health and the environment
- Avoid unnecessary restrictions on development
- Acknowledge any limitations on information, such as its degree of uncertainty or accuracy, and the purpose and time it was collected

~~Section 149~~ Planning Certificates

All ~~s.149(2)~~[Planning](#) Certificates [issued under s.10.7\(2\) of the EP&A Act 1979](#) will state that ~~the~~ Council has adopted this development control plan, as well as the information required under s.59(2) of the [CLM Act 1997](#), where the land is:

- significantly contaminated land;
- subject to a management order;
- subject of an approved voluntary management proposal;
- subject to an ongoing maintenance order; or
- subject of a site audit statement.

In addition, a [Planning Certificate issued under s.14910.7\(2\)\[Certificate\]\(#\) will indicate, pursuant to Clause 7 of Part 3 of the \[EP&A Regulation 2000\]\(#\), whether the land has been identified by Council as having the potential to be contaminated due to previous activities carried out on the site.](#)

When a ~~s.149(5)~~[Planning](#) Certificate is requested [under s.10.7\(5\) of the EP&A Act 1979](#), Council will provide additional information known to Council about site contamination issues, including that the site may be contaminated because of past zonings or uses, the existence of reports on past site investigations, notifications of remediation, site audit statements, and the like.

14.3 HAZARDOUS BUILDING MATERIALS

There are some instances where buildings have been constructed with or fitted with hazardous building materials. These materials are often inert when left in situ, however can become hazardous to a person's health when disturbed. The following subsection sets out the investigations, reporting requirements and removal and disposal methods required to be provided or carried out.



202 draft amendments - North Sydney Development Control Plan 2013

Contamination and Hazardous Building Materials

14.3.1 Initial Investigation

Council will conduct an initial evaluation as part of every development assessment to determine whether hazardous building materials are an issue, and whether sufficient information is available for Council to appropriately carry out its planning functions. The initial evaluation checklist is to be addressed on the basis of readily available information held by the Council or provided by the applicant. In completing the checklist, the following questions are to be considered:

- (a) Is the Council aware of any previous investigations about hazardous building materials on the land? What were the results, including any previous initial evaluations?
- (b) Was the subject land at any time used for commercial premises, industrial premises, telecommunication facilities, transport facilities, electrical facilities, water supply facilities, sewerage facilities, agricultural purposes or defence purposes?
- (c) Was the affected building(s) constructed prior to 1970?

If none of the answers suggest that the land might contain hazardous building materials or that further enquiry is warranted, the planning process should proceed in the normal way. However, if the initial evaluation indicates that hazardous building materials may be present, or the Council has insufficient information on which to make a planning decision, then the applicant will be required to undertake further investigations. In particular, the applicant will be required to submit a Hazardous Building Materials Survey Report.

14.3.2 Hazardous Building Materials Survey Report

P1 A Hazardous Building Material Survey Report is required to be submitted with the lodgement of all Development Applications involving demolition of the following:

- (a) Commercial, industrial and retail buildings with a gross floor area of greater than 500m²;
- (b) Transport, telecommunications, electrical, water or sewerage facilities or structures; or
- (c) Any building on a site, where it is proposed to be used for child care purposes.

Based on its initial assessment of a Development Application, Council may impose a condition on a development consent for other types of development requiring the submission of a Hazardous Building Material Survey Report to Council prior to the issue of a Construction Certificate.

P2 The associated investigations are required to be carried out in accordance with the requirements of the relevant NSW Environment Protection Authority guidelines.

P3 The associated investigations and report must be completed by a suitably qualified consultant to undertake the preliminary investigation and to pay all the costs involved. (EPA accredited auditors will be accepted as being suitably qualified consultants.)

P4 The investigations should involve at least a visual inspection of accessible and representative construction materials and the collection and analysis of materials suspected of containing hazardous materials.

P5 The inspection should identify the presence of any of the following materials:

- (a) **Asbestos:** The assessment must be carried out in accordance with the guidelines documented in the Asbestos Code of Practice for the Management and control of Asbestos in Workplaces [NOHSC:2018 (2005)] and the [Protection of the Environment Operations \(Waste\) Regulation 2014](#), ~~the [Protection of the Environment Operations Amendment \(Scheduled Activities and Waste\) Regulation 2008](#) and the [Protection of the Environment Operations \(Waste\) Regulation 2005](#).~~

North Sydney Development Control Plan 2013 – 2020 draft amendments**Contamination and Hazardous Building Materials**

- (b) **Synthetic Mineral Fibres (SMF):** Investigations should be made of electrical insulation, plumbing materials, heat insulation, acoustic insulation and fire insulation. The materials should be broken down into their main groupings consisting of:
- (i) Continuous Glass Filaments;
 - (ii) Fibreglass, glass fibre or glasswool;
 - (iii) Rockwool; and
 - (iv) Ceramic Fibres
- (c) **Polychlorinated Biphenyls (PCBs):** All light fittings should be inspected for the presence of PCB containing capacitors. The capacitors are to be cross referenced with the ANZECC Identification of PCB Containing capacitors database -1997.
- (d) **Lead-containing Paint:** Representative painted surfaces are to be tested. Investigations should be focused on areas where lead based paint would have been traditionally used such as (exterior gloss paints, window and door architraves, skirting boards).
- (e) **Ozone depleting substances:** Inspection of refrigerant gas labels on representative refrigeration and or air conditioning plants are to be noted and documented. Where there are no labels, assessment is to be based on the age and condition of the plant.
- P6 The Report is also to provide general recommendations for the removal, of the hazardous materials, including the preparation of detailed document such as a Management Plan, Technical Scope of Works, SafeWork, Method Statements and Risk Assessments to appropriately address health and safety issues associated with the specific work and site conditions. The recommended conditions contained in any of the above reports may be included as conditions to a development consent.

14.3.3 Removal of Hazardous Building Materials

The removing, dispersing, destroying, reducing, mitigating or containing of hazardous building materials on any land, or eliminating or reducing any hazard arising from its removal must be undertaken in accordance with the following documents or legislation:

- [Work Health and Safety Act 2011](#)~~[Occupational Health and Safety Act 2000](#)~~,
- [Work Health and Safety Regulation 2017](#)~~[Occupational Health and Safety Regulation 2001](#)~~,
- The NSW WorkCover Code of Practice for the Safe Use of Synthetic Mineral Fibres,
- National Occupational Health and Safety Commission's National Code of Practice for the Safe Use of Synthetic Mineral Fibres,
- Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1988)].

Council may impose a condition on a development consent requiring the applicant to comply with these documents and legislation.

**Bushland****SECTION 15 BUSHLAND****15.1 INTRODUCTION**

North Sydney's bushland contributes to an attractive environment in which to live and:

- (a) is a popular recreational resource, playing an important role in wildlife conservation;
- (b) is an integral part of the harbour foreshore scenery; and
- (c) contributes to the enjoyment of adjoining properties.

There are approximately 49 hectares of bushland in North Sydney with 47 hectares contained within public reservations. While bushland is typically located in narrow strips bordering urban development, there are some significant larger areas such as Balls Head.

Bushland is under pressure from both within and outside the bushland reserve system. Without significant commitment to the management of bushland degradation, biodiversity loss will continue to occur, resulting ultimately in increased costs for rehabilitation and maintenance and loss of ecosystem services. The high population density of North Sydney and limited opportunities for future open space reservations increase the need to effectively manage precious remnant bushland. As such, a holistic approach to bushland management needs to be taken.

Studies have found higher levels of bushland degradation occur along a bushland's boundary with residential properties. This is associated with excess runoff, dumping of imported fill soil and vegetation, siltation, leaching of fertilisers, infestation of introduced plant species, vegetation clearance and tree vandalism, unnatural fire regimes and inappropriately managed domestic animals.

Residents with properties adjoining bushland are encouraged to maintain their property in a way which complements the values and condition of adjoining bushland through providing additional habitat for indigenous flora and fauna. Volunteer Bushcare groups and Council staff undertake significant bushland rehabilitation activities within public reserves.

Council offers support to residents through the Bushcare Program that includes expert technical advice and training in bush rehabilitation, habitat creation, fauna management and home native gardening.

For further detailed information on this assistance, please contact Council's Bushland Management Co-ordinator or visit Council's [website](#).

Whilst bushland can contribute to a pleasant visual outlook, it can also pose a risk to the loss of life or property in the event of a bush fire. Careful planning of development and regular vegetation maintenance is required to ensure this risk is minimised.

The provisions in this section of the DCP aim to assist in the appropriate design and management of land adjoining bushland.

The provisions in this section complement the management of bushland areas by Council and the community. The provisions are compatible with the long term conservation and management of remnant bushland in accordance with Council's *Bushland Plan of Management* (under the [Local Government Act 1993](#)) and the principles and objectives of [State Environmental Planning Policy No. 19 - Bushland in Urban Areas](#) (SEPP 19).

15.1.1 General Objectives

The general objectives of this Section of the DCP are to:

- O1 preserve, manage and rehabilitate bushland for its ecological, cultural, historical, scientific, educational, archaeological, geological, recreational, scenic and visual values;
- O2 protect and enhance viable native fauna populations and their habitats;



2020 draft amendments - North Sydney Development Control Plan 2013

Bushland

- O3 preserve remnant bushland on private properties;
- O4 avoid and mitigate adverse affects on bushland associated with urban development;
- O5 ensure that private landscaped areas compliment bushland by providing food and habitats for fauna, reducing water and fertilizer requirements and maximising the use of locally indigenous vegetation species;
- O6 ensure that vegetation is managed and maintained to reduce potential bush fire attack to residential dwellings.

15.1.2 When does this section of the DCP apply?

This Section of the DCP applies to development on land within the North Sydney LGA which is identified as *E2 Environmental Conservation*, Area A or Area B on the Bushland Buffer Map located at Appendix 4 to the DCP.

15.1.3 Relationships to other sections

Where relevant, this section of the DCP should be read in conjunction with the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 3 – Non-residential Development in Residential Zones;
- (d) Part B: Section 5 – Child Care Centres;
- (e) Part B: Section 13 – Heritage & Conservation;
- (f) Part B: Section 16 – Tree & Vegetation Management;
- (g) Part B: Section 17 – Erosion and Sediment Control;
- (h) Part B: Section 18 – Stormwater Management;
- (i) Part B: Section 19 – Waste management;

15.1.4 Relationships to other policies and documents

Where relevant this section of the DCP should be read in conjunction with the following:

- (a) Commonwealth Environmental Protection & Biodiversity Conservation Act, 1999 ([EP&BC Act](#));
- (b) NSW Environmental Planning and Assessment Act, 1979 ([EP&A Act 1979](#));
- (c) NSW Environmental Planning and Assessment Regulation 2000 ([EP&A Regulation 2000](#));
- (d) ~~NSW Threatened Species Conservation Act 1995 (TSC Act 1995)~~ [NSW Biodiversity Conservation Act \(BC Act 2016\)](#);
- (e) NSW [National Parks and Wildlife Act 1974](#);
- (f) NSW [Rural Fires Act 1997](#);
- (g) ~~The~~ NSW Rural Fire Service's [Planning for Bush Fire Protection](#) (~~2006~~ [as amended](#));
- (h) ~~NSW Noxious Weeds Act 1993~~ [NSW Biosecurity Act 2015](#);
- (i) NSW [Companion Animals Act 1998](#);
- (j) Protection of the Environment Operations Act 1997 ([POEO Act](#));
- (k) [State Environmental Planning Policy No. 19 - Bushland in Urban Areas](#);
- (l) North Sydney Council's *Bushland Plan of Management*; and

North Sydney Development Control Plan 2013 – 2020 draft amendments**Bushland**

(m) North Sydney Council's *Bushland & Fauna Rehabilitation Plans*.

15.2 BUILDING DESIGN AND SITING

Each property has a different relationship with the adjoining bushland in terms of the size of a property's boundary with the bushland, the extent of existing development, the available landscaped area and the topography. In site planning and building design these differences need to be taken into consideration to ensure that development complements the bushland character and is appropriately set back from the boundary with the bushland.

15.2.1 Siting and design**Objectives**

- O1 To minimise any impacts of development on nearby bushland.
- O2 To ensure landscaping protects and enhances North Sydney's urban biodiversity.
- O3 To minimise the risk of loss of life or property in the event of a bush fire.

Provisions

- P1 Development located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that adjoins or is adjacent to (i.e. includes land that is located on the opposite side of a road) land zoned *E2 Environmental Conservation* must be setback a minimum of 10m from all bushland boundaries.
- P2 Buildings and structures should be sited and designed to minimise any negative impacts on, and be complementary to, nearby bushland.
- P3 Landscaped areas, as required under this DCP, should be predominantly concentrated at the boundary with bushland in order to create a buffer between the bushland and development.
- P4 Sites with one or more boundaries adjoining bushland will be given special consideration, in terms of setbacks and location of landscaped area.
- P5 Buildings and other structures, such as swimming pools and decks, should not be located directly adjacent to bushland. However, minor works relating to landscaping and stormwater containment may be appropriate adjacent to bushland, providing the initial and ongoing impacts on bushland are considered negligible by the Council.
- P6 Buildings and structures must be designed to respect the topographical features of the site (e.g. buildings should not be cantilevered, but step down with the topography).
- P7 Fencing should not incorporate a continuous foundation at its base along the boundary of a site adjacent to bushland, in order to reduce the impact of construction and improve visual aesthetics on the adjoining bushland.
- P8 Do not excavate, fill, level or retain land adjacent to bushland.
- P9 Access to proposed developments through or across land zoned *E2 Environmental Conservation* will not be permitted under any circumstances.

15.2.2 Bushland and Bushfire Hazard Management**Objectives**

- O1 To minimise the risk of loss of property and life through a bushfire.
- O2 To maintain the landscape and environmental qualities of a locality.

Provisions

- P1 Development of bushfire prone land as identified on Council's Bush Fire Prone Land Map must conform to the specifications and requirements of *Planning for Bush Fire Protection* (2006 as amended) produced by the Rural Fire Service.



2020 draft amendments - North Sydney Development Control Plan 2013

Bushland

Note: *Not all properties located adjacent to land zoned E2 Environmental Conservation are Bush Fire Prone Land. Bush fire protection measures such as asset protection zones, must be contained within the private property boundary and not encroach upon public land.*

- P2 Landscape design at the bushland interface should seek to achieve the dual objectives of bushfire mitigation and biodiversity conservation by protecting remnant vegetation and enhancing habitat opportunities.
- P3 Bushfire mitigation controls must be integrated wholly within the boundaries of the land being developed. Asset Protection Zones or other mitigation controls must not be placed on Council land.
- P4 Properties adjoining bushland not designated as 'bushfire prone' should consider bushfire threat mitigation in regard to building location and landscaping design/species selection.
- P5 Sites are to be maintained where possible to minimise bushfire hazard without unduly altering the natural qualities of the area.
- P6 Unencumbered access to bushfire prone properties is to be provided to assist in mitigating bushfire hazards.

15.2.3 Materials and colours

Objectives

- O1 To minimise the visual impact of development upon bushland settings.

Provisions

- P1 Materials should complement the bushland setting.
- P2 Use colours and materials that are non-reflective and earth toned or selected to blend with the colours of the bushland.

15.3 LANDSCAPING AND STORMWATER MANAGEMENT

The character of the bushland adjoining a residential property can be reflected in landscaping on that property through the compatibility of plant species, the preservation of existing trees and remnant bushland on the property and by limiting the amount of levelling, cutting and filling.

Local indigenous plants require much less fertiliser and water than exotic plants and provide food and habitat for local fauna species. The regular use of fertiliser will contaminate nearby bushland and water courses.

The potential for excessive storm water run-off and soil erosion occurs when vegetation cover is removed especially during urban construction or land development, and in the subsequent earth movement and land shaping that follows. Sediment moved in this way can destroy bushland and encourage the spread of weeds and exotic plants. For those properties with a boundary to bushland, effective stormwater management and sediment control can reduce the spread of introduced species both within the bushland and on properties with a bushland boundary.

Appropriate species selection will also assist in the uptake of water from any absorption pits and may reduce erosion during prolonged wet periods when absorption trenches overflow.

15.3.1 Weeds

Objectives

- O2 To ensure that environmental and ~~noxious~~ biosecurity weeds do not spread into bushland areas.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Bushland****Provisions**

- P1 Environmental and ~~noxious~~ biosecurity weeds (as listed on Council's website – www.northsydney.nsw.gov.au) must be eradicated from the property before the commencement of works.
- P2 Locally indigenous vegetation species should not be removed from the boundary of a site.
- P3 Land adjoining bushland should not remain un-vegetated for any period of time.
- P4 All weeds must be fully and continuously suppressed for the duration of the development.
- P5 Weed control must not adversely affect existing native vegetation on the site (or on adjoining land).

15.3.2 Landscaping design**Objectives**

- O1 Ensure that landscaping complements the adjoining bushland character and species.
- O2 To ensure that landscaping on properties directly adjoining or opposite bushland not designated as bushfire prone meets the dual objectives of bushfire hazard mitigation and biodiversity conservation.

Provisions

- P1 Development located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that adjoins or is adjacent to (i.e. includes land that is located on the opposite side of a road) land zoned *E2 Environmental Conservation* must be setback a minimum of 10m from all bushland boundaries.
- P2 Retain any bush-rock in-situ or if removed re-use on-site.
- P3 Retain the natural soil profile as much as possible.
- P4 Use landscaping that will reduce potential fire hazards such as a disconnection between vegetation layers (i.e. ground covers, shrubs and canopy).
- P5 Trees are planted in clumps, not with a continuous canopy between the bushland interface and the building line.
- P6 Landscaping is maintained through fuel reduction, overhangs on roofs clipped, mulch minimised and garden well watered.
- P7 Landscape design on properties adjoining non-bushfire prone bushland should achieve biodiversity objectives without exposing the property to increased bushfire risk. Guidance for achieving this provision can be found in the RFS's *Planning for Bush Fire Protection* (~~2006~~ as amended).

15.3.3 Indigenous vegetation**Objectives**

- O1 To enhance the habitat of local flora and fauna species.
- O2 Indigenous trees and plants are preserved.

Provisions

- P1 Developments located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that are required to incorporate a 10m wide vegetated buffer to bushland boundaries must submit a landscape plan to Council showing that the buffer will be vegetated using 100% local native species (as listed on Council's website). Landscape plan design should be species diverse and incorporate a range of vegetative layers that enhance the habitat value of the landscaped area for local wildlife.



2020 draft amendments - North Sydney Development Control Plan 2013

Bushland

- P2 Developments located within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) that will significantly alter existing vegetation, ground levels, or drainage conditions must submit a landscape plan to Council with at least 80% of the overall number of trees, shrubs and groundcovers being locally occurring native species (as listed on Council's website). The landscape plan design should be species diverse and incorporate a range of vegetative layers that enhance the habitat value of the landscaped area for local wildlife. Exemptions may apply for heritage properties or properties within a heritage conservation area.
- P3 Developments located within Area B as shown on the Bushland Buffer Map (refer to Appendix 4) that will significantly alter existing vegetation, ground levels, or drainage conditions must submit a landscape plan to Council with at least 50% of the overall number of trees, shrubs and groundcovers being locally occurring native species (as listed on Council's website). The landscape plan design should be species diverse and incorporate a range of vegetative layers that enhance the habitat value of the landscaped area for local wildlife. Exemptions may apply for heritage properties or properties within a heritage conservation area.
- P4 Sites containing remnant bushland greater than 500m² must submit a Bushland Rehabilitation Plan prepared by a suitably qualified ecological consultant specialising in bushland regeneration.
- P5 Retain all remnant bushland on the site undisturbed and protected during any construction or works undertaken.
- P6 Do not disturb remnant bushland.
- P7 Give consideration to soil depth, underground water flow, natural drainage, the understorey canopy and sufficient space around trees to ensure the long term conservation and health of indigenous trees and plants.

15.3.4 Stormwater run-off and soil erosion

Objectives

- O1 To minimise the negative impacts of stormwater runoff and soil erosion on bushland vegetation, soil biota and catchment health.

Provisions

- P1 Development within Area A as shown on the Bushland Buffer Map (refer to Appendix 4) must submit a *Drainage Plan* to Council addressing the requirements of Part B: Section 18 – *Stormwater Management* in addition to the provisions of this Section.
- P2 Development should not result in any increase in volume, concentration or rate of stormwater run-off to those which existed prior to development.
- P3 Development should seek to improve the condition and function of stormwater management infrastructure from the pre-existing level.
- P4 Existing site contours, topography and soil levels should be maintained.
- P5 Stormwater collected from roofs, driveways and other impervious paved areas should be retained on site and discharged into the Council's stormwater system.
- P6 Excavation for stormwater retention tanks should be minimised.

15.4 CULTURAL RESOURCES

There is potential that any undiscovered archaeological sites or Aboriginal sites or relics, would be found in the undisturbed areas of bushland within North Sydney. Therefore, care needs to be taken when undertaking works on properties adjoining bushland.

The preservation and documentation of any archaeological sites or Aboriginal relics found ensures evidence of previous settlement patterns of the local area can be maintained for future generations.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Bushland****Objectives**

O1 To protect, record and maintain archaeological sites and Aboriginal sites and relics.

Provisions

P1 Consideration is given to the objectives and requirements of cl.5.10 of NSLEP 2013 and Part B: Section 13 – *Heritage and Conservation* of the DCP where archaeological sites and Aboriginal sites and relics are discovered before, during or after work is to be undertaken.

15.5 THREATENED SPECIES

The protection of threatened fauna and flora species is a legal requirement that must be considered to ensure that works not only complement the bushland setting but reinforce and conserve the natural habitat for flora and fauna species. Lists of threatened species are available on the [NSW Department of Environment, Energy and Science's website](http://www.environment.nsw.gov.au) www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species. Information pertaining to known threatened species and endangered ecological communities present within North Sydney is available on Council's website www.northsydney.nsw.gov.au or by contacting the Bushland Management Coordinator.

Objectives

O1 That development is undertaken in an environmentally sensitive manner with appropriate measures undertaken to minimise any adverse effects on threatened flora and fauna species, populations or ecological communities.

Provisions

P1 All development must be undertaken in accordance with the requirements of the [NSW BC Act 2016](#) ~~TSC Act 1995~~ and the Commonwealth's [EPBC Act 1999](#).

15.6 WETLAND AREAS

Wetlands in the form of Coastal Saltmarsh occur in certain locations around the North Sydney foreshore. It is important to note that Coastal Saltmarsh is listed as an Endangered Ecological Community under the NSW [BC Act 2016](#) ~~TSC Act 1995~~ and therefore requires special consideration where development activities may directly or indirectly impact on the community or its habitat. Whilst most of these wetlands are situated within designated bushland conservation reserves, some impacts related to urban development such as stormwater pollution, erosion, sedimentation and unauthorised access can cause negative impacts. Coastal Saltmarsh is known to occur on the foreshores of Gore Cove, Lavender Bay and Willoughby Bay. Current mapping of this community may uncover further locations on both Council and private land where this community occurs. Please contact Council's Bushland Management Coordinator for the most up-to-date mapping information for Coastal Saltmarsh in North Sydney.

Wetland environments provide habitat for important flora and fauna. In addition, surrounding vegetation can assist in lowering flood water velocities, intercept silt and aid in the uptake of nutrients to improve water quality.

Objectives

- O1 To preserve the aesthetic, social and economic values of wetland areas.
- O2 To ensure water entering into natural wetlands is of sufficient quality to ensure that wetland conservation values and functions are not compromised.
- O3 To maintain or restore the physical, chemical and biological processes existing in wetlands by minimising changes to wetland hydrology from land uses in wetland catchments.



2020 draft amendments - North Sydney Development Control Plan 2013

Bushland

Provisions

- P1 Maintain existing wildlife corridors and provide habitat links between isolated areas.
- P2 Provide landscaping and planting of locally occurring species, at the site's boundary with the wetland in order to create a buffer between wetlands and development. This will provide additional protection and habitat.
- P3 Wetland vegetation must not be removed.
- P4 Development must not result in alteration of local surface runoff and groundwater flows to the wetland and ensure appropriate water flow regimes are maintained to the wetland.
- P5 Development must not result in major changes to water flow processes including changes to current and wave patterns and tidal regimes.
- P6 All stormwater runoff should be detained on site before draining to Council's stormwater system.
- P7 Despite P6, if stormwater cannot be contained on site ensure a dispersed pattern of stormwater flow into the wetland as opposed to a concentrated flow.
- P8 Ensure the quality of stormwater flowing into wetlands is maintained or improved through the use of WSUD on-site (refer to Part B: Section 17 - *Erosion and Sediment Control* of the DCP).
- P9 Where nutrient control devices and other pre-treatment measures are proposed, ensure that they are located away from wetland areas.
- P10 Avoid sewage overflows in catchments upstream of wetlands.
- P11 Minimise visual impacts on wetland through use of natural and non-reflective materials, muted colours and landscaped screens.
- P12 Enhance and maintain social, educational and recreational values of wetland areas through appropriately sited boardwalks, information signs, collection of background information and consideration of European and aboriginal heritage. (Refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).
- P13 Submit a Wetland Effects Statement if the proposed development may impact on the ecology and habitat, hydrology and/or water quality of the wetland. The Wetland Effects Statement must address the assessment criteria set out in the Model DCP for *Protecting Sydney's Wetlands* published by the Sydney Coastal Council Group (2001).
- P14 Only plant species which occur locally should be used for landscaping and revegetation near wetlands.

North Sydney Development Control Plan 2013**Tree & Vegetation Management****SECTION 16 TREE & VEGETATION MANAGEMENT****16.1 INTRODUCTION**

Vegetation, particularly mature trees, can contribute significantly to an area's character. In particular, they have exceptional value visually, culturally, economically and intrinsically. North Sydney has a leafy character, established through the interconnection of many canopy trees distributed across road reserves, parks, bushland areas and private property.

The quality of the vegetation has an enormous impact on the quality of life of all those who live or work in North Sydney. The obvious aspects of aesthetics, oxygen production and pollution reduction are supported by many other more subtle functions, such as traffic calming, privacy, reduced energy consumption, recreation, habitat and shade.

New development provides opportunities to reinforce this leafy character and embellish North Sydney's strong "sense of place" by planting appropriate trees as part of a development. It is the responsibility of the developer to provide appropriate landscaping to achieve these objectives.

This section of the DCP also identifies those instances where a permit is required to remove or prune trees and vegetation. Council also enforces a long established policy regarding the unlawful damage to or removal of existing trees and vegetation within the LGA, regardless of whether they are located on public or private land.

16.1.1 General objectives

The objectives of this Section of the DCP are to:

- O1 ~~Prescribe~~ Declare trees and vegetation for the purposes of ~~cl.5.9 of NSLEP 2013~~ Part 3 of SEPP (Vegetation in Non-Rural Areas) 2017.
- O2 Maintain the visual, social and environmental amenity of the area through the preservation of trees and other vegetation.
- O3 Maintain and increase the totality of trees and vegetation across the North Sydney area by embracing the principles of Urban Forest Management, green (habitat) corridors and Continuous Cover Arboriculture.
- O4 Ensure the planting of adequate numbers of appropriate trees in association with new development in the North Sydney area.
- O5 Promote the value of and the need for the protection of trees and vegetation to the community, developers and Council staff and encourage the reporting of tree vandalism.
- O6 Protect existing trees and vegetation during construction of development.
- O7 Minimise the risk of injury to people or damage to property from trees and vegetation.
- O8 To recognise the financial value of trees and vegetation.
- O9 Ensure that vegetation does not result in the unreasonable reduction in amenity of adjoining properties in terms of access to sunlight and views.

16.1.2 When does this section of the DCP apply?

This Section of the DCP applies when intending to prune, remove or replace trees or vegetation on their own or as part of undertaking a development or action that will impact on trees and vegetation, when Development Consent or a Tree Management Permit is required. These controls apply to trees and vegetation on all land within the LGA whether it is in public or private ownership.

This Section also provides advice with respect to maintaining of vegetation on adjoining properties where existing vegetation has unreasonably reduced the amenity of a property through the reduction of access to sunlight or views.



North Sydney Development Control Plan 2013

Tree & Vegetation Management

16.1.3 Relationships to other sections

This section of the DCP needs to be read in conjunction the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-residential Development in Residential Zones;
- (e) Part B: Section 4 – Child Care Centres; and
- (f) Part B: Section 15 – Bushland Areas.

16.1.4 Relationship to other documents and planning policies

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) **~~SEPP (Vegetation in Non-Rural Areas) 2017~~ ~~NSLEP-2013~~**

In particular, consideration should be given to [Part 2 – Authority to clear vegetation in non-rural areas and Part 3- Council permits for clearing of vegetation in non-rural areas. <https://www.legislation.nsw.gov.au/#/view/EPI/2017/454>](#)

~~(i) Clause 3.1 Exempt development (also refer to Schedule 2 Exempt Development); and~~

~~(ii) Clause 5.9 Preservation of trees and vegetation.~~

~~(iii) Clause 5.9AA Trees or Vegetation not prescribed by development control plan~~

- (b) **North Sydney Council Street Tree Strategy**

A management document that provides the framework and guidelines to ensure that all street trees are managed in accordance with industry best practice, such that they maximise their benefits to the North Sydney community.

- (c) **Council's Infrastructure Specification Manual for Roadworks, Drainage & Miscellaneous Works**

This document provides technical specifications regarding the supply, installation and establishment of trees and vegetation in the North Sydney Council area.

- (d) **North Sydney Council Urban Forest Strategy**

A strategic document developed to maintain and increase the level of canopy cover across the North Sydney area to maximise all of the known benefits that trees provide to the wider community.

- (e) **North Sydney Tree Vandalism Policy**

A policy document that sets out the procedures to be followed when an instance of tree vandalism is identified, including such things as investigations, letterbox drops, signage, rehabilitation and prosecutions.

- (f) **North Sydney Natural Area Survey ~~2010~~**

A survey undertaken to identify all significant vegetation types located on public and private land throughout the LGA and their quality. The survey data has been subsequently mapped and is available on Council's website (www.northsydney.nsw.gov.au www.northsydney.nsw.gov.au). [This survey gets updated from time to time.](#)

- (g) **Australian Standard AS4373-2007 - Pruning of amenity trees**

This Standard provides arborists, tree workers, government departments, property owners, and contractors with a guide defining uniform tree pruning procedures and practices in order to minimize the adverse or negative impact of pruning on trees.

- (h) **Australian Standard AS4970-2009 – Protection of trees on development sites**

North Sydney Development Control Plan 2013



Tree & Vegetation Management

This Standard provides guidance for arborists, architects, builders, engineers, land managers, landscape architects and contractors, planners, building surveyors, those concerned with the care and protection of trees, and all others interested in integration between trees and construction. It describes the best practices for the planning and protection of trees on development sites. The procedures described are based on plant biology and current best practices as covered in recently published literature.

16.1.5 Additional permits

Where an applicant seeks to plant trees on public property, they may also be required to obtain additional permits under s.68 of the [Local Government Act 1993](#) and/or s.138 of the [Roads Act 1993](#). Inquire with Council to ascertain if the permits are required.

Council does not encourage the ad-hoc planting of trees on public land by individuals however a "Streets Alive" community greening program is in place. This program allows residents to plant and maintain vegetation on public land under the approval and guidance of specialist Council officers. The residents are provided free of charge with horticultural expertise, plants, soils, mulch and any other necessary materials in return for their labour to install and maintain the vegetation. Planting of shrubs and trees in and around public bushland areas is a regular activity under Council's "Bushcare" program, where over 50Ha of remnant bushland and buffering habitat is under active rehabilitation.

16.2 CONTROLS FOR THE MANAGEMENT OF TREES AND VEGETATION

North Sydney Council has adopted a tree and vegetation management policy which aims to prevent the unlawful removal, pruning or destruction of trees and vegetation in the North Sydney LGA. This policy is enforced through [Part 2 - Authority to clear vegetation in non-rural areas and Part 3- Council permits for clearing of vegetation in non-rural areas clause 5.9 of NSLEP 2013 of SEPP \(Vegetation in Non-Rural Areas\) 2017](#) and this section of the DCP.

The policy requires a property owner to first obtain *Development Consent* or a *Tree Management Permit* prior to the removal or pruning of ~~prescribed-declared~~ trees or vegetation. However, the requirement to obtain Development Consent will normally only be required where ~~the proposed works are not limited to only, other than~~ the removal or pruning of ~~prescribed-declared~~ trees or vegetation ~~is proposed~~ (e.g. construction works). Some trees and vegetation may be removed or pruned without the need for Development Consent or a Tree Management Permit (i.e. those works permitted [by SEPP \(Vegetation in Non-Rural Areas\) 2017 and this DCP as exempt development under cl.3.1 of NSLEP 2013 or without consent under cl.5.9AA of NSLEP 2013](#)).

Before removing, pruning or proposing development within 5m of a tree in North Sydney, residents and/or contractors are advised to contact Council to determine whether they need to obtain a Tree Management Permit or Development Consent.

Where a Tree Management Permit is required, once Council has received a completed application form an appointment will be made for an on-site tree inspection of the relevant tree(s) or vegetation by one of Council's Tree Preservation Officers. If the application is approved a Tree Management Permit will be sent to the applicant. ~~Inspections and permits are free of charge.~~

Where a Development Consent is required, the applicant will be advised by one of Council's Planning Officers as to what information will be required.

16.2.1 Objectives

- O1 To maintain the visual, social and environmental amenity of the area through the preservation of trees and other vegetation.
- O2 To identify when Council approval is required under the provisions of [NSLEP 2013 SEPP \(Vegetation in Non-Rural Areas\) 2017](#) to prune, remove or replace trees or vegetation.



North Sydney Development Control Plan 2013

Tree & Vegetation Management

- O3 To identify ~~declared~~~~prescribed~~ trees and vegetation for the purposes of Part 3- Council permits for clearing of vegetation in non-rural areas under SEPP (Vegetation in Non-Rural Areas) 2017~~clause 5.9(2) of NSLEP 2013~~.
- O4 To make the community aware of the implications for the unlawful removal, pruning or wilful destruction of trees and vegetation within the ~~local government area~~LGA.

16.2.2 Provisions

Approvals General

- P1 Pursuant to ~~Clauses 3.1, 5.9(2) and 5.9AA of NSLEP 2013~~ Part 2 Authority to clear vegetation in non-rural areas and Part 3- Council permits for clearing of vegetation in non-rural areas under SEPP (Vegetation in Non-Rural Areas) 2017, Development Consent or a Tree Management Permit **is not required** for removal or pruning any of the following:
- non-~~prescribed~~~~declared~~ trees or vegetation;
 - trees or vegetation that are adequately justified ~~declared~~ to be dead or dying as confirmed by Council in writing and where the tree or vegetation is not required as the habitat for native animals;
 - pruning of deadwood from a tree;
 - noxious weeds as prescribed by the ~~Noxious Weeds Act, 1993~~Biosecurity Act, 2015, other than mature canopy trees;
 - trees or vegetation that are being maintained or removed by North Sydney Council staff (or their sub-contractors) on land under Council's ownership or care and control;
 - trees that have been authorised to be removed or pruned pursuant to a Development Consent issued under the ~~EP&A Act~~Act, but not prior to the issue of a Construction Certificate relating to that Development Consent;
 - Cocos Palms (*Syagrus romanzoffiana*); or
 - African Olive Trees (*Olea Africana*);
 - ~~trees or vegetation located on public land, but only if work is carried out by a person engaged by Council to do such work.~~
- P2 Development Consent or a Tree Management Permit **is required** in accordance with ~~Clause 5.9 of NSLEP 2013~~SEPP (Vegetation in Non-Rural Areas) 2017 for the removal or pruning of a ~~prescribed~~~~declared~~ tree or vegetation. The **following trees and vegetation are ~~prescribed~~~~declared~~ for the purposes of this DCP**:
- Any tree or vegetation on public land, regardless of size;
 - Any tree or vegetation with a height of ~~10m~~5m or more, or a crown width of ~~10m~~5m or more, or a trunk circumference of ~~1.5m~~500mm or more measured at 1m above ground level (existing); or
 - Any tree that is declared a noxious weed and comprises a mature canopy tree;
 - ~~Any tree or vegetation more than 5 metre tall on land identified as a heritage item;~~
 - ~~(d)~~(d) Any tree or vegetation that is declared a noxious weed on land identified as a heritage item under cl.5.10 of NSLEP 2013 regardless of size~~;~~.
- P3 Council ~~is~~ in determining an application for development consent or a Tree Management Permit under SEPP (Vegetation in non-rural areas) 2017~~clause 5.9(3) of NSLEP 2013~~, must have regard to:
- the health or condition of the tree or trees, whether the tree is dead or dangerous, proximity to existing or proposed structures, interference with utility services, interference the amenity of any person or property;

North Sydney Development Control Plan 2013



Tree & Vegetation Management

- (b) necessity for action in order to construct improvements to the property the subject of the application to achieve reasonable development;
- (c) effects in the nature of erosion, soil retention or diversion or increases to overland flow;
- (d) the number of trees in the surrounding area and the effect on the amenity of that area;
- (e) the number of healthy trees that a given parcel of land will support; ~~and~~
- ~~(f)~~ whether the trees or vegetation in question provide habitat for fauna and/or canopy connectivity; ~~and~~
- ~~(f)(g) any potential impacts to heritage items and or heritage conservation areas:~~
- P4 In determining its approval under P2 and P3 Council may request the applicant to submit additional supporting documentation (e.g. an arborist or engineering report) to justify the removal of the tree or vegetation.
- P5 Council does not support the removal of trees or vegetation as a result of:
- (a) leaf, fruit, flower, bark, cone or twig drop; or
- (b) blocked water, sewer or stormwater drainage pipes; or
- (c) cracking of driveways, footpaths, paving or fences.
- P6 Despite P5 above, Council may consider on merit the removal of trees or vegetation which result in the blocking of water, sewer or stormwater pipes or the cracking of driveways, footpaths and paving if there are no permanent repair solutions available (e.g. where tunnelling or re-sleeving of pipes, or removal of roots is not feasible). Council must not determine an application to which this clause applies, unless it has considered additional supporting documentation (e.g. an arborist or engineering report) supplied by the applicant to justify the removal of the tree or vegetation.
- P7 Branches of trees and vegetation located on private property that overhang public footpaths and roadways should be pruned back to the property boundary to a height of 2.4m (8ft) above ground level (existing). Pruning of these trees is the responsibility of the property owner. Where the tree or vegetation to be pruned comprises a prescribed declared tree or vegetation, Council consent must be obtained prior to pruning.
- P8 Where Council approves a development application or a Tree Management Permit in accordance with this Section and SEPP (Vegetation in Non-Rural Areas) 2017-cl.5.9 of NSLEP 2013, Council may impose a condition which requires:
- (a) the replanting of replacement trees or vegetation on the land the subject of the application; or
- (b) where there is insufficient space on the development site:
- (i) the replanting of replacement trees or vegetation in a specified location on public land; or
- (ii) payment of a fee from the applicant to fund Council's planting of such trees on public land.
- Replacement tree species will be specified by Council and will be of a type suitable for the site.
- P9 All work must be carried out in accordance with Australian Standard *AS4373-2007: Pruning of Amenity Trees* and Council may condition that the work be carried out by a suitably qualified arborist.
- P10 Any development consent or approval issued by Council will be valid for the described work only, provided it is carried out within a 12 month period from the date of issue and may be subject to such conditions as required by Council.
- P11 Where a development application is lodged after a Tree Maintenance Permit has been issued but prior to approved tree work taking place, that Permit becomes null and void



North Sydney Development Control Plan 2013

Tree & Vegetation Management

and application for pruning/removal of the tree(s) or vegetation must be made through the development assessment process.

Approvals for non-essential pruning work

- P12 Council may approve a request from the public to prune trees located on private or public land for 'cosmetic' or non-essential pruning for such purposes as aesthetics, increased sunlight or views, but only where such pruning:
- will not affect the health or integrity of the tree; or
 - will not have an adverse impact on the streetscape; or
 - will not have an adverse impact on general safety of the public.
- P13 Non-essential pruning work will not be permitted on any vegetation growing on land zoned *E2 Environmental Conservation* or other public land managed by Council as bushland.
- P14 Council will not support applications for tree or vegetation removal for the sole purpose of facilitating solar access to new solar photovoltaic or hot water systems. However, Council may consider applications for pruning trees or vegetation to enable solar access to existing solar photovoltaic or hot water systems to be maintained on a case by case basis, provided the proposed works are carried out in accordance with Australian Standard *AS4373-2007 - Pruning of Amenity Trees*.

Penalties

- P15 Pursuant to s.629 of the [Local Government Act 1993](#), an on-the-spot fine may be imposed for the injury or unnecessary disturbance of trees and vegetation on public land including road reserves without a lawful Development Consent or Tree Management Permit. This specifically relates to street trees, foreshore reserves, bushland and public open spaces.
- P16 Pursuant to s.9.37~~125~~ and s.126~~125~~ [Division 9.6](#) of the [EP&A Act](#), an on-the-spot fine or court proceedings may be imposed for the injury, unnecessary disturbance or removal of trees and vegetation on private land without a lawful Development Consent or Tree Management Permit.
- P17 Breaches of the requirements to P15 and P16 above, may result in prosecution with maximum penalties of \$1.1million. Fines may be imposed on the resident, property owner, anyone ordering the work or contractors employed to undertake the works if they do not have a lawful Development Consent or Tree Management Permit.
- P18 The resident, applicant, property owner and any contractor involved in the cutting down or pruning of any tree protected by this DCP, must have a copy of the current and valid Tree Management Permit or Development Consent displayed in a publicly accessible location of the site during the undertaking of those works.
- P19 Rehabilitation and maintenance of tree vandalism sites is to be carried out in accordance with Council's Tree Vandalism Policy.

Note: *The extent of the penalty that may be imposed is set out within Council's Tree Vandalism Policy.*

16.3 MANAGEMENT OF TREES AND VEGETATION ON ADJOINING PROPERTIES

Property owners generally have the ability to plant any type of trees or vegetation they like upon their property. Most species of trees and vegetation can be planted without development consent.

Whilst this is not normally a problem in itself, trees and vegetation on adjoining properties have the ability to result in damage to property or have the potential to cause damage to property or injury of persons utilising adjoining land. In addition, some property owners have been known to plant trees or vegetation to purposely obstruct sunlight or views to adjacent properties, often known as "hedge rage" or "spite hedges".

North Sydney Development Control Plan 2013



Tree & Vegetation Management

Provisions under the [Tree \(Disputes Between Neighbours\) Act 2006](#) provide adjoining land owners in certain circumstances the ability to commence proceedings at the Land and Environment Court to have the subject trees or vegetations removed or lopped, amongst other remedies.

Affected persons are advised to consult the [Tree \(Disputes Between Neighbours\) Act 2006](#) to determine the most current criteria as to when proceedings can be commenced or what matters need to be considered.

16.3.1 Trees that cause or are likely to cause damage or injury

Part 2 of the [Tree \(Disputes Between Neighbours\) Act 2006](#) generally enables proceedings to commence. The Court must be satisfied that the subject tree has caused, is causing, or is likely in the near future to cause, damage to the applicant's property, or is likely to cause injury to any person.

Prior to the Court determining whether to issue orders or not, it must consider:

- If the applicant has made a "reasonable effort" to reach agreement with the owner of the land on which the trees are situated; and
- 13 individual matters for consideration under s.12 of the [Tree \(Disputes Between Neighbours\) Act 2006](#), including but not limited to issues pertaining to location, biodiversity, heritage, social value, impacts from pruning and contribution to amenity.

The Court has broad remedial powers ranging from remedying any damage, payment of compensation for damage or injury, requiring actions to prevent injury to persons, requiring the tree (or parts of it) to be removed entirely, to having it lopped and maintained, to replacement of the tree/s, and includes the payment of costs for carrying out such works.

16.3.2 High hedges that obstruct sunlight or views (spite hedges)

Part 2B of the [Tree \(Disputes Between Neighbours\) Act 2006](#) generally enables proceedings to commence, but only where:

- It applies to two or more trees that are planted so as to form a hedge (i.e. does not apply to a single tree);
- The hedge has a minimum height of 2.5 metres above ground level (existing);
- The hedge does or will result in a "severe obstruction" of:
 - o sunlight to a window of a dwelling situated on adjoining land, or
 - o any view from a dwelling situated on adjoining land,

Prior to the Court determining whether to issue orders or not it must consider:

- If the applicant has made a "reasonable effort" to reach agreement with the owner of the land on which the trees are situated; and
- 19 individual matters for consideration under s.14F of the [Tree \(Disputes Between Neighbours\) Act 2006](#), including issues pertaining to biodiversity, heritage, sunlight, views, privacy, location and length of time the hedge has existed.

The Court has broad remedial powers ranging from requiring the hedge (or parts of it) to be removed entirely, to having it lopped and maintained at a certain height, to replacement of the trees with another specified species, and includes the payment of costs for carrying out such works. These potential solutions should be kept in mind when making "a reasonable effort" to reach agreement with a neighbour, because in some instances it may not be "reasonable" to insist on full removal of trees/hedges if other solutions are available which are more appropriate and equally effective.



North Sydney Development Control Plan 2013

Tree & Vegetation Management

16.4 PROTECTION OF TREES DURING CONSTRUCTION

16.4.1 Objective

- O1 To ensure that all trees in the public domain and on private property (both the site of development and neighbouring properties) are adequately protected during construction of developments.

16.4.2 Provisions

Where applicable, development applications are required to detail the location and type of any tree or vegetation to be removed and any effect on the landscape and streetscape the development may have. Refer to the development application form for further information.

General

- P1 Existing trees should be retained and incorporated into proposed developments wherever the existing trees are of appropriate species and have an adequate life expectancy.
- P2 Where trees are identified to be retained, they must be protected during construction in accordance with Australian Standard *AS4970 - Protection of trees on development sites* and best practice.
- P3 An arborists report is required to be submitted with any development application where works are proposed within the structural root zone of a tree or where Council deems the vegetation on site is significant enough to warrant such a report.
- P4 Where an existing tree(s) are approved for removal as part of a development, adequate space in the landscaped area is to be provided for an equivalent replacement canopy tree(s) appropriate to the site and scale of development.
- P5 Where insufficient space is available on the development site and significant canopy has been removed as part of the development, Council may require the planting of equivalent canopy replacement trees on public land or require payment of a fee to enable Council to undertake equivalent canopy replacement planting on public land.

Bonds

- P6 A tree bond may be required if street trees are located in close proximity to a proposed development.
- P7 The bond shall be lodged with the Council for each street tree likely to be affected by the development, the bond amount to be forfeited if the identified tree is removed, destroyed or damaged. A minimum bond of \$1,000.00 per tree will be applicable.
- P8 Bonds must be lodged prior to any work commencing on site and will generally be held for a period of 12 months after completion of the development.
- P9 Bonds will be refunded upon receipt of a tree condition report from a suitably qualified arborist confirming that the tree is in good health, prior to issuing an Occupation Certificate.

Construction Hoardings

- P10 When giving consideration to the issue of a Permit for the erection of a hoarding on Council property, Council will consider the likelihood of damage to trees, both on public and private property.
- P11 Hoarding applications are to be accompanied by a plan(s) accurately locating any adjacent trees within 10m of the proposed hoarding.
- P12 A tree bond may be required, if a tree(s) is located in close proximity of a proposed hoarding, the bond amount to be forfeited if the tree is removed, destroyed or damaged.

North Sydney Development Control Plan 2013



Tree & Vegetation Management

- P13 Hoardings should be designed and erected to protect existing trees to clearances approved by Council and/or any conditions imposed by Council.

Works in Association

- P14 Works in association are Council funded tree works on public property that may be combined with developer funded tree works for the purpose of integrating the streetscape. Council may contribute money to the developer to build works in association subject to it being in the public interest.
- P15 Where two or more adjoining developments are under construction simultaneously, Council may offer to plant trees and/or install protection works for all developments in the interests of achieving an integrated and coordinated streetscape subject to the developer contributing money to Council to build these works. This is seen as adding value to the community dollars spent.

16.5 NEW TREE PLANTING

16.5.1 Objectives

- O1 To ensure that the current level of canopy cover in North Sydney is maintained and enhanced over the long term.
- O2 To ensure that sustained amenity is achieved by establishing a range of age classes within the urban tree population.
- O3 To ensure a species diversity that maintains or enhances the current urban character of North Sydney.
- O4 To enhance biodiversity through the strategic connectivity of canopy and habitat plantings between areas of bushland remnants (i.e. wildlife corridor creation).

16.5.2 Provisions

Species Selection

- P1 Species should be chosen after carefully evaluating the site constraints and the desired function of the tree (e.g. habitat, shade, safety, privacy or aesthetics).
- P2 When planting is to take place on public land, Council's arborists will advise the appropriate species in accordance with the **North Sydney Street Tree Strategy**.
- P3 When planting is to take place in bushland or bushland habitat areas, Council's Bushland Management Staff will determine appropriate species in accordance with the *North Sydney Natural Area Survey 2010* and relevant Bushland Rehabilitation Plans.
- P4 When planting on private property Council strongly recommends the use of a qualified arborist when selecting species.
- P5 When selecting a species, the physical, ecological and horticultural characteristics should be considered.
- (a) Physical characteristics include: mature dimensions (height, spread, trunk diameter) foliage density, evergreen or deciduous, tree shape or form.
- (b) Ecological characteristics include: climatic durability, water efficiency, fauna habitat, invasivity in bushland.
- (c) Horticultural considerations include: fruit/flower/seed drop, suitability to the site growing conditions, poisonous or allergic qualities, weed potential, suckering, root vigour, structural soundness, and longevity in the urban environment.

Planting Locations

- P6 New trees should be located where there is adequate space for the chosen species to grow to its natural mature dimensions, survive in the long term and make a positive contribution to the amenity of an area.



North Sydney Development Control Plan 2013

Tree & Vegetation Management

P7 Any new street trees should be located in accordance with the *North Sydney Council Street Tree Strategy*.

P8 Any new trees on private property should be located in accordance with the objectives of the landscaping provisions throughout this DCP and the *North Sydney Urban Forest Strategy*.

Planting techniques

P9 All planting must be carried out in accordance with the detailed specifications appropriate to the site as set out in Council's *Infrastructure Specification Manual for Roadworks, Drainage & Miscellaneous Works*.

P10 Planting trees in footpaths adjacent to heavily trafficked streets may need:

- (a) To be undertaken outside of peak hour traffic times.
- (b) The approval of the RMS if it involves a state or arterial road.
- (c) A Traffic Management Plan and/ traffic control depending on the road.

Plant Establishment and Maintenance

To ensure the long term survival of any new vegetation a condition may be imposed on a Development Consent outlining a minimum landscape maintenance period. The length of the landscape maintenance period shall vary according to the specific works carried out and will be generally a minimum of 13 weeks.

P11 Erosion and sedimentation controls may need to be provided subject to the scale of the planting work proposed and the potential of causing pollution. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.

P12 It is the responsibility of the developer/applicant to comply with the terms of any Development Consent issued by the Council in respect of maintenance requirements of trees or vegetation within the time stated in the consent.



SECTION 19 WASTE MINIMISATION & MANAGEMENT

19.1 INTRODUCTION

Waste and sustainable resource consumption is a major environmental issue and a priority for all levels of government within Australia. This is particularly the case as landfill disposal capacity become scarce and the environmental and economic costs of waste generation and disposal rise.

North Sydney Council has traditionally adopted a sustainability approach to the way waste is managed and diverted from landfill. Council has been at the forefront of waste processing and has consistently been rated highly in striving to meet the NSW EPA's landfill diversion targets (currently, 70% diversion by 2021/22). In order to maximise landfill diversion, Council has successfully implemented education programs and strategic collection and disposal contracts. At present Council diverts in excess of 60% of total waste generation from landfill sites. In 2007, approximately 12.5 million tonnes¹ of waste was produced in Greater Sydney Region², of which 45% is being sent directly to land fill sites with the remaining being recycled in one form or another. Whilst a large proportion of waste is currently being redirected for recycling purposes, the amount of average waste generated per person is also increasing.

There are a number of problems associated with waste generation, including:

- environmental management problems associated with the use of landfills and other disposal methods;
- sustainability of using land fill sites for disposal;
- increasing difficulty in finding new landfill sites in highly urbanised areas;
- loss of resources that could be reused or recycled.

As levels of waste in a community increase the amenity (or liveability) of that community declines. Waste therefore needs to be disposed of in ways which minimise its negative impacts. In addition to waste generated by residents and businesses, which often result in their own localised problems, significant volumes of waste are also generated in the course of demolition and construction of buildings. This section of the DCP provides mechanisms to encourage the minimisation of waste being sent to landfill sites and ensuring that sufficient on-site facilities are provided.

19.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 Reduce the demand for waste disposal.
- O2 Maximise reuse and recycling of building and construction materials, as well as household, industrial and commercial waste.
- ~~O3~~ O3 Assist in achieving Federal and State Government waste minimisation targets ~~in accordance with regional waste plans.~~
- ~~O3~~ O4 To meet the waste management needs of the residential and wider community.
- ~~O4~~ O5 Minimise the overall environmental impacts of waste.
- ~~O5~~ O6 Require source separation, design and location standards which complement waste collection and management services offered by Council and private providers.

¹—Source: NSW Department of Environment and Climate Change (DECC), 2008

²—Incorporating The Greater Sydney Region includes Sydney Metro, Hunter (Newcastle Statistical subdivision only), Central Coast and Illawarra regions



2020 draft amendments – North Sydney Development Control Plan 2013

Waste Minimisation and Management

~~06~~07 Encourage building design and construction techniques which will minimise future waste generation.

19.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications that involve demolition, construction activities or a change in use.

Where a Waste Management Plan is required to be submitted with a development application, a standardised form can be found on Council's website.

19.1.3 Relationships to Other Sections

Where relevant, this section of the DCP should be read in conjunction the following Sections of the DCP:

- (a) Part A: Section 3 – Submitting an Application;
- (b) Part B: Section 1 – Residential Development;
- (c) Part B: Section 2 – Commercial and Mixed Use Development;
- (d) Part B: Section 3 – Non-Residential Development in Residential Zones;
- (e) Part B: Section 4 – Boarding Houses;
- (f) Part B: Section 5 – Child Care Centres; and
- (g) Part B: Section 6 – Sex Service and Restricted Premises.

19.2 DEMOLITION WASTE

Demolition waste is estimated to contribute 30% of the total waste stream sent to landfill. With careful onsite sorting and storage and by staging work programs it is possible to reuse many materials, either on-site or off-site. This could require the use of colour-coded or clearly labelled bins on-site and education of staff and contractors.

19.2.1 Objectives

O1 To ensure that the reuse and recycling of demolition materials is maximised.

19.2.2 Provisions

P1 A Waste Management Plan must accompany all development applications involving demolition. The Waste Management Plan must provide details of all on-site sorting areas, storage areas and vehicular access.

P2 Section ~~2~~4 of the Waste Management Plan must be completed providing the following details:

- (a) the volume and type of waste to be generated, including excavation materials, green waste, brick, concrete, timber, plasterboard, and metals;
- (b) how waste is to be stored and treated on site;
- (c) how residual waste is to be disposed of.

Table B-19.1 gives examples of uses for recyclable demolition materials.

TABLE B-19.1: Examples of recyclable materials	
Materials On-site	Reuse and Recycling
Concrete/fill material	Filling, levelling materials, road base.
Bricks	Cleaned and/or rendered over for reuse on-site and off-site.
Roof-tile	Crushed, as landscaping, and driveways for reuse on-site or

North Sydney Development Control Plan 2013 – 2020 draft amendments**Waste Minimisation and Management**

TABLE B-19.1: Examples of recyclable materials	
Materials On-site	Reuse and Recycling
	off-site.
Hardwood beams	Floorboards, fencing, furniture for reuse on-site or off-site.
Other timber	Form work, bridging, blocking and propping.
Doors, windows, fittings	Second hand building material.
Glass	Aggregate for concrete production.
Synthetic and recycled (e.g.; under carpets)	Used for safety barriers, speed humps, rubber
Substantial trees, planting	Relocated on-site or sold for use off-site.
Green waste	Mulching, composting, for reuse as landscaping/fertiliser

19.3 CONSTRUCTION WASTE

Construction also generates considerable volumes of materials that are often wasted. Much of this waste can be avoided, reused or recycled with better project management.

19.3.1 Objectives

- O1 Waste generation is minimised and reuse and recycling of construction materials is maximised in construction projects.

19.3.2 Provisions

- P1 A Waste Management Plan must accompany all development applications involving construction. The Waste Management Plan must provide details of all on-site sorting areas, storage areas and vehicular access.
- P2 Section [2-3](#) of the Waste Management Plan must be completed providing the following details:
- the volume and type of waste to be generated, including excavation materials, green waste, brick, concrete, timber, plasterboard, and metals;
 - how waste is to be stored and treated on site; and
 - how residual waste is to be disposed of.
- Table B-19.1 gives examples of uses for recyclable construction materials.
- P3 To ensure that construction waste is minimised consideration should be given to the following matters:
- Order the right quantities of materials;
 - Prefabricate materials where possible;
 - Reuse formwork;
 - Use modular construction and basic designs to reduce the need for off-cuts;
 - Separate off-cuts to facilitate reuse, resale or efficient recycling;
 - Minimise site disturbance, limit unnecessary excavation;
 - Reuse or recycle materials from demolished buildings;
 - Choose landscaping which reduces green waste; and
 - Coordinate and sequence trades people to minimise waste.



2020 draft amendments – North Sydney Development Control Plan 2013

Waste Minimisation and Management

19.4 WASTE FACILITIES AND MANAGEMENT

Onsite collection and storage of waste pending collection can cause smells, attract vermin and be unsightly. Space must be allocated at the design stage for garbage and recycling areas. In low-density residential development, such as semi or detached dwellings and dual occupancies, self-management by residents is generally successful. In higher density residential developments and all non-residential developments, ongoing waste management needs to be carefully considered at the time of development. The Council's Waste Management Facility Guide (refer Appendix 3) provides additional detail on design of garbage and recycling storage and collection areas.

19.4.1 Objectives

O1 Design buildings to encourage waste minimisation (source separation, reuse and recycling).

19.4.2 Provisions

Building Design

P1 Must comply with the relevant requirements for waste management under sections 1.5.13, 1.6.9, 2.5.9, 2.6.6, 3.4.9 and 3.5.6 to Part B of this DCP.

P1P2 Provide an appropriate level of space on each property that is capable of accommodating the ~~for~~ temporary storage of recyclables, garbage, general household clean up bulky waste and ~~compost~~ green waste likely to be generated by the proposed development.

P2P3 Ensure space is easily accessible from each part of the building and from the collection point.

P3P4 Include adequate access and manoeuvring space, at least an area equivalent to the combined footprint of the bins.

P4P5 Provide administrative arrangements for ongoing waste management, including signs.

P5P6 Locate and design waste storage and recycling areas to complement the streetscape.

Waste Management

P6P7 All applications must be accompanied by a Waste Management Plans which illustrates the location and associated circulation to and from ~~of~~ the following:

- (a) a waste and recycling cupboard space per dwelling / or non-residential tenancy;
- (b) any waste storage and recycling areas;
- (c) any collection areas;
- (d) access for collection vehicles;
- (e) location and design of all communal facilities where relevant; ~~and~~
- ~~(e)~~ (f) management of e-waste where appropriate; and
- ~~(f)~~ (g) management of hazardous waste where appropriate.

P7P8 Sections ~~3-4~~ and 45 of the Waste Management Plan, must be completed for all developments incorporating one or more of the following uses:

- (a) Attached dwellings;
- (b) Multi unit housing;
- (c) Residential flat buildings;
- (d) Shop top housing;
- (e) Commercial premises;
- (f) Industrial premises; and

North Sydney Development Control Plan 2013 – 2020 draft amendments**Waste Minimisation and Management**

(g) Other non-residential premises.

~~P8~~P9 Section ~~3-4~~ of the Waste Management Plan must describe the type of waste to be generated at the premises, expected volume per week, proposed on-site storage and treatments facilities, and destination of waste materials.

~~P9~~P10 Section ~~4~~5 of the Waste Management Plan must describe the proposed on-going management of waste and recycling.

Waste and recycling condition in DAs

~~P10~~P11 Council may impose conditions on a development consent to encourage waste minimisation and recycling as follows:

- (a) Separate waste and recycling services should be engaged/contracted by business operating from premises;
- (b) Consider providing alternatives to plastic bags for the purposes of carrying items purchased from the premises; and
- (c) Do not provide prepared food/drinks to customers in any non-recyclable or non-biodegradable plastic or form.



SECTION 2 NORTH SYDNEY PLANNING AREA

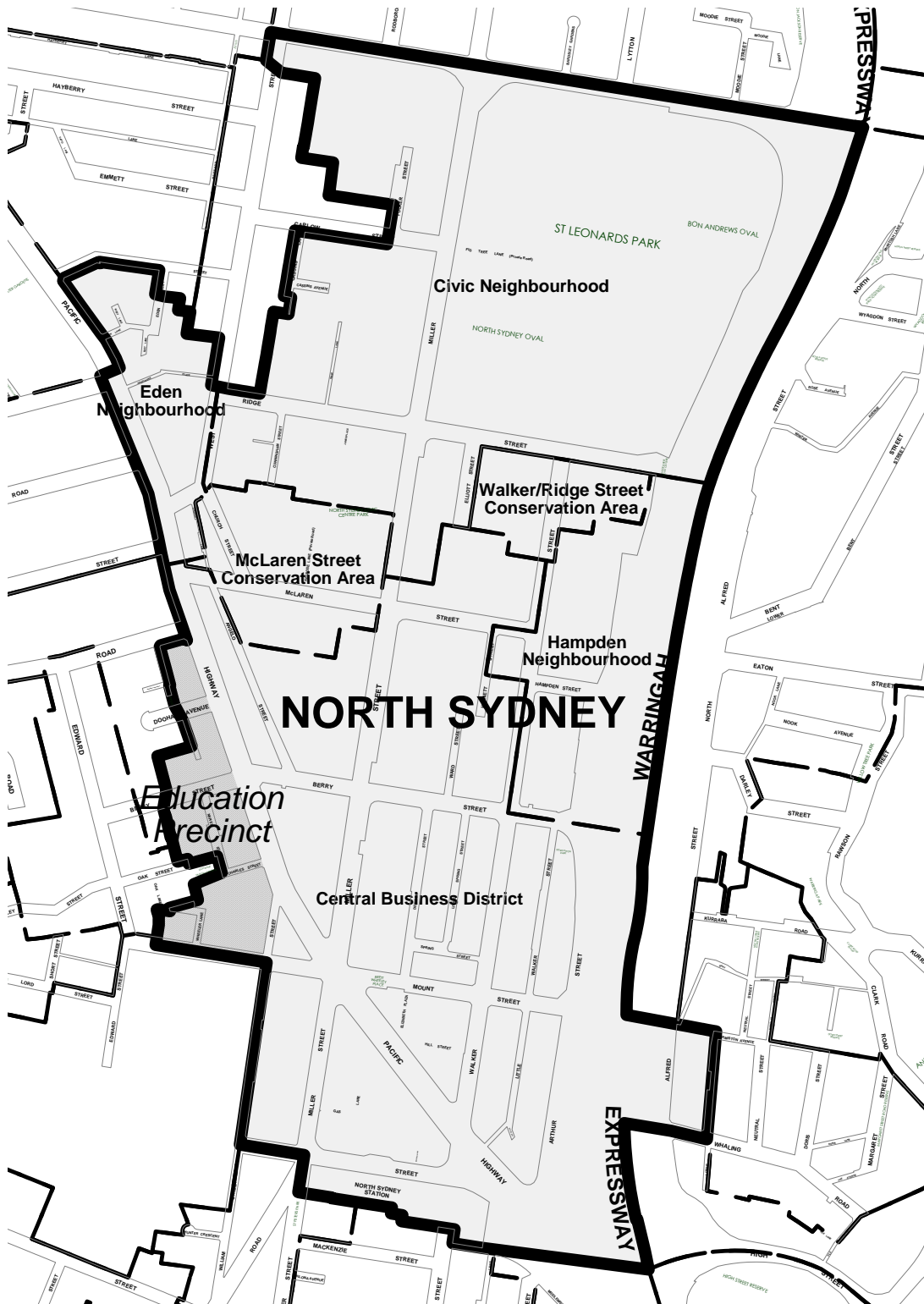


Figure C-2.1: North Sydney Planning Area and associated Locality Areas



2020 draft amendments - North Sydney Development Control Plan 2013

Area Character Statements - North Sydney Planning Area

2.5 WALKER/RIDGE STREET CONSERVATION AREA



2.5.1 History

The Walker/Ridge Streets Conservation Area was subdivided as part of the Town Plan for North Sydney, known at the time as St Leonards, but remained largely undeveloped until the 1880s. Some of the first buildings were "Lamona", built by Dr Kelynack in 1883, "Park House" built by Francis Punch in 1886, followed by "St Helens" 1889.

Land on the western side of Walker Street was owned by Francis Lord as part of an estate surrounding his house "The Lodge". A smaller block was owned by William Tucker. Subdivision and development on the western side of Walker Street occurred in the late 19th century, mostly for private homes. The area was once comprised part of "the Macquarie Street of the north" due to the number of doctors surgeries and cottage hospitals. A portion of the area is now occupied by Wenona School.

The main building period is 1880-1900.

2.5.2 Description

The Walker/Ridge Streets Conservation Area includes the eastern end of Ridge Street and the sloping, northern portion of Walker Street. It is bounded St Leonards Park to the north, Elliot Street to the west and the Warringah Expressway to the east.

The landform falls to the south. Subdivision is determined by the grid pattern of the streets and lot sizes are irregular and many are developed for attached housing.

The area is characterised by intact groups of single and two storey detached and attached dwelling houses in a mix of Victorian Italianate and Federation styles with St. Helens being a remnant of the Victorian Georgian. The main buildings at the northern end of Walker Street are substantial residences in the Federation Arts and Crafts and Queen Anne styles. There is some modern residential infill and educational buildings associated with Wenona.

Street verges are 3.5 metres wide with concrete footpaths and lined with regularly spaced street trees.

The vista towards the War Memorial in St Leonards Park up Walker Street is a significant feature of the Conservation Area and there are views from the eastern edge to Sydney Harbour. Original fencing and retaining walls are important unifying elements in the streetscape.

Mature landscaping is a unifying and significant feature of the Conservation Area and the gardens to Walker Street contribute to this. There are street trees to Walker Street.

Uncharacteristic elements include contemporary multi-storey buildings; over-scaled, two storey additions; over-scaled and poorly detailed carports and garages; front and side



North Sydney Development Control Plan 2013 – 2020 draft amendments**Area Character Statements - North Sydney Planning Area**

dormers and rooflights; removal of original detailing; verandah infill; rendered and painted face brickwork; modernised facades; high walls and fences to the street.

2.5.3 Statement of Significance

The Walker/Ridge Streets Conservation Area is significant:

- (a) For its late 19th and early 20th century character defined by the number of intact heritage items in the area.

	<p>Figure C-2.1 (left): Circa 1890</p>
	<p>Figure C-2.2 (below left): Circa 1943</p>
	<p>Figure C-2.3 (below): Circa 2008</p> 

2.5.4 Significant elements**Topography**

P1 Steeply sloping to the south along Walker Street from Ridge Street.

Subdivision

P2 Lot sizes – 700m² to 1250m².

P3 Rectilinear with narrow boundary to street.

Streetscape

P4 Continuity of fences and landscaping.

Views

P5 Warringah Expressway Lookout at the end of Ridge Street. Towards St Leonards Park War Memorial along Walker Street.



2020 draft amendments - North Sydney Development Control Plan 2013

Area Character Statements - North Sydney Planning Area

2.5.5 Characteristic buildings

- P1 Detached and attached Victorian Italianate dwelling houses.
- P2 Detached Federation Queen Anne and Arts and Crafts style dwelling houses.

2.5.6 Characteristic built elements

Siting

- P1 Dwellings are oriented to face the street, parallel to the street alignment.
- P2 Dwellings are sited forward and middle of lot.

Form, massing and height

- P3 Single storey and two storey dwelling houses with hipped and gabled roofs with skillion rear wings.
- P4 Reduced height and scale to rear.
- P5 Open verandahs to front.
- P6 Projecting front gables beside recessed verandahs.
- P7 Detached and semi-detached dwelling houses of identical design often have continuous front verandahs.
- P8 Strong skyline of simple pitched roofs and chimneys visible from street and St Leonards Park.
- P9 Front setbacks generally between 4-5m.
- P10 Side setbacks of 1.5m.

Roofs

- P11 Pitched between 30 and 45 degrees without dormers or openings that can be seen from the street.
- P12 Hipped roofs with some gabled elements.
- P13 Gabled ends for projecting bays to the street.
- P14 Skillion roofs to rear extensions.
- P15 Brick and rendered chimneys with terracotta chimney pots.

External Materials

- P16 Face brick on Federation buildings with sandstone foundations.
- P17 Original rendered walls on Victorian buildings.
- P18 Slate, corrugated metal and terracotta tiled roofs.
- P19 Timber windows, doors and joinery.
- P20 Original front garden landscaping.

Windows, doors and joinery

- P21 Consistent with building period and style. Timber

Fences and kerbing

- P22 Original front fences less than 800 mm height with views to the garden.
- P23 Timber fences to rear and side.

P24 Sandstone plinths, sandstone piers, metal palisade and gates, timber pickets, timber rails and mesh, pipe and mesh gates, original face brick with piers.

P24**P25** Sandstone kerbing.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Area Character Statements - North Sydney Planning Area****Car accommodation**

P26 No garages or carports located in front of building line.

2.5.7 Desired built form

P1 Views to the war memorial in St Leonards Park should not be obstructed and opportunities to improve the vistas to and from the park along Walker Street should be sought.

P2 Improve the interface of the Walker/Ridge Street conservation area boundary with ST Leonards Park.

2.5.8 Uncharacteristic elements

P3 Modern infill development, loss of original detailing and materials on elevations visible from the public domain, dormers and skylights on front or side elevations, modified roof planes, glazed roofing, new balconies and decks above street level, infilled verandas and balconies, roof cut-outs for decks and terraces, full width roof additions, glazed balustrades, metal wall cladding, extensive glazing, infill of breezeways, paved gardens, lack of landscape setting including trees, high solid walls and fences to the street, parking except at the rear, concrete kerbing.



SECTION 6 SOUTH CREMORNE PLANNING AREA

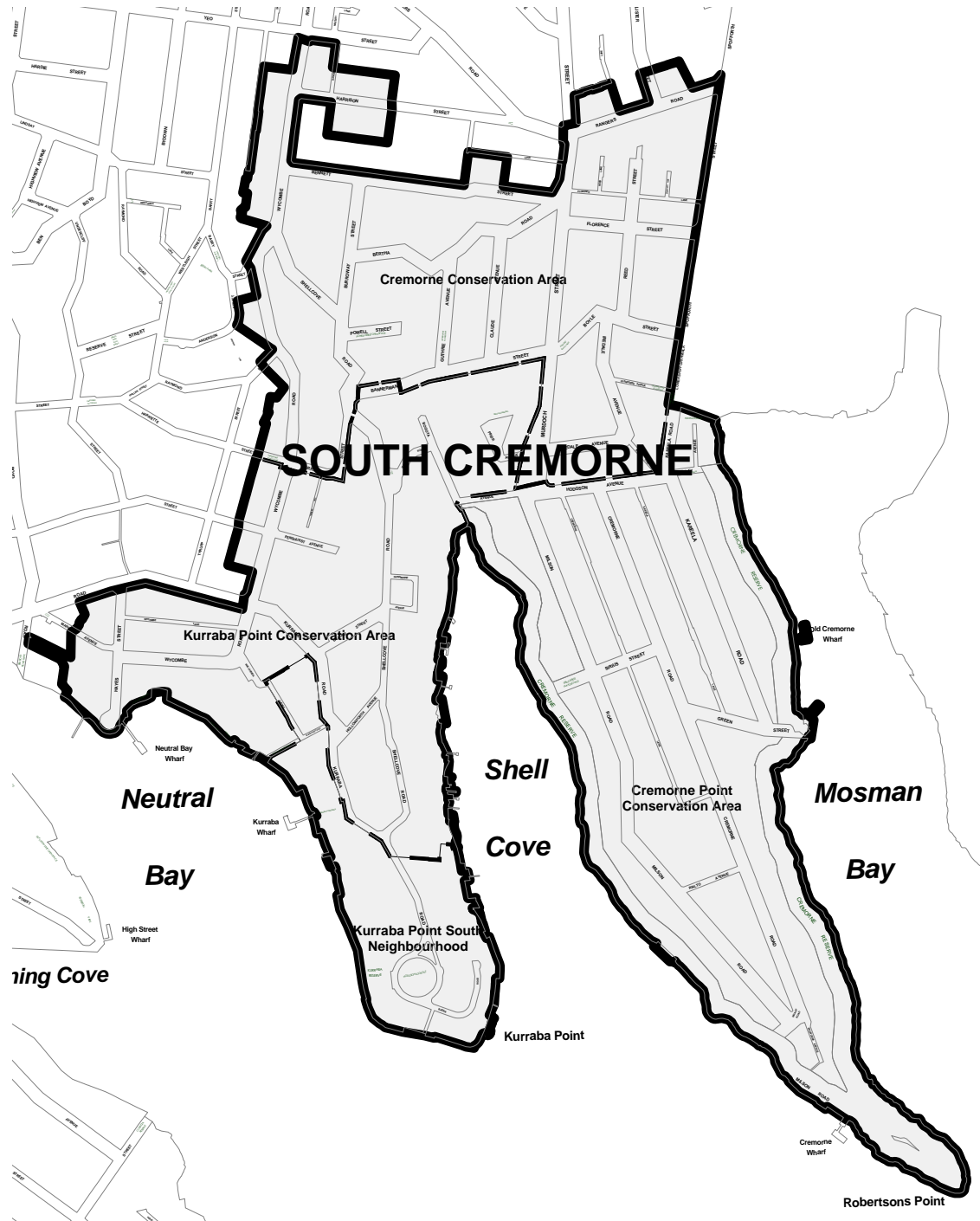


Figure C-6.1: South Cremorne Planning Area and associated Locality Areas

North Sydney Development Control Plan 2013 – 2020 draft amendments**Area Character Statements - South Cremorne Planning Area****6.4 CREMORNE POINT CONSERVATION AREA****6.4.1 History**

Little development occurred on the peninsula until the 1850s. An area on Cremorne Point was leased to Clarke and Woolcott to establish the "Cremorne Gardens" recreation ground. It closed after a short time leaving the area as a well-known picnic spot on the harbour. A number of subdivisions were planned in the 1870s and 1880s. Coal mining was proposed after coal was found in the 1890s.

During the 1880s the Government demanded and eventually acquired a 100 foot foreshore reservation for public recreation after many years of negotiations, including a court case. Cremorne Point Reserve was gazetted in 1905. Subdivision finally occurred from this time and residential development was rapid thereafter with the major phase of development taking place in the first 20 years of the century.

Access to the peninsula was principally by water and tram. Cremorne Point opened as a tram terminus in 1911, with a line from Cremorne Junction to the ferry wharf. The line operated until 1956. Two ferry wharves operated from the earliest development of the area at Old Cremorne and Cremorne Point.

6.4.2 Description

The Cremorne Point Conservation Area is located on a peninsula between Shell Cove and Mosman Bays, and is bounded by Hodgson Street to the north.

The landform slopes southwards from a central ridgeline and down to the bays on each side. The street pattern follows the topography with roads and service lanes following the ridge line with secondary lanes giving access to the lower sites close to the water. Some streets have terraced footpaths set above or below the roads with exposed rock outcrops.

The Cremorne Point Conservation Area is characterised by large, single and two storey, freestanding Federation and Edwardian dwellings, reflecting the area's main period of



2020 draft amendments - North Sydney Development Control Plan 2013

Area Character Statements - South Cremorne Planning Area

development. Some dwelling houses have their primary elevation to the water with garaging and carports to the rear. There are also examples of single storey Inter-war dwelling houses with multi-storey Edwardian and Inter-war residential flat buildings. There is considerable Post-war infill development of single dwelling houses and multi-storey residential flat buildings.

The buildings generally have irregular setbacks from the street with level or terraced gardens and a mix of fencing types. There is extensive use of stone in boundary and retaining walls.

The main roads are well landscaped with nature strips and street plantings. Front gardens are well established, and often have extensive plantings to give an overall impression of a landscaped, garden suburb. The peninsula has a landscaped public reserve to its perimeter that is unusual in the Sydney area.

	<p>Figure C-6.7 (left): Circa 1890</p> <p>Figure C-6.8 (below left): Circa 1943</p> <p>Figure C-6.9 (below): Circa 2008</p>

North Sydney Development Control Plan 2013 – 2020 draft amendments**Area Character Statements - South Cremorne Planning Area****6.4.3 Statement of Significance**

The Cremorne Point Conservation Area is significant for:

- (a) Consistent early 20th Century residential area with a mix of Federation and 1920s one and two storey housing mixed with inter-war residential flat buildings of two to three storeys, all built on large allotments with a strong orientation to the water.
- (b) Unique foreshore reserve that predates the residential subdivision, which demonstrates the concern for recreation, public access and suburban amenity, and the importance of headlands in the visual character of Sydney Harbour.
- (c) The visual unity derived from its subdivision history that is still apparent.

6.4.4 Significant elements**Topography**

P1 Low ridgeline along a peninsula between two bays that slopes to the water.

Subdivision

P2 Regular rectangular lots.

Streetscape

P3 Continuity of fences and landscaping. Sandstone kerbing, sandstone and concrete walls, street gardens.

Views

P4 Cremorne Reserve Walk lookouts (many, including 34, 35, 38, 40), Hodgson Avenue lookout (24), Bromley Avenue lookout (25), Bogota Avenue lookout (26), Cremorne Road lookout (27), Sirius Park lookout (28), Kareela Lane lookout (29), Green Street lookout (30), Cremorne Lane lookout (31), St Chads lookout (32), Milson Road lookout upper level (33), Wallenundgal lookout, Milson Road (36), Wharf Road lookout (37), Kareela Lane lookout (29). Views from Rialto Avenue, Kareela Road.

6.4.5 Characteristic buildings

P1 Single and two storey, detached Federation and Edwardian dwelling houses. Edwardian and Inter-war residential flat buildings.

6.4.6 Characteristic built elements**Siting**

- P1 To the middle of the lot with gardens to the front and rear.
- P2 Buildings sited to retain slot views above and to the side to harbour.
- P3 Front setback 7.9m; 10-15 m east side of Kareela Rd and west side of Cremorne Rd between Sirius St and Hodgson Ave.
- P4 Side setbacks of 1.5 m or 5 m where lots are amalgamated.

Form, massing and scale

P5 Single and two storey detached dwellings. Double elevations to waterfront properties. Reduced scale to the rear on non waterfront properties. Multi-storey residential flat buildings.

Roofs

- P6 Hipped and gables roofs pitched between 30 and 45 degrees without dormer windows or openings that can be seen from the street. Brick and rendered chimneys.
- P7 Flat or pitched roofs; parapet walls to Inter-War residential flat buildings.



2020 draft amendments - North Sydney Development Control Plan 2013

Area Character Statements - South Cremorne Planning Area

Materials

- P8 Walls: Face and rendered brick on sandstone foundations; shingle spandrels and gables; fibre cement sheeting, battened gables and rough cast render;
- P9 Roofs: Slate; terracotta tile and corrugated metal; flat roofs to some residential flat buildings.
- P10 Timber verandahs and Federation and Arts and Crafts detailing.

Windows and doors

- P11 Consistent with building period and style. Timber.

Fences

- P12 Low scale to 900 mm height. Up to 1.2 m for large Federation residences.
- P13 Sandstone walls; timber pickets.

Car accommodation

- P14 Parking provided off rear lanes.

6.4.7 Uncharacteristic elements

- P1 Over-scaled additions; dormers and skylights to front roof slopes; roof terraces; carports and garages covering more than 1/3 of the street frontage; high solid fences to the street; rendering and painting of face brick; extensive glazing; glazed balustrades; loss of original detail; modern infill development and residential flat buildings.

North Sydney Development Control Plan 2013 – 2020 draft amendments

Area Character Statements - Kirribilli Planning Area



SECTION 8 KIRRIBILLI PLANNING AREA

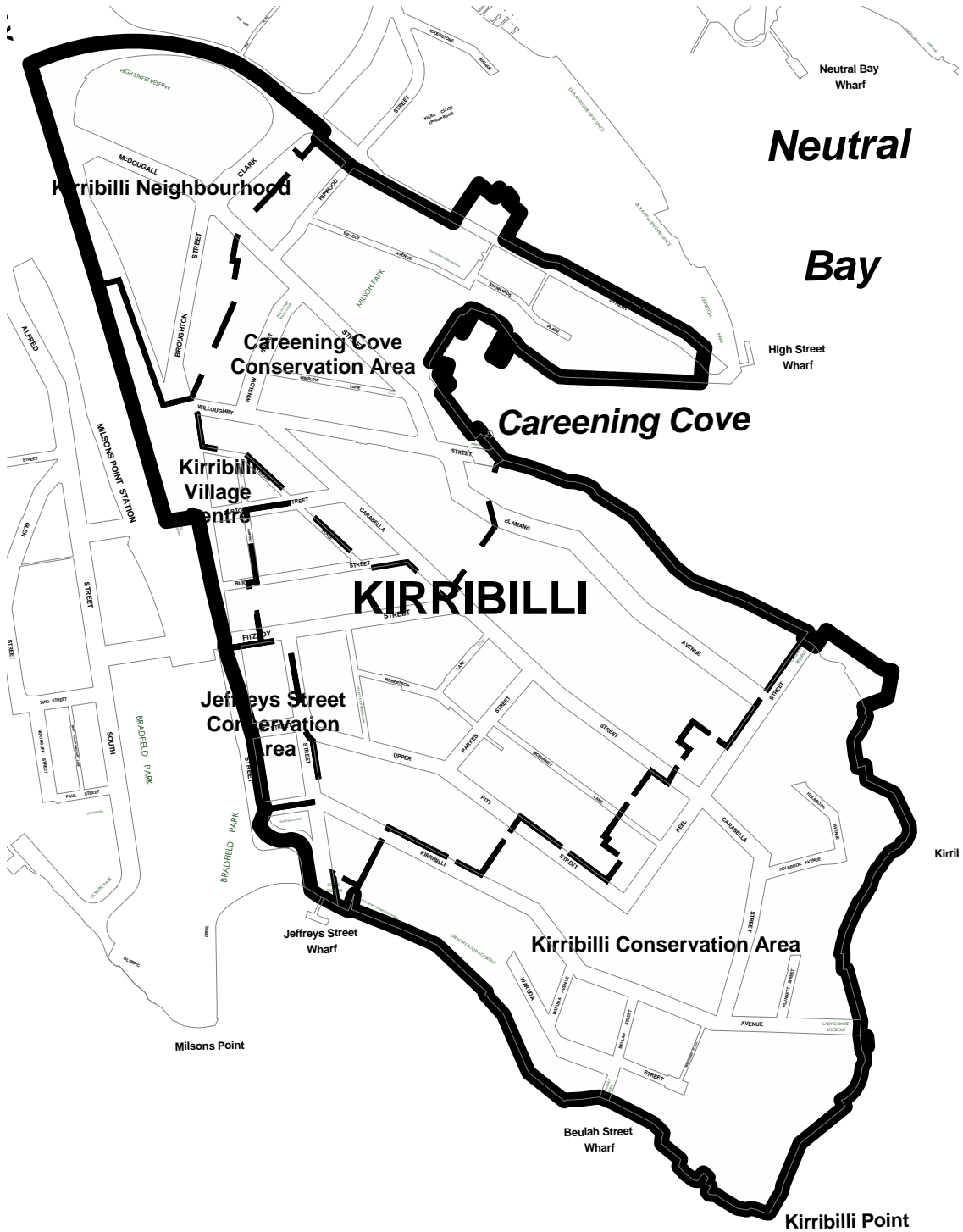


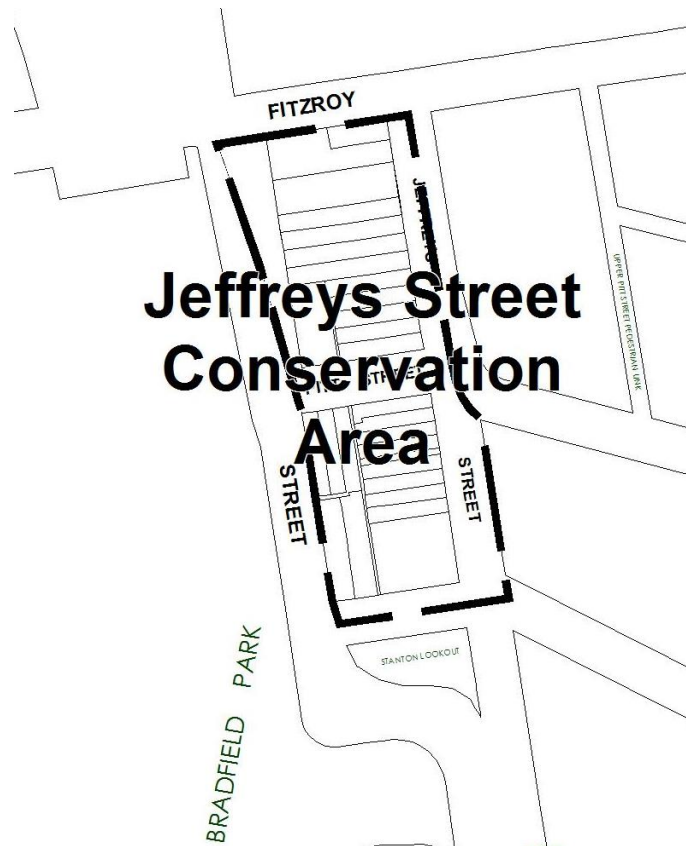
Figure C-8.1: Kirribilli Planning Area and associated Locality Areas



2020 draft amendments - North Sydney Development Control Plan 2013

Area Character Statements - Kirribilli Planning Area

8.5 JEFFREYS STREET CONSERVATION AREA



8.5.1 History

The Jeffreys Street Conservation Area is an interesting remnant of the early development of Milson's Point that was developed from the 1860's onwards and was largely established by the late 1890's. The area was a grid pattern of streets stretching from Albert Street to Jeffreys Street that was lined with single, two and three storey houses and that was associated with the land occupied by James Milson.

The construction of the Sydney Harbour Bridge resulted in the demolition of the western portion of the area but there is sufficient built form, street pattern and historical information to demonstrate the relationship of the current built form to its earlier state.

The area has association with James Milson and the Milson family, a prominent local merchant and an important figure in the development of North Sydney. It also has association with the Robert Campbell, an important local merchant and developer Robert Ryan who was granted 120 acres including the subject area in 1800.

8.5.2 Description

The Jeffreys Street Conservation Area is bounded by Fitzroy Street, Jeffreys Street, Kirribilli Avenue and Broughton Street. The landform slopes down from the north towards the south and west and there is a sandstone retaining wall at Jeffreys Street and Kirribilli Avenue. The subdivision pattern is a regular grid that overlays the topography with streets running down or across the slope.

The characteristic buildings of the area are typically mid to late Victorian and Federation residential terraces, reflecting the predominant period of development. Buildings are typically two or three storey, terraces with pitched and gabled tiled roof with two storey

North Sydney Development Control Plan 2013 – 2020 draft amendments



Area Character Statements - Kirribilli Planning Area

verandahs and skillion rear wings. Street plantings and raised verges reinforce the cohesive character and regular pattern formed by the buildings and underlying lot pattern. There is some modern development to the northern and southern edges.

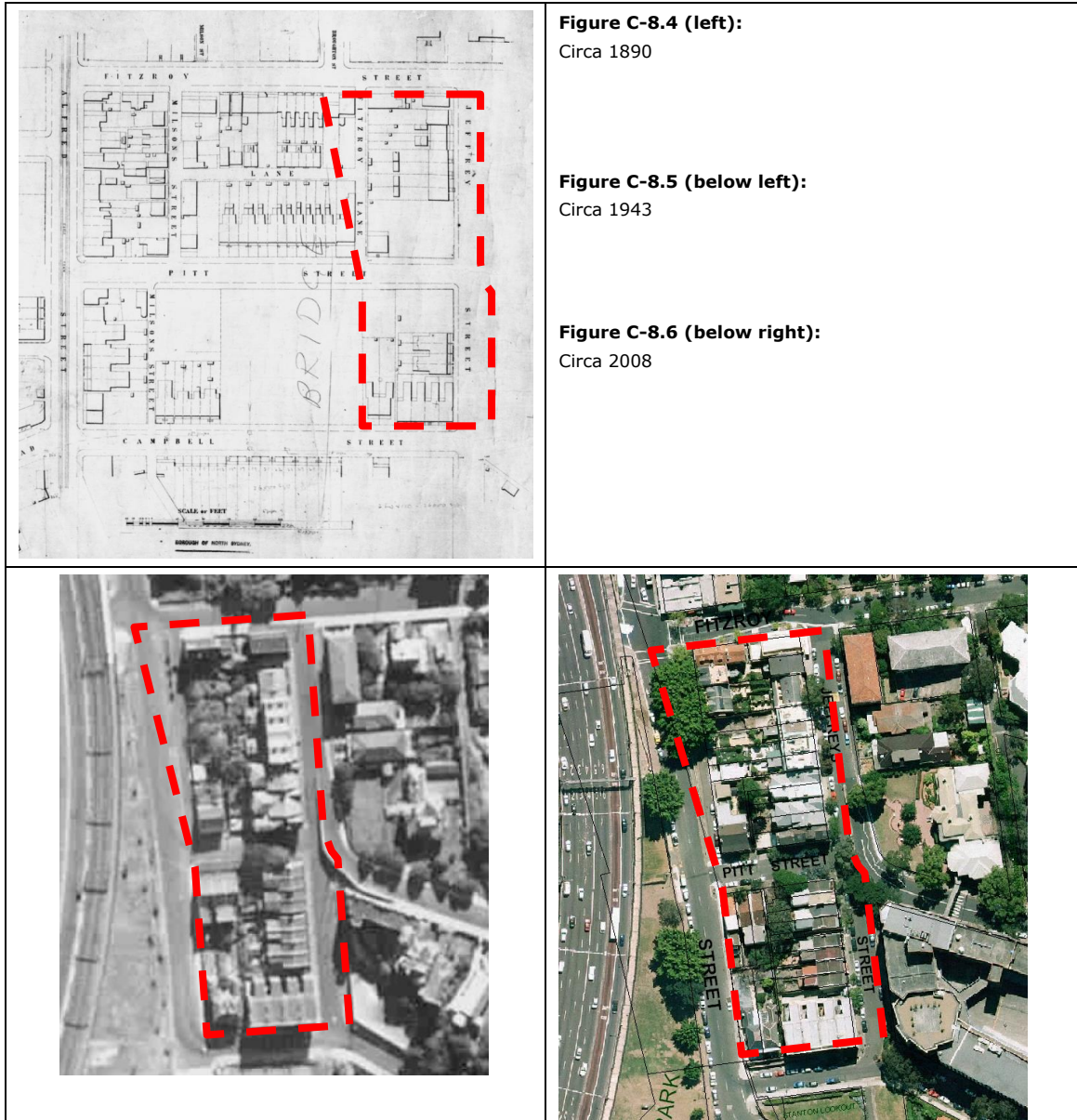


Figure C-8.4 (left):

Circa 1890

Figure C-8.5 (below left):

Circa 1943

Figure C-8.6 (below right):

Circa 2008

8.5.3 Statement of Significance

The Jeffrey Street Conservation Area is significant:

- (a) for the unity of its subdivision history which is evident in the built form of the area and that overlays its sloping and stepped topography
- (b) as an area of mid to late Victorian and Federation speculative terraces that are a remnant of the early development of the area prior to the clearances for the construction of the Sydney Harbour Bridge



2020 draft amendments - North Sydney Development Control Plan 2013

Area Character Statements - Kirribilli Planning Area

8.5.4 Significant elements

Topography

P1 Sloping towards west and south.

Subdivision

P2 Regular grid pattern overlying topography.

Streetscape

P3 Sandstone retaining walls.

P4 Houses at street level or raised above it.

P5 Consistent scale of housing faces the street in urban setting.

P6 Narrow verges, sandstone and concrete kerbing, brick walls, no street gardens.

P7 Street trees.

Views

P8 Sweeping view of Sydney Harbour from Kirribilli Avenue to Broughton Street.

P9 Views from Jeffreys Street to the south and Pitt Street to the west.

8.5.5 Characteristic buildings

P1 Two and three storey mid to late Victorian and Federation attached dwellings.

8.5.6 Characteristic built elements

Siting

P1 Dwellings to the front of the lots or at the street with gardens/yard to the rear.

Form, massing and scale

P2 Two and three storey attached dwellings.

P3 Reduced bulk and scale to the rear.

P4 Simple forms articulated with verandahs to front and skillion wings to the rear.

Roofs

P5 Gabled roofs pitched between 20 and 35 degrees.

P6 Gabled ends for side elevations.

P7 Skillion roofs to rear wings.

P8 Brick and rendered chimneys.

Materials

P9 **Walls:** Painted and face brick; rendered masonry on some sandstone bases.

P10 **Roofs:** Slate, terra cotta and concrete roof tiles; corrugated metal on rear wings.

Windows and doors

P11 Mid to late Victorian and Federation.

P12 French doors to first floor verandahs.

Fences

P13 Low height front fences and walls.

P14 Masonry fences to rear and side.

P15 Face and rendered brick; metal palisade.

North Sydney Development Control Plan 2013 – 2020 draft amendments**Area Character Statements - Kirribilli Planning Area****Car accommodation**

P16 Garages and carports to side and rear.

P17 No garages or carports in front of the building line.

8.5.7 Uncharacteristic Elements

P1 Over-scaled dormers; roof decks and terraces; 'Juliette balconies'; enclosed balconies and verandahs; extensive glazing and glazed balustrades; flat roofs to service wings; painted face brick; removal of garden setting.



SECTION 9 LAVENDER BAY PLANNING AREA

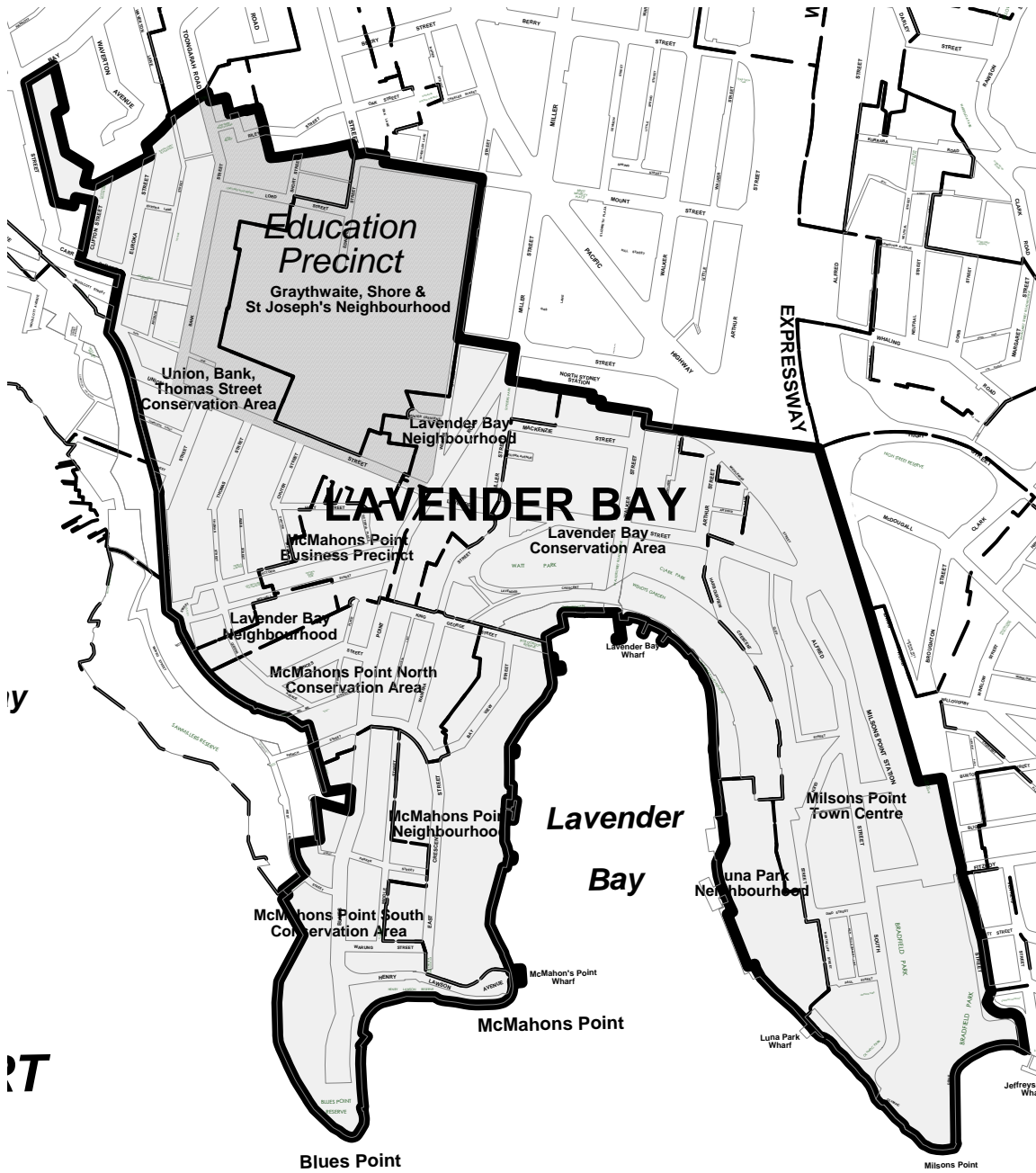


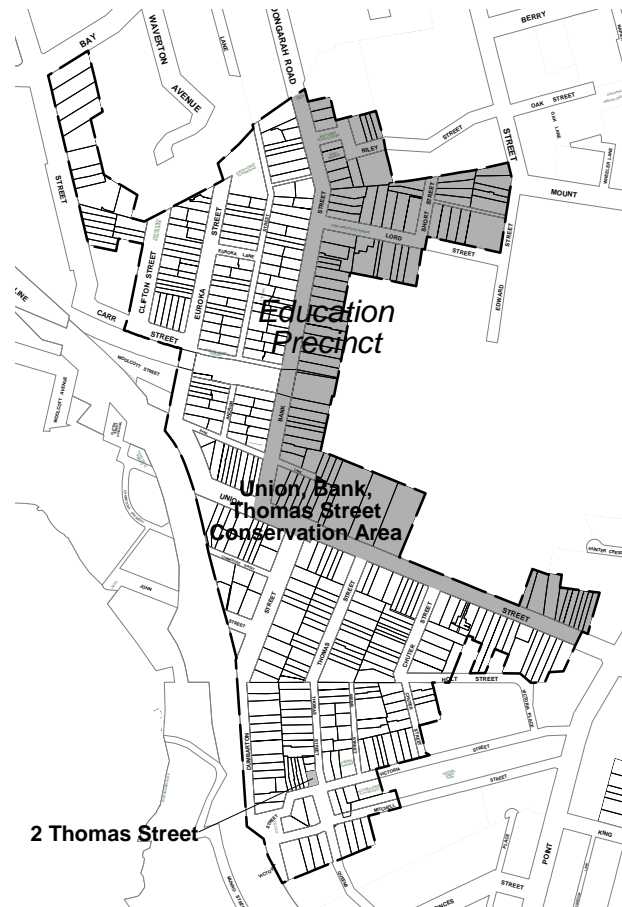
Figure C-9.1: Lavender Bay Planning Area and associated Locality Areas



2020 draft amendment - North Sydney Development Control Plan 2013

Area Character Statements - Lavender Bay Planning Area

9.10 UNION, BANK, THOMAS STREET CONSERVATION AREA



9.10.1 History

The Union/Bank/Thomas Street Area is loosely contained within two residential subdivisions of the mid-nineteenth century. The land on the south side of Union Street was part of the William Blue grant, inherited by his daughter Susannah, and subdivided c. 1859 by her husband, William Chuter.

Land on the northern side of Union Street was granted to Thomas Walker who later sold it to Edwin Sayers. Sayers built *Euroka Villa* on the Graythwaite site in Union Street. The western facing slopes of Sayer's land was subdivided during the 1860s as the Euroka Estate.

The area experienced significant upheaval during the construction of the railway in two phases, first during the 1890s and again in the 1930s. Despite the railway intrusion, the area retains its nineteenth century buildings and streetscape form.

9.10.2 Description

The Union, Bank Thomas Street Conservation Area is bounded to the east by the North Sydney Commercial area where the land rises to the crest of North Sydney and to the west by the railway line along the foreshore of Berry's Bay.

The areas on either side of Union Street have distinct characters within the Conservation Area. The subdivision pattern is irregular to the south of Union Street reflecting the topography and street pattern with various street widths reflecting different phases of development. The subdivision pattern is more regular to the north of Union Street reflecting the flatter topography. The area has a close subdivision pattern, with cross streets and

North Sydney Development Control Plan 2013 – 2020 draft amendment



Area Character Statements - Lavender Bay Planning Area

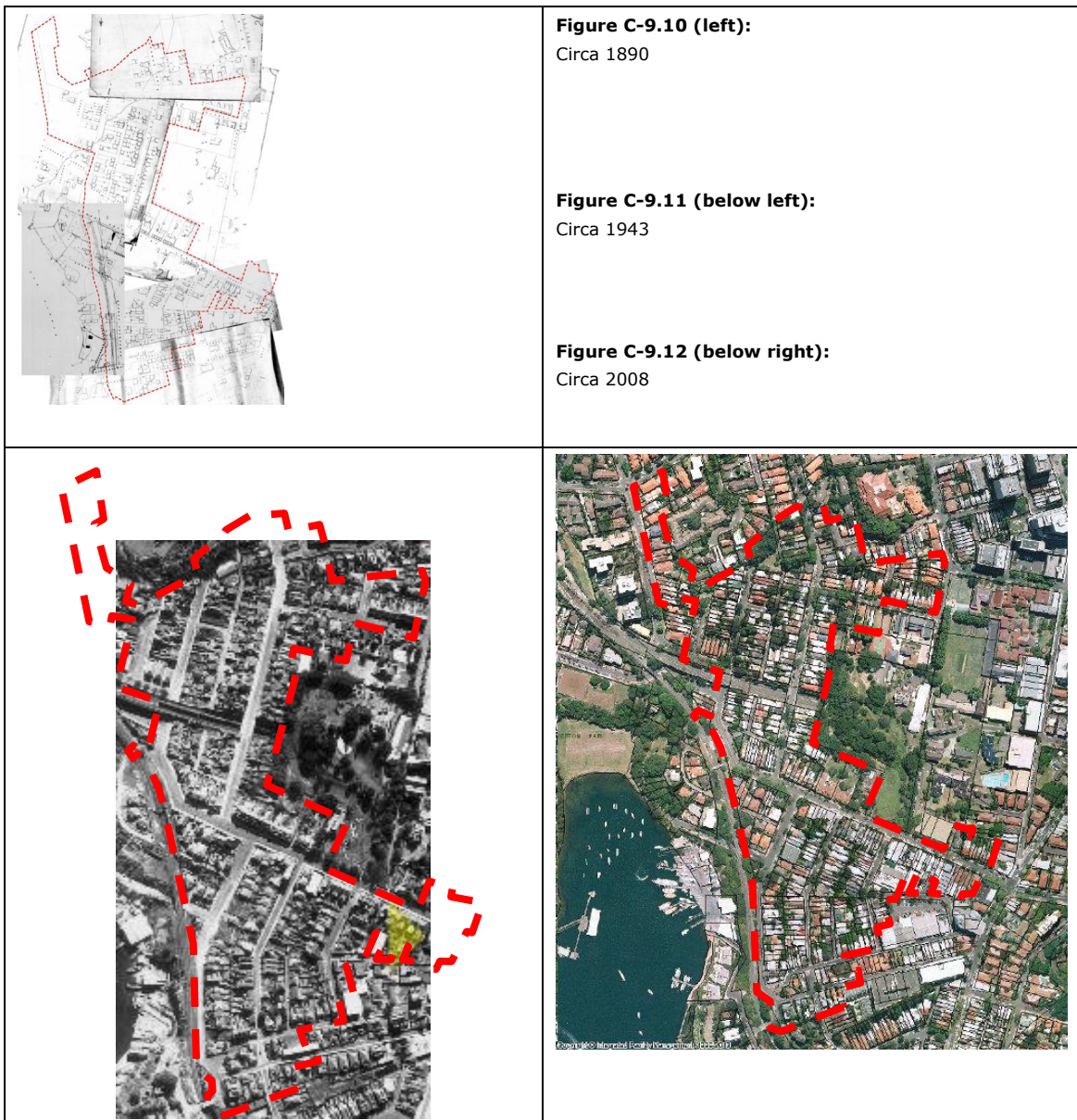
laneways that give a dense, urban texture. The area is characterised by long north/south streets, with streets north of Union Street running mostly across the steeply graded contours.

Characteristic buildings of the area include 19th and early 20th century cottages, including attached, semi-detached and detached houses. The buildings are typically one to two storeys on small lots interspersed with pockets of larger, two storey Victorian terraces, early 20th century housing, and three storey Inter-war residential flat buildings.

A range of architectural styles are represented in the Conservation Area, including Victorian Georgian, Victorian Regency, Victorian Filigree, Victorian Italianate, Federation Queen Anne and Federation Arts and Crafts, most of which are interpreted in a simplified manner.

There are pocket parks and lookouts distributed throughout the area. The townscape character is also defined by regular, processional planting in the street reserves, and by extensive use of stone elements within streets and street formations.

The topography of the locality facilitates expansive views down streets running south off Union Street, including Dumbarton and Thomas Streets.





2020 draft amendment - North Sydney Development Control Plan 2013

Area Character Statements - Lavender Bay Planning Area

9.10.3 Statement of Significance

The Union, Bank, Thomas Street Conservation Area is significant:

- (a) As the largest area of mid to late Victorian buildings in the North Sydney area including a substantial number of individually significant buildings, groups of buildings and unique streetscapes in the local context.
- (b) For the clarity of its subdivision history that is still clearly seen in variations of road widths between sections of streets and changes of directions of the subdivision pattern in response to the subdivision of earlier estates.
- (c) For the way development has responded to the topography through stepped building forms and excavation in some locations.
- (d) For its fine streetscapes with intact rows of Victorian residences, especially in Thomas, Union and Chuter Streets.
- (e) For its relatively large number of surviving timber residences.

9.10.4 Significant elements

Topography

P1 Area slopes to the west with escarpments to the north.

Subdivision

P2 Irregular subdivision to the south of Union Street with boundary to street frontage.

P3 Mostly rectilinear subdivision to the north of Union Street with boundary to street frontage.

P4 Restricted lot sizes.

Streetscape

P5 Varying width streets following the contours or slopes.

P6 Sandstone retaining walls and kerbing.

P7 Double rail timber fences.

Views

P8 Dumbarton Street lookout, Commodore Crescent lookout, Lord Street lookout.

P9 Dumbarton Street, Commodore Street, John Street: views to Berry's Bay.

P10 Slot views over and between buildings throughout area.

9.10.5 Characteristic buildings

P1 A mixture of:

- (a) 19th and early 20th Century cottages, including attached, semi-detached and detached single storey dwellings in the Victorian Georgian, Victorian Regency, Victorian Filigree, Victorian Italianate.
- (b) Two storey, Victorian Filigree, Victorian Italianate attached dwellings
- (c) Early 20th Century single and two storey Federation Queen Anne and Federation Arts and Crafts housing.
- (d) Three storey Inter-war residential flat buildings.

9.10.6 Characteristic building elements

Siting

P1 Forward on lot with larger rear garden.

North Sydney Development Control Plan 2013 – 2020 draft amendment**Area Character Statements - Lavender Bay Planning Area**

P2 Consistent setbacks

Form, massing and scale

P3 Single and two storey, detached and semi-detached dwellings with verandahs.

P4 Two and three storey attached dwellings with front verandahs.

P5 Rear additions behind and below the ridge line, submissive in scale.

Roofs

P6 Pitched between 30 and 45 degrees with some use of parapets to the street, skillion roofs to rear extensions.

P7 Hipped and gabled roofs to cottages; projecting gables to street.

P8 Stone, brick and rendered brick chimneys.

Materials

P9 Walls: Sandstone; weatherboards; face brick and rendered masonry on sandstone bases.

P10 Roofs: Slate; corrugated metal; terracotta tiles.

Windows and doors

P11 Original Victorian, Federation and Edwardian.

Fences

P12 Low stone, brick and rendered walls.

P13 Metal palisade on low stone plinths.

P14 Timber picket fences.

Car accommodation

P15 Located off rear lanes.

P16 Single car parking in modest structures.

9.10.7 Uncharacteristic elements

P1 Over-scaled additions; Carports and garages to front of lot; dormers and conditions to front and side roofs; removal of original details; painting and rendering of face brickwork; high fences to street; inappropriate fence details; paving of gardens.

9.10.8 Future built elements

P1 Provide a range of high quality, purpose-built student accommodation in and around the Education Precinct, within 400m to a tertiary institution, 800m to a railway station, and 400m to a bus stop used by a regular bus service.

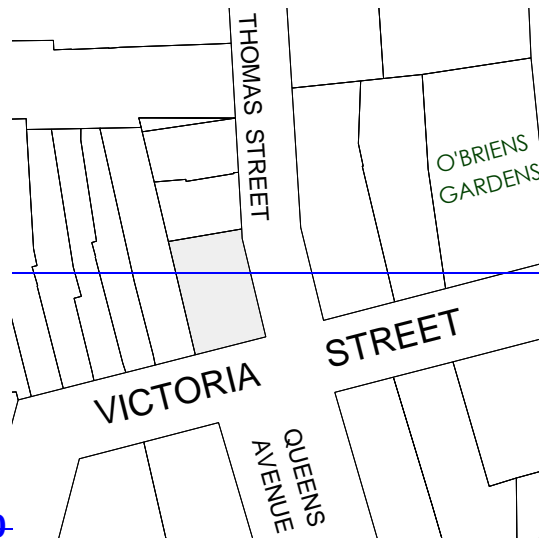
P2 Educational establishments must address and activate public domain areas including streets, pedestrian links, laneways and public spaces.



2020 draft amendment - North Sydney Development Control Plan 2013

Area Character Statements - Lavender Bay Planning Area

9.10.9 - 2 Thomas Street



9.10.10

~~P1 - To ensure the amenity of adjoining residents is not further compromised, the cafe at 2 Thomas Street, McMahon's Point must not:~~

- ~~(a) - exceed a capacity of more than 45 patrons, whether those patrons be seated or standing; and~~
- ~~(b) - operate outside the hours of 7.00am to 5.00pm on Monday to Saturday inclusive.~~



APPENDIX 1 HERITAGE – CONTRIBUTORY, NEUTRAL & UNCHARACTERISTIC ITEMS

1.1 INTRODUCTION

Heritage conservation areas have a cohesive sense of place. Their significance is often a function of the subdivision and street pattern, combined with buildings that share common periods of development, historical associations, materials, form and scale.

Buildings that are not heritage items are identified as contributory, neutral or uncharacteristic. The contribution of any building to the conservation area should guide the approach to development.

1.2 GENERAL OBJECTIVES

The general objectives of this Appendix to the DCP is to identify those properties within an heritage conservation area which comprise a “contributory”, “neutral” or “uncharacteristic” item.

1.3 RELATIONSHIP TO OTHER SECTIONS

This Appendix should be read in conjunction with Part B: Section 13 - *Heritage and Conservation*.

1.4 ITEM IDENTIFICATION

- A1 Table App-1.1 lists all contributory items.
- A2 Table App-1.2 lists all uncharacteristic items.
- A3 Those properties not listed in Tables App-1.1 or App-1.2 or identified as a heritage item under NSLEP 2013 are deemed to be neutral items.

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
90	Albany Street	Crows Nest	Holtermann Estate A
92	Albany Street	Crows Nest	Holtermann Estate A
94	Albany Street	Crows Nest	Holtermann Estate A
96	Albany Street	Crows Nest	Holtermann Estate A
120	Alexander Street	Crows Nest	Holtermann Estate A
122	Alexander Street	Crows Nest	Holtermann Estate A
126	Alexander Street	Crows Nest	Holtermann Estate A
130	Alexander Street	Crows Nest	Holtermann Estate A
132	Alexander Street	Crows Nest	Holtermann Estate A
134	Alexander Street	Crows Nest	Holtermann Estate A
136	Alexander Street	Crows Nest	Holtermann Estate A
141	Alexander Street	Crows Nest	Holtermann Estate A
143	Alexander Street	Crows Nest	Holtermann Estate A
145	Alexander Street	Crows Nest	Holtermann Estate A
159	Alexander Street	Crows Nest	Holtermann Estate A
161	Alexander Street	Crows Nest	Holtermann Estate A
163	Alexander Street	Crows Nest	Holtermann Estate A
165	Alexander Street	Crows Nest	Holtermann Estate A
167	Alexander Street	Crows Nest	Holtermann Estate A
59	Amherst Street	Cammeray	Cammeray
61	Amherst Street	Cammeray	Cammeray
63	Amherst Street	Cammeray	Cammeray
65	Amherst Street	Cammeray	Cammeray
67	Amherst Street	Cammeray	Cammeray
72	Amherst Street	Cammeray	Cammeray
73	Amherst Street	Cammeray	Cammeray
74	Amherst Street	Cammeray	Cammeray
75	Amherst Street	Cammeray	Cammeray
76	Amherst Street	Cammeray	Cammeray
77	Amherst Street	Cammeray	Cammeray
78	Amherst Street	Cammeray	Cammeray
79	Amherst Street	Cammeray	Cammeray

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
80	Amherst Street	Cammeray	Cammeray
81	Amherst Street	Cammeray	Cammeray
83	Amherst Street	Cammeray	Cammeray
84	Amherst Street	Cammeray	Cammeray
86	Amherst Street	Cammeray	Cammeray
98	Amherst Street	Cammeray	Cammeray
100	Amherst Street	Cammeray	Cammeray
102	Amherst Street	Cammeray	Cammeray
2	Ancrum Street	Waverton	Union / Bank / Thomas Streets
7	Ancrum Street	Waverton	Union / Bank / Thomas Streets
8	Ancrum Street	Waverton	Union / Bank / Thomas Streets
9	Ancrum Street	Waverton	Union / Bank / Thomas Streets
10	Ancrum Street	Waverton	Union / Bank / Thomas Streets
23	Ancrum Street	Waverton	Union / Bank / Thomas Streets
25	Ancrum Street	Waverton	Union / Bank / Thomas Streets
27-29	Ancrum Street	Waverton	Union / Bank / Thomas Streets
34	Ancrum Street	Waverton	Union / Bank / Thomas Streets
36	Ancrum Street	Waverton	Union / Bank / Thomas Streets
37	Ancrum Street	Waverton	Union / Bank / Thomas Streets
38	Ancrum Street	Waverton	Union / Bank / Thomas Streets
39	Ancrum Street	Waverton	Union / Bank / Thomas Streets
41	Ancrum Street	Waverton	Union / Bank / Thomas Streets
58	Ancrum Street	Waverton	Union / Bank / Thomas Streets
59	Ancrum Street	Waverton	Union / Bank / Thomas Streets
25	Arthur Street	Lavender Bay	Lavender Bay
63	Atchison Street	Crows Nest	Holtermann Estate A
65	Atchison Street	Crows Nest	Holtermann Estate A
67	Atchison Street	Crows Nest	Holtermann Estate A
73	Atchison Street	Crows Nest	Holtermann Estate A
75	Atchison Street	Crows Nest	Holtermann Estate A
77	Atchison Street	Crows Nest	Holtermann Estate A
79	Atchison Street	Crows Nest	Holtermann Estate A

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
87	Atchison Street	Crows Nest	Holtermann Estate A
89	Atchison Street	Crows Nest	Holtermann Estate A
91	Atchison Street	Crows Nest	Holtermann Estate A
92	Atchison Street	Crows Nest	Holtermann Estate A
93	Atchison Street	Crows Nest	Holtermann Estate A
94	Atchison Street	Crows Nest	Holtermann Estate A
95	Atchison Street	Crows Nest	Holtermann Estate A
96	Atchison Street	Crows Nest	Holtermann Estate A
97	Atchison Street	Crows Nest	Holtermann Estate A
100	Atchison Street	Crows Nest	Holtermann Estate A
102	Atchison Street	Crows Nest	Holtermann Estate A
103	Atchison Street	Crows Nest	Holtermann Estate A
104	Atchison Street	Crows Nest	Holtermann Estate A
105	Atchison Street	Crows Nest	Holtermann Estate A
107	Atchison Street	Crows Nest	Holtermann Estate A
109	Atchison Street	Crows Nest	Holtermann Estate A
111	Atchison Street	Crows Nest	Holtermann Estate A
113	Atchison Street	Crows Nest	Holtermann Estate A
115	Atchison Street	Crows Nest	Holtermann Estate A
117	Atchison Street	Crows Nest	Holtermann Estate A
122	Atchison Street	Crows Nest	Holtermann Estate A
124	Atchison Street	Crows Nest	Holtermann Estate A
126	Atchison Street	Crows Nest	Holtermann Estate A
127	Atchison Street	Crows Nest	Holtermann Estate A
128	Atchison Street	Crows Nest	Holtermann Estate A
130	Atchison Street	Crows Nest	Holtermann Estate A
138	Atchison Street	Crows Nest	Holtermann Estate A
140	Atchison Street	Crows Nest	Holtermann Estate A
142	Atchison Street	Crows Nest	Holtermann Estate A
148	Atchison Street	Crows Nest	Holtermann Estate A
150	Atchison Street	Crows Nest	Holtermann Estate A
152	Atchison Street	Crows Nest	Holtermann Estate A
154	Atchison Street	Crows Nest	Holtermann Estate A

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
156	Atchison Street	Crows Nest	Holtermann Estate A
158	Atchison Street	Crows Nest	Holtermann Estate A
160	Atchison Street	Crows Nest	Holtermann Estate A
162	Atchison Street	Crows Nest	Holtermann Estate A
1	Bank Lane	North Sydney	Union / Bank / Thomas Streets
1	Bank Street	North Sydney	Union / Bank / Thomas Streets
5	Bank Street	North Sydney	Union / Bank / Thomas Streets
9	Bank Street	North Sydney	Union / Bank / Thomas Streets
11	Bank Street	North Sydney	Union / Bank / Thomas Streets
13	Bank Street	North Sydney	Union / Bank / Thomas Streets
15	Bank Street	North Sydney	Union / Bank / Thomas Streets
22	Bank Street	North Sydney	Union / Bank / Thomas Streets
26	Bank Street	North Sydney	Union / Bank / Thomas Streets
38	Bank Street	North Sydney	Union / Bank / Thomas Streets
42	Bank Street	North Sydney	Union / Bank / Thomas Streets
46	Bank Street	North Sydney	Union / Bank / Thomas Streets
48	Bank Street	North Sydney	Union / Bank / Thomas Streets
51	Bank Street	North Sydney	Union / Bank / Thomas Streets
52	Bank Street	North Sydney	Union / Bank / Thomas Streets
53	Bank Street	North Sydney	Union / Bank / Thomas Streets
54	Bank Street	North Sydney	Union / Bank / Thomas Streets
56	Bank Street	North Sydney	Union / Bank / Thomas Streets
58	Bank Street	North Sydney	Union / Bank / Thomas Streets
60	Bank Street	North Sydney	Union / Bank / Thomas Streets
61	Bank Street	North Sydney	Union / Bank / Thomas Streets
62	Bank Street	North Sydney	Union / Bank / Thomas Streets
66	Bank Street	North Sydney	Union / Bank / Thomas Streets
67	Bank Street	North Sydney	Union / Bank / Thomas Streets
68	Bank Street	North Sydney	Union / Bank / Thomas Streets
69	Bank Street	North Sydney	Union / Bank / Thomas Streets
70	Bank Street	North Sydney	Union / Bank / Thomas Streets
71	Bank Street	North Sydney	Union / Bank / Thomas Streets
72	Bank Street	North Sydney	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
73	Bank Street	North Sydney	Union / Bank / Thomas Streets
78	Bank Street	North Sydney	Union / Bank / Thomas Streets
83	Bank Street	North Sydney	Union / Bank / Thomas Streets
85	Bank Street	North Sydney	Union / Bank / Thomas Streets
89	Bank Street	North Sydney	Union / Bank / Thomas Streets
91	Bank Street	North Sydney	Union / Bank / Thomas Streets
96-98	Bank Street	North Sydney	Union / Bank / Thomas Streets
102	Bank Street	North Sydney	Union / Bank / Thomas Streets
104	Bank Street	North Sydney	Union / Bank / Thomas Streets
15A	Bannerman Street	Cremorne Point	Kurraba Point
17	Bannerman Street	Cremorne Point	Kurraba Point
19	Bannerman Street	Cremorne Point	Kurraba Point
21	Bannerman Street	Cremorne Point	Kurraba Point
21A	Bannerman Street	Cremorne Point	Kurraba Point
23	Bannerman Street	Cremorne Point	Kurraba Point
25	Bannerman Street	Cremorne Point	Kurraba Point
27	Bannerman Street	Cremorne Point	Kurraba Point
29	Bannerman Street	Cremorne Point	Kurraba Point
11A	Bay Road	Waverton	Crows Nest
15	Bay Road	Waverton	Crows Nest
17	Bay Road	Waverton	Crows Nest
21	Bay Road	Waverton	Crows Nest
22	Bay Road	Waverton	Priory Road
24	Bay Road	Waverton	Priory Road
26	Bay Road	Waverton	Priory Road
38	Bay Road	Waverton	Priory Road
40-42	Bay Road	Waverton	Priory Road
46	Bay Road	Waverton	Priory Road
48	Bay Road	Waverton	Priory Road
52	Bay Road	Waverton	Priory Road
54	Bay Road	Waverton	Priory Road
56	Bay Road	Waverton	Priory Road

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
58	Bay Road	Waverton	Priory Road
61	Bay Road	Waverton	Bay Road
63	Bay Road	Waverton	Bay Road
71	Bay Road	Waverton	Bay Road
73	Bay Road	Waverton	Bay Road
77	Bay Road	Waverton	Bay Road
79	Bay Road	Waverton	Bay Road
81	Bay Road	Waverton	Bay Road
85	Bay Road	Waverton	Bay Road
87	Bay Road	Waverton	Bay Road
88	Bay Road	Waverton	Union / Bank / Thomas Streets
89	Bay Road	Waverton	Bay Road
91	Bay Road	Waverton	Bay Road
93	Bay Road	Waverton	Bay Road
95	Bay Road	Waverton	Bay Road
99	Bay Road	Waverton	Bay Road
101	Bay Road	Waverton	Bay Road
103	Bay Road	Waverton	Bay Road
116	Bay Road	Waverton	Bay Road
118	Bay Road	Waverton	Bay Road
44	Bellevue Street	Cammeray	Cammeray
46	Bellevue Street	Cammeray	Cammeray
53	Bellevue Street	Cammeray	Cammeray
55	Bellevue Street	Cammeray	Cammeray
57	Bellevue Street	Cammeray	Cammeray
58	Bellevue Street	Cammeray	Cammeray
59	Bellevue Street	Cammeray	Cammeray
60	Bellevue Street	Cammeray	Cammeray
64	Bellevue Street	Cammeray	Cammeray
65	Bellevue Street	Cammeray	Cammeray
69	Bellevue Street	Cammeray	Cammeray
70	Bellevue Street	Cammeray	Cammeray

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
72	Bellevue Street	Cammeray	Cammeray
73	Bellevue Street	Cammeray	Cammeray
76	Bellevue Street	Cammeray	Cammeray
78	Bellevue Street	Cammeray	Cammeray
95	Bellevue Street	Cammeray	Cammeray
97-99	Bellevue Street (that part comprising the two detached dwellings fronting Bellevue Street - No.s 97 and 99)	Cammeray	Cammeray
101	Bellevue Street	Cammeray	Cammeray
107	Bellevue Street	Cammeray	Plateau
113	Bellevue Street	Cammeray	Plateau
125	Bellevue Street	Cammeray	Plateau
133	Bellevue Street	Cammeray	Plateau
137	Bellevue Street	Cammeray	Plateau
214	Ben Boyd Road	Cremorne	Oaks Avenue
216	Ben Boyd Road	Cremorne	Oaks Avenue
3	Bennett Street	Neutral Bay	Cremorne
21	Bennett Street	Cremorne	Cremorne
25	Bennett Street	Cremorne	Cremorne
31	Bennett Street	Cremorne	Cremorne
41	Bennett Street	Cremorne	Cremorne
43	Bernard Lane	Crows Nest	Holtermann Estate D
2	Bertha Road	Cremorne	Cremorne
30-40	Blues Point Road	McMahons Point	McMahons Point South
33	Blues Point Road	McMahons Point	McMahons Point South
35	Blues Point Road	McMahons Point	McMahons Point South
37	Blues Point Road	McMahons Point	McMahons Point South
39	Blues Point Road	McMahons Point	McMahons Point South
42	Blues Point Road	McMahons Point	McMahons Point South
43	Blues Point Road	McMahons Point	McMahons Point South

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
45	Blues Point Road	McMahons Point	McMahons Point South
46	Blues Point Road	McMahons Point	McMahons Point South
47	Blues Point Road	McMahons Point	McMahons Point South
51	Blues Point Road	McMahons Point	McMahons Point South
54-56	Blues Point Road	McMahons Point	McMahons Point South
57	Blues Point Road	McMahons Point	McMahons Point South
59	Blues Point Road	McMahons Point	McMahons Point South
60	Blues Point Road	McMahons Point	McMahons Point South
61	Blues Point Road	McMahons Point	McMahons Point South
62	Blues Point Road	McMahons Point	McMahons Point South
63	Blues Point Road	McMahons Point	McMahons Point South
64	Blues Point Road	McMahons Point	McMahons Point South
66	Blues Point Road	McMahons Point	McMahons Point South
68	Blues Point Road	McMahons Point	McMahons Point South
73	Blues Point Road	McMahons Point	McMahons Point South
75	Blues Point Road	McMahons Point	McMahons Point South
74	Blues Point Road	McMahons Point	McMahons Point South
77	Blues Point Road	McMahons Point	McMahons Point South
79	Blues Point Road	McMahons Point	McMahons Point South
80	Blues Point Road	McMahons Point	McMahons Point South
85	Blues Point Road	McMahons Point	McMahons Point South
86	Blues Point Road	McMahons Point	McMahons Point South
87	Blues Point Road	McMahons Point	McMahons Point South
89	Blues Point Road	McMahons Point	McMahons Point South
94	Blues Point Road	McMahons Point	McMahons Point South
96	Blues Point Road	McMahons Point	McMahons Point South
98	Blues Point Road	McMahons Point	McMahons Point South
100	Blues Point Road	McMahons Point	McMahons Point South
104	Blues Point Road	McMahons Point	McMahons Point South
106	Blues Point Road	McMahons Point	McMahons Point South
108	Blues Point Road	McMahons Point	McMahons Point South
110	Blues Point Road	McMahons Point	McMahons Point South
112	Blues Point Road	McMahons Point	McMahons Point South

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
114	Blues Point Road	McMahons Point	McMahons Point South
115	Blues Point Road	McMahons Point	McMahons Point North
116	Blues Point Road	McMahons Point	McMahons Point North
117	Blues Point Road	McMahons Point	McMahons Point North
118	Blues Point Road	McMahons Point	McMahons Point North
120-122	Blues Point Road	McMahons Point	McMahons Point North
121	Blues Point Road	McMahons Point	McMahons Point North
123	Blues Point Road	McMahons Point	McMahons Point North
124	Blues Point Road	McMahons Point	McMahons Point North
124A	Blues Point Road	McMahons Point	McMahons Point North
125	Blues Point Road	McMahons Point	McMahons Point North
127	Blues Point Road	McMahons Point	McMahons Point North
128	Blues Point Road	McMahons Point	McMahons Point North
128A	Blues Point Road	McMahons Point	McMahons Point North
129	Blues Point Road	McMahons Point	McMahons Point North
130	Blues Point Road	McMahons Point	McMahons Point North
130A	Blues Point Road	McMahons Point	McMahons Point North
131	Blues Point Road	McMahons Point	McMahons Point North
132	Blues Point Road	McMahons Point	McMahons Point North
132A	Blues Point Road	McMahons Point	McMahons Point North
133	Blues Point Road	McMahons Point	McMahons Point North
134	Blues Point Road	McMahons Point	McMahons Point North
135	Blues Point Road	McMahons Point	McMahons Point North
137	Blues Point Road	McMahons Point	McMahons Point North
139	Blues Point Road	McMahons Point	McMahons Point North
142	Blues Point Road	McMahons Point	McMahons Point North
144	Blues Point Road	McMahons Point	McMahons Point North
148	Blues Point Road	McMahons Point	McMahons Point North
150	Blues Point Road	McMahons Point	McMahons Point North
152	Blues Point Road	McMahons Point	McMahons Point North
154	Blues Point Road	McMahons Point	McMahons Point North
156	Blues Point Road	McMahons Point	McMahons Point North

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
33	Boyle Street	Cremorne	Cremorne
34	Boyle Street	Cremorne Point	Cremorne
44	Boyle Street	Cremorne Point	Cremorne
4	Bradley Avenue	North Sydney	Careening Cove
6	Bradley Avenue	North Sydney	Careening Cove
8	Bradley Avenue	North Sydney	Careening Cove
10	Bradley Avenue	North Sydney	Careening Cove
12	Bradley Avenue	North Sydney	Careening Cove
14	Bradley Avenue	North Sydney	Careening Cove
3	Bray Street	North Sydney	Whaling Road
4	Bray Street	North Sydney	Whaling Road
5	Bray Street	North Sydney	Whaling Road
6	Bray Street	North Sydney	Whaling Road
7	Bray Street	North Sydney	Whaling Road
8	Bray Street	North Sydney	Whaling Road
9	Bray Street	North Sydney	Whaling Road
10	Bray Street	North Sydney	Whaling Road
11	Bray Street	North Sydney	Whaling Road
11A	Bray Street	North Sydney	Whaling Road
16	Bray Street	North Sydney	Whaling Road
17	Bray Street	North Sydney	Whaling Road
18	Bray Street	North Sydney	Whaling Road
21	Bray Street	North Sydney	Whaling Road
23	Bray Street	North Sydney	Whaling Road
25	Bray Street	North Sydney	Whaling Road
1	Bromley Avenue	Cremorne Point	Cremorne Point
27	Burlington Street	Crows Nest	Holtermann Estate B
31	Burlington Street	Crows Nest	Holtermann Estate B
38	Burlington Street	Crows Nest	Holtermann Estate B
40	Burlington Street	Crows Nest	Holtermann Estate B
41	Burlington Street	Crows Nest	Holtermann Estate B
42	Burlington Street	Crows Nest	Holtermann Estate B

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
44	Burlington Street	Crows Nest	Holtermann Estate B
45	Burlington Street	Crows Nest	Holtermann Estate B
46	Burlington Street	Crows Nest	Holtermann Estate B
47	Burlington Street	Crows Nest	Holtermann Estate B
48	Burlington Street	Crows Nest	Holtermann Estate B
50	Burlington Street	Crows Nest	Holtermann Estate B
52	Burlington Street	Crows Nest	Holtermann Estate B
54	Burlington Street	Crows Nest	Holtermann Estate B
56	Burlington Street	Crows Nest	Holtermann Estate B
58	Burlington Street	Crows Nest	Holtermann Estate B
60	Burlington Street	Crows Nest	Holtermann Estate B
61	Burlington Street	Crows Nest	Holtermann Estate B
62	Burlington Street	Crows Nest	Holtermann Estate B
63	Burlington Street	Crows Nest	Holtermann Estate B
64	Burlington Street	Crows Nest	Holtermann Estate B
65	Burlington Street	Crows Nest	Holtermann Estate B
66	Burlington Street	Crows Nest	Holtermann Estate B
67	Burlington Street	Crows Nest	Holtermann Estate B
68	Burlington Street	Crows Nest	Holtermann Estate B
69	Burlington Street	Crows Nest	Holtermann Estate B
70	Burlington Street	Crows Nest	Holtermann Estate B
72	Burlington Street	Crows Nest	Holtermann Estate B
74	Burlington Street	Crows Nest	Holtermann Estate B
75	Burlington Street	Crows Nest	Holtermann Estate B
76	Burlington Street	Crows Nest	Holtermann Estate B
77	Burlington Street	Crows Nest	Holtermann Estate B
78	Burlington Street	Crows Nest	Holtermann Estate B
79	Burlington Street	Crows Nest	Holtermann Estate B
80	Burlington Street	Crows Nest	Holtermann Estate B
82	Burlington Street	Crows Nest	Holtermann Estate B
83	Burlington Street	Crows Nest	Holtermann Estate B
84	Burlington Street	Crows Nest	Holtermann Estate B
89	Burlington Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
91	Burlington Street	Crows Nest	Holtermann Estate B
94	Burlington Street	Crows Nest	Holtermann Estate B
96	Burlington Street	Crows Nest	Holtermann Estate B
98	Burlington Street	Crows Nest	Holtermann Estate B
99	Burlington Street	Crows Nest	Holtermann Estate B
100	Burlington Street	Crows Nest	Holtermann Estate B
101	Burlington Street	Crows Nest	Holtermann Estate B
102	Burlington Street	Crows Nest	Holtermann Estate B
103	Burlington Street	Crows Nest	Holtermann Estate B
104	Burlington Street	Crows Nest	Holtermann Estate B
105	Burlington Street	Crows Nest	Holtermann Estate B
106	Burlington Street	Crows Nest	Holtermann Estate B
107	Burlington Street	Crows Nest	Holtermann Estate B
107A	Burlington Street	Crows Nest	Holtermann Estate B
108	Burlington Street	Crows Nest	Holtermann Estate B
109	Burlington Street	Crows Nest	Holtermann Estate B
112	Burlington Street	Crows Nest	Holtermann Estate B
114	Burlington Street	Crows Nest	Holtermann Estate B
116	Burlington Street	Crows Nest	Holtermann Estate B
118	Burlington Street	Crows Nest	Holtermann Estate B
126	Burlington Street	Crows Nest	Holtermann Estate B
128	Burlington Street	Crows Nest	Holtermann Estate B
130	Burlington Street	Crows Nest	Holtermann Estate B
132	Burlington Street	Crows Nest	Holtermann Estate B
134	Burlington Street	Crows Nest	Holtermann Estate B
140	Burlington Street	Crows Nest	Holtermann Estate B
1	Burroway Street	Neutral Bay	Cremonne
6	Burroway Street	Neutral Bay	Cremonne
10	Burroway Street	Neutral Bay	Cremonne
14	Burroway Street	Neutral Bay	Cremonne
16	Burroway Street	Neutral Bay	Cremonne
18	Burroway Street	Neutral Bay	Cremonne
1	Cable Street	Wollstonecraft	Wollstonecraft

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
4	Cable Street	Wollstonecraft	Wollstonecraft
5	Cable Street	Wollstonecraft	Wollstonecraft
9	Cable Street	Wollstonecraft	Wollstonecraft
4	Cairo Street	Cammeray	Plateau
5	Cairo Street	Cammeray	Plateau
7	Cairo Street	Cammeray	Plateau
11	Cairo Street	Cammeray	Plateau
13	Cairo Street	Cammeray	Plateau
17	Cairo Street	Cammeray	Plateau
26	Cairo Street	Cammeray	Plateau
28	Cairo Street	Cammeray	Plateau
30	Cairo Street	Cammeray	Plateau
34	Cairo Street	Cammeray	Plateau
46	Cairo Street	Cammeray	Plateau
48	Cairo Street	Cammeray	Plateau
57	Cairo Street	Cammeray	Plateau
60	Cairo Street	Cammeray	Plateau
64	Cairo Street	Cammeray	Plateau
11-27	Carabella Street	Kirribilli	Kirribilli
14	Carabella Street	Kirribilli	Kirribilli
45	Carabella Street	Kirribilli	Kirribilli
49	Carabella Street	Kirribilli	Kirribilli
63	Carabella Street	Kirribilli	Kirribilli
74	Carabella Street	Kirribilli	Careening Cove
76	Carabella Street	Kirribilli	Careening Cove
78	Carabella Street	Kirribilli	Careening Cove
90	Carabella Street	Kirribilli	Careening Cove
92	Carabella Street	Kirribilli	Careening Cove
94	Carabella Street	Kirribilli	Careening Cove
96	Carabella Street	Kirribilli	Careening Cove
98	Carabella Street	Kirribilli	Careening Cove
110	Carabella Street	Kirribilli	Careening Cove

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
113	Carabella Street	Kirribilli	Careening Cove
117	Carabella Street	Kirribilli	Careening Cove
121-123	Carabella Street	Kirribilli	Careening Cove
129	Carabella Street	Kirribilli	Careening Cove
131	Carabella Street	Kirribilli	Careening Cove
135	Carabella Street	Kirribilli	Careening Cove
137	Carabella Street	Kirribilli	Careening Cove
139	Carabella Street	Kirribilli	Careening Cove
141	Carabella Street	Kirribilli	Careening Cove
143	Carabella Street	Kirribilli	Careening Cove
6	Carlow Street	North Sydney	Holtermann Estate D
8	Carlow Street	North Sydney	Holtermann Estate D
10	Carlow Street	North Sydney	Holtermann Estate D
12	Carlow Street	North Sydney	Holtermann Estate D
14	Carlow Street	North Sydney	Holtermann Estate D
16	Carlow Street	North Sydney	Holtermann Estate D
18	Carlow Street	North Sydney	Holtermann Estate D
20	Carlow Street	North Sydney	Holtermann Estate D
22	Carlow Street	North Sydney	Holtermann Estate D
24	Carlow Street	North Sydney	Holtermann Estate D
26	Carlow Street	North Sydney	Holtermann Estate D
28	Carlow Street	North Sydney	Holtermann Estate D
30	Carlow Street	North Sydney	Holtermann Estate D
32	Carlow Street	North Sydney	Holtermann Estate D
34	Carlow Street	North Sydney	Holtermann Estate D
36	Carlow Street	North Sydney	Holtermann Estate D
27	Carr Street	Waverton	Union / Bank / Thomas Streets
33	Carr Street	Waverton	Union / Bank / Thomas Streets
35	Carr Street	Waverton	Union / Bank / Thomas Streets
39	Carr Street	Waverton	Union / Bank / Thomas Streets
39A	Carr Street	Waverton	Union / Bank / Thomas Streets
41	Carr Street	Waverton	Union / Bank / Thomas Streets

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
5-7	Carter Street (That part comprising Lot 8 - DP 4895)	Cammeray	Cammeray
6	Carter Street	Cammeray	Plateau
8	Carter Street	Cammeray	Plateau
117	Chandos Street	Crows Nest	Holtermann Estate A
124	Chandos Street	Crows Nest	Holtermann Estate A
125	Chandos Street	Crows Nest	Holtermann Estate A
126	Chandos Street	Crows Nest	Holtermann Estate A
127	Chandos Street	Crows Nest	Holtermann Estate A
128	Chandos Street	Crows Nest	Holtermann Estate A
129	Chandos Street	Crows Nest	Holtermann Estate A
130	Chandos Street	Crows Nest	Holtermann Estate A
131	Chandos Street	Crows Nest	Holtermann Estate A
132	Chandos Street	Crows Nest	Holtermann Estate A
133	Chandos Street	Crows Nest	Holtermann Estate A
134	Chandos Street	Crows Nest	Holtermann Estate A
140	Chandos Street	Crows Nest	Holtermann Estate A
142	Chandos Street	Crows Nest	Holtermann Estate A
143	Chandos Street	Crows Nest	Holtermann Estate A
144	Chandos Street	Crows Nest	Holtermann Estate A
145	Chandos Street	Crows Nest	Holtermann Estate A
146	Chandos Street	Crows Nest	Holtermann Estate A
149	Chandos Street	Crows Nest	Holtermann Estate A
150	Chandos Street	Crows Nest	Holtermann Estate A
152	Chandos Street	Crows Nest	Holtermann Estate A
153	Chandos Street	Crows Nest	Holtermann Estate A
154	Chandos Street	Crows Nest	Holtermann Estate A
156	Chandos Street	Crows Nest	Holtermann Estate A
159	Chandos Street	Crows Nest	Holtermann Estate A
161	Chandos Street	Crows Nest	Holtermann Estate A
162	Chandos Street	Crows Nest	Holtermann Estate A

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
163	Chandos Street	Crows Nest	Holtermann Estate A
165	Chandos Street	Crows Nest	Holtermann Estate A
167	Chandos Street	Crows Nest	Holtermann Estate A
168	Chandos Street	Crows Nest	Holtermann Estate A
170	Chandos Street	Crows Nest	Holtermann Estate A
171	Chandos Street	Crows Nest	Holtermann Estate A
173	Chandos Street	Crows Nest	Holtermann Estate A
175	Chandos Street	Crows Nest	Holtermann Estate A
177	Chandos Street	Crows Nest	Holtermann Estate A
179	Chandos Street	Crows Nest	Holtermann Estate A
181	Chandos Street	Crows Nest	Holtermann Estate A
183	Chandos Street	Crows Nest	Holtermann Estate A
185	Chandos Street	Crows Nest	Holtermann Estate A
189	Chandos Street	Crows Nest	Holtermann Estate A
191	Chandos Street	Crows Nest	Holtermann Estate A
193	Chandos Street	Crows Nest	Holtermann Estate A
195	Chandos Street	Crows Nest	Holtermann Estate A
197	Chandos Street	Crows Nest	Holtermann Estate A
199	Chandos Street	Crows Nest	Holtermann Estate A
203	Chandos Street	Crows Nest	Holtermann Estate A
205	Chandos Street	Crows Nest	Holtermann Estate A
207	Chandos Street	Crows Nest	Holtermann Estate A
211	Chandos Street	Crows Nest	Holtermann Estate A
213	Chandos Street	Crows Nest	Holtermann Estate A
215	Chandos Street	Crows Nest	Holtermann Estate A
12	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
14	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
15	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
16	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
18	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
20	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
22	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
24	Chuter Street	McMahons Point	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
26	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
28	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
30	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
32	Chuter Street	McMahons Point	Union / Bank / Thomas Streets
28	Clark Road	North Sydney	Whaling Road
30	Clark Road	North Sydney	Whaling Road
32	Clark Road	North Sydney	Whaling Road
34	Clark Road	North Sydney	Whaling Road
36	Clark Road	North Sydney	Whaling Road
1	Claude Avenue	Cremorne	Cremorne
3	Claude Avenue	Cremorne	Cremorne
7	Claude Avenue	Cremorne	Cremorne
13	Claude Avenue	Cremorne	Cremorne
25	Clifton Street	Waverton	Union / Bank / Thomas Streets
35	Clifton Street	Waverton	Union / Bank / Thomas Streets
39	Clifton Street	Waverton	Union / Bank / Thomas Streets
6	Colin Street	Cammeray	Plateau
15	Colin Street	Cammeray	Plateau
16	Colin Street	Cammeray	Plateau
17	Colin Street	Cammeray	Plateau
18	Colin Street	Cammeray	Plateau
19	Colin Street	Cammeray	Plateau
36	Colin Street	Cammeray	Plateau
37	Colin Street	Cammeray	Plateau
40	Colin Street	Cammeray	Plateau
42	Colin Street	Cammeray	Plateau
50	Colin Street	Cammeray	Plateau
51	Colin Street	Cammeray	Plateau
62	Colin Street	Cammeray	Plateau
69	Colin Street	Cammeray	Plateau
71	Colin Street	Cammeray	Plateau
1	Cremorne Road	Cremorne Point	Cremorne Point

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
3	Cremorne Road	Cremorne Point	Cremorne Point
6	Cremorne Road	Cremorne Point	Cremorne Point
23	Cremorne Road	Cremorne Point	Cremorne Point
25	Cremorne Road	Cremorne Point	Cremorne Point
29	Cremorne Road	Cremorne Point	Cremorne Point
33	Cremorne Road	Cremorne Point	Cremorne Point
34	Cremorne Road	Cremorne Point	Cremorne Point
36	Cremorne Road	Cremorne Point	Cremorne Point
38	Cremorne Road	Cremorne Point	Cremorne Point
39	Cremorne Road	Cremorne Point	Cremorne Point
42	Cremorne Road	Cremorne Point	Cremorne Point
45	Cremorne Road	Cremorne Point	Cremorne Point
47	Cremorne Road	Cremorne Point	Cremorne Point
53	Cremorne Road	Cremorne Point	Cremorne Point
55	Cremorne Road	Cremorne Point	Cremorne Point
57	Cremorne Road	Cremorne Point	Cremorne Point
59	Cremorne Road	Cremorne Point	Cremorne Point
60	Cremorne Road	Cremorne Point	Cremorne Point
63	Cremorne Road	Cremorne Point	Cremorne Point
68	Cremorne Road	Cremorne Point	Cremorne Point
74	Cremorne Road	Cremorne Point	Cremorne Point
76	Cremorne Road	Cremorne Point	Cremorne Point
78	Cremorne Road	Cremorne Point	Cremorne Point
82	Cremorne Road	Cremorne Point	Cremorne Point
84	Cremorne Road	Cremorne Point	Cremorne Point
85	Cremorne Road	Cremorne Point	Cremorne Point
86	Cremorne Road	Cremorne Point	Cremorne Point
87	Cremorne Road	Cremorne Point	Cremorne Point
88	Cremorne Road	Cremorne Point	Cremorne Point
93-95	Cremorne Road	Cremorne Point	Cremorne Point
97	Cremorne Road	Cremorne Point	Cremorne Point
100	Cremorne Road	Cremorne Point	Cremorne Point

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
103	Cremorne Road	Cremorne Point	Cremorne Point
104	Cremorne Road	Cremorne Point	Cremorne Point
105	Cremorne Road	Cremorne Point	Cremorne Point
107	Cremorne Road	Cremorne Point	Cremorne Point
109	Cremorne Road	Cremorne Point	Cremorne Point
115	Cremorne Road	Cremorne Point	Cremorne Point
125	Cremorne Road	Cremorne Point	Cremorne Point
127	Cremorne Road	Cremorne Point	Cremorne Point
32	Crows Nest Road	Waverton	Crows Nest
33	Crows Nest Road	Waverton	Crows Nest
35	Crows Nest Road	Waverton	Crows Nest
36	Crows Nest Road	Waverton	Crows Nest
39A	Crows Nest Road	Waverton	Crows Nest
40	Crows Nest Road	Waverton	Crows Nest
41	Crows Nest Road	Waverton	Crows Nest
44	Crows Nest Road	Waverton	Crows Nest
46	Crows Nest Road	Waverton	Crows Nest
47	Crows Nest Road	Waverton	Crows Nest
49	Crows Nest Road	Waverton	Crows Nest
50	Crows Nest Road	Waverton	Crows Nest
51	Crows Nest Road	Waverton	Crows Nest
52	Crows Nest Road	Waverton	Crows Nest
53	Crows Nest Road	Waverton	Crows Nest
55	Crows Nest Road	Waverton	Crows Nest
56	Crows Nest Road	Waverton	Crows Nest
57	Crows Nest Road	Waverton	Crows Nest
58	Crows Nest Road	Waverton	Crows Nest
59	Crows Nest Road	Waverton	Crows Nest
60	Crows Nest Road	Waverton	Crows Nest
61	Crows Nest Road	Waverton	Crows Nest
63	Crows Nest Road	Waverton	Crows Nest
65	Crows Nest Road	Waverton	Crows Nest
67	Crows Nest Road	Waverton	Crows Nest

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
69	Crows Nest Road	Waverton	Crows Nest
71	Crows Nest Road	Waverton	Crows Nest
1	Devonshire Street	Crows Nest	Holtermann Estate A
3	Devonshire Street	Crows Nest	Holtermann Estate A
5	Devonshire Street	Crows Nest	Holtermann Estate A
6	Devonshire Street	Crows Nest	Holtermann Estate A
7	Devonshire Street	Crows Nest	Holtermann Estate A
9	Devonshire Street	Crows Nest	Holtermann Estate A
11	Devonshire Street	Crows Nest	Holtermann Estate A
12	Devonshire Street	Crows Nest	Holtermann Estate A
13	Devonshire Street	Crows Nest	Holtermann Estate A
14	Devonshire Street	Crows Nest	Holtermann Estate A
15	Devonshire Street	Crows Nest	Holtermann Estate A
16	Devonshire Street	Crows Nest	Holtermann Estate A
18	Devonshire Street	Crows Nest	Holtermann Estate A
22	Devonshire Street	Crows Nest	Holtermann Estate A
22A	Devonshire Street	Crows Nest	Holtermann Estate A
25	Devonshire Street	Crows Nest	Holtermann Estate A
27	Devonshire Street	Crows Nest	Holtermann Estate A
31	Devonshire Street	Crows Nest	Holtermann Estate A
31A	Devonshire Street	Crows Nest	Holtermann Estate A
32	Devonshire Street	Crows Nest	Holtermann Estate A
35	Devonshire Street	Crows Nest	Holtermann Estate A
37	Devonshire Street	Crows Nest	Holtermann Estate A
39	Devonshire Street	Crows Nest	Holtermann Estate A
41	Devonshire Street	Crows Nest	Holtermann Estate A
43	Devonshire Street	Crows Nest	Holtermann Estate A
45	Devonshire Street	Crows Nest	Holtermann Estate A
47	Devonshire Street	Crows Nest	Holtermann Estate A
49	Devonshire Street	Crows Nest	Holtermann Estate A
1	Doris Street	North Sydney	Whaling Road
3	Doris Street	North Sydney	Whaling Road
4	Doris Street	North Sydney	Whaling Road

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
5	Doris Street	North Sydney	Whaling Road
8	Doris Street	North Sydney	Whaling Road
10	Doris Street	North Sydney	Whaling Road
11	Doris Street	North Sydney	Whaling Road
11A	Doris Street	North Sydney	Whaling Road
14	Doris Street	North Sydney	Whaling Road
15	Doris Street	North Sydney	Whaling Road
17	Doris Street	North Sydney	Whaling Road
18	Doris Street	North Sydney	Whaling Road
19	Doris Street	North Sydney	Whaling Road
23	Doris Street	North Sydney	Whaling Road
14	East Crescent Street	Lavender Bay	McMahons Point South
45	East Crescent Street	Lavender Bay	McMahons Point North
4	Echo Street	Cammeray	Cammeray
8	Echo Street	Cammeray	Cammeray
15	Edward Street	North Sydney	Edward Street
17	Edward Street	North Sydney	Edward Street
19	Edward Street	North Sydney	Edward Street
21	Edward Street	North Sydney	Edward Street
23	Edward Street	North Sydney	Edward Street
24	Edward Street	North Sydney	Union / Bank / Thomas Streets
25	Edward Street	North Sydney	Edward Street
26	Edward Street	North Sydney	Union / Bank / Thomas Streets
26A	Edward Street	North Sydney	Union / Bank / Thomas Streets
27	Edward Street	North Sydney	Edward Street
29	Edward Street	North Sydney	Edward Street
36	Edward Street	North Sydney	Edward Street
38	Edward Street	North Sydney	Edward Street
46	Edward Street	North Sydney	Edward Street
49	Edward Street	North Sydney	Edward Street
47	Elamang Avenue	Kirribilli	Careening Cove
1	Ellalong Road	Cremorne	Montague Road

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
3	Ellalong Road	Cremorne	Montague Road
5	Ellalong Road	Cremorne	Montague Road
8	Emmett Street	Crows Nest	Holtermann Estate C
11	Emmett Street	Crows Nest	Holtermann Estate C
13	Emmett Street	Crows Nest	Holtermann Estate C
14	Emmett Street	Crows Nest	Holtermann Estate C
15	Emmett Street	Crows Nest	Holtermann Estate C
16	Emmett Street	Crows Nest	Holtermann Estate C
17	Emmett Street	Crows Nest	Holtermann Estate C
18	Emmett Street	Crows Nest	Holtermann Estate C
19	Emmett Street	Crows Nest	Holtermann Estate C
20	Emmett Street	Crows Nest	Holtermann Estate C
21	Emmett Street	Crows Nest	Holtermann Estate C
23	Emmett Street	Crows Nest	Holtermann Estate C
24	Emmett Street	Crows Nest	Holtermann Estate C
25	Emmett Street	Crows Nest	Holtermann Estate C
26	Emmett Street	Crows Nest	Holtermann Estate C
27	Emmett Street	Crows Nest	Holtermann Estate C
28	Emmett Street	Crows Nest	Holtermann Estate C
29	Emmett Street	Crows Nest	Holtermann Estate C
30	Emmett Street	Crows Nest	Holtermann Estate C
31	Emmett Street	Crows Nest	Holtermann Estate C
32	Emmett Street	Crows Nest	Holtermann Estate C
33	Emmett Street	Crows Nest	Holtermann Estate C
34	Emmett Street	Crows Nest	Holtermann Estate C
36	Emmett Street	Crows Nest	Holtermann Estate C
38	Emmett Street	Crows Nest	Holtermann Estate C
40	Emmett Street	Crows Nest	Holtermann Estate C
42	Emmett Street	Crows Nest	Holtermann Estate C
44	Emmett Street	Crows Nest	Holtermann Estate C
46	Emmett Street	Crows Nest	Holtermann Estate C
48	Emmett Street	Crows Nest	Holtermann Estate C

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
56	Emmett Street	Crows Nest	Holtermann Estate C
46	Ernest Street	Crows Nest	Holtermann Estate B
47	Ernest Street	Crows Nest	Holtermann Estate B
48	Ernest Street	Crows Nest	Holtermann Estate B
49	Ernest Street	Crows Nest	Holtermann Estate B
51	Ernest Street	Crows Nest	Holtermann Estate B
52	Ernest Street	Crows Nest	Holtermann Estate B
53	Ernest Street	Crows Nest	Holtermann Estate B
54	Ernest Street	Crows Nest	Holtermann Estate B
57	Ernest Street	Crows Nest	Holtermann Estate B
58	Ernest Street	Crows Nest	Holtermann Estate B
59	Ernest Street	Crows Nest	Holtermann Estate B
60	Ernest Street	Crows Nest	Holtermann Estate B
63	Ernest Street	Crows Nest	Holtermann Estate B
64	Ernest Street	Crows Nest	Holtermann Estate B
73	Ernest Street	Crows Nest	Holtermann Estate B
80	Ernest Street	Crows Nest	Holtermann Estate B
82	Ernest Street	Crows Nest	Holtermann Estate B
83	Ernest Street	Crows Nest	Holtermann Estate B
84	Ernest Street	Crows Nest	Holtermann Estate B
88	Ernest Street	Crows Nest	Holtermann Estate B
90	Ernest Street	Crows Nest	Holtermann Estate B
91	Ernest Street	Crows Nest	Holtermann Estate B
92	Ernest Street	Crows Nest	Holtermann Estate B
93	Ernest Street	Crows Nest	Holtermann Estate B
94	Ernest Street	Crows Nest	Holtermann Estate B
95	Ernest Street	Crows Nest	Holtermann Estate B
96	Ernest Street	Crows Nest	Holtermann Estate B
97	Ernest Street	Crows Nest	Holtermann Estate B
98	Ernest Street	Crows Nest	Holtermann Estate B
100	Ernest Street	Crows Nest	Holtermann Estate B
102	Ernest Street	Crows Nest	Holtermann Estate B
104	Ernest Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
106	Ernest Street	Crows Nest	Holtermann Estate B
109	Ernest Street	Crows Nest	Holtermann Estate B
110	Ernest Street	Crows Nest	Holtermann Estate B
111	Ernest Street	Crows Nest	Holtermann Estate B
112A	Ernest Street	Crows Nest	Holtermann Estate B
113	Ernest Street	Crows Nest	Holtermann Estate B
114	Ernest Street	Crows Nest	Holtermann Estate B
115	Ernest Street	Crows Nest	Holtermann Estate B
116	Ernest Street	Crows Nest	Holtermann Estate B
119	Ernest Street	Crows Nest	Holtermann Estate B
121	Ernest Street	Crows Nest	Holtermann Estate B
122	Ernest Street	Crows Nest	Holtermann Estate B
123	Ernest Street	Crows Nest	Holtermann Estate B
124	Ernest Street	Crows Nest	Holtermann Estate B
125	Ernest Street	Crows Nest	Holtermann Estate B
126	Ernest Street	Crows Nest	Holtermann Estate B
127	Ernest Street	Crows Nest	Holtermann Estate B
128	Ernest Street	Crows Nest	Holtermann Estate B
129	Ernest Street	Crows Nest	Holtermann Estate B
131	Ernest Street	Crows Nest	Holtermann Estate B
1	Euroka Street	North Sydney	Union / Bank / Thomas Streets
5	Euroka Street	North Sydney	Union / Bank / Thomas Streets
7	Euroka Street	North Sydney	Union / Bank / Thomas Streets
9	Euroka Street	North Sydney	Union / Bank / Thomas Streets
25	Euroka Street	Waverton	Union / Bank / Thomas Streets
27	Euroka Street	Waverton	Union / Bank / Thomas Streets
29	Euroka Street	Waverton	Union / Bank / Thomas Streets
31	Euroka Street	Waverton	Union / Bank / Thomas Streets
33	Euroka Street	Waverton	Union / Bank / Thomas Streets
52-54	Euroka Street	Waverton	Union / Bank / Thomas Streets
53	Euroka Street	Waverton	Union / Bank / Thomas Streets
56	Euroka Street	Waverton	Union / Bank / Thomas Streets
58	Euroka Street	Waverton	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
60	Euroka Street	Waverton	Union / Bank / Thomas Streets
61	Euroka Street	Waverton	Union / Bank / Thomas Streets
63	Euroka Street	Waverton	Union / Bank / Thomas Streets
65	Euroka Street	Waverton	Union / Bank / Thomas Streets
67	Euroka Street	Waverton	Union / Bank / Thomas Streets
1A	Fifth Avenue	Cremorne	Montague Road
11	Fifth Avenue	Cremorne	Montague Road
12	Fifth Avenue	Cremorne	Montague Road
13	Fifth Avenue	Cremorne	Montague Road
15	Fifth Avenue	Cremorne	Montague Road
16	Fifth Avenue	Cremorne	Montague Road
18	Fifth Avenue	Cremorne	Montague Road
19	Fifth Avenue	Cremorne	Montague Road
10	Florence Street	Cremorne	Cremorne
12	Florence Street	Cremorne	Cremorne
18	Florence Street	Cremorne	Cremorne
5	French Street	McMahons Point	McMahons Point North
7	French Street	McMahons Point	McMahons Point North
9	French Street	McMahons Point	McMahons Point North
11	French Street	McMahons Point	McMahons Point North
13	French Street	McMahons Point	McMahons Point North
7	Guthrie Avenue	Cremorne	Cremorne
27	Harriette Street	Kurraba Point	Kurraba Point
42	Harriette Street	Neutral Bay	Cremorne
44	Harriette Street	Neutral Bay	Cremorne
1-3	Harrison Street	Cremorne	Cremorne
7	Harrison Street	Cremorne	Cremorne
9	Harrison Street	Cremorne	Cremorne
10	Harrison Street	Cremorne	Cremorne
12	Harrison Street	Cremorne	Cremorne
11	Hayberry Street	Crows Nest	Holtermann Estate C
13	Hayberry Street	Crows Nest	Holtermann Estate C

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
15	Hayberry Street	Crows Nest	Holtermann Estate C
16	Hayberry Street	Crows Nest	Holtermann Estate C
17	Hayberry Street	Crows Nest	Holtermann Estate C
18	Hayberry Street	Crows Nest	Holtermann Estate C
19	Hayberry Street	Crows Nest	Holtermann Estate C
20	Hayberry Street	Crows Nest	Holtermann Estate C
21	Hayberry Street	Crows Nest	Holtermann Estate C
22	Hayberry Street	Crows Nest	Holtermann Estate C
24	Hayberry Street	Crows Nest	Holtermann Estate C
26	Hayberry Street	Crows Nest	Holtermann Estate C
28	Hayberry Street	Crows Nest	Holtermann Estate C
30	Hayberry Street	Crows Nest	Holtermann Estate C
32	Hayberry Street	Crows Nest	Holtermann Estate C
34	Hayberry Street	Crows Nest	Holtermann Estate C
36	Hayberry Street	Crows Nest	Holtermann Estate C
39	Hayberry Street	Crows Nest	Holtermann Estate C
41	Hayberry Street	Crows Nest	Holtermann Estate C
47-49	Hayberry Street	Crows Nest	Holtermann Estate C
51	Hayberry Street	Crows Nest	Holtermann Estate C
52	Hayberry Street	Crows Nest	Holtermann Estate C
53	Hayberry Street	Crows Nest	Holtermann Estate C
54	Hayberry Street	Crows Nest	Holtermann Estate C
55	Hayberry Street	Crows Nest	Holtermann Estate C
57	Hayberry Street	Crows Nest	Holtermann Estate C
61	Hayberry Street	Crows Nest	Holtermann Estate C
62	Hayberry Street	Crows Nest	Holtermann Estate C
63	Hayberry Street	Crows Nest	Holtermann Estate C
64	Hayberry Street	Crows Nest	Holtermann Estate C
66	Hayberry Street	Crows Nest	Holtermann Estate C
68	Hayberry Street	Crows Nest	Holtermann Estate C
72A	Hayberry Street	Crows Nest	Holtermann Estate C
73	Hayberry Street	Crows Nest	Holtermann Estate C

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
74	Hayberry Street	Crows Nest	Holtermann Estate C
75	Hayberry Street	Crows Nest	Holtermann Estate C
76	Hayberry Street	Crows Nest	Holtermann Estate C
77	Hayberry Street	Crows Nest	Holtermann Estate C
78	Hayberry Street	Crows Nest	Holtermann Estate C
79	Hayberry Street	Crows Nest	Holtermann Estate C
80	Hayberry Street	Crows Nest	Holtermann Estate C
81	Hayberry Street	Crows Nest	Holtermann Estate C
82	Hayberry Street	Crows Nest	Holtermann Estate C
83	Hayberry Street	Crows Nest	Holtermann Estate C
84	Hayberry Street	Crows Nest	Holtermann Estate C
86	Hayberry Street	Crows Nest	Holtermann Estate C
90	Hayberry Street	Crows Nest	Holtermann Estate C
92	Hayberry Street	Crows Nest	Holtermann Estate C
94	Hayberry Street	Crows Nest	Holtermann Estate C
96	Hayberry Street	Crows Nest	Holtermann Estate C
98	Hayberry Street	Crows Nest	Holtermann Estate C
100	Hayberry Street	Crows Nest	Holtermann Estate C
110	Hayberry Street	Crows Nest	Holtermann Estate C
112	Hayberry Street	Crows Nest	Holtermann Estate C
114	Hayberry Street	Crows Nest	Holtermann Estate C
11	Hayes Street	Neutral Bay	Kurraba Point
13	Hayes Street	Neutral Bay	Kurraba Point
14	Hayes Street	Neutral Bay	Kurraba Point
15	Hayes Street	Neutral Bay	Kurraba Point
17	Hayes Street	Neutral Bay	Kurraba Point
31	Hayes Street	Neutral Bay	Kurraba Point
33	Hayes Street	Neutral Bay	Kurraba Point
3	Hazelbank Road	Wollstonecraft	Crows Nest
9	Hazelbank Road	Wollstonecraft	Crows Nest
11	Hazelbank Road	Wollstonecraft	Crows Nest
11A	Hazelbank Road	Wollstonecraft	Crows Nest
15	Hazelbank Road	Wollstonecraft	Crows Nest

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
17	Hazelbank Road	Wollstonecraft	Crows Nest
19	Hazelbank Road	Wollstonecraft	Crows Nest
21	Hazelbank Road	Wollstonecraft	Crows Nest
23	Hazelbank Road	Wollstonecraft	Crows Nest
27	Hazelbank Road	Wollstonecraft	Crows Nest
114A	High Street	North Sydney	Careening Cove
115	High Street	North Sydney	Careening Cove
127	High Street	North Sydney	Careening Cove
141	High Street	North Sydney	Careening Cove
143	High Street	North Sydney	Careening Cove
147	High Street	North Sydney	Careening Cove
149	High Street	North Sydney	Careening Cove
151	High Street	North Sydney	Careening Cove
2	Hipwood Street	Kirribilli	Careening Cove
4	Hipwood Street	Kirribilli	Careening Cove
6	Hipwood Street	Kirribilli	Careening Cove
8	Hipwood Street	Kirribilli	Careening Cove
10	Hipwood Street	Kirribilli	Careening Cove
12	Hipwood Street	Kirribilli	Careening Cove
12	Hodgson Avenue	Cremorne Point	Cremorne
16	Hodgson Avenue	Cremorne Point	Cremorne
18	Hodgson Avenue	Cremorne Point	Cremorne
20	Hodgson Avenue	Cremorne Point	Cremorne
24	Hodgson Avenue	Cremorne Point	Cremorne
4	Holbrook Avenue	Kirribilli	Kirribilli
23	Holbrook Avenue	Kirribilli	Kirribilli
25	Holbrook Avenue	Kirribilli	Kirribilli
16	Holtermann Street	Crows Nest	Holtermann Estate B
18	Holtermann Street	Crows Nest	Holtermann Estate B
20	Holtermann Street	Crows Nest	Holtermann Estate B
22	Holtermann Street	Crows Nest	Holtermann Estate B
24	Holtermann Street	Crows Nest	Holtermann Estate B
26	Holtermann Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
28	Holtermann Street	Crows Nest	Holtermann Estate B
30	Holtermann Street	Crows Nest	Holtermann Estate B
30A	Holtermann Street	Crows Nest	Holtermann Estate B
32	Holtermann Street	Crows Nest	Holtermann Estate B
34	Holtermann Street	Crows Nest	Holtermann Estate B
36	Holtermann Street	Crows Nest	Holtermann Estate B
38	Holtermann Street	Crows Nest	Holtermann Estate B
42A	Holtermann Street	Crows Nest	Holtermann Estate B
44	Holtermann Street	Crows Nest	Holtermann Estate B
46	Holtermann Street	Crows Nest	Holtermann Estate B
48	Holtermann Street	Crows Nest	Holtermann Estate B
50	Holtermann Street	Crows Nest	Holtermann Estate B
51	Holtermann Street	Crows Nest	Holtermann Estate B
52	Holtermann Street	Crows Nest	Holtermann Estate B
53	Holtermann Street	Crows Nest	Holtermann Estate B
56	Holtermann Street	Crows Nest	Holtermann Estate B
60	Holtermann Street	Crows Nest	Holtermann Estate B
66	Holtermann Street	Crows Nest	Holtermann Estate B
70	Holtermann Street	Crows Nest	Holtermann Estate B
72	Holtermann Street	Crows Nest	Holtermann Estate B
75	Holtermann Street	Crows Nest	Holtermann Estate B
77	Holtermann Street	Crows Nest	Holtermann Estate B
79	Holtermann Street	Crows Nest	Holtermann Estate B
81	Holtermann Street	Crows Nest	Holtermann Estate B
83	Holtermann Street	Crows Nest	Holtermann Estate B
84	Holtermann Street	Crows Nest	Holtermann Estate B
87	Holtermann Street	Crows Nest	Holtermann Estate B
89	Holtermann Street	Crows Nest	Holtermann Estate B
90	Holtermann Street	Crows Nest	Holtermann Estate B
91	Holtermann Street	Crows Nest	Holtermann Estate B
92	Holtermann Street	Crows Nest	Holtermann Estate B
93	Holtermann Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items			
St. No	Street	Suburb	Conservation Area
94	Holtermann Street	Crows Nest	Holtermann Estate B
95	Holtermann Street	Crows Nest	Holtermann Estate B
96	Holtermann Street	Crows Nest	Holtermann Estate B
97	Holtermann Street	Crows Nest	Holtermann Estate B
98	Holtermann Street	Crows Nest	Holtermann Estate B
99	Holtermann Street	Crows Nest	Holtermann Estate B
99A	Holtermann Street	Crows Nest	Holtermann Estate B
100	Holtermann Street	Crows Nest	Holtermann Estate B
102	Holtermann Street	Crows Nest	Holtermann Estate B
104	Holtermann Street	Crows Nest	Holtermann Estate B
105	Holtermann Street	Crows Nest	Holtermann Estate B
107	Holtermann Street	Crows Nest	Holtermann Estate B
108	Holtermann Street	Crows Nest	Holtermann Estate B
109	Holtermann Street	Crows Nest	Holtermann Estate B
110	Holtermann Street	Crows Nest	Holtermann Estate B
111	Holtermann Street	Crows Nest	Holtermann Estate B
112	Holtermann Street	Crows Nest	Holtermann Estate B
113	Holtermann Street	Crows Nest	Holtermann Estate B
115	Holtermann Street	Crows Nest	Holtermann Estate B
116	Holtermann Street	Crows Nest	Holtermann Estate B
119	Holtermann Street	Crows Nest	Holtermann Estate B
121	Holtermann Street	Crows Nest	Holtermann Estate B
123	Holtermann Street	Crows Nest	Holtermann Estate B
125	Holtermann Street	Crows Nest	Holtermann Estate B
127	Holtermann Street	Crows Nest	Holtermann Estate B
129	Holtermann Street	Crows Nest	Holtermann Estate B
131	Holtermann Street	Crows Nest	Holtermann Estate B
133	Holtermann Street	Crows Nest	Holtermann Estate B
135	Holtermann Street	Crows Nest	Holtermann Estate B
137	Holtermann Street	Crows Nest	Holtermann Estate B
139	Holtermann Street	Crows Nest	Holtermann Estate B
141	Holtermann Street	Crows Nest	Holtermann Estate B

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
143	Holtermann Street	Crows Nest	Holtermann Estate B
145	Holtermann Street	Crows Nest	Holtermann Estate B
147	Holtermann Street	Crows Nest	Holtermann Estate B
149	Holtermann Street	Crows Nest	Holtermann Estate B
2	Honda Road	Kurraba Point	Kurraba Point
11	Huntington Street	Crows Nest	Holtermann Estate B
31	Huntington Street	Crows Nest	Holtermann Estate B
32	Huntington Street	Crows Nest	Holtermann Estate B
33	Huntington Street	Crows Nest	Holtermann Estate B
38	Huntington Street	Crows Nest	Holtermann Estate B
43	Huntington Street	Crows Nest	Holtermann Estate B
44	Huntington Street	Crows Nest	Holtermann Estate B
45	Huntington Street	Crows Nest	Holtermann Estate B
46	Huntington Street	Crows Nest	Holtermann Estate B
47	Huntington Street	Crows Nest	Holtermann Estate B
48	Huntington Street	Crows Nest	Holtermann Estate B
49	Huntington Street	Crows Nest	Holtermann Estate B
50	Huntington Street	Crows Nest	Holtermann Estate B
51	Huntington Street	Crows Nest	Holtermann Estate B
53	Huntington Street	Crows Nest	Holtermann Estate B
55	Huntington Street	Crows Nest	Holtermann Estate B
57	Huntington Street	Crows Nest	Holtermann Estate B
59	Huntington Street	Crows Nest	Holtermann Estate B
61	Huntington Street	Crows Nest	Holtermann Estate B
6	Iredale Avenue	Cremorne Point	Cremorne
10	Iredale Avenue	Cremorne point	Cremorne
12-14	Iredale Avenue	Cremorne Point	Cremorne
16	Iredale Avenue	Cremorne Point	Cremorne
18	Iredale Avenue	Cremorne Point	Cremorne
22	Iredale Avenue	Cremorne Point	Cremorne
24	Iredale Avenue	Cremorne Point	Cremorne
26	Iredale Avenue	Cremorne Point	Cremorne
28	Iredale Avenue	Cremorne Point	Cremorne

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
18	Jeffreys Street	Kirribilli	Jeffreys Street
20	Jeffreys Street	Kirribilli	Jeffreys Street
22	Jeffreys Street	Kirribilli	Jeffreys Street
24	Jeffreys Street	Kirribilli	Jeffreys Street
3	Kareela Road	Cremorne Point	Cremorne Point
7	Kareela Road	Cremorne Point	Cremorne Point
15	Kareela Road	Cremorne Point	Cremorne Point
20	Kareela Road	Cremorne Point	Cremorne Point
22	Kareela Road	Cremorne Point	Cremorne Point
25	Kareela Road	Cremorne Point	Cremorne Point
26	Kareela Road	Cremorne Point	Cremorne Point
32	Kareela Road	Cremorne Point	Cremorne Point
36	Kareela Road	Cremorne Point	Cremorne Point
47	Kareela Road	Cremorne Point	Cremorne Point
49	Kareela Road	Cremorne Point	Cremorne Point
53	Kareela Road	Cremorne Point	Cremorne Point
55	Kareela Road	Cremorne Point	Cremorne Point
57	Kareela Road	Cremorne Point	Cremorne Point
59	Kareela Road	Cremorne Point	Cremorne Point
1	King George Street	McMahons Point	McMahons Point North
3	King George Street	McMahons Point	McMahons Point North
5	King George Street	McMahons Point	McMahons Point North
7	King George Street	McMahons Point	McMahons Point North
9	King George Street	McMahons Point	McMahons Point North
83	Kirribilli Avenue	Kirribilli	Kirribilli
85	Kirribilli Avenue	Kirribilli	Kirribilli
87	Kirribilli Avenue	Kirribilli	Kirribilli
89	Kirribilli Avenue	Kirribilli	Kirribilli
91	Kirribilli Avenue	Kirribilli	Kirribilli
93	Kirribilli Avenue	Kirribilli	Kirribilli
95	Kirribilli Avenue	Kirribilli	Kirribilli
106	Kirribilli Avenue	Kirribilli	Kirribilli
112	Kirribilli Avenue	Kirribilli	Kirribilli

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
114	Kirribilli Avenue	Kirribilli	Kirribilli
116	Kirribilli Avenue	Kirribilli	Kirribilli
118	Kirribilli Avenue	Kirribilli	Kirribilli
120	Kirribilli Avenue	Kirribilli	Kirribilli
124	Kirribilli Avenue	Kirribilli	Kirribilli
1	Kurraba Road	Neutral Bay	Whaling Road
3	Kurraba Road	Neutral Bay	Whaling Road
5	Kurraba Road	Neutral Bay	Whaling Road
6	Kurraba Road	Neutral Bay	Whaling Road
7	Kurraba Road	Neutral Bay	Whaling Road
8	Kurraba Road	Neutral Bay	Whaling Road
9	Kurraba Road	Neutral Bay	Whaling Road
10	Kurraba Road	Neutral Bay	Whaling Road
11	Kurraba Road	Neutral Bay	Whaling Road
12	Kurraba Road	Neutral Bay	Whaling Road
13	Kurraba Road	Neutral Bay	Whaling Road
15	Kurraba Road	Neutral Bay	Whaling Road
16	Kurraba Road	Neutral Bay	Whaling Road
17	Kurraba Road	Neutral Bay	Whaling Road
18	Kurraba Road	Neutral Bay	Whaling Road
19	Kurraba Road	Neutral Bay	Whaling Road
20	Kurraba Road	Neutral Bay	Whaling Road
23	Kurraba Road	Neutral Bay	Whaling Road
25	Kurraba Road	Neutral Bay	Whaling Road
28	Kurraba Road	Neutral Bay	Whaling Road
30	Kurraba Road	Neutral Bay	Whaling Road
45	Kurraba Road	Neutral Bay	Kurraba Point
49	Kurraba Road	Neutral Bay	Kurraba Point
67	Kurraba Road	Neutral Bay	Kurraba Point
69	Kurraba Road	Neutral Bay	Kurraba Point
71	Kurraba Road	Neutral Bay	Kurraba Point
77	Kurraba Road	Kurraba Point	Kurraba Point

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
83	Kurraba Road	Kurraba Point	Kurraba Point
172	Kurraba Road	Kurraba Point	Kurraba Point
42	Lavender Street	Lavender Bay	Lavender Bay
44	Lavender Street	Lavender Bay	Lavender Bay
46	Lavender Street	Lavender Bay	Lavender Bay
48	Lavender Street	Lavender Bay	Lavender Bay
50	Lavender Street	Lavender Bay	Lavender Bay
52	Lavender Street	Lavender Bay	Lavender Bay
54	Lavender Street	Lavender Bay	Lavender Bay
56	Lavender Street	Lavender Bay	Lavender Bay
58	Lavender Street	Lavender Bay	Lavender Bay
1	Little Alfred Street	North Sydney	Whaling Road
9	Little Alfred Street	North Sydney	Whaling Road
11	Lord Street	North Sydney	Union / Bank / Thomas Streets
6	Lower Wycombe Road	Neutral Bay	Kurraba Point
6A	Lower Wycombe Road	Neutral Bay	Kurraba Point
8	Lower Wycombe Road	Neutral Bay	Kurraba Point
10	Lower Wycombe Road	Neutral Bay	Kurraba Point
11	Lower Wycombe Road	Neutral Bay	Kurraba Point
12	Lower Wycombe Road	Neutral Bay	Kurraba Point
14	Lower Wycombe Road	Neutral Bay	Kurraba Point
15	Lower Wycombe Road	Neutral Bay	Kurraba Point
21	Lower Wycombe Road	Kurraba Point	Kurraba Point
1	Lumsden Street	Cammeray	Cammeray
2	Lumsden Street	Cammeray	Cammeray
3	Lumsden Street	Cammeray	Cammeray

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
9	Lumsden Street	Cammeray	Cammeray
11	Lumsden Street	Cammeray	Cammeray
12	Lumsden Street	Cammeray	Cammeray
13	Lumsden Street	Cammeray	Cammeray
14	Lumsden Street	Cammeray	Cammeray
16	Lumsden Street	Cammeray	Cammeray
17	Lumsden Street	Cammeray	Cammeray
19	Lumsden Street	Cammeray	Cammeray
21	Lumsden Street	Cammeray	Cammeray
22	Lumsden Street	Cammeray	Cammeray
24	Lumsden Street	Cammeray	Cammeray
26	Lumsden Street	Cammeray	Cammeray
28	Macpherson Street	Cremorne	Montague Road
30	Macpherson Street	Cremorne	Montague Road
32	Macpherson Street	Cremorne	Montague Road
46	Macpherson Street	Cremorne	Montague Road
2	Manns Avenue	Neutral Bay	Kurraba Point
8	Margaret Street	North Sydney	Whaling Road
10	Margaret Street	North Sydney	Whaling Road
12	Margaret Street	North Sydney	Whaling Road
18	Margaret Street	North Sydney	Whaling Road
20	Margaret Street	North Sydney	Whaling Road
22	Margaret Street	North Sydney	Whaling Road
24	Margaret Street	North Sydney	Whaling Road
1	Mathew Lane	Crows Nest	Holtermann Estate A
3	Mathew Lane	Crows Nest	Holtermann Estate A
17	McDougall Street	Kirribilli	Careening Cove
19	McDougall Street	Kirribilli	Careening Cove
21	McDougall Street	Kirribilli	Careening Cove
23	McDougall Street	Kirribilli	Careening Cove
25	McDougall Street	Kirribilli	Careening Cove
27	McDougall Street	Kirribilli	Careening Cove
31	McDougall Street	Kirribilli	Careening Cove

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
33	McDougall Street	Kirribilli	Careening Cove
35	McDougall Street	Kirribilli	Careening Cove
37	McDougall Street	Kirribilli	Careening Cove
39	McDougall Street	Kirribilli	Careening Cove
1	McHatton Street	Waverton	Crows Nest
1A	McHatton Street	Waverton	Crows Nest
5	McHatton Street	Waverton	Crows Nest
6	McHatton Street	Waverton	Crows Nest
8	McHatton Street	Waverton	Crows Nest
10	McHatton Street	Waverton	Crows Nest
12	McHatton Street	Waverton	Crows Nest
18	McHatton Street	Waverton	Crows Nest
22	McHatton Street	North Sydney	Crows Nest
28	McHatton Street	North Sydney	Crows Nest
30	McHatton Street	North Sydney	Crows Nest
32	McHatton Street	North Sydney	Crows Nest
8	McLaren Street	North Sydney	McLaren Street
10	McLaren Street	North Sydney	McLaren Street
28	Middle Street	McMahons Point	McMahons Point South
30	Middle Street	McMahons Point	McMahons Point South
56	Middle Street	McMahons Point	McMahons Point South
58	Middle Street	McMahons Point	McMahons Point South
68	Middle Street	McMahons Point	McMahons Point South
1	Mil Mil Street	McMahons Point	McMahons Point North
2	Mil Mil Street	McMahons Point	McMahons Point North
3	Mil Mil Street	McMahons Point	McMahons Point North
5	Milray Avenue	Wollstonecraft	Wollstonecraft
7	Milson Road	Cremorne Point	Cremorne Point
9	Milson Road	Cremorne Point	Cremorne Point
11	Milson Road	Cremorne Point	Cremorne Point
16	Milson Road	Cremorne Point	Cremorne Point
20	Milson Road	Cremorne Point	Cremorne Point
23	Milson Road	Cremorne Point	Cremorne Point

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
24	Milson Road	Cremorne Point	Cremorne Point
26	Milson Road	Cremorne Point	Cremorne Point
36	Milson Road	Cremorne Point	Cremorne Point
40	Milson Road	Cremorne Point	Cremorne Point
44	Milson Road	Cremorne Point	Cremorne Point
52	Milson Road	Cremorne Point	Cremorne Point
75	Milson Road	Cremorne Point	Cremorne Point
77	Milson Road	Cremorne Point	Cremorne Point
82	Milson Road	Cremorne Point	Cremorne Point
83	Milson Road	Cremorne Point	Cremorne Point
84	Milson Road	Cremorne Point	Cremorne Point
88	Milson Road	Cremorne Point	Cremorne Point
103	Milson Road	Cremorne Point	Cremorne Point
107	Milson Road	Cremorne Point	Cremorne Point
109	Milson Road	Cremorne Point	Cremorne Point
111	Milson Road	Cremorne Point	Cremorne Point
113	Milson Road	Cremorne Point	Cremorne Point
115	Milson Road	Cremorne Point	Cremorne Point
119	Milson Road	Cremorne Point	Cremorne Point
125	Milson Road	Cremorne Point	Cremorne Point
129	Milson Road	Cremorne Point	Cremorne Point
138	Milson Road	Cremorne Point	Cremorne Point
148	Milson Road	Cremorne Point	Cremorne Point
11	Mitchell Street	McMahons Point	Union / Bank / Thomas Streets
12	Mitchell Street	McMahons Point	Union / Bank / Thomas Streets
2	Montague Road	Cremorne	Montague Road
6	Montague Road	Cremorne	Montague Road
7	Montague Road	Cremorne	Montague Road
8	Montague Road	Cremorne	Montague Road
11	Montague Road	Cremorne	Montague Road
13	Montague Road	Cremorne	Montague Road
14	Montague Road	Cremorne	Montague Road

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
15	Montague Road	Cremorne	Montague Road
16	Montague Road	Cremorne	Montague Road
17	Montague Road	Cremorne	Montague Road
18	Montague Road	Cremorne	Montague Road
19	Montague Road	Cremorne	Montague Road
20	Montague Road	Cremorne	Montague Road
21	Montague Road	Cremorne	Montague Road
22	Montague Road	Cremorne	Montague Road
23	Montague Road	Cremorne	Montague Road
24	Montague Road	Cremorne	Montague Road
25	Montague Road	Cremorne	Montague Road
26	Montague Road	Cremorne	Montague Road
27	Montague Road	Cremorne	Montague Road
28	Montague Road	Cremorne	Montague Road
29	Montague Road	Cremorne	Montague Road
30	Montague Road	Cremorne	Montague Road
31	Montague Road	Cremorne	Montague Road
32	Montague Road	Cremorne	Montague Road
34	Montague Road	Cremorne	Montague Road
36	Montague Road	Cremorne	Montague Road
37	Montague Road	Cremorne	Montague Road
38	Montague Road	Cremorne	Montague Road
40	Montague Road	Cremorne	Montague Road
42	Montague Road	Cremorne	Montague Road
44	Montague Road	Cremorne	Montague Road
5	Morden Street	Cammeray	Cammeray
6	Morden Street	Cammeray	Cammeray
7	Morden Street	Cammeray	Cammeray
8	Morden Street	Cammeray	Cammeray
9	Morden Street	Cammeray	Cammeray
10	Morden Street	Cammeray	Cammeray
11	Morden Street	Cammeray	Cammeray

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
12	Morden Street	Cammeray	Cammeray
22	Morden Street	Cammeray	Cammeray
5	Murdoch Street	Cremorne Point	Cremorne
10	Murdoch Street	Cremorne Point	Kurraba Point
12	Murdoch Street	Cremorne Point	Kurraba Point
14	Murdoch Street	Cremorne Point	Kurraba Point
15	Murdoch Street	Cremorne Point	Cremorne
16	Murdoch Street	Cremorne Point	Kurraba Point
18	Murdoch Street	Cremorne Point	Kurraba Point
20	Murdoch Street	Cremorne Point	Kurraba Point
21	Murdoch Street	Cremorne	Cremorne
22	Murdoch Street	Cremorne Point	Kurraba Point
23	Murdoch Street	Cremorne	Cremorne
24	Murdoch Street	Cremorne Point	Kurraba Point
25	Murdoch Street	Cremorne	Cremorne
26	Murdoch Street	Cremorne Point	Kurraba Point
28	Murdoch Street	Cremorne Point	Kurraba Point
30-34	Murdoch Street	Cremorne Point	Kurraba Point
31	Murdoch Street	Cremorne	Cremorne
37	Murdoch Street	Cremorne	Cremorne
38	Murdoch Street	Cremorne	Cremorne
40	Murdoch Street	Cremorne	Cremorne
42	Murdoch Street	Cremorne	Cremorne
43	Murdoch Street	Cremorne	Cremorne
46	Murdoch Street	Cremorne	Cremorne
48	Murdoch Street	Cremorne	Cremorne
50	Murdoch Street	Cremorne	Cremorne
54	Murdoch Street	Cremorne	Cremorne
56	Murdoch Street	Cremorne	Cremorne
20	Myrtle Street	North Sydney	Holtermann Estate C
22	Myrtle Street	North Sydney	Holtermann Estate C
24	Myrtle Street	North Sydney	Holtermann Estate C
26	Myrtle Street	North Sydney	Holtermann Estate C

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
29	Myrtle Street	North Sydney	Holtermann Estate C
31	Myrtle Street	North Sydney	Holtermann Estate C
32	Myrtle Street	North Sydney	Holtermann Estate C
33	Myrtle Street	North Sydney	Holtermann Estate C
34	Myrtle Street	North Sydney	Holtermann Estate C
36	Myrtle Street	North Sydney	Holtermann Estate C
38	Myrtle Street	North Sydney	Holtermann Estate C
40	Myrtle Street	North Sydney	Holtermann Estate C
46	Myrtle Street	North Sydney	Holtermann Estate C
3	Neutral Street	North Sydney	Whaling Road
4	Neutral Street	North Sydney	Whaling Road
5	Neutral Street	North Sydney	Whaling Road
6	Neutral Street	North Sydney	Whaling Road
7	Neutral Street	North Sydney	Whaling Road
8	Neutral Street	North Sydney	Whaling Road
9	Neutral Street	North Sydney	Whaling Road
10	Neutral Street	North Sydney	Whaling Road
11	Neutral Street	North Sydney	Whaling Road
13	Neutral Street	North Sydney	Whaling Road
14	Neutral Street	North Sydney	Whaling Road
16	Neutral Street	North Sydney	Whaling Road
17	Neutral Street	North Sydney	Whaling Road
24	Neutral Street	North Sydney	Whaling Road
26	Neutral Street	North Sydney	Whaling Road
39	Neutral Street	North Sydney	Whaling Road
43	Neutral Street	North Sydney	Whaling Road
45	Neutral Street	North Sydney	Whaling Road
47	Neutral Street	North Sydney	Whaling Road
49	Neutral Street	North Sydney	Whaling Road
51	Neutral Street	North Sydney	Whaling Road
53	Neutral Street	North Sydney	Whaling Road
55	Neutral Street	North Sydney	Whaling Road
57	Neutral Street	North Sydney	Whaling Road

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
59	Neutral Street	North Sydney	Whaling Road
65	Neutral Street	North Sydney	Whaling Road
67	Neutral Street	North Sydney	Whaling Road
69	Neutral Street	North Sydney	Whaling Road
71	Neutral Street	North Sydney	Whaling Road
1	Oaks Avenue	Cremorne	Oaks Avenue
3	Oaks Avenue	Cremorne	Oaks Avenue
4	Oaks Avenue	Cremorne	Oaks Avenue
5	Oaks Avenue	Cremorne	Oaks Avenue
6	Oaks Avenue	Cremorne	Oaks Avenue
7	Oaks Avenue	Cremorne	Oaks Avenue
8	Oaks Avenue	Cremorne	Oaks Avenue
9	Oaks Avenue, (That part comprising the 3 dwelling houses fronting Oaks Avenue)	Cremorne	Oaks Avenue
14	Oaks Avenue	Cremorne	Oaks Avenue
19	Oaks Avenue	Cremorne	Oaks Avenue
21	Oaks Avenue	Cremorne	Oaks Avenue
1	Ormiston Avenue	North Sydney	Whaling Road
3	Ormiston Avenue	North Sydney	Whaling Road
4	Ormiston Avenue	North Sydney	Whaling Road
69-71	Palmer Street	Cammeray	Cammeray
37	Park Avenue	Cremorne	Oaks Avenue
39	Park Avenue	Cremorne	Oaks Avenue
43	Park Avenue	Cremorne	Oaks Avenue
45	Park Avenue	Cremorne	Oaks Avenue
49	Park Avenue	Cremorne	Oaks Avenue
1	Parker Street	McMahons Point	McMahons Point South
2	Peel Street	Kirribilli	Kirribilli
4	Peel Street	Kirribilli	Kirribilli
18	Peel Street	Kirribilli	Kirribilli

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
20	Peel Street	Kirribilli	Kirribilli
27	Peel Street	Kirribilli	Kirribilli
29	Peel Street	Kirribilli	Kirribilli
31	Peel Street	Kirribilli	Kirribilli
2	Penshurst Avenue	Kurraba Point	Kurraba Point
4	Penshurst Avenue	Kurraba Point	Kurraba Point
4	Princes Street	McMahons Point	McMahons Point North
6	Princes Street	McMahons Point	McMahons Point North
8	Princes Street	McMahons Point	McMahons Point North
9	Princes Street	McMahons Point	McMahons Point North
10	Princes Street	McMahons Point	McMahons Point North
11	Princes Street	McMahons Point	McMahons Point North
12	Princes Street	McMahons Point	McMahons Point North
13	Princes Street	McMahons Point	McMahons Point North
14	Princes Street	McMahons Point	McMahons Point North
15	Princes Street	McMahons Point	McMahons Point North
16	Princes Street	McMahons Point	McMahons Point North
17	Princes Street	McMahons Point	McMahons Point North
18	Princes Street	McMahons Point	McMahons Point North
19	Princes Street	McMahons Point	McMahons Point North
20	Princes Street	McMahons Point	McMahons Point North
21	Princes Street	McMahons Point	McMahons Point North
22	Princes Street	McMahons Point	McMahons Point North
24	Princes Street	McMahons Point	McMahons Point North
26	Princes Street	McMahons Point	McMahons Point North
28	Princes Street	McMahons Point	McMahons Point North
30	Princes Street	McMahons Point	McMahons Point North
32	Princes Street	McMahons Point	McMahons Point North
34	Princes Street	McMahons Point	McMahons Point North
36	Princes Street	McMahons Point	McMahons Point North
38	Princes Street	McMahons Point	McMahons Point North
40	Princes Street	McMahons Point	McMahons Point North

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
1	Priory Road	Waverton	Priory Road
2	Priory Road	Waverton	Priory Road
5A	Priory Road	Waverton	Priory Road
6	Priory Road	Waverton	Priory Road
7	Priory Road	Waverton	Priory Road
8	Priory Road	Waverton	Priory Road
9	Priory Road	Waverton	Priory Road
11	Priory Road	Waverton	Priory Road
15	Priory Road	Waverton	Priory Road
1	Queens Avenue	McMahons Point	McMahons Point North
2	Queens Avenue	McMahons Point	McMahons Point North
3	Queens Avenue	McMahons Point	McMahons Point North
4	Queens Avenue	McMahons Point	McMahons Point North
5	Queens Avenue	McMahons Point	McMahons Point North
7	Queens Avenue	McMahons Point	McMahons Point North
8	Queens Avenue	McMahons Point	McMahons Point North
9	Queens Avenue	McMahons Point	McMahons Point North
10	Queens Avenue	McMahons Point	McMahons Point North
11	Queens Avenue	McMahons Point	McMahons Point North
13	Queens Avenue	McMahons Point	McMahons Point North
15	Queens Avenue	McMahons Point	McMahons Point North
17	Queens Avenue	McMahons Point	McMahons Point North
8	Raleigh Street	Cammeray	Cammeray
10	Raleigh Street	Cammeray	Cammeray
12	Raleigh Street	Cammeray	Cammeray
14	Raleigh Street	Cammeray	Cammeray
22	Raleigh Street	Cammeray	Cammeray
33	Rangers Road	Cremorne	Cremorne
36	Rangers Road	Cremorne	Cremorne
38	Rangers Road	Cremorne	Cremorne
40	Rangers Road	Cremorne	Cremorne
56	Rangers Road	Cremorne	Cremorne
58	Rangers Road	Cremorne	Cremorne

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
60	Rangers Road	Cremorne	Cremorne
62	Rangers Road	Cremorne	Cremorne
64	Rangers Road	Cremorne	Cremorne
66	Rangers Road	Cremorne	Cremorne
1	Reed Street	Cremorne	Cremorne
16	Reed Street	Cremorne	Cremorne
8	Richmond Avenue	Cremorne	Montague Road
10	Richmond Avenue	Cremorne	Montague Road
12	Richmond Avenue	Cremorne	Montague Road
14	Richmond Avenue	Cremorne	Montague Road
16	Richmond Avenue	Cremorne	Montague Road
18	Richmond Avenue	Cremorne	Montague Road
20	Richmond Avenue	Cremorne	Montague Road
22	Richmond Avenue	Cremorne	Montague Road
26	Richmond Avenue	Cremorne	Montague Road
27	Richmond Avenue	Cremorne	Montague Road
28	Richmond Avenue	Cremorne	Montague Road
29	Richmond Avenue	Cremorne	Montague Road
30	Richmond Avenue	Cremorne	Montague Road
31	Richmond Avenue	Cremorne	Montague Road
33	Richmond Avenue	Cremorne	Montague Road
35	Richmond Avenue	Cremorne	Montague Road
63	Ridge Street	North Sydney	Walker / Ridge Streets
71	Ridge Street	North Sydney	Walker / Ridge Streets
73	Ridge Street	North Sydney	Walker / Ridge Streets
75	Ridge Street	North Sydney	Walker / Ridge Streets
89	Ridge Street	North Sydney	Walker / Ridge Streets
8	Riley Street	North Sydney	Union / Bank / Thomas Streets
9	Riley Street	North Sydney	Edward Street
10	Riley Street	North Sydney	Union / Bank / Thomas Streets
11	Riley Street	North Sydney	Edward Street
12	Riley Street	North Sydney	Union / Bank / Thomas Streets
13	Riley Street	North Sydney	Edward Street

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
14	Riley Street	North Sydney	Union / Bank /Thomas Streets
15	Riley Street	North Sydney	Edward Street
17	Riley Street	North Sydney	Edward Street
19	Riley Street	North Sydney	Edward Street
4	Shellcove Road	Kurraba Point	Kurraba Point
5	Shellcove Road	Kurraba Point	Kurraba Point
7	Shellcove Road	Kurraba Point	Kurraba Point
7A	Shellcove Road	Kurraba Point	Kurraba Point
7B	Shellcove Road	Kurraba Point	Kurraba Point
8	Shellcove Road	Kurraba Point	Kurraba Point
9	Shellcove Road	Kurraba Point	Kurraba Point
10	Shellcove Road	Kurraba Point	Kurraba Point
12	Shellcove Road	Kurraba Point	Kurraba Point
14	Shellcove Road	Kurraba Point	Kurraba Point
15	Shellcove Road	Kurraba Point	Kurraba Point
17	Shellcove Road	Kurraba Point	Kurraba Point
19	Shellcove Road	Kurraba Point	Kurraba Point
21	Shellcove Road	Kurraba Point	Kurraba Point
23	Shellcove Road	Kurraba Point	Kurraba Point
26	Shellcove Road	Kurraba Point	Kurraba Point
<u>27</u>	<u>Shellcove Road</u>	<u>Kurraba Point</u>	<u>Kurraba Point</u>
36	Shellcove Road	Kurraba Point	Kurraba Point
41	Shellcove Road	Kurraba Point	Kurraba Point
43	Shellcove Road	Kurraba Point	Kurraba Point
44	Shellcove Road	Kurraba Point	Kurraba Point
56	Shellcove Road	Kurraba Point	Kurraba Point
58	Shellcove Road	Neutral Bay	Cremorne
60	Shellcove Road	Neutral Bay	Cremorne
63	Shellcove Road	Kurraba Point	Kurraba Point
64	Shellcove Road	Neutral Bay	Cremorne
71	Shellcove Road	Neutral Bay	Cremorne
74	Shellcove Road	Neutral Bay	Cremorne

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
76	Shellcove Road	Neutral Bay	Cremorne
78	Shellcove Road	Neutral Bay	Cremorne
84	Shellcove Road	Neutral Bay	Cremorne
1	Shirley Road	Wollstonecraft	Wollstonecraft
3	Shirley Road	Wollstonecraft	Wollstonecraft
7	Shirley Road	Wollstonecraft	Wollstonecraft
9	Shirley Road	Wollstonecraft	Wollstonecraft
11	Shirley Road	Wollstonecraft	Wollstonecraft
17	Shirley Road	Wollstonecraft	Wollstonecraft
21	Shirley Road	Wollstonecraft	Wollstonecraft
22	Shirley Road	Wollstonecraft	Wollstonecraft
24	Shirley Road	Wollstonecraft	Wollstonecraft
26	Shirley Road	Wollstonecraft	Wollstonecraft
40	Shirley Road	Wollstonecraft	Wollstonecraft
8	Sophia Street	Crows Nest	Holtermann Estate B
12	Sophia Street	Crows Nest	Holtermann Estate B
13	Sophia Street	Crows Nest	Holtermann Estate B
14	Sophia Street	Crows Nest	Holtermann Estate B
15	Sophia Street	Crows Nest	Holtermann Estate B
16	Sophia Street	Crows Nest	Holtermann Estate B
18	Sophia Street	Crows Nest	Holtermann Estate B
6	Spofforth Street	Cremorne	Cremorne
8	Spofforth Street	Cremorne	Cremorne
10	Spofforth Street	Cremorne	Cremorne
12	Spofforth Street	Cremorne	Cremorne
16	Spofforth Street	Cremorne	Cremorne
44	Spofforth Street	Cremorne	Cremorne
46	Spofforth Street	Cremorne	Cremorne
52	Spofforth Street	Cremorne	Cremorne
54	Spofforth Street	Cremorne	Cremorne
4	Stannards Place	Kirribilli	Careening Cove
<u>1A-1B</u>	<u>Teloepa Street</u>	<u>Wollstonecraft</u>	<u>Wollstonecraft</u>

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
4	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
6	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
10	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
12	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
14	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
15	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
16	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
17	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
18	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
19	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
20	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
22	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
27	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
29	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
30	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
31	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
32	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
33	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
34	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
35	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
36	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
37	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
38-40	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
39	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
42	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
44	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
46	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
48	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
50	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
52	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
54	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
56	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
58	Thomas Street	McMahons Point	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
60	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
1	Toongarah Road	Waverton	Priory Road
2	Toongarah Road	Waverton	Priory Road
3	Toongarah Road	Waverton	Priory Road
4	Toongarah Road	Waverton	Priory Road
6	Toongarah Road	Waverton	Priory Road
9	Toongarah Road	Waverton	Priory Road
10	Toongarah Road	Waverton	Priory Road
12	Toongarah Road	Waverton	Priory Road
14	Toongarah Road	Waverton	Priory Road
18	Toongarah Road	Waverton	Priory Road
20	Toongarah Road	Waverton	Priory Road
22	Toongarah Road	Waverton	Priory Road
24	Toongarah Road	Waverton	Priory Road
2A	Union Street	McMahons Point	Union / Bank / Thomas Streets
2B	Union Street	McMahons Point	Union / Bank / Thomas Streets
4	Union Street	McMahons Point	Union / Bank / Thomas Streets
6	Union Street	McMahons Point	Union / Bank / Thomas Streets
8	Union Street	McMahons Point	Union / Bank / Thomas Streets
10	Union Street	McMahons Point	Union / Bank / Thomas Streets
14	Union Street	McMahons Point	Union / Bank / Thomas Streets
16	Union Street	McMahons Point	Union / Bank / Thomas Streets
18	Union Street	McMahons Point	Union / Bank / Thomas Streets
20	Union Street	McMahons Point	Union / Bank / Thomas Streets
22	Union Street	McMahons Point	Union / Bank / Thomas Streets
24	Union Street	McMahons Point	Union / Bank / Thomas Streets
35	Union Street	McMahons Point	Union / Bank / Thomas Streets
41	Union Street	McMahons Point	Union / Bank / Thomas Streets
42	Union Street	McMahons Point	Union / Bank / Thomas Streets
47	Union Street	McMahons Point	Union / Bank / Thomas Streets
49	Union Street	McMahons Point	Union / Bank / Thomas Streets
51	Union Street	McMahons Point	Union / Bank / Thomas Streets
61	Union Street	McMahons Point	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
63	Union Street	McMahons Point	Union / Bank / Thomas Streets
65	Union Street	McMahons Point	Union / Bank / Thomas Streets
67	Union Street	McMahons Point	Union / Bank / Thomas Streets
69-71	Union Street	McMahons Point	Union / Bank / Thomas Streets
80	Union Street	North Sydney	Union / Bank / Thomas Streets
82	Union Street	North Sydney	Union / Bank / Thomas Streets
83	Union Street	McMahons Point	Union / Bank / Thomas Streets
84	Union Street	North Sydney	Union / Bank / Thomas Streets
85	Union Street	McMahons Point	Union / Bank / Thomas Streets
86	Union Street	McMahons Point	Union / Bank / Thomas Streets
87	Union Street	McMahons Point	Union / Bank / Thomas Streets
88	Union Street	McMahons Point	Union / Bank / Thomas Streets
89	Union Street	McMahons Point	Union / Bank / Thomas Streets
90	Union Street	McMahons Point	Union / Bank / Thomas Streets
91	Union Street	McMahons Point	Union / Bank / Thomas Streets
92	Union Street	McMahons Point	Union / Bank / Thomas Streets
94	Union Street	McMahons Point	Union / Bank / Thomas Streets
95	Union Street	McMahons Point	Union / Bank / Thomas Streets
96	Union Street	McMahons Point	Union / Bank / Thomas Streets
97	Union Street	McMahons Point	Union / Bank / Thomas Streets
98	Union Street	McMahons Point	Union / Bank / Thomas Streets
103	Union Street	McMahons Point	Union / Bank / Thomas Streets
105	Union Street	McMahons Point	Union / Bank / Thomas Streets
107	Union Street	McMahons Point	Union / Bank / Thomas Streets
109	Union Street	McMahons Point	Union / Bank / Thomas Streets
111	Union Street	McMahons Point	Union / Bank / Thomas Streets
113	Union Street	McMahons Point	Union / Bank / Thomas Streets
115	Union Street	McMahons Point	Union / Bank / Thomas Streets
117	Union Street	McMahons Point	Union / Bank / Thomas Streets
119	Union Street	McMahons Point	Union / Bank / Thomas Streets
63	Upper Pitt Street	Kirribilli	Kirribilli
7	Victoria Street	McMahons Point	Union / Bank / Thomas Streets

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
8	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
10	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
11	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
12	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
13	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
14	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
16	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
26	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
28	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
38	Victoria Street	McMahons Point	Union / Bank / Thomas Streets
3	Waiwera Street	Lavender Bay	McMahons Point North
5	Waiwera Street	Lavender Bay	McMahons Point North
6	Waiwera Street	Lavender Bay	McMahons Point North
8	Waiwera Street	Lavender Bay	McMahons Point North
10	Waiwera Street	Lavender Bay	McMahons Point North
12	Waiwera Street	Lavender Bay	McMahons Point North
14	Waiwera Street	Lavender Bay	McMahons Point North
17	Waiwera Street	Lavender Bay	McMahons Point North
24	Waiwera Street	Lavender Bay	McMahons Point North
26	Waiwera Street	Lavender Bay	McMahons Point North
28	Waiwera Street	Lavender Bay	McMahons Point North
10-14	Warringa Avenue	Kurraba Point	Kurraba Point
6	Warringa Road	Cammeray	Cammeray
8	Warringa Road	Cammeray	Cammeray
10	Warringa Road	Cammeray	Cammeray
12	Warringa Road	Cammeray	Cammeray
14	Warringa Road	Cammeray	Cammeray
16	Warringa Road	Cammeray	Cammeray
18	Warringa Road	Cammeray	Cammeray
20	Warringa Road	Cammeray	Cammeray
22	Warringa Road	Cammeray	Cammeray
24	Warringa Road	Cammeray	Cammeray

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
26	Warringa Road	Cammeray	Cammeray
28	Warringa Road	Cammeray	Cammeray
34	Warringa Road	Cammeray	Cammeray
46	Warringa Road	Cammeray	Cammeray
1	Waruda Street	Kirribilli	Kirribilli
10	Waruda Street	Kirribilli	Kirribilli
11	Waruda Street	Kirribilli	Kirribilli
12	Waruda Street	Kirribilli	Kirribilli
14-16	Waruda Street	Kirribilli	Kirribilli
1	Webb Street	McMahons Point	Union / Bank / Thomas Streets
3	Webb Street	McMahons Point	Union / Bank / Thomas Streets
5-7	Webb Street	McMahons Point	Union / Bank / Thomas Streets
9	Webb Street	McMahons Point	Union / Bank / Thomas Streets
21	West Street	North Sydney	Holtermann Estate D
23	West Street	North Sydney	Holtermann Estate D
31	West Street	North Sydney	Holtermann Estate D
47	West Street	North Sydney	Holtermann Estate D
49	West Street	North Sydney	Holtermann Estate D
50	West Street	North Sydney	Holtermann Estate D
51	West Street	North Sydney	Holtermann Estate D
52	West Street	North Sydney	Holtermann Estate D
53	West Street	North Sydney	Holtermann Estate D
54	West Street	North Sydney	Holtermann Estate D
55	West Street	North Sydney	Holtermann Estate D
56	West Street	North Sydney	Holtermann Estate D
57	West Street	North Sydney	Holtermann Estate D
59	West Street	North Sydney	Holtermann Estate D
60	West Street	North Sydney	Holtermann Estate D
61	West Street	North Sydney	Holtermann Estate D
62	West Street	North Sydney	Holtermann Estate D
63	West Street	North Sydney	Holtermann Estate D
64	West Street	North Sydney	Holtermann Estate D
65	West Street	North Sydney	Holtermann Estate D

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
66	West Street	North Sydney	Holtermann Estate D
68	West Street	North Sydney	Holtermann Estate D
69	West Street	Crows Nest	Holtermann Estate D
70	West Street	North Sydney	Holtermann Estate D
71	West Street	Crows Nest	Holtermann Estate D
71A	West Street	Crows Nest	Holtermann Estate D
72	West Street	North Sydney	Holtermann Estate D
73	West Street	Crows Nest	Holtermann Estate D
73A	West Street	Crows Nest	Holtermann Estate D
74	West Street	North Sydney	Holtermann Estate D
76	West Street	North Sydney	Holtermann Estate D
77	West Street	North Sydney	Holtermann Estate D
78	West Street	North Sydney	Holtermann Estate D
79	West Street	North Sydney	Holtermann Estate D
80	West Street	North Sydney	Holtermann Estate D
81	West Street	North Sydney	Holtermann Estate D
82	West Street	North Sydney	Holtermann Estate D
83	West Street	North Sydney	Holtermann Estate D
84	West Street	North Sydney	Holtermann Estate D
85	West Street	North Sydney	Holtermann Estate D
91	West Street	Crows Nest	Holtermann Estate D
95	West Street	Crows Nest	Holtermann Estate D
97	West Street	Crows Nest	Holtermann Estate D
98	West Street	Crows Nest	Holtermann Estate D
100A	West Street	Crows Nest	Holtermann Estate D
101	West Street	Crows Nest	Holtermann Estate D
102	West Street	Crows Nest	Holtermann Estate D
102A	West Street	Crows Nest	Holtermann Estate D
104	West Street	Crows Nest	Holtermann Estate D
106	West Street	Crows Nest	Holtermann Estate D
108	West Street	Crows Nest	Holtermann Estate D
110	West Street	Crows Nest	Holtermann Estate D
112	West Street	Crows Nest	Holtermann Estate D

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
114	West Street	Crows Nest	Holtermann Estate D
116	West Street	Crows Nest	Holtermann Estate D
122	West Street	Crows Nest	Holtermann Estate D
124	West Street	Crows Nest	Holtermann Estate D
126	West Street	Crows Nest	Holtermann Estate D
128	West Street	Crows Nest	Holtermann Estate D
130	West Street	Crows Nest	Holtermann Estate D
154	West Street	Crows Nest	Holtermann Estate B
156	West Street	Crows Nest	Holtermann Estate B
158	West Street	Crows Nest	Holtermann Estate B
160	West Street	Crows Nest	Holtermann Estate B
162	West Street	Crows Nest	Holtermann Estate B
164	West Street	Crows Nest	Holtermann Estate B
166	West Street	Crows Nest	Holtermann Estate B
180	West Street	Crows Nest	Holtermann Estate B
182	West Street	Crows Nest	Holtermann Estate B
184	West Street	Crows Nest	Holtermann Estate B
192	West Street	Crows Nest	Holtermann Estate B
204	West Street	Crows Nest	Holtermann Estate B
206	West Street	Crows Nest	Holtermann Estate B
208	West Street	Crows Nest	Holtermann Estate B
210	West Street	Crows Nest	Holtermann Estate B
212	West Street	Crows Nest	Holtermann Estate B
214	West Street	Crows Nest	Holtermann Estate B
216	West Street	Crows Nest	Holtermann Estate B
218	West Street	Crows Nest	Holtermann Estate B
220	West Street	Crows Nest	Holtermann Estate B
224	West Street	Crows Nest	Holtermann Estate B
226	West Street	Crows Nest	Holtermann Estate B
230	West Street	Crows Nest	Holtermann Estate B
232	West Street	Crows Nest	Holtermann Estate B
234	West Street	Crows Nest	Holtermann Estate B

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
236	West Street	Crows Nest	Holtermann Estate B
246	West Street	Crows Nest	Holtermann Estate B
248	West Street	Crows Nest	Holtermann Estate B
248A	West Street	Crows Nest	Holtermann Estate B
7	West Crecent Street	McMahons Point	McMahons Point South
2	Whaling Road	North Sydney	Whaling Road
12	Whaling Road	North Sydney	Whaling Road
14	Whaling Road	North Sydney	Whaling Road
16	Whaling Road	North Sydney	Whaling Road
17	Whaling Road	North Sydney	Whaling Road
18	Whaling Road	North Sydney	Whaling Road
20	Whaling Road	North Sydney	Whaling Road
21	Whaling Road	North Sydney	Whaling Road
22	Whaling Road	North Sydney	Whaling Road
23	Whaling Road	North Sydney	Whaling Road
24	Whaling Road	North Sydney	Whaling Road
25	Whaling Road	North Sydney	Whaling Road
26	Whaling Road	North Sydney	Whaling Road
28	Whaling Road	North Sydney	Whaling Road
29	Whaling Road	North Sydney	Whaling Road
30	Whaling Road	North Sydney	Whaling Road
31	Whaling Road	North Sydney	Whaling Road
32	Whaling Road	North Sydney	Whaling Road
33	Whaling Road	North Sydney	Whaling Road
34	Whaling Road	North Sydney	Whaling Road
35	Whaling Road	North Sydney	Whaling Road
36	Whaling Road	North Sydney	Whaling Road
37	Whaling Road	North Sydney	Whaling Road
38	Whaling Road	North Sydney	Whaling Road
39	Whaling Road	North Sydney	Whaling Road
40	Whaling Road	North Sydney	Whaling Road
42	Whaling Road	North Sydney	Whaling Road

**TABLE App-1.1: Contributory Items**

St. No	Street	Suburb	Conservation Area
43	Whaling Road	North Sydney	Whaling Road
44	Whaling Road	North Sydney	Whaling Road
46	Whaling Road	North Sydney	Whaling Road
48	Whaling Road	North Sydney	Whaling Road
25	Willoughby Street	Kirribilli	Careening Cove
27	Willoughby Street	Kirribilli	Careening Cove
27A	Willoughby Street	Kirribilli	Careening Cove
33	Willoughby Street	Kirribilli	Careening Cove
35	Willoughby Street	Kirribilli	Careening Cove
37	Willoughby Street	Kirribilli	Careening Cove
39	Willoughby Street	Kirribilli	Careening Cove
47	Willoughby Street	Kirribilli	Careening Cove
50	Willoughby Street	Kirribilli	Careening Cove
51	Willoughby Street	Kirribilli	Careening Cove
52	Willoughby Street	Kirribilli	Careening Cove
54	Willoughby Street	Kirribilli	Careening Cove
55	Willoughby Street	Kirribilli	Careening Cove
56	Willoughby Street	Kirribilli	Careening Cove
56A	Willoughby Street	Kirribilli	Careening Cove
58	Willoughby Street	Kirribilli	Careening Cove
1	Wilona Avenue	Lavender Bay	Lavender Bay
2	Wilona Avenue	Lavender Bay	Lavender Bay
3	Wilona Avenue	Lavender Bay	Lavender Bay
4	Wilona Avenue	Lavender Bay	Lavender Bay
5	Wilona Avenue	Lavender Bay	Lavender Bay
6	Wilona Avenue	Lavender Bay	Lavender Bay
7	Wilona Avenue	Lavender Bay	Lavender Bay
8	Wilona Avenue	Lavender Bay	Lavender Bay
9	Wilona Avenue	Lavender Bay	Lavender Bay
10	Wilona Avenue	Lavender Bay	Lavender Bay
11	Wilona Avenue	Lavender Bay	Lavender Bay
12	Wilona Avenue	Lavender Bay	Lavender Bay
13	Wilona Avenue	Lavender Bay	Lavender Bay

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
14	Wilona Avenue	Lavender Bay	Lavender Bay
2	Wilson Street	Cammeray	Plateau
4	Wilson Street	Cammeray	Plateau
6	Wilson Street	Cammeray	Plateau
8	Wilson Street	Cammeray	Plateau
28	Wilson Street	Cammeray	Plateau
30	Wilson Street	Cammeray	Plateau
34	Wilson Street	Cammeray	Plateau
2	Winslow Street	Kirribilli	Careening Cove
3	Winslow Street	Kirribilli	Careening Cove
5	Winslow Street	Kirribilli	Careening Cove
7	Winslow Street	Kirribilli	Careening Cove
8	Winslow Street	Kirribilli	Careening Cove
9	Winslow Street	Kirribilli	Careening Cove
10	Winslow Street	Kirribilli	Careening Cove
11	Winslow Street	Kirribilli	Careening Cove
12	Winslow Street	Kirribilli	Careening Cove
13	Winslow Street	Kirribilli	Careening Cove
14	Winslow Street	Kirribilli	Careening Cove
15	Winslow Street	Kirribilli	Careening Cove
16	Winslow Street	Kirribilli	Careening Cove
18	Winslow Street	Kirribilli	Careening Cove
20	Winslow Street	Kirribilli	Careening Cove
22	Winslow Street	Kirribilli	Careening Cove
1	Wulworra Avenue	Cremorne Point	Cremorne Point
6	Wulworra Avenue	Cremorne Point	Cremorne Point
8	Wulworra Avenue (4 storey apartment building on north- western part of site)	Cremorne Point	Cremorne Point
6	Wycombe Road	Neutral Bay	Kurraba Point
6A	Wycombe Road	Neutral Bay	Kurraba Point
8	Wycombe Road	Neutral Bay	Kurraba Point
10	Wycombe Road	Neutral Bay	Kurraba Point

TABLE App-1.1: Contributory Items

St. No	Street	Suburb	Conservation Area
11	Wycombe Road	Neutral Bay	Kurraba Point
12	Wycombe Road	Neutral Bay	Kurraba Point
14	Wycombe Road	Neutral Bay	Kurraba Point
15	Wycombe Road	Neutral Bay	Kurraba Point
21	Wycombe Road	Kurraba Point	Kurraba Point
25	Wycombe Road	Kurraba Point	Kurraba Point
27	Wycombe Road	Kurraba Point	Kurraba Point
29	Wycombe Road	Kurraba Point	Kurraba Point
43	Wycombe Road	Kurraba Point	Kurraba Point
44	Wycombe Road	Neutral Bay	Kurraba Point
45	Wycombe Road	Kurraba Point	Kurraba Point
57	Wycombe Road	Neutral Bay	Cremorne
63	Wycombe Road	Neutral Bay	Cremorne
65	Wycombe Road	Neutral Bay	Cremorne
72	Wycombe Road	Neutral Bay	Cremorne
78	Wycombe Road	Neutral Bay	Cremorne
80	Wycombe Road	Neutral Bay	Cremorne
84	Wycombe Road	Neutral Bay	Cremorne
153	Wycombe Road	Neutral Bay	Cremorne



**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
83	Atchison Street	Crows Nest	Holtermann Estate A
85	Atchison Street	Crows Nest	Holtermann Estate A
99	Atchison Street	Crows Nest	Holtermann Estate A
101	Atchison Street	Crows Nest	Holtermann Estate A
108	Atchison Street	Crows Nest	Holtermann Estate A
110	Atchison Street	Crows Nest	Holtermann Estate A
124	Alexander Street	Crows Nest	Holtermann Estate A
140-144	Alexander Street	Crows Nest	Holtermann Estate A
146	Atchison Street	Crows Nest	Holtermann Estate A
155	Alexander Street	Crows Nest	Holtermann Estate A
2	Bannerman Street	Cremorne	Cremorne
2A	Bannerman Street	Cremorne	Cremorne
4	Bannerman Street	Cremorne	Cremorne
6	Bannerman Street	Cremorne	Cremorne
10-12	Bannerman Street	Cremorne	Cremorne
14	Bannerman Street	Cremorne	Cremorne
16	Bannerman Street	Cremorne	Cremorne
18	Bannerman Street	Cremorne	Cremorne
65	Bay Road	Waverton	Bay Road
83	Bay Road	Waverton	Bay Road
51	Bellevue Street	Cammeray	Cammeray
83-87	Bellevue Street	Cammeray	Cammeray
2	Bells Avenue	Cammeray	Cammeray
10	Bells Avenue	Cammeray	Cammeray
1	Bennett Street	Neutral Bay	Cremorne
43-45	Bennett Street	Cremorne	Cremorne
22	Bertha Road	Cremorne	Cremorne
1	Billong Street	Neutral Bay	Kurraba Point
3	Billong Street	Neutral Bay	Kurraba Point
49	Blues Point Road	McMahons Point	McMahons Point South
126	Blues Point Road	McMahons Point	McMahons Point North
33	Burlington Street	Crows Nest	Holtermann Estate B

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
37	Burlington Street	Crows Nest	Holtermann Estate B
39	Burlington Street	Crows Nest	Holtermann Estate B
51	Burlington Street	Crows Nest	Holtermann Estate B
57	Burlington Street	Crows Nest	Holtermann Estate B
59	Burlington Street	Crows Nest	Holtermann Estate B
81	Burlington Street	Crows Nest	Holtermann Estate B
85-87	Burlington Street	Crows Nest	Holtermann Estate B
86	Burlington Street	Crows Nest	Holtermann Estate B
92	Burlington Street	Crows Nest	Holtermann Estate B
93	Burlington Street	Crows Nest	Holtermann Estate B
120	Burlington Street	Crows Nest	Holtermann Estate B
136	Burlington Street	Crows Nest	Holtermann Estate B
19-23	Cairo Street	Cammeray	Plateau
32	Cairo Street	Cammeray	Plateau
74	Cairo Street	Cammeray	Plateau
18	Carabella Street	Kirribilli	Kirribilli
20	Carabella Street	Kirribilli	Kirribilli
29	Carabella Street	Kirribilli	Kirribilli
33	Carabella Street	Kirribilli	Kirribilli
49	Carr Street	Waverton	Union / Bank / Thomas Streets
29	Carter Street	Cammeray	Cammeray
2A	Carter Street	Cammeray	Plateau
2B	Carter Street	Cammeray	Plateau
2C	Carter Street	Cammeray	Plateau
2D	Carter Street	Cammeray	Plateau
110	Chandos Street	Crows Nest	Holtermann Estate A
112	Chandos Street	Crows Nest	Holtermann Estate A
114	Chandos Street	Crows Nest	Holtermann Estate A
116-118	Chandos Street	Crows Nest	Holtermann Estate A
119	Chandos Street	Crows Nest	Holtermann Estate A
120	Chandos Street	Crows Nest	Holtermann Estate A
121	Chandos Street	Crows Nest	Holtermann Estate A

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
123	Chandos Street	Crows Nest	Holtermann Estate A
136	Chandos Street	Crows Nest	Holtermann Estate A
138	Chandos Street	Crows Nest	Holtermann Estate A
164	Chandos Street	Crows Nest	Holtermann Estate A
169	Chandos Street	Crows Nest	Holtermann Estate A
172	Chandos Street	Crows Nest	Holtermann Estate A
174	Chandos Street	Crows Nest	Holtermann Estate A
201	Chandos Street	Crows Nest	Holtermann Estate A
201A	Chandos Street	Crows Nest	Holtermann Estate A
203A	Chandos Street	Crows Nest	Holtermann Estate A
17	Claude Avenue	Cremorne	Cremorne
24-32	Colin Street	Cammeray	Plateau
12	Commodore Street	McMahons Point	Union / Bank / Thomas Streets
15	Commodore Street	McMahons Point	Union / Bank / Thomas Streets
11	Cremorne Road	Cremorne Point	Cremorne Point
44	Cremorne Road	Cremorne Point	Cremorne Point
67	Cremorne Road	Cremorne Point	Cremorne Point
48	Crows Nest Road	Waverton	Crows Nest
54	Crows Nest Road	Waverton	Crows Nest
54A	Crows Nest Road	Waverton	Crows Nest
2	Devonshire Street	Crows Nest	Holtermann Estate A
2A	Devonshire Street	Crows Nest	Holtermann Estate A
17	Devonshire Street	Crows Nest	Holtermann Estate A
23	Devonshire Street	Crows Nest	Holtermann Estate A
24	Devonshire Street	Crows Nest	Holtermann Estate A
24A	Devonshire Street	Crows Nest	Holtermann Estate A
29	Devonshire Street	Crows Nest	Holtermann Estate A
30	Devonshire Street	Crows Nest	Holtermann Estate A
33	Devonshire Street	Crows Nest	Holtermann Estate A
34	Devonshire Street	Crows Nest	Holtermann Estate A
36	Devonshire Street	Crows Nest	Holtermann Estate A
42	Devonshire Street	Crows Nest	Holtermann Estate A

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
11	Dumbarton Street	McMahons Point	Union / Bank / Thomas Streets
13	Dumbarton Street	McMahons Point	Union / Bank / Thomas Streets
45-47	Dumbarton Street	McMahons Point	Union / Bank / Thomas Streets
9	Ellalong Road	Cremorne	Montague Road
6	Emmett Street (fronting David Lane)	Crows Nest	Holtermann Estate C
50	Emmett Street	Crows Nest	Holtermann Estate C
32	Ernest Lane	Crows Nest	Holtermann Estate B
65-71	Ernest Street (That part comprising the two storey brick townhouses fronting Burlington Lane)	Crows Nest	Holtermann Estate B
118-120	Ernest Street	Crows Nest	Holtermann Estate B
130	Ernest Street	Crows Nest	Holtermann Estate B
50	Ernest Street	Crows Nest	Holtermann Estate B
62	Ernest Street	Crows Nest	Holtermann Estate B
66	Ernest Street	Crows Nest	Holtermann Estate B
78	Ernest Street	Crows Nest	Holtermann Estate B
99	Ernest Street	Crows Nest	Holtermann Estate B
99A	Ernest Street	Crows Nest	Holtermann Estate B
1	Florence Street	Cremorne	Cremorne
20	Florence Street	Cremorne	Cremorne
4	Green Street	Cremorne Point	Cremorne Point
2A	Guthrie Avenue	Cremorne	Cremorne
25	Harriette Street	Kurraba Point	Kurraba Point
46	Harriette Street	Neutral Bay	Cremorne
25	Hayberry Street	Crows Nest	Holtermann Estate C
59	Hayberry Street	Crows Nest	Holtermann Estate C
59A	Hayberry Street	Crows Nest	Holtermann Estate C
9	Hayes Street	Neutral Bay	Kurraba Point
1	Hazelbank Road	Wollstonecraft	Crows Nest

1

Appendix

2020 draft amendments - North Sydney Development Control Plan 2013

Ap1-34

Page

Heritage – Contributory, Neutral & Uncharacteristic Items**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
22	Hodgson Avenue	Cremorne Point	Cremorne
42	Holtermann Street	Crows Nest	Holtermann Estate B
49	Holtermann Street	Crows Nest	Holtermann Estate B
58	Holtermann Street	Crows Nest	Holtermann Estate B
59	Holtermann Street	Crows Nest	Holtermann Estate B
61-69	Holtermann Street	Crows Nest	Holtermann Estate B
62-64	Holtermann Street	Crows Nest	Holtermann Estate B
68	Holtermann Street	Crows Nest	Holtermann Estate B
78	Holtermann Street	Crows Nest	Holtermann Estate B
80	Holtermann Street	Crows Nest	Holtermann Estate B
82	Holtermann Street	Crows Nest	Holtermann Estate B
86	Holtermann Street (That part comprising the 2 x two storey townhouses fronting Huntington Street – No.s 39 and 41 Huntington Street)	Crows Nest	Holtermann Estate B
100	Holtermann Street (That part comprising the two storey detached dwelling fronting Huntington Street – No.53A Huntington Street)	Crows Nest	Holtermann Estate B
101	Holtermann Street	Crows Nest	Holtermann Estate B
103	Holtermann Street	Crows Nest	Holtermann Estate B
114	Holtermann Street	Crows Nest	Holtermann Estate B
29	Huntington Street	Crows Nest	Holtermann Estate B
30	Huntington Street	Crows Nest	Holtermann Estate B
36	Huntington Street	Crows Nest	Holtermann Estate B
42	Huntington Street	Crows Nest	Holtermann Estate B
40	Huntington Street	Crows Nest	Holtermann Estate B

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
67	Huntington Street	Crows Nest	Holtermann Estate B
1	Iredale Avenue	Cremorne Point	Cremorne
2	Kareela Road	Cremorne Point	Cremorne Point
4-8	Kareela Road	Cremorne Point	Cremorne Point
12	Kareela Road	Cremorne Point	Cremorne Point
14-18	Kareela Road	Cremorne Point	Cremorne Point
30	Kareela Road	Cremorne Point	Cremorne Point
58	Kareela Road	Cremorne Point	Cremorne
60	Kareela Road	Cremorne Point	Cremorne
44-50	Kirribilli Avenue	Kirribilli	Jeffreys Street
63	Kirribilli Avenue	Kirribilli	Kirribilli
71	Kirribilli Avenue	Kirribilli	Kirribilli
73	Kirribilli Avenue	Kirribilli	Kirribilli
120	Kurraba Road	Kurraba Point	Kurraba Point
162	Kurraba Road	Kurraba Point	Kurraba Point
32-40	Lavender Street	Lavender Bay	Lavender Bay
3	Lower Wycombe Road	Neutral Bay	Kurraba Point
5-7	Lower Wycombe Road	Neutral Bay	Kurraba Point
16	Mackenzie Street	Lavender Bay	Lavender Bay
5	McLaren Street	North Sydney	McLaren Street
4-6	Margaret Street (That part comprising the dwelling house fronting Margret Street)	North Sydney	Whaling Road
26	McHatton Street	North Sydney	Crows Nest
5	Milson Road	Cremorne Point	Cremorne Point
123	Milson Road	Cremorne Point	Cremorne Point
1	Montague Road	Cremorne	Montague Road
1-3	Morden Street	Cammeray	Cammeray

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
2A	Morden Street	Cammeray	Cammeray
15	Morden Street	Cammeray	Cammeray
24	Morden Street	Cammeray	Cammeray
26	Morden Street	Cammeray	Cammeray
19	Murdoch Street	Cremorne	Cremorne
27	Murdoch Street	Cremorne	Cremorne
29	Murdoch Street	Cremorne	Cremorne
36	Murdoch Street	Cremorne	Cremorne
35	Myrtle Street	North Sydney	Holtermann Estate C
42-44	Myrtle Street	North Sydney	Holtermann Estate C
12	Neutral Street	North Sydney	Whaling Road
2	Oaks Avenue	Cremorne	Oaks Avenue
9	Oaks Avenue (That part comprising the two dwelling houses fronting Ernest Street)	Cremorne	Oaks Avenue
10	Oaks Avenue	Cremorne	Oaks Avenue
18	Oaks Avenue	Cremorne	Oaks Avenue
20	Oaks Avenue	Cremorne	Oaks Avenue
9	Penshurst Avenue	Kurraba Point	Kurraba Point
3	Plunkett Street	Kirribilli	Kirribilli
17	Priory Road	Waverton	Priory Road
19	Priory Road	Waverton	Priory Road
21	Priory Road	Waverton	Priory Road
2	Powell Street	Neutral Bay	Cremorne
35-37	Rangers Road	Cremorne	Cremorne
2-4	Reed Street	Cremorne	Cremorne
12	Reed Street	Cremorne	Cremorne
15	Reed Street	Cremorne	Cremorne
7-7A	Reed Street	Cremorne	Cremorne
4	Richmond Avenue	Cremorne	Montague Road
4A	Richmond Avenue	Cremorne	Montague Road

TABLE App-1.2: Uncharacteristic Items

St No.	Street Address	Suburb	Conservation Area
6	Richmond Avenue	Cremorne	Montague Road
93	Ridge Street	North Sydney	Walker / Ridge Streets
5	Riley Street	North Sydney	Union / Bank / Thomas Streets
33A-33B	Shellcove Road	Kurraba Point	Kurraba Point
35A	Shellcove Road	Kurraba Point	Kurraba Point
35B	Shellcove Road	Kurraba Point	Kurraba Point
48	Shellcove Road	Kurraba Point	Kurraba Point
69	Shellcove Road	Neutral Bay	Cremorne
19	Shirley Road	Wollstonecraft	Wollstonecraft
23	Shirley Road	Wollstonecraft	Wollstonecraft
53	Sophia Street	Crows Nest	Holtermann Street B
2	Spofforth Street	Cremorne	Cremorne
4	Spofforth Street	Cremorne	Cremorne
22	Spofforth Street	Cremorne	Cremorne
30-40	Spofforth Street	Cremorne	Cremorne
21-25	Thomas Street	McMahons Point	Union / Bank / Thomas Streets
1A	Waiwera Street	Lavender Bay	McMahons Point North
7	Waiwera Street	Lavender Bay	McMahons Point North
13	Waiwera Street	Lavender Bay	McMahons Point North
20-22	Waruda Street	Kirribilli	Kirribilli
1	Warung Street	McMahons Point	McMahons Point South
6	Warung Street	McMahons Point	McMahons Point South
25	West Street	North Sydney	Holtermann Estate D
37	West Street	North Sydney	Holtermann Estate D
41	West Street (Portion formerly comprising 39 West Street)	North Sydney	Holtermann Estate D
59A	West Street	North Sydney	Holtermann Estate D
46-48	West Street	North Sydney	Holtermann Estate D
97A	West Street	Crows Nest	Holtermann Estate D
93	West Street	Crows Nest	Holtermann Estate D
96	West Street	Crows Nest	Holtermann Estate D

1

Appendix

2020 draft amendments - North Sydney Development Control Plan 2013

Ap1-36

Page

Heritage – Contributory, Neutral & Uncharacteristic Items**TABLE App-1.2: Uncharacteristic Items**

St No.	Street Address	Suburb	Conservation Area
94	West Street	Crows Nest	Holtermann Estate D
102	West Street	Crows Nest	Holtermann Estate D
102A	West Street	Crows Nest	Holtermann Estate D
105	West Street	Crows Nest	Holtermann Estate D
168	West Street	Crows Nest	Holtermann Estate B
170	West Street	Crows Nest	Holtermann Estate B
178	West Street	Crows Nest	Holtermann Estate B
190	West Street	Crows Nest	Holtermann Estate B
222	West Street	Crows Nest	Holtermann Estate B
4	Whaling Road	North Sydney	Whaling Road
61	Wycombe Road	Neutral Bay	Cremorne
110	Wycombe Road	Neutral Bay	Cremorne
116	Wycombe Road	Neutral Bay	Cremorne
3	Wycombe Road	Neutral Bay	Kurraba Point
5-7	Wycombe Road	Neutral Bay	Kurraba Point
48-52	Wycombe Road	Neutral Bay	Kurraba Point



APPENDIX 3 WASTE ~~HANDLING~~ MANAGEMENT GUIDE

3.1 INTRODUCTION

This Appendix contains a copy of Council's Waste ~~Handling~~ Management Guide.

3.2 RELATIONSHIP TO OTHER SECTIONS

This Appendix should be read in conjunction with:

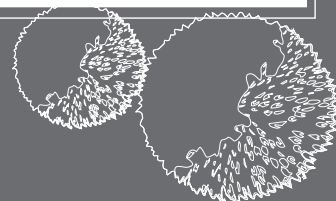
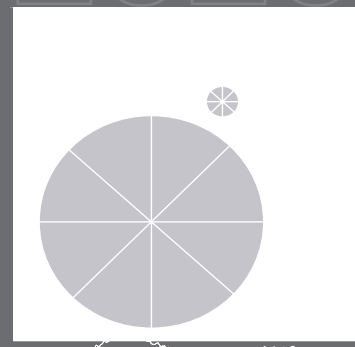
- Part B: Section 1 – Residential Development,
- Part B: Section 2 – Commercial and Mixed Use Development, and
- Part B: Section 3 – Non-Residential Development in Residential Zones.



WASTE MANAGEMENT GUIDE

for designers
and builders of houses,
residential and commercial buildings

2020



INTRODUCTION

The guide gives essential information to architects, developers and builders for the design and construction of waste handling facilities in new developments.

The guide expands on requirements for waste facilities contained in Council's Development Control Plan (DCP) and development application conditions.

The guide ensures that all waste facilities in new or existing developments comply with Council's collection service and waste minimisation policy.

Basic requirements for waste facilities are:

- > adequate size
- > integration with building design and site landscaping
- > suitable screening from public areas
- > appropriate access for collection
- > ensuring WHS requirements for waste contractors are met

To avoid subsequent alteration of plans these requirements should form part of the overall design for the new building.

To ensure your building design meets the requirements, see the checklist below prior to lodging your development application:

Does your waste facility design meet

- > The type of waste and recycling collection service conducted by Council's waste contractor?
- > Reasonable distance and accessibility from the street frontage for residents and contractors?
- > Public health standards and amenity of the surrounding area, such as odour, noise and visibility of the bins?
- > Adequate size, dimensions and finishing materials?
- > A high standard of recycling through source separation?
- > The requirements for general household and green waste collections?
- > Separate waste storage areas for mixed use buildings ie. commercial and residential?
- > The Work Health and Safety requirements of waste collectors?

GARBAGE STORAGE AND HOLDING BAYS

New residential and mixed residential/commercial developments in the North Sydney Council area must be provided with a garbage storage and/or holding bay facility of sufficient size to accommodate all waste from the building.

Waste facilities may be:

- > a combined storage and holding bay located within 2 metres of the street alignment or public access

- > or garbage storage area at any other location on the site, provided there is a temporary holding bay located within 2 metres of the street alignment or public access.

Garbage and recycling bins must be placed within 1.5 metres from the entrance of a combined storage and holding bay or temporary holding bay, with 2 metre direct access from the street frontage to the bins. Waste contractors should not have to climb steps or enter doors to access bins.

DESIGN OF FACILITIES

Although developments may vary widely in their individual requirements, the following minimum requirements should apply:

The standard waste service for North Sydney Council area is

- > one 80L garbage bin, collected weekly per rateable property
- > and one 140L mobile recycling bin, collected weekly per rateable property.

Multi-unit buildings may choose to upgrade to 80, 120 or 240 litre capacity mobile bins for the collection of garbage and a 240L mobile bin for the collection of recyclables. A comprehensive collection service for garden waste and household clean-up material is also provided. Additional space must be provided for the storage of household and green waste clean-up materials.

Detached Houses

A dedicated waste holding bay area should be provided that is accessible within 2 metres of the street alignment. Where servicing is from a rear lane, the holding bay may be built into the fence structure, with direct access from the lane.

The area must be able to accommodate a minimum of

- > 1 x 140L mobile recycling bin
- > and 1 x 80L garbage bin for each dwelling.

Villas, Townhouses and Low-Rise Developments

Villas, townhouses and low-rise developments are generally one to two storeys high with two or more dwellings on the same site.

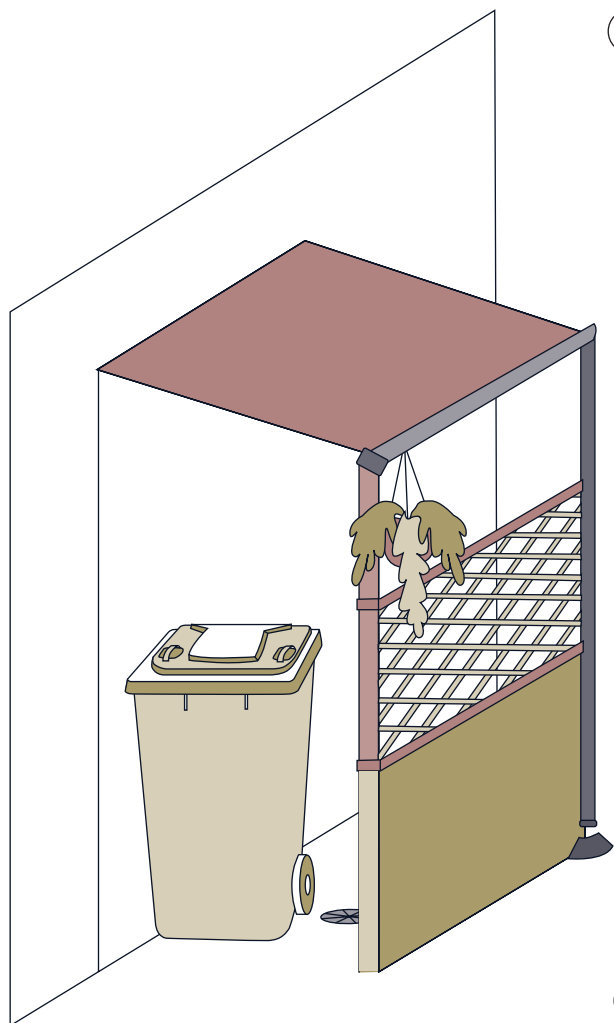
Waste facilities may be:

- > a combined storage and holding bay located within 2 metres of the street alignment or other public access
- > or a garbage storage area at any other location on the site, provided there is a temporary holding bay located within 2 metres of the street alignment or other public access.

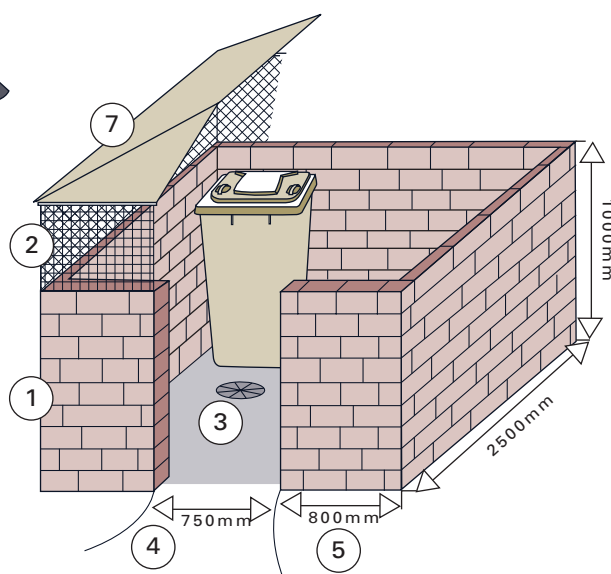
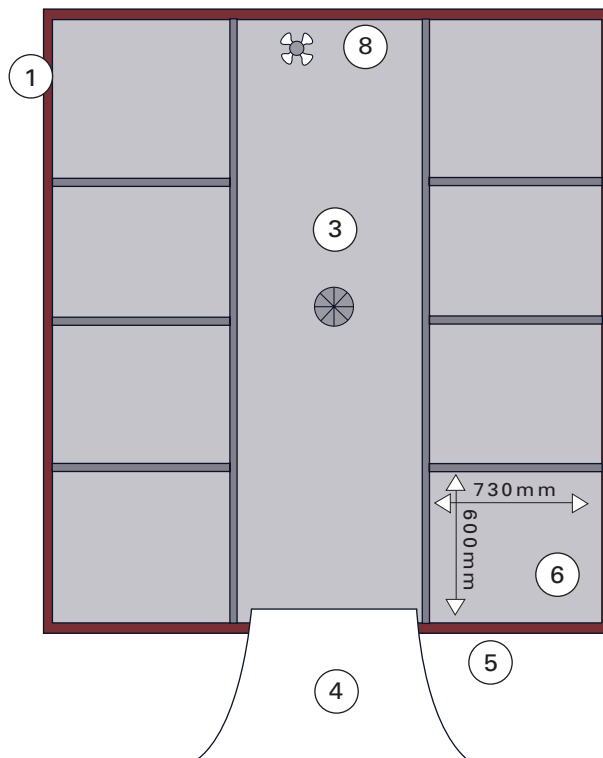
The waste facilities must ensure:

- > stored waste does not create dust, leachate, odour, or unsightliness
- > permanent storage facilities for putrescible waste must be shaded, ventilated, waterproof, verminproof and drained to sewer. Note, a building with a permanent storage facility more than 2 metres from the street alignment must also have a temporary holding bay.
- > storage bins are conveniently located both for residents and contractors
- > storage bins can be easily moved from the waste storage area to the collection vehicle
- > storage and collection systems are designed to minimise noise, especially during collection of waste

EXAMPLE DIAGRAMS OF HOLDING BAY STYLES FOR VILLAS, TOWNHOUSES AND LOW-RISE DEVELOPMENTS



Outdoor storage/holding bay for block of 1-3 units

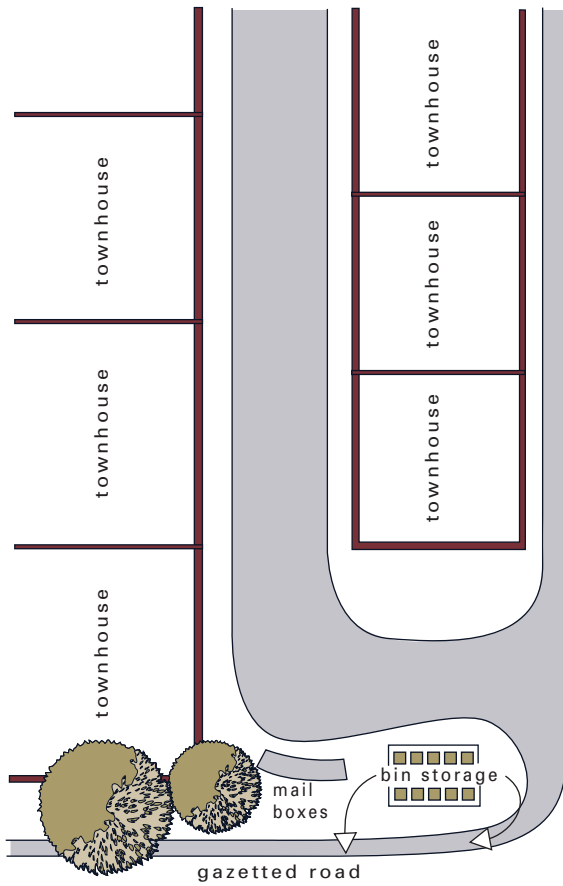


Outdoor garbage storage/holding bay for block of 4-12 units

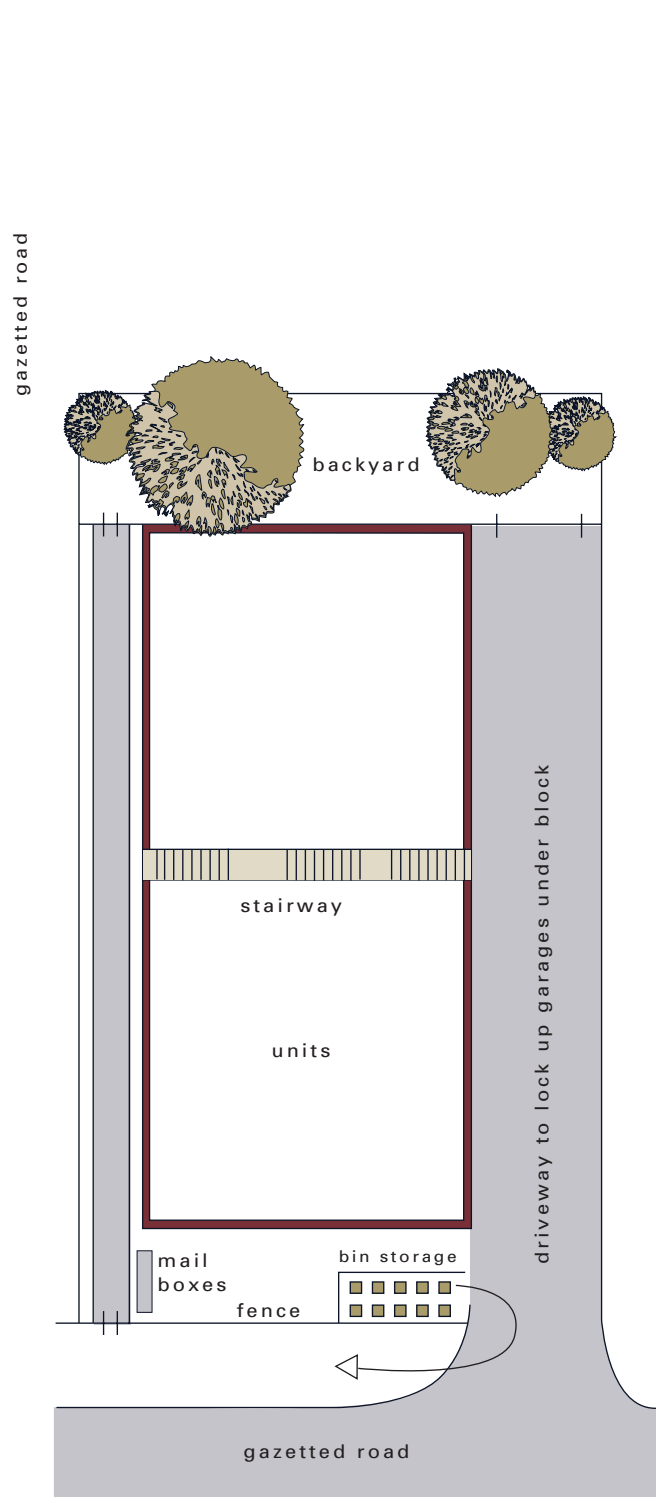
LEGEND

- 1 face brickwork to match main building
- 2 lattice upper as visual screen
- 3 concrete floor graded and drained to Sydney Water connection
- 4 ramp or path - no steps
- 5 front brickwork optional - could have completely open front
- 6 space allocated for MGB
- 7 roof over bin bay (optional)
- 8 anti-vandal tap with hose fitting

EXAMPLE DIAGRAMS OF HOLDING BAY STYLES FOR VILLAS, TOWNHOUSES AND LOW-RISE DEVELOPMENTS



Townhouse development with communal bin area within 2 metres of street alignment



Three storey walk up with bin area within 2 metres of street alignment

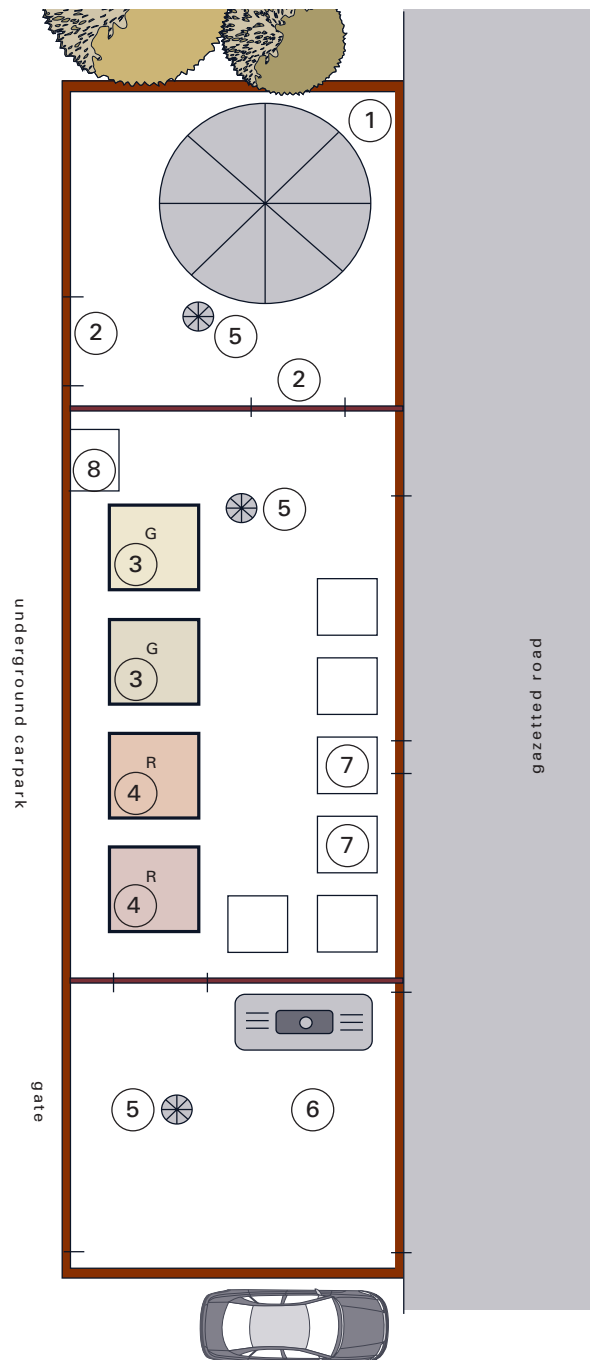
HIGH-RISE RESIDENTIAL, MIXED RESIDENTIAL/COMMERCIAL BUILDINGS

For buildings which are served by a passenger lift, waste facilities must:

- > provide an internal garbage chute leading to a central garbage storage room that has a waste compaction unit attached. The compaction unit shall be set at a 2:1 ratio
- > provide each level of the building with at least one point of access to the chute. The access point shall be located in a signposted room, having a floor area not less than 1.5 metres square, appropriate to hold as a minimum 1 x 240L mobile recycling bin for the collection of paper and containers such as glass/plastic bottles, steel/aluminium cans
- > provide a separate bulky waste storage room for household cleanup material

In mixed residential/commercial buildings, waste facilities must:

- > ensure the garbage chute for the commercial area of the building is kept separate from the residential garbage chute or vice versa
- > provide ventilation, fire control and other services to the garbage chute room in accordance with the Building Code of Australia (BCA)
- > provide a commercial garbage storage facility, separate from the residential section of sufficient size to accommodate all waste generated from the commercial section. If a commercial section garbage facility is located within the building that is more than 2 metres from the street alignment, then a temporary holding bay must be provided that is located within 2 metres of the street alignment.



Otherwise, waste handling facilities shall be provided in accordance with those required for villas, townhouses and low-rise developments.

LEGEND

1 carousel compactor at base of garbage chute	4 MGBs for recycling	7 doors for council access 2 metres from street alignment
2 access for caretaker only	5 drainage to sewer	8 tap
3 MGBs for garbage	6 caged area for discarded bulky items	

GARBAGE AND RECYCLING CONTAINER REQUIREMENT

The following table is a guide only for the minimum number of garbage and recycling containers provided for waste storage and recycling in buildings such as villas townhouses, home units and low-rise developments.

The number of containers required for residential, mixed residential/commercial development buildings which have an internal garbage chute will need to be decided using 2:1 compaction ration as stated on page 6.

Table 1

Number of units	Minimum number of garbage receptacles to be stored	Minimum number of recycling containers to be stored
1-3	1 x 80L bin per unit	1 x 140L comingled mobile recycling bin per unit
4-12	1 x 80L bin per unit or 1 x 240L mobile bin shared between each 3 units	2 x 240L comingled mobile recycling bin
12+	1 x 240L mobile bin per every 3 units 660L bins permitted	As a guide, generally a set of 2 x 240L mobile bins for every 15 units or part thereof 660L bins permitted

Commercial Premises

All commercial premises are to be provided with a garbage/recycling storage area for all waste generated from the premises. The following chart is a minimum guide:

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
Child care facilities	All types	20L / child / week	10L / child / week
Office buildings	General office use	10L / 100m ² GFA / day	10L / 100m ² GFA / day
Retail Trading	Shops < 100m ²	50L / 100m ² GFA / day	25L / 100m ² GFA / day
	Shops > 100m ²	50L / 100m ² GFA / day	50L / 100m ² GFA / day
	Supermarkets	660L / 100m ² GFA / day	130L / 100m ² GFA / day
	Showrooms	40L / 100m ² GFA / day	10L / 100m ² GFA / day
	Greengrocers	240L / 100m ² GFA / day	410L / 100m ² GFA / day

Type of Premises	Sub type of premises	Typical Volume of Waste generated to be stored	
		Waste	Recycling
	Florist / plant shop	900L / 100m ² GFA / day (combined)	
	Butcher / Delicatessen	80L / 100m ² GFA / day	Variable, but average 50L / 100m ² GFA / day
	Bakery	295L / 100m ² GFA / day	165L / 100m ² GFA / day
	Fish	50L / 100m ² GFA / day Waste receptacles shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C	Variable
Food and drink premises	Take away food and drink premises	80L / 100m ² GFA / day	240L / 100m ² GFA / day
	Restaurants and cafes	10L / 1.5m ² GFA / day	120L / 100m ² GFA / day
	Registered clubs Pub Small bar	50L / 100m ² bar area / day 80L / 100m ² restaurant GFA / day	50L / 100m ² bar area / day 50L / 100m ² dining area / day
Assembly rooms	Social recreational or religious premises	50L / 100m ² GFA / day	10L / 100m ² GFA / day
	Entertainment facilities	1L / 4 seats / screening	0.5L / 4 seats / screening
Tourist and visitor accommodation	Backpacker accommodation	40L / occupant space / week	20L / occupant space / week
	Hotel and motel accommodation	5L / bed space / day	5L / bed space / day
		50L / 100m ² bar area / day 10L / 1.5m ² dining area / day	50L / 100m ² bar area / day 50L / 100m ² dining area / day
	Serviced apartments	120L / apartment / week	60L / apartment / week
Industrial	-	Dependant upon industry type	Dependant upon industry type

CONSTRUCTION MATERIALS AND FINISH

Walls

Walls of all garbage stores shall be of solid masonry construction, and shall be cement rendered to a height of 1800mm or the height of any wall, whichever is the lesser. Alternatively walls of garbage store may be tiled with glazed tiles fixed in accordance with the requirements of Australian Standard AS 3958, and the top edge of any such tile section shall be treated in such a way as not to form a ledge upon which dust or grease can accumulate. The intersection of the wall to the floor shall be coved.

Walls of temporary holding bays need to be integrated with the development and streetscape and adequately conceal containers from being viewed from public places and the road.

Floors

Floors are to be constructed of materials which are impervious, non slip, non abrasive, resistant to chemicals, capable of withstanding heavy duty operation, coursing of steam, hot water, soap and detergent; and include ceramic tiles of approved size and type properly affixed with impermeable cement render or similar topping over concrete, or approved material.

The floor finish is to be smooth and even with no protrusions that would prevent easy cleaning. It should be graded and drained, with the approval of the Sydney Water, to the sewer.

The intersection of the floor with the walls and any exposed pipes are to be coved.

Service access to waste storage areas must be continuous paving and not contain steps or ramps with a grade steeper than 1 in 8.

Ceilings

Where provided within a fully enclosed garbage store room, the ceiling is to be constructed of a rigid smooth faced non absorbent material which may include plaster board, fibrous cement, cement render, smooth finish off form concrete or other approved material with washable, gloss paint of a light colour.

The intersection of walls and ceilings are to be tight joined, sealed and dust proof. Drop in panel ceilings are not permitted.

Doors and Gates

Waste storage rooms and garbage bays shall be provided with close fitting doors or gates so as to prevent the entry of trespassers, vermin or other animals into the area. The waste storage area must not be located behind lockable security grilles/roller garage doors/gates etc, unless an additional lockable door is located next to the grill/garage roller door etc, so that waste collectors can access the waste storage area other than through any security/roller systems. Doors/gates to waste storage rooms must provide a minimum clearance of 900mm.

The waste storage room should allow sufficient area and door openings for manoeuvring of containers.

Window Openings

Window openings shall be sufficiently protected so as to prevent the entry of animals or other vermin into the store.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
ALL	All		
All	All	<ul style="list-style-type: none"> Correction of section numbers as they relate to the EP&A Act, 1979. 	To reflect the renumbering of section numbers under the EP&A Act 1979 in March 2018.
All	All	<ul style="list-style-type: none"> Hyperlinks to relevant legislation and policies have been updated. 	To ensure that links to relevant legislation and policies are up to date.
P - A	General Requirements		
S - 1	Introduction		
1.6	Aims of the Development Control Plan	Incorporate new objectives to align with the outcomes of Council's adopted LSPS, LHS and Transport Strategy.	These amendments relate to the newly adopted planning strategies.
1.7.2	Part B – Development Controls	Insertion of a new paragraph relating to precedents	To clarify that the DCP controls will be given greater weight than issues of precedence.
1.8	Variations to Key Development Controls	Section numbers for key development controls have been updated to reflect changes to the DCP numbering.	To ensure DCP references reflect the appropriate sections.
S - 2	Context		
All	All	Relevant statistics have been updated throughout this section.	To ensure that the context remains relevant and current.
S - 3	Submitting an application		
3.3	Applications for development consent	<ul style="list-style-type: none"> Amendment of “Joint Regional Planning Panel” to “Sydney North Regional Planning Panel”; Including new references to Council's North Sydney Local Planning Panel who has a determination role on behalf of Council. 	To reflect changes to the determination processes under the EP&A Act.
		<ul style="list-style-type: none"> Amendment of “Green Travel Plan” to “Travel Plan” 	Updating terminology per advice from Council's Transport Planner.
		<ul style="list-style-type: none"> Added requirement for an ‘Emergency Evacuation Plan’ for child care facilities that are above ground to be supplied where applicable. 	Updating terminology.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
3.5	<i>Applications for tree management permits</i>	<ul style="list-style-type: none"> • Amendment of “prescribed trees” to “declared trees” • Removal of the reference to NSLEP 2013 	These amendments reflect the relocation of tree and vegetation preservation requirements from NSLEP 2013 to SEPP (Vegetation in non-rural Areas) 2017.
S - 4	<i>Notification of applications</i>		
		Nil.	
S - 5	<i>Site analysis</i>		
		Nil.	
P - B	<i>Development Controls</i>		
S - 1	<i>Residential Development</i>		
1.1	<i>Introduction</i>	Reference to new State government plans - Regional Plan for Sydney	Metropolitan strategy superseded by new state plans.
1.1.1	<i>General Objectives</i>	Insertion of reference to <i>Local Housing Strategy</i> and deletion of reference to <i>Residential Development Strategy</i>	Council’s Residential Development Strategy superseded by Local Housing Strategy.
1.1.2	<i>When does this section of the DCP apply</i>	Inserting a new paragraph to highlight that this section does not apply to residential accommodation proposed within the B4 Mixed Use zone as it is subject to the provisions within Part B: Section 2 – <i>Mixed Use and Commercial Development</i> of the DCP.”	To provide increased clarity, as residential flat buildings are also permitted with consent in the B4 Mixed Use zone.
1.1.3	<i>Relationship to other sections</i>	Correction of the titles to other sections of the DCP.	Minor correction
1.1.4	<i>Relationship to other documents and planning policies</i>	Addition/updating of references to the following legislation and planning policies: <ul style="list-style-type: none"> • SEPP 65 – Design Quality of Residential Apartment Development • DPIE’s Apartment Design Code • SEPP (Coastal Management) 2018 • RFS Planning for Bushfire Protection • Liveable Housing Australia’s <i>Liveable Housing Design Guidelines</i> 	Updates correspond to new or amended legislation and guidelines.
1.2.1	<i>Population Mix</i>	Deletion of Objections O3 and O4	To reflect the relocation to a new subsection (S.1.2.2)

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Deletion of P1	To reflect the Council's 2009 Residential Housing Strategy being superseded by the Local Housing Strategy in November 2019.
		Amend P3 (now P2) to "Despite P1 above"	Minor correction, incorrect provision referred to
		Amend P5 (now P4) to refer to "P2 or P3"	Minor correction, incorrect provisions referred to
1.2.2	Adaptable Housing and Universal Design	<p>Addition of a new subsection with existing and new adaptable housing and universal design provisions to:</p> <ul style="list-style-type: none"> Require all new dwellings (which need development approval) to satisfy the Silver performance level under the Liveable Housing Design Guidelines. Encourage the incorporation of Gold and Platinum features. Raise the percentage of adaptable housing required in developments of 5 or more dwellings from 15% to 20%. 	<p>Refer to section 3.10 of the main report</p> <p>Aligning Council's approach to adaptable housing with current best practice.</p>
1.2.5	Housing for Seniors and Persons with a Disability	Deletion of reference to Residential Flat Design Code and insertion of reference to DPIE's <i>Apartment Design Guidelines</i> in P2.	Updated guidelines.
1.3.1	Topography	Relocation of excavation provisions from s.1.5.7 into this part of NSDCP. These provisions relate to: <ul style="list-style-type: none"> excavation; retaining significant natural landscape features; and basement carparking for dwelling houses, residential flat buildings and multi-dwelling housing. 	To improve clarity by consolidating excavation controls into the one place.
		Amending P2 (now P4) to ensure habitable rooms are not located more than 1m below ground level (excluding bathrooms, laundries and storerooms).	Minor correction to reinforce provision.
1.3.2	Properties on Bush Fire Prone Land	Updating reference to NSW Rural Fire Service's <i>Planning for Bush Fire Protection</i>	Updated guidelines.
1.3.6	Views	Updating P4 to refer to LEC's Planning Principle for views from the public domain.	<p>Refer to section 3.14 of the main report</p> <p>Outstanding Council resolution to incorporate this Planning Principle into NSDCP 2013.</p>

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
1.3.7	Solar access	Amend P3 to ensure that no more than 15% of all dwellings in a residential flat building have sole orientation to the south.	Refer to section 3.5 of the main report To align with the Apartment Design Guidelines under SEPP 65.
1.3.8	Acoustic privacy	Updating P2 to require floors between separating sole occupancy units to have a weighted standardised impact sound pressure level (L_{n^*tw}) of no more than 55 dB.	Refer to section 3.11 of the main report Aligns NSDCP with Council's Standard Conditions of Consent and current industry practice.
1.3.9	Vibration	Deletion of reference to Department of Environment, Climate Change and Water, updated to NSW Environment Protection Authority	Minor correction to reflect State government restructuring.
1.3.10	Visual Privacy	Amending P2 to require increased setbacks where there is a need to ensure solar access for neighbouring dwellings.	Refer to section 3.5 of the main report Aligns NSDCP with SEPP 65 requirements and Apartment Design Guide.
		Amending Table B-1.4 such that the wording reflects that under the Apartment Design Guide.	
1.4.4	Laneways	Minor wording change to P9 to reflect a minimum requirement rather than an absolute requirement.	Minor correction to improve clarity and provide some flexibility.
1.4.6	Setbacks	Amending Table B-1.5: <ul style="list-style-type: none"> To include minimum side setback provisions for <i>E4 Environmental Living</i> zones Including new side setback provisions for residential flat buildings in R3 Medium Density Residential and R4 High Density Residential zones. Deletion of controls relating to boarding houses and seniors living in the B4 Mixed Use zone, as these developments would be subject to the provisions under Part B: Section 2 – <i>Commercial and Mixed Use Development</i> of the DCP. 	Refer to sections 3.5 and 3.7 of the main report To improved clarity for development in the E4 Environmental Living Zone and to better align with the Apartment Design Guide under SEPP 65.
		Minor wording change to P7 to reflect a minimum requirement rather than an absolute requirement.	Minor correction to improve clarity and provide some flexibility.
		Amend P8 to refer to correct DCP section, s.1.3.10.	Minor correction, incorrect section referred to

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
1.4.11	<i>Dormers</i>	Amending dormer provisions to: <ul style="list-style-type: none"> • Permit dormers in general residential zones, where there are no amenity or privacy impacts • Distinguish between front and rear dormers • Ensure dormers achieve an appropriate built form 	Refer to section 3.12 of the main report Amending dormer provisions to increase flexibility for non-heritage properties and properties outside of HCAs. Allows greater flexibility for built environment provided there are no privacy or amenity impacts. Aligns with internal advice and decisions of NSLPP.
1.5.1	<i>High quality residential accommodation</i>	Amending the minimum dwelling size requirements under P1 for studio, 2 bedroom and 3 bedroom apartments.	Refer to section 3.5 of the main report. Aligns NSDCP with SEPP 65 requirements and Apartment Design Guide.
		Amending P4 to reduce the number of dwellings off a common corridor from 10 to 8.	
1.5.5	<i>Site Coverage</i>	Amending Table B-1.6 to P1 to include a reference to “secondary dwellings”	To clarify that the controls also applying to this type of development if proposed.
		Addition of a new provision (P3) advising that “any access handle, access way or right of carriageway” is excluded from the calculation of site coverage.	Refer to section 3.13 of the main report Ensuring site calculations deliver appropriate residential amenity.
1.5.6	<i>Landscape Area</i>	Amending Table B-1.7 to P1 to include a reference to “secondary dwellings”	To clarify that the controls also applying to this type of development if proposed.
		Amending P2 advising that “any access handle, access way or right of carriageway” is excluded from the calculation of site coverage.	Refer to section 3.13 of the main report Ensuring site calculations deliver appropriate residential amenity.
1.5.7	<i>Excavation</i>	Deletion of this section in its entirety and relocation of relevant provisions to section 1.3.1.	To improve clarity by consolidating excavation controls into the one place
1.5.9	<i>Private and communal open space</i>	Amending Table B-1.8 to P1 to: <ul style="list-style-type: none"> • Include a minimum private open space requirement of 4sqm for studios within a residential flat building. • Amend the minimum private open space requirements for 2 bedroom and 3 bedroom apartments within a residential flat building. 	Refer to section 3.5 of the main report. Aligns NSDCP with SEPP 65 requirements and Apartment Design Guide.
1.5.13	<i>Garbage Storage</i>	Addition of new objective (O2) to reinforce waste avoidance, source separation and recycling	Refer to section 3.9 of the main report

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		<p>Addition of a new provision (P1) to require each dwelling to provide a waste storage cupboard capable of accommodating at least 2 days of waste and to enable the source separation.</p> <p>Amend Table B-1.10 to P1 (now P2) to include new requirements for bin size.</p> <p>Amending P3 (now P4) to require interim recycling rooms to accommodate 240L bins.</p> <p>Amending P10 to include green waste bins and general household bulky waste clean-up materials.</p> <p>Amending P13 to refer to Council's "Waste Management Guide".</p>	Aligning NSDCP with revised Waste Management Guidelines.
1.5.14	Site Facilities	Amending Table B1.11 to provision P4 to decrease the minimum residential storage requirement for a studio from 6 cubic metres to 4 cubic metres.	Refer to section 3.5 of the main report. Aligns NSDCP with SEPP 65 requirements and Apartment Design Guide.
S -2	Commercial and Mixed Use Development		
2.1.2	When does this section of the DCP apply?	Amending the wording in relation to the development on land zoned SP2 Infrastructure to refer to "one or more" rather than "more than one".	Provide increased clarification.
2.1.4	Relationships to other documents and planning policies	<p>Addition/updating of references to the following legislation and planning policies:</p> <ul style="list-style-type: none"> • SEPP No. 65 – Design Quality of Residential Apartment Developments • DPIE's Apartment Design Guide • Liveable Housing Australia's <i>Liveable Housing Design Guidelines</i> 	Updates correspond to new or amended legislation and guidelines.
2.2.2	Maximise use of public transport	Amend P3 from "on site commuter parking" to "off street commuter parking".	Provide increased clarification.
2.2.3	Mixed Residential Population	Deletion of P1 in its entirety	To reflect the Council's 2009 Residential Housing Strategy being superseded by the Local Housing Strategy in November 2019.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Amending P3 (now P2), to correct changed reference within the section.	Minor correction.
		Amending P5 (now P4), to correct changed references within the section.	Minor correction.
		Addition of new adaptable housing and universal design provisions to: <ul style="list-style-type: none"> • Require all new dwellings (which need development approval) to satisfy the Silver performance level under the Liveable Housing Design Guidelines. • Encourage the incorporation of Gold and Platinum features. • Raise the percentage of adaptable housing required in developments of 5 or more dwellings from 15% to 20%. 	Refer to section 3.10 of the main report Aligning Council's approach to adaptable housing with current best practice in this area.
2.2.4	Hotel Design <i>(now Design of tourist and visitor accommodation)</i>	Amending the section heading to apply to all tourist and visitor accommodation types.	To reflect the land use terms used under NSLEP 2013.
		Amending objective O1 to refer to "hotel or motel accommodation" and serviced apartments".	To increase the level of control in relation to tourist and visitor accommodation to ensure that it minimises impacts upon other uses, where provided within mixed use buildings. To align with SEPP 65 and Apartment Design Guide by providing separate entries.
		Addition of new objective (O2) to minimise impact of tourist and visitor accommodation on other uses in mixed use developments	
		Amending all existing provisions to refer to hotel and motel accommodation	
		To require a separate entrance for tourist and visitor accommodations and in mixed use buildings	
2.2.5	Hotel Management <i>(now Tourist and visitor accommodation management)</i>	Amending the title of the section to apply to all tourist and visitor accommodation types.	To reflect the land use terms used under NSLEP 2013.
		Amending of objective O1 to refer to "tourist and visitor accommodation" rather than just hotels	To increase the level of control in relation to tourist and visitor accommodation to ensure that it minimises impacts upon other uses, where provided within mixed use buildings. To align with SEPP 65 and Apartment Design Guide by providing separate entries.
		Amending provisions to reference hotel or motel accommodation and serviced apartments	

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
2.3.7	<i>Solar access</i>	Amend P8 to ensure that no more than 15% of all dwellings in a residential flat building have sole orientation to the south.	Refer to section 3.5 of the main report To align with the Apartment Design Guidelines under SEPP 65.
2.3.8	<i>Views</i>	Amending introductory text to: <ul style="list-style-type: none"> Acknowledge the difficulty of view sharing in high density areas; and State Council's intention to consider view impacts where reasonably possible 	To improve clarity to consider the issue of views, however, realise that this is difficult in dense urban environments.
		Amending P5 to reference LEC's Planning Principle for views from the public domain.	Refer to section 3.14 of the main report Outstanding Council resolution to incorporate a reference to this Planning Principle into NSDCP 2013.
2.3.9	<i>Acoustic Privacy</i>	Updating P3 to require floors between separating sole occupancy units to have a weighted standardised impact sound pressure level ($L_{n^{\text{tw}}}$) of no more than 55 dB.	Refer to section 3.11 of the main report Aligns NSDCP with Council's Standard Conditions of Consent and current industry practice.
2.3.11	<i>Visual privacy</i>	Amending Table B-1.4 such that the wording reflects that under the Apartment Design Guide.	Refer to section 3.5 of the main report To align with the Apartment Design Guidelines under SEPP 65.
2.4.6	<i>Skyline</i>	Addition of reference to clause 6.3 of NSLEP 2013	To improve clarity
2.4.9	<i>Through-site pedestrian links</i>	Include a new provision (P9) to ensure that through-site links to be provided along side boundaries of properties are open to the sky.	To maximise pedestrian amenity and reinforce the public accessibility of such spaces.
2.4.11	<i>Entrances and Exits</i>	Addition of new objective (O3) to maximise safety and amenity of occupants to buildings containing a mixture of land uses.	Refer to section 3.8 of the main report Ensures consistency with SEPP 65, design guidelines and addresses concern raised by Council staff.
		Addition of a new provision (P9) requiring separate pedestrian entries and lobbies for: <ul style="list-style-type: none"> Residential accommodation and non-residential development in a mixed use building Hotels, motels and serviced apartments and any other non-residential development in a mixed use building. 	
2.5.4	<i>High quality residential accommodation</i>	Amending the minimum dwelling size requirements under P1 for studio, 2 bedroom and 3 bedroom apartments.	Refer to section 3.5 of the main report

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Amending P4 to reduce the number of dwellings off a common corridor from 10 to 8.	To align with the Apartment Design Guidelines under SEPP 65.
2.5.6	<i>Private open space</i>	Amending P1 to: <ul style="list-style-type: none"> • Include a minimum private open space requirement of 4sqm for studios within a residential flat building. • Amend the minimum private open space requirements for 2 bedroom and 3 bedroom apartments within a residential flat building. 	Refer to section 3.5 of the main report. Aligns NSDCP with SEPP 65 requirements and Apartment Design Guide.
		Amending P2 to increase the minimum dimension for a balcony to a 3+ bedroom apartment and to remove the minimum 8sqm requirement.	
		Amending P3 to increase the internal size of an apartment where a balcony is not provided by the minimum balcony size requirement.	
2.5.7	<i>Vehicular Access</i>	Addition of new provision P7 requiring parking areas to be designed to enable cars to enter and leave the site in a forward direction.	Based on recommendation of Council's development engineers and align with the North Sydney Transport Strategy.
2.5.9	<i>Garbage Storage</i>	Amending provision P2 by rewording the provision and including a requirement to provide separate waste storage facilities in mixed use buildings, to which access should be restricted.	Refer to section 3.9 of the main report Aligning NSDCP with revised Waste Management Guidelines.
		Amend to Table B-2.10 to provision P16 to include new waste and recycling bin requirements for non-residential development.	
		Amend provision P18 to require interim recycling rooms to accommodate 240L bins.	
		Amend to Table B-2.11 to provision p24 to include new waste and recycling bin requirements for residential development.	
		Amend provision P26 to require interim recycling rooms to accommodate 240L bins.	
		Amend provision P28 to revise wording and require increased storage capacity in separate waste receptacles.	

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
2.5.10	Site facilities	Amending Table B2.12 to provision P13 to decrease the minimum residential storage requirement for a studio from 6 cubic metres to 4 cubic metres.	Refer to section 3.5 of the main report. Aligns NSDCP with SEPP 65 requirements and Apartment Design Guide.
2.6.4	Natural Ventilation	Deletion of “of apartments” from provision P1.	Correction of minor error, controls for this section refer to both residential and commercial development, therefore provision should apply to both types.
2.6.10	Waste Management and Minimisation	Deletion of section in its entirety.	These controls duplicate those at section 2.6.6.
S – 3	Non-residential Development in Residential Zones		
3.1	Introduction	Reference to the EP&A Act amended	Correction to reflect the new sections numbers under the Act.
3.1.2	When does this section of the DCP apply	Amending Clause (a) such that the section also applies to: <ul style="list-style-type: none"> residential development in the E4 Environmental Living Zone to group homes and secondary dwellings 	Clarification of controls applying to development in this zone
		Amending the section to highlight that this section does not apply to residential accommodation proposed within the B4 Mixed Use zone as it is subject to the provisions within Part B: Section 2 – Mixed Use and Commercial Development of the DCP.”	Clarification of controls applying to these types of development
		Amending the wording in relation to the development on land zoned SP2 Infrastructure to refer to “one or more” rather than “more than one”.	Provide increased clarification.
3.1.3	Relationship to other sections	Correction of the titles to other sections of the DCP.	Minor correction
3.1.4	Relationship to other documents and planning policies	Addition/updating of references to the following legislation and planning policies: <ul style="list-style-type: none"> SEPP (Educational Establishments and Child Care Facilities) 2017 SEPP (Infrastructure) 2007 SREP (Sydney Harbour Catchment) 2005 	Updates correspond to new or amended legislation

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
3.2.1	Topography	Relocation of excavation provisions from s.3.4.6 into this part of NSDCP. These provisions relate to: <ul style="list-style-type: none"> • excavation; and • retaining significant natural landscape features. 	To improve clarity by consolidating excavation controls into the one place.
3.2.3	Properties on Bush Fire Prone Land	Updating reference to NSW Rural Fire Service's <i>Planning for Bush Fire Protection</i>	Updated guidelines.
3.2.8	Views	Amending provision P4 to reference LEC's Planning Principle for views from the public domain.	Refer to section 3.14 of the main report Outstanding Council resolution to incorporate a reference to this Planning Principle into NSDCP 2013
3.2.11	Vibration	Deletion of reference to Department of Environment, Climate Change and Water, updated to NSW Environment Protection Authority	Minor correction to reflect State government restructuring.
3.3.3	Laneways	Minor wording change to provision P6 to reflect a minimum requirement rather than an absolute requirement.	Minor correction to improve clarity and provide some flexibility.
3.3.6	Setbacks	Amending Table B-3.2 to provision P3 to apply the same setback requirements in the R2 Low Density Residential, R3 Medium Density Residential and E4 Environmental Living zones	Refer to section 3.7 of the main report To ensure that setbacks are applied to development in the E4 Environmental Living Zone and to consolidate the requirements within the table.
		Minor wording change to P8 to reflect a minimum requirement rather than an absolute requirement.	Minor correction to improve clarity and provide some flexibility.
3.4	Quality Urban Environment	Amendment of introductory text	To reflect that the section does not apply to residential development.
3.4.4	Site Coverage	Amend Table B-3.3 to P1 to apply the R2 Low Density Residential zone site coverage controls to the E4 Environmental Living zone	Refer to section 3.7 of the main report To ensure that site coverage controls are applied to development in the E4 Environmental Living Zone.
		Addition of a new provision (P3) to exclude access handles, access ways and right of carriageways from the calculation of site coverage.	Refer to section 3.13 of the main report Ensure that an equitable built form can be provided over the primary part of the allotment.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
3.4.5	Landscape Area	Amend the Table reference number from “B-1.6” to “B-3.4” and change the title to remove references to “site coverage” and replace that with “un-built upon area”.	To correct minor errors.
		Amend Table B-3.3 to P1 to apply the R2 Low Density Residential zone landscape area and un-built upon area controls to the E4 Environmental Living zone	Ensuring landscape area controls apply to development in this zone
		Addition of a new provision P2(b) to exclude access handles, access ways and right of carriageways from the calculation of landscape area and un-built upon area.	Refer to section 3.13 of the main report Ensure that an equitable built form can be provided over the primary part of the allotment.
3.4.6	Excavation	Deletion of this section in its entirety and relocation of relevant provisions to section 3.2.1.	To improve clarity by consolidating excavation controls into the one place
3.4.9	Garbage Storage	Addition of new objective (O2) to reinforce waste avoidance, source separation and recycling	Refer to section 3.9 of the main report Aligning NSDCP with revised Waste Management Guidelines.
		Amend Table B-3.5 to provision P1 to include new waste and recycling bin requirements for non-residential development.	
		Amending provision P3 to require interim recycling rooms to accommodate 240L bins.	
		Amend provision P16 to refer to Council’s “Waste Management Guide” rather than “Waste Facility Guide”	
		Amend provision P23 to include a reference to green waste bins.	
3.5	Energy Efficiency	Correction of Table number from “B-2.13” to “B-3.6” within the introductory text.	Correction of minor error.
		Correction of reference to NABERS provision in Table B3.6 from “s.2.6.1(P21)” to “s.3.5.1(P17)”	Correction of minor error.
3.5.4	Natural Ventilation	Deletion of ‘of apartments’ from provision P1.	Correction of minor error, controls for this section are for non-residential development not dwellings.
3.5.10	Hot Water systems	Amend provision P1 by removing reference s to residential development and deletion of provision P5 in its entirety.	Correction of minor error, controls for this section are for non-residential development not dwellings.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
S – 4	Boarding Houses		
		Nil.	
S-5	Child Care Centres		
	Section wide	Replacing the term 'child care centre' with 'child care facility'	Refer to section 3.15 of the main report Reflects new terminology in NSLEP 2013.
5.1	Introduction	Amend the opening paragraph.	To provide increase clarity.
5.1.2	When does this section of the DCP apply?	Addition of paragraph stating that this section does not apply to home-based or school-based child care facilities which satisfy the exempt or complying development requirements under <i>SEPP (Educational Establishments and Child Care Facilities) 2017</i>	Updated to ensure alignment with new or amended legislation and provide increase clarity.
5.1.3	Relationship to other sections	Correction of the titles to other sections of the DCP.	Minor correction
5.1.4	Relationship to other documents	<p>Addition/updating of references to the following legislation and planning policies:</p> <ul style="list-style-type: none"> • <i>SEPP (Educational Establishments and Child Care Facilities) 2017</i> • Council's <i>Best Practice Guidelines for Above Ground Floor Child Care Centres</i> • <i>Children (Education and Care Services) Supplementary Provisions Act 2011</i> • <i>Education and Care Services Regulations</i> • <i>Children (Education and Care Services) Supplementary Provisions Regulation 2019</i> • National Quality Standard for Early Childhood Education and Care and School Age Care <p>Deletion of references to outdated or superseded legislation:</p> <ul style="list-style-type: none"> • <i>Children and Young Persons (Care and Protection) Act 1998</i> • <i>Children Service's Regulation 2004</i> 	Updates correspond to new or amended legislation.
		Revision of existing note to state that BCA and NCC are currently undergoing review by Australian Building Code Board with regard to child care facilities.	Refer to section 3.15 of the main report Revised in accordance with advice supplied by the consultant who prepared the best practice guidelines for child care centres located above ground level.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
5.2	Location	Amendments to objectives and provisions to reflect new land use terms.	To improve clarity.
5.3	Siting	Amending introductory text to: <ul style="list-style-type: none"> Recognise the need for safe and efficient evacuation measures Acknowledge the difficulties of locating facilities at ground level in high density areas 	Refer to section 3.15 of main report Amendments align NSDCP with best practice in this industry and the findings of a child care consultant.
		Amending provision P2 in relation to: <ul style="list-style-type: none"> Evacuation, Emergency Evacuation Plans and emergency egress; Requirements for 'fire isolated safe haven' spaces; and Minimum areas of indoor and outdoor play spaces. 	Refer to section 3.15 of the main report Amendments align NSDCP with best practice in this industry and the findings of a child care consultant.
5.5	Entry	Addition of a new objective (O2) to ensure the safety of children using the facility.	Refer to section 3.15 of the main report Amendments align NSDCP with best practice in this industry and the findings of a child care consultant.
		Amending provisions to use updated terminology: 'centre-based' and 'school-based' child care facilities.	Refer to section 3.15 of the main report Minor updates to reflect new terminology used in legislation. See section 3.10 of Council report.
5.7	Safety and Security	Deletion of provisions P4 and P5.	These requirements are duplicated under section 5.2.
		Revise the wording of provision P6 (now P4).	To improve clarity.
5.9	Drop off and pick up of children	Amending provision P2 to include E4 Environmental Living zone, SP2 Infrastructure (Educational Establishment) zone and IN2 Light Industrial zone. Also including the full names for each zone in the provision.	Ensuring that the requirement applies to those zones within which child care facilities are permitted.
5.10.3	Outdoor space	Addition of a new provision P10(k) requiring outdoor play spaces above ground level to be appropriately enclosed with a minimum 1800mm high fence.	Refer to section 3.15 of the main report Amendments align NSDCP with best practice in this industry and the findings of a child care consultant.
5.10.6	Fences	Addition of a new provision (P5) requiring fences for outdoor play spaces to be at least 1800 mm high.	Refer to section 3.15 of the main report Amendments align NSDCP with best practice in this industry and the findings of a child care consultant.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
S – 6	<i>Sex Services and Restricted Premises</i>		
		Nil.	
S – 7	<i>Late Night Trading Hours</i>		
		Nil	Note - A separate amendment to this section is occurring concurrently with these amendments.
S-8	<i>Outdoor Dining and Display of Goods on the Footpath</i>		
	<i>Section-wide</i>	Change of terminology from 'display areas' to 'goods display areas'	Amended to reflect new terminology.
8.1.2	<i>When does this section of the DCP apply?</i>	Amending the introductory text: <ul style="list-style-type: none"> To include references to relevant NSLEP provisions and State Codes SEPP Replacement of the land use terms with those defined under NSLEP 2013 To include a reference to 'small bars' as a type of food and drink premises Refer to new assessment process for proposals deemed exempt development. 	Refer to section 3.16 of the main report Amended to reflect new legislative requirements and terminology and incorporate updates to the approval process through the Codes SEPP.
8.3	<i>Function</i>	Amendments to provision P1 to include retail premises.	Refer to section 3.16 of main report Amended to reflect new legislative requirements and terminology and incorporate updates to the approval process through the Codes SEPP.
8.5.3	<i>Furniture and equipment</i>	Deletion of provision P11 in its entirety, which required cigarette butt bins or ashtrays provided in outdoor dining areas.	Amended to reflect new legislative requirements (i.e. no smoking is permitted where people also eat.
S – 9	<i>Advertising and Signage</i>		
		Nil	
S -10	<i>Car Parking and Transport</i>		
10.1	<i>Introduction</i>	Amending the introductory text to reflect the aims and outcomes of the <i>North Sydney Transport Strategy</i>	Refer to section 3.3 of the main report To align with adopted Council strategies.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
10.1.1	General Objectives	<p>Addition of four new objectives (O1, O2, O3 and O11) to:</p> <ul style="list-style-type: none"> Align provisions with the Greater Sydney Commission's <i>Greater Sydney Region Plan</i> and <i>North District Plan</i> Align provisions with Council's <i>Local Strategic Planning Statement</i> and <i>North Sydney Transport Strategy</i> To ensure a development's transport demand is effectively managed through its lifetime. 	<p>Refer to section 3.3 of the main report</p> <p>Ensuring this section of the DCP remains relevant and aligns with the outcomes recent Council and state strategic planning work.</p>
10.1.4	Relationship to other documents	<p>Addition/updating of references to the following legislation and planning policies:</p> <ul style="list-style-type: none"> Council's <i>Local Strategic Planning Statement</i> <i>North Sydney Transport Strategy</i> <i>SEPP (Infrastructure) 2007</i> <i>Performance Guide</i> 	Amended to reflect new and updated legislation and guidelines.
10.2.1	Quantity Requirements	Reordering of the existing objectives and revising the wording to objective O1 (now O3).	<p>Refer to section 3.3 of the main report</p> <p>Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy.</p>
		Amending provisions P1, P2, P7, P8 and P9 to reinforce that the stated parking rates are maximums and that applicants are encouraged to reduce on-site parking provision in locations with high levels of access to mass public transport.	<p>Refer to section 3.3 of the main report</p> <p>Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy.</p>
		Deletion of 'recreational establishment' parking rates from Table B-10.3.	Term was erroneously carried over from NSDCP 2002. It's equivalent under NSLEP 2013 is 'tourist and visitor accommodation', which is already covered in the parking rates table.
10.2.2	Car Share Schemes	Revising the wording of O1 to ensure car share schemes minimise negative impacts of vehicular traffic from new developments and on the amenity of the local community.	<p>Refer to section 3.3 of the main report</p> <p>Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy.</p>
		Revision of wording within provision P1 to reinforce Council's position on car share schemes.	<p>Refer to section 3.3 of the main report</p> <p>Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy.</p>

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Addition of a new provision (P2) outlining criteria to addressed when providing off-street car share spaces.	Refer to section 3.3 of the main report Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy. Incorporated in response to issues raised by Council's Traffic Engineer.
10.3.1	General	Amending provision P7 to ensure that access to resident parking in mixed use developments is restricted through appropriate security measures.	Refer to section 3.3 of the main report Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy.
10.4	Loading and Servicing Facilities	Addition of a new provision (P5) indicating that height clearances are to require with Australian Standard AS 2890.2.	In response to concerns raised by Council's Traffic Engineers references to the Australian Standard have bene incorporated to ensure such matters are considered at the design stage.
10.5	Bicycle Parking and Associated Facilities	Where applicable updating references to security levels in accordance with AS 2890.3. In particular Security Levels A, B and C replace former Classes 1, 2 and 3.	Amended to reflect updated Australian Standards.
		Amending the minimum occupant bicycle parking rate for a "shop, restaurant or café" in Table B-10.4 to provision P1, from 1/25sqm of GFA to 1 / 250sqm of GFA	To correct a typographical error when the rate was first incorporated and to ensure that onerous levels of occupant bicycle parking is not provided.
		Amending provision P10 relating to bike storage to ensure that it is: <ul style="list-style-type: none"> • located undercover; • passively surveyed from the public domain; and • allows safe night time use. 	Refer to section 3.3 of the main report Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy.
10.6	Green Travel Plans (now Travel Plans)	Amending section name from 'Green Travel Plans' to 'Travel Plans'	Aligning NSDCP with industry best practice, and providing a structure and actions to guide the preparation and implementation of Travel Plans
		Amending introductory text to outline basic requirements of travel plans.	Refer to section 3.3 of the main report Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy and provide greater clarity.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Amending objective O1 to refer to residents and visitors as well as employees.	Refer to section 3.3 of the main report Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy. To reflect that section does not just apply to commercial developments.
		Amending provision P2 to include new requirements for Travel Plans. These requirements include: <ul style="list-style-type: none"> • Empirical analysis of travel demand and mode share • A vision and objectives, consistent with <i>North Sydney Transport Strategy</i> • Specific and measurable targets • Action plan with links to identified targets • Requirements for evaluation and review of travel plan 	Refer to section 3.3 of the main report Ensuring NSDCP implements the actions of the LSPS and North Sydney Transport Strategy. Incorporated to provide greater clarity in response to Council's Transport Planner
		Minor wording revision to provision P3 to clarify the circumstances where maximum parking rates may be reduced	To improve clarity
10.7	<i>Traffic & Parking Impact Assessment</i>	Addition of new section - 'Traffic & Parking Impact Assessment', which outlines when a traffic & parking impact assessment is required and the issues that should be considered in these plans. Includes provisions relating to the monitoring and maintenance of these plans.	Requirements have been relocated from former Section 11 - <i>Traffic Guidelines for Development</i> , to ensure that a development's operational traffic issues are located in the one location.
S – 11	<i>Traffic Guidelines for Development (Now Construction Management)</i>		
	<i>Chapter-wide</i>	Deletion of the entire contents of the section and replaced with provisions relating to 'Construction Management' which aims to manage and minimise the impact of construction works on residents and workers. Provisions relate to operating hours, noise and vibration, public safety, site security, air and dust management, traffic management, and sediment control.	Refer to section 3.18 of the main report To provide increased guidance on matters to be considered with regard to construction management.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
S – 12	Access		
12.1	Introduction	Revision of introductory text to include the concept of 'dignified access' and 'universal design'	Refer to section 3.19 of the main report Ensuring Access section stays relevant and reflects new 'Design for Dignity' guidelines from Australian Network on Disability.
12.1.1	General Objectives	Amending the objectives to make reference to safe, equitable and dignified access.	Refer to section 3.19 of the main report Ensuring Access section stays relevant and reflects new 'Design for Dignity' guidelines from Australian Network on Disability.
12.2.4	Australian Standards	Updating references to Australian Standards that have been amended or superseded, deletion of superseded and obsolete standards	To ensure that the correct and current standards are referred to.
12.2.5	Livable Housing Design Guidelines	Addition of new subsection outlining and explaining the provisions of the <i>Livable Housing Design Guidelines</i> .	Refer to sections 3.10 and 3.19 of the main report. Providing relevant background information on the new guidelines.
12.4.1	Continuous Accessible Path of Travel	Replacing the term 'uninterrupted' with 'clear, flat and unobstructed' within the introductory text.	To provide increased clarity.
		Addition of new objective (O3) to encourage new development to incorporate universal design principles.	Refer to section 3.19 of the main report Ensuring Access section stays relevant and reflects new 'Design for Dignity' guidelines from Australian Network on Disability.
12.4.4	Walkways Ramps and Landings	Amending objective O3 to ensure that appropriate ancillary devices are provided with walkways, ramps and landings to maximise mobility for all people.	The existing objective appeared to be incomplete and further clarification is required.
12.5	Adaptable Housing	Addition of new objective (O2) to ensure all new dwellings incorporate basic universal design elements.	Refer to section 3.10 of the main report Ensuring Council's approach to the provision of adaptable housing reflects industry best practice.
		Amending provision P1 to revise the references to other sections in the DCP.	To correct the references as a result of other changes to the DCP.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
S – 13	<i>Heritage and Conservation</i>		
1.3.6	<i>When is development approval required?</i>	Amendment of the Category 2 – Routine Maintenance to Table B-13.2 to ensure that it may apply to routine maintenance works that are “not” likely to have an adverse impact on heritage significance.	To correct the intent of the requirement.
13.1.8	<i>Heritage Applications</i>	Deletion of clause (a) under ‘Authorisation Applications’.	This clause is duplicated in the introductory text directly above it and therefore is redundant.
		Updating links to NSW Heritage information.	Minor correction.
13.5.5	<i>Interior layouts</i>	Revising provision P3 to provide more guidance as to when it is acceptable to convert rooms displaying high levels of heritage significance for kitchen and bathroom purposes.	In response to concerns raised by Council’s Conservation Planners, increased guidance is required to ensure a greater level of consistency when considering the conversion of rooms for kitchen and bathroom purposes.
13.9	<i>Controls for specific built elements</i>	Amending introductory text to reference area character statements in Part C of the DCP and clarify definition of ‘uncharacteristic elements’	Refer to section 3.22 of the main report Addition to improve clarity of heritage controls for unsympathetic elements in response to concerns raised by Council’s Conservation Planners..
13.9.2	<i>Dormers</i>	Amending the provisions to ensure that more rigorous controls continue to apply to dormers on heritage items and within conservation areas. Essentially involve the relation of former controls under section 1.4.11 to Part B of the DCP. The relocated controls: <ul style="list-style-type: none"> • Do not permit dormers on the street elevation of a building, with few exceptions (i.e. where properties in vicinity have dormers); • Require the roof pitch of dormers not to exceed 36 degrees; • Require any dormers on street elevation to be less than 1/3 of the width of the building; • Require dormer not to project above the ridge of roof plane Minor correction to the figure referred to in P11.	Refer to section 3.12 of Council report Allowing greater flexibility for dormers in general residential areas whilst ensuring there is still adequate protection for heritage items and conservation area. More stringent provisions in relation to dormers will apply to heritage items and conservation areas.
		Amend provision P11 to change the figure reference from B-8.25 to B-13.27.	To rectify an incorrect reference the figure, minor correction.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
13.9.7	Gardens	Inserting a new set of controls in relation to garden settings, reflecting the controls contained under former NSDCP 2001.	Refer to section 3.21 of the main report In response to concerns raised by Council's Conservation Planners to provide increased guidance as to what is acceptable.
13.10	Guidelines for Residential Building Types	Amend provision P1 to sections 13.10.1 – 3.10.4 to refer to sections 13.5, 13.6 and 13.9 rather than to sections 13.3 and 13.8.	To correct references.
13.10.5	Apartment Buildings	Amend provision P6 to refer to sections 13.5, 13.6 and 13.9 rather than to sections 13.3 and 13.7	To correct references.
		Reordering provision numbers to ensure continuous numbering.	To correct references.
13.11.1	Commercial and Office buildings	Amend provision P6 to refer to sections 13.5, 13.6 and 13.9 rather than to sections 13.3 and 13.7	To correct references.
13.11.3	Pubs and Hotels	Amending the reference number in Figure B-13.56 to refer to s.13.9.3 rather than 13.8.3	To correct references.
		Amending provision P1 to refer to sections 13.5 and 13.9 rather than to sections 13.3 and 13.7.	
13.11.4	Community and public buildings	Amending provision P1 to refer to sections 13.5 and 13.9 rather than to sections 13.3 and 13.7.	To correct references.
13.11.5	Warehouses and industrial buildings	Amending provision P1 to refer to sections 13.5 and 13.9 rather than to sections 13.3 and 13.7.	To correct references.
S – 14	Contamination and Hazardous Building materials		
14.1	Introduction	Amendment of introductory text to make reference to impending changes to contamination and remediation legislation.	To ensure that applicants are made aware that the planning controls relating to contamination and remediation will be changing in the future and that these changes may make some of the provisions within the DCP redundant and that the new controls will take precedence.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
14.1.4	<i>Relationship to other documents</i>	Adding and amending of references to the following legislation and planning policies: <ul style="list-style-type: none"> • Draft State Environmental Planning Policy (Remediation of Land) • Draft Contaminated Land Planning Guidelines • <i>Work Health and Safety Act 2011</i> • <i>Work Health and Safety Regulation 2017</i> 	To reflect new or amended legislation and guidelines.
14.2.5	<i>Site Audit</i>	Amend the date relating to the Contaminated Land Management Regulation under “site audit statements”	To reflect the coming into force new legislation.
14.2.6	<i>Council records and community information</i>	Replacement of “s.147” with “s.10.7” wherever occurring	To reflect the change to section numbers under the EP&A Act.
		Replacement of “Freedom of Information Act 1989” with “Government Information (Public access) Act 2009” wherever occurring	To reflect the coming into force new legislation.
14.3.2	<i>Hazardous Building Materials Survey Report</i>	Replacement of “Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008 and Protection of the Environment Operations (Waste) Regulation 2005” with “Protection of the Environment Operations (Waste) Regulation 2014”	To reflect the coming into force new legislation.
14.3.3	<i>Removal of Hazardous Building Materials</i>	Replacement of references to the Occupation Health and Safety Act and Regulations with the Work Health and Safety Act and Regulation.	To reflect the coming into force new legislation.
S – 15	<i>Bushland</i>		
15.1.4	<i>Relationships to other policies and documents</i>	Adding and amending references to the following legislation and planning policies: <ul style="list-style-type: none"> • <i>NSW Biodiversity Conservation Act (BC Act 2016)</i> • <i>NSW Rural Fire Service’s Planning for Bush Fire Protection</i> • <i>NSW Biosecurity Act 2015</i> 	To reflect the coming into force new legislation.
15.3.1	<i>Weeds</i>	Replacement of the term ‘noxious weeds’ with ‘biosecurity weeds’.	To reflect the coming into force new legislation.
15.5	<i>Threatened Species</i>	Updating introductory text to reference new State agency names, ‘Department of Environment, Energy and Science’.	Minor correction.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Amending provision P1 to reference NSW <i>Biodiversity Conservation Act 2016</i> , and deletion of references to superseded legislation.	To reflect the coming into force new legislation.
15.6	Wetland Areas	Updating introductory text to refer to NSW <i>Biodiversity Conservation Act 2016</i> , deletion of reference to superseded legislation.	To reflect the coming into force new legislation.
S – 16	<i>Tree and Vegetation Management</i>		
16	Chapter-wide	Deletion of references to NSLEP 2013 and addition of references to relevant parts of SEPP (Vegetation in Non-Rural Areas) 2017.	Refer to section 3.25 to the main report To reflect changes to the approval process.
16.1	Introduction	Amending introductory text to state to include a statement that the section also identifies those instances where a permit is required to remove or prune trees and vegetation.	Refer to section 3.25 to the main report To provide increase clarity.
16.1.1	General objectives	Amending objective O1 to refer to <i>SEPP (Vegetation in Non-Rural Areas) 2017</i> and a change from “prescribed trees” to “declared trees”.	Refer to section 3.25 to the main report To reflect the requirements of new legislation.
16.1.4	Relationship to other documents and planning policies	Replacement of the reference to “NSLEP 2013” to “ <i>SEPP (Vegetation in Non-Rural Areas) 2017</i> ”.	Refer to section 3.25 to the main report To reflect the requirements of new legislation.
		Amending item (f) to reflect the policy is updated.	Refer to section 3.25 to the main report To provide increased clarity.
16.2	Controls for the management of trees and vegetation	Amending introductory text to refer to <i>SEPP (Vegetation in Non-Rural Areas) 2017</i> and minor changes in wording to align with the wording under the SEPP.	Refer to section 3.25 to the main report To reflect the requirements of new legislation.
16.2.1	Objectives	Amending objectives O2 and O3 to refer to <i>SEPP (Vegetation in Non-Rural Areas) 2017</i> .	Refer to section 3.25 to the main report To reflect the requirements of new legislation.
16.2.2	Provisions	Amending P1 to refer to <i>SEPP (Vegetation in Non-Rural Areas) 2017</i> and <i>Biosecurity Act 2015</i> . Amending clauses (a) and (b) to: <ul style="list-style-type: none"> Align with SEPP terminology; and Preserve dead or dying trees and vegetation where they are a habitat for native animals 	Refer to section 3.25 to the main report To reflect the requirements of new legislation.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Amending P2 to require a DA for the removal/pruning trees or vegetation with a height of 5 m and more, a crown width of 5 m or more, or a circumference of 500 mm or more.	Refer to section 3.25 of the main report To update NSDCP to align with Council's implementation policy as a result of Council's revised <i>Urban Forest Strategy</i> . The strategy aims to protect a greater number of trees by lowering the threshold for which a permit is needed to prune or remove trees. The changes to the thresholds are consistent with the endorsed Urban Forest Strategy.
		Amending provision P3 by adding a new subclause (g) requiring consideration of impacts to heritage items and conservation areas in provision.	Refer to section 3.25 of the main report Ensuring trees and vegetation are protected where they contribute to the heritage significance of a place or conservation area.
		Amending provision P7, to refer to 'declared' rather than 'prescribed'.	Refer to section 3.25 to the main report To reflect the requirements of new legislation.
		Amending provision P8 to reference <i>SEPP (Vegetation in Non-Rural Areas) 2017</i> .	Refer to section 3.25 to the main report To reflect the requirements of new legislation.
		Amending provision P16 to refer to s9.37 and Division 9.6 of the EP&A Act	To reflect the change to section numbers under the EP&A Act.
S – 17	<i>Erosion and Sediment Control</i>		
		Nil.	
S - 18	<i>Stormwater Drainage</i>		
		Nil.	
S -19	<i>Waste Management</i>		
19.1	Introduction	Updating introductory text to include information regarding Council's current waste and landfill diversion measures and updated statistics.	Ensuring this section remains relevant and current, and to reflect Council's current practice.
19.1.1	General Objectives	Amend objective O3 to remove reference to regional waste plans	To ensure that future amendments are not required due to changes to targeted waste management practices.
		Adding a new objective (O4) stating to meet the waste management needs of the residential and wider community.	

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
19.1.2	When does this section of the DCP apply	Addition of a statement indicated that a standardised form for waste management plans can be found on Council's website.	To provide increased clarification.
19.2.2 19.3.2 19.4.2	Provisions Provisions Provisions	Amending provision P2 to refer to different sections of the Waste Management Plans.	To provide increased clarification, as the section numbers have been revised on the form.
19.4.2	Provisions	Addition of a new provision (P1) requiring building design to comply with other waste management provisions in DCP in Part B sections: 1.5.13, 1.6.9, 2.5.9, 2.6.6, 3.4.9 and 3.5.6.	Provide increased clarity over the controls applying to waste facilities and management.
		Amending provision P2 to refer to 'green waste' and not 'compost'.	Refer to 3.9 of the main report Updating provisions of NSDCP to align with revised Waste Management Guidelines.
		Amending provision P6 (now P7) to explain the requirements of a Waste Management Plan and include e-waste.	Refer to section 3.9 of the main report Updating provisions of NSDCP to align with revised Waste Management Guidelines.
		Amending provision P7 (now P8) to refer to different sections of the Waste Management Plans.	To provide increased clarification, as the section numbers have been revised on the form.
S - 20	Public Infrastructure		
		Nil.	
S – 21	Telecommunications		
		Nil.	
P - C	Area Character Statements		
S – 1	Area Character Statements		
		Nil.	
S - 2	North Sydney Planning Area		
2.5	Walker/Ridge Street Conservation Area		Refer to section 3.22 of the main report

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
2.5.6	Characteristic Building Elements	Amending the “Fences” heading to include “and kerbing” Adding a new provision (P25) to identify ‘sandstone kerbing’ as a characteristic built element.	Ensuring heritage provisions of NSDCP 2013 are robust.
2.5.7	Desired Built form	Addition of a new section with provisions to: <ul style="list-style-type: none"> • Protect and enhance views to the War Memorial in St Leonards Park from Walker Street • Improve the interface between the conservation area and St Leonards Park. 	
2.5.8	Uncharacteristic elements	Addition of a new section identifying uncharacteristic elements within the conservation area.	
S - 3	St Leonards / Crows Nest Planning Area		
		Nil.	
S - 4	Cammeray Planning Area		
		Nil.	
S – 5	North Cremorne Planning Area		
		Nil.	
S – 6	South Cremorne Planning Area		
6.4	Cremorne Point Conservation Area		
6.4.4	Significant Elements	Insertion of the word ‘road’ after “Views from Rialto Avenue, Kareela” in provision P4.	To provide increased clarity
S -7	Neutral Bay Planning Area		
		Nil.	
S – 8	Kirribilli Planning Area		
8.5	Jeffreys Street Conservation Area		

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
8.5.7	<i>Uncharacteristic Elements</i>	Addition of a new section identifying uncharacteristic elements within the conservation area.	Refer to section 3.22 of the main report Ensuring heritage provisions of NSDCP 2013 are robust.
S – 9	<i>Lavender Bay Planning Area</i>		
9.10.9	<i>2 Thomas Street</i>	Deletion of section 9.10.9 in its entirety.	Refer to section 3.26 of the main report To reflect the concurrent amendment to NSLEP 2013 to remove restaurants and cafés as a permissible use on the site.
S -10	<i>Waverton / Wollstonecraft Planning Area</i>		
		Nil.	
	<i>Dictionary</i>		
		Nil.	
	<i>Appendices</i>		
A - 1	<i>Heritage – Contributory, Neutral and Uncharacteristic Items</i>		
1.4	Table App-1.1: Contributory items	Inclusion of the following contributory items to the Table: <ul style="list-style-type: none"> • 27 Shellcove Road, Kurraba Point • 21A Bannerman Street, Cremorne Point • 48 Whaling Road, North Sydney • 6 and 8 Kurraba Road, Neutral Bay 	Refer to section 3.20 of main report These properties had been marked for downgrading to contributory status as part of the 2009 Heritage Review, but was not actioned when NSDCP 2013 was first prepared.
		Deletion of the following contributory items from the Table: <ul style="list-style-type: none"> • 53 Euroka Street, Waverton • 63 Ridge Street, North Sydney. 	Refer to section 3.20 of main report Both incorrectly identified as a contributory item. 53 Euroka is a contemporary building and 63 Ridge is a heritage item
		Amend the street number to 15A Bannerman Street, Cremorne Point to “15” in the table.	Refer to section 3.20 of main report To correctly identify the property.

NORTH SYDNEY DCP REVIEW 2020 – PROPOSED AMENDMENTS TABLE			
Part / Sect	Title / Subject / Issue	Proposed Change	Comment
		Amending the Street Name of 6, 6A, 8, 10, 11, 12, 14, 15, 21 Wycombe Road, Neutral Bay to “Lower Wycombe Road” and relocating within the table alphabetically.	Refer to section 3.20 of main report To correct the legal street address name.
		Amending the street number of 1 Telopea Street, Wollstonecraft to “1A-B”.	Refer to section 3.20 of main report 1 Telopea Street is a heritage item, incorrectly identified as both a contributory item and a heritage item, 1A-B Telopea Street is a contributory item.
1.4	Table App-1.2: Uncharacteristic Items	Amend the street number to 3 Sophia Street, Crows Nest to “5” in the table.	Refer to section 3.20 of main report To correct the legal street address name.
		Amending the street name of 3, 5-7 Wycombe Road, Neutral Bay to “Lower Wycombe Road” and relocating within the table alphabetically.	
A - 2	Potentially Contaminating Activities		
		Nil.	
A – 3	Waste Handling Facility Guide		
	Appendix wide	Amending the title and text to reflect the new name of the Guide.	
		Replacement of the new Guide.	
A – 4	Bushland Buffer Map		
		Nil.	

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
INFRASTRUCTURE AND COLLABORATION		
Local Planning Priority I1 <i>Align growth and development with infrastructure that supports the needs of the North Sydney community.</i>		
Action I1.1 <i>Continue to undertake asset condition surveys and review Council's Asset Management Strategies and Plans. (short term)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.2 <i>Continue to deliver Council's rolling Delivery Program of capital works projects and services. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action L1.3 <i>Monitor housing growth to coordinate planning and the delivery of infrastructure through Local Infrastructure Contributions Plans and Voluntary Planning Agreements (VPAs). (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.4 <i>Review and update Council's section 7.11 (former section 94) Local Infrastructure Contributions Plan to ensure future infrastructure aligns with local housing and job growth. (short term)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.5 <i>Continue to prepare precinct-based planning studies that identify key public benefits (such as public open space; community facilities and place-making initiatives) needed to support growth and create vibrant, productive and socially connected places. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.6 <i>Continue to negotiate Voluntary Planning Agreements (VPAs) to deliver innovative infrastructure outcomes alongside development proposals, and assist Council in the timely delivery of infrastructure needed to support growth. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.7 <i>Collaborate with the NSW Government to ensure any future infrastructure contribution regimes allocates appropriate funding for local infrastructure projects in the North Sydney LGA. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
Action I1.8 <i>Submit applications for government grants on all suitable projects. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.9 <i>Investigate opportunities to provide new open space via cost-effective, innovative, and cooperative methods, such as development negotiations, land swap arrangements, leasing vacant land from Government and other land owners, grants, partnering with neighbouring councils, and dual use of land not dedicated as public open space. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.10 <i>Investigate opportunities to partner with commercial entities and educational establishments to deliver shared and co-located sport recreation facilities. (short – medium term)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.11 <i>Investigate opportunities to utilise or re-purpose commercial and brownfield space (including tops of buildings and car parks), transport infrastructure, non-green space for sport and recreation use. (short – medium term)</i>	N/A	This Action is outside the scope of the DCP.
Action I1.12 <i>Investigate innovative and collaborative options to maximise the utility of existing Council landholdings to provide for multi-purpose community uses. (short – medium term)</i>	N/A	This Action is outside the scope of the DCP.
Local Planning Priority I2 <i>Collaborate with State Government Agencies and the community to deliver new housing, jobs, infrastructure and great places</i>		
Action I2.1 <i>Continue to collaborate with TfNSW on Sydney Metro to ensure over-station development and surrounding public domain works at Victoria Cross and Crows Nest have a strong place focus, whilst achieving regional jobs growth objectives. (short term)</i>	N/A	This Action is outside the scope of the DCP. Section 2.1.2 to Part C of NSCDP 2013 already contains provisions that seek to the best possible outcomes for the North Sydney CBD.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action I2.2 Collaborate with Mosman Council and TfNSW on the proposed Western Harbour Tunnel and Beaches Link project to ensure potential traffic re-assignment benefits are optimised for the North Sydney CBD and Military Road Corridor. (short – medium term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action I2.3 Advocate for the protection of open space in St Leonard's Park and Cammeray Park. (short-medium term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action I2.4 Advocate for improved state infrastructure, including continued improved public transport on Spit Road/Military Road corridor to the Warringah Peninsula and Northern Beaches (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action I2.5 Collaborate with School Infrastructure NSW, NSW Health and other relevant State government agencies to assist in planning for future demand of regional health and education services. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action I2.6 Continue to seek opportunities to collaborate with Willoughby and Lane Cove Councils, the DPIE and other relevant State government agencies to further refine and finalise the Draft St Leonards and Crows Nest 2036 Plan, State levy and Metro rezoning proposal to ensure the delivery of new housing, jobs, infrastructure and services within the Planned Precinct are well managed and development phased, drawing on the place-based studies and community consultation carried out by Council. (short term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action I2.7 Continue to liaise with the DPIE and advocate for a formal exemption from the application of the proposed new state levy (SIC) on certain sites where a VPA has been negotiated to deliver public benefits consistent with Council's Planning Studies. (short term)</p>	N/A	This Action is outside the scope of the DCP.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action I2.8 Continue to collaborate with the State Government agencies on the implementation of the St Leonards and Crows Nest 2036 Plan, to ensure the concerns raised by Council and the community are addressed. (medium - long term)</p>	N/A	<p>Part of the St Leonards Crows Nest Planned Precinct affects the north-western part of the LGA. DPIE is currently undertaking a comprehensive review of this Precinct with a final vision yet to be endorsed.</p> <p>It would be inappropriate to incorporate any changes to this Precinct without the benefit of this work being completed, to avoid implementing any planning controls that may be inconsistent with the final endorsed vision for the Precinct.</p>
LIVEABILITY		
<p>Local Planning Priority L1 Diverse housing options that meet the needs of the North Sydney community</p>		
<p>Action L1.1 Implement the North Sydney Local Housing Strategy (2019) to achieve the housing directions, objectives and actions of the GSC's Regional and North District Plans and deliver 0-5 and 6-10 year housing supply targets. (short-long term)</p>	✓	<p>The DCP is proposed to be amended to reflect that residential flat buildings are to be permitted in the R3 Medium Density Residential zone.</p> <p>Furthermore, the current DCP does not contain any provisions that would prevent the delivery of housing in line with the DPIE's housing forecasts set for North Sydney.</p>
<p>Action L1.2 Prepare Planning Studies for the Military Road Corridor and Northern Civic Precinct to examine the potential delivery of housing in the right locations – concentrating growth in and around existing centres, close to public transport, infrastructure, services and facilities. (short term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L1.3 Collaborate with the DPIE to refine and finalise the Draft St Leonards and Crows Nest 2036 Plan and prepare a development phasing plan, to achieve co-ordinated and well managed housing growth in the St Leonards/Crows Nest Planned Precinct, drawing on the outcomes of the NSLHS and adopted place-based studies. (short term)</p>	N/A	Part of the St Leonards Crows Nest Planned Precinct affects the north-western part of the LGA. DPIE is currently undertaking a comprehensive review of this Precinct with a final vision yet to be endorsed.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
Action L1.4 <i>Amend NSLEP 2013 and NSDCP 2013 to implement the finalised St Leonards and Crows Nest 2036 Plan, as agreed in collaboration with the DPIE and in accordance with the agreed development phasing plan, the outcomes of the NSLHS, and adopted place-based studies. (short-medium term)</i>	N/A	It would be inappropriate to incorporate any changes to this Precinct without the benefit of this work being completed, to avoid implementing any planning controls that may be inconsistent with the final endorsed vision for the Precinct.
Action L1.5 <i>Only support Planning Proposals that are consistent with Council's endorsed planning studies, that have identified growth being delivered in locations that support the role of centres and have critical infrastructure and services in place to support the North Sydney community. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action L1.6 <i>Amend NSLEP 2013 and NSDCP 2013 to manage the impacts of any existing use rights application and minimise increases in density away from transport and services. (short term)</i>	✓	The DCP has been amended to reflect that residential flat buildings are permissible in the R3 Medium Density Residential zone as per the concurrent proposed amendment to NSLEP 2013.
Action L1.7 <i>Continue to implement SEPP (Affordable Rental Housing) 2009 to deliver affordable rental housing. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action L1.8 <i>On confirmation of a consistent Affordable Housing Target and implementation mechanisms by the GSC, investigate the establishment of an Affordable Housing Contribution Scheme and associated amendment to NSLEP 2013 to enable a mechanism for the delivery of local affordable housing (short – medium term)</i>	N/A	This Action is outside the scope of the DCP.
Action L1.9 <i>Continue to collaborate with State Government agencies and community housing providers to strengthen the long-term sustainability of affordable housing in the North Sydney LGA. (short – medium term)</i>	N/A	This Action is outside the scope of the DCP.
Action L1.10 <i>Continue to implement SEPP (Housing for Seniors or People with a Disability) 2004 to deliver appropriate housing for older persons. (ongoing)</i>	✓	The current DCP already contains provisions which require developments for housing for seniors or people with a disability to consider the SEPP and associated guidelines.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action L1.11 Review/update NSDCP 2013 to ensure an appropriate diversity of dwelling types in new residential development is delivered, consistent with the findings of the NSLHS. (short-medium term)</p>	✓	<p>Housing diversity is largely controlled by the land use provisions under NSLEP 2013.</p> <p>NSDCP 2013 also contains housing diversity requirement controls. In particular, Section 1.2.1 to Part B of the DCP requires all multi-dwelling housing developments and residential flat buildings to provide a mixture of dwelling sizes. The desired mix of dwelling types is based on localised demographic data and also includes an ability to vary the requirements where it can be adequately justified.</p> <p>It is noted that the NSLHS identified that there is a short fall in small dwellings (e.g. studio and 1-bed apartments) The NSLHS states that lone households make up approximately 40% of the dwelling mix. The DCP currently enable up to a maximum of 55% of a multi dwelling development to comprise studio or 1-bed dwellings. Therefore, no amendment to the dwelling mix requirements is required.</p>
<p>Local Planning Priority L2 Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community</p>	✓	
<p>Action L2.1 Investigate initiatives to enhance the capacity of existing open space resources whilst minimising overuse; and review the impact of such initiatives against current and forecast demand to refine the quantum for additional increases in capacity. (short – medium term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L2.2 Continue to liaise with government and non-government educational establishments regarding public access to recreation facilities outside school hours. (short term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L2.3 Continue to collaborate with NSROC Councils and engage with State Government agencies to pragmatically plan and implement long-term solutions to address the Open Space supply gap to 2026 and beyond, including advocating for the key outcomes from State Government plans and initiatives. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action L2.4 Liaise with sporting organisations to monitor, identify and implement initiatives to manage demand. (short – long term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L2.5 Continue to co-ordinate the North Sydney Family Day Care Scheme, and provide subsidies and grants to parent-run and not-for-profit Long Day Care, Occasional Care, preschools, creches and playgroups. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L2.6 Investigate opportunities to expand the capacity of existing childcare facilities to sustainable numbers; and investigate best practice above ground childcare centre requirements to potentially be incorporated into NSDCP 2013. (short - medium term)</p>	✓	<p>Refer to Section 3.15 of the main report Whilst the existing controls within the DCP allowed for child care centres to be located above ground level, they have been revised to take into account the recommendations of the Best Practice Guidelines prepared by KU Children's services on behalf of Council.</p>
<p>Action L2.7 Investigate opportunities for affordable and accessible long-term exhibition and creative spaces, including:</p> <ul style="list-style-type: none"> develop inclusive planning strategies which aim to generate cultural activity through the provision of creative private and public spaces; and develop partnerships with external stakeholders and the business sector regarding the provision of creative spaces. (short – medium term) 	N/A	This Action is outside the scope of the DCP.
<p>Action L2.8: Integrate Public Art into existing Plans of Management, strategic programs, public domain upgrades, capital works and environmental programs, and architecture. (short - medium term)</p>	✓	The DCP already contains provisions relating to the delivery of public art as part of the development process.
<p>Action L2.9 Continue to provide services and activities to seniors through community centres. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L2.10 Continue to support youth development throughout North Sydney through the implementation, funding and management of youth programs. (short – medium term)</p>	N/A	This Action is outside the scope of the DCP.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
Action L2.11 <i>Continue to maintain partnerships with local services and organisations to address homelessness. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action L2.12 <i>Continue to develop and support public programs, activities and operations that promote cultural diversity and provide opportunities for indigenous and intercultural learning opportunities. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action L2.13: <i>Review/update NSDCP 2013 to ensure dignified access is incorporated into the planning process; and review/update audits of access to Council premises and facilities and develop an implementation plan to address issues identified. (short - medium term)</i>	✓	A review of the DCP identified that Section 12 – Access to Part B of the DCP already contains appropriate provisions relating to dignified access. It is noted however that some of the terminology and relevant legislation or standards associated with dignified access has changed and this section of the DCP has been amended to reflect these changes.
Action L2.14: <i>Continue to review/implement the Aboriginal Sites Plan of Management in consultation with the AHO to ensure the protection and conservation of Aboriginal heritage; and continue to engage with the MLALC and the NSW OEH, in all plans to interpret Aboriginal sites in the North Sydney LGA. (ongoing)</i>	✓	Section 13.2 to Part B of the DCP currently contains provisions which require the consideration of potential places of aboriginal heritage significance. No additional amendments to the DPC are considered necessary to satisfy this Action.
Action L2.15 <i>Investigate the establishment of a designated 'keeping place' to house information relating to North Sydney's Aboriginal heritage. (short-medium term)</i>	N/A	This Action is outside the scope of the DCP.
Local Planning Priority L3 <i>Create great places that recognise & preserve North Sydney's distinct local character & heritage</i>	✓	
Action L3.1 <i>Continue to incorporate placemaking principles in the planning and engagement activities of North Sydney Council's various departments responsible for the design and management of public spaces, in accordance with Council's Placemaking Policy (ongoing)</i>	✓	Part C of the DCP contains area character statements which identify the unique characteristics of each area of the LGA and what desired future character is envisaged. These Statements can be revised in conjunction with precinct based Planning Studies as they are prepared by Council.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action L3.2 Continue to prepare and implement precinct-based planning studies to ensure the delivery of growth and development is balanced and well-managed, and has a strong focus on placemaking and community benefit. This includes:</p> <ul style="list-style-type: none"> undertake/implement the North Sydney CBD Public Domain Strategy – Stage 2 (short term) undertake/implement the Northern Civic Precinct Planning Study (short term) undertake/implement the Military Road Corridor Planning Study – Stages 1 and 2 (short – medium term) implement the Ward Street Precinct Masterplan (short – medium term) 	N/A	None of these projects have reached a point whereby Council has endorsed a recommendation, that directly affects NSDCP 2013. The DCP can be amended as required at a later date, once these projects have identified specific amendments to the DCP.
<p>Action L3.3 Investigate opportunities to expand Council's smoke-free policy to other public spaces in North Sydney. (short-medium term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action L3.4 Conduct a comprehensive LGA-wide review of North Sydney's heritage items and conservation areas to reduce uncertainty around potential heritage significance and protect places and items that are of significance. (medium term)</p>	N/A	This Action is to be actioned separately to this review of the DCP. If required, the DCP may be revised once the outcomes of the comprehensive heritage review have been completed and endorsed by Council.
<p>Action L3.5: Review/update NSDCP 2013 to ensure heritage controls provide clear and effective guidance for conservation, adaptation and infill. (medium term)</p>	✓	<p>Refer to Sections 3.4, 3.20-3.3.23 and Attachment 2 of the main report.</p> <p>A number of minor house keeping amendments are proposed to be made to NSDCP 2013, such that it remains a clear and concise document. It is also proposed to add a number of contributory items to Schedule 3 of the DCP that were not incorporated at the time that the DCP was first made in response to the 2007 Heritage Review.</p>
<p>Action L3.6: Continue to provide heritage planning advice to ensure landowners and stakeholders are well informed about the potential affectations of heritage on development. (ongoing)</p>	✓	Updating NSDCP 2013 as described above will assist in the provision of clear and informed heritage guidance.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action L3.7 Continue to support the North Sydney Heritage Centre to promote and protect local Indigenous and Non-Indigenous history and culture. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
PRODUCTIVITY		
<p>Local Planning Priority P1: Grow a stronger, more globally competitive North Sydney CBD</p>		
<p>Action P1.1 Continue to implement the North Sydney CBD Capacity and Land Use Strategy (2017), in collaboration with the DPIE, industry stakeholders and the community to:</p> <ul style="list-style-type: none"> increase commercial floorspace capacity and employment growth for the North Sydney CBD; deliver high quality commercial floorspace that caters to the needs of existing and emerging industries; restrict residential development opportunities to the mixed-use periphery to preserve a critical mass of employment in the North Sydney CBD; encourage a diverse mix of entertainment, recreation, retail and commercial uses that contribute to the North Sydney CBD's diversity, amenity and commercial sustainability; and ensure high-quality design that responds to context and enhances the amenity of the North Sydney CBD. 	✓	NSDCP 2013 was updated in 2018 consistent with the amendments to NSLEP 2013 (Amendment No.23) which were made indirect response to the <i>North Sydney CBD Capacity and Land Use Strategy</i> .
<p>Action P1.2 Continue to collaborate with State transport authorities to capitalise on the place-making opportunities arising from Sydney Metro to create a more attractive, vibrant and prosperous North Sydney CBD. This includes pursuing transport outcomes, in line with the North Sydney CBD Transport Masterplan (2018), that:</p> <ul style="list-style-type: none"> prioritise the delivery of walking infrastructure; minimise local traffic growth; create slow speed traffic environments within the North Sydney CBD; encourage regional through traffic to use alternative routes to by-pass the North Sydney CBD; and deliver Miller Street Plaza. (short-medium term) 	✓	NSDCP 2013 was updated in 2018 consistent with the amendments to NSLEP 2013 (Amendment No.23) which were made indirect response to the <i>North Sydney CBD Capacity and Land Use Strategy</i> . This included specific amendments to the DCP to recognise the delivery of the new Metro and how it interfaces with the public domain.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action P1.3 Implement the North Sydney CBD Public Domain Strategy, North Sydney CBD Laneways and Ward Street Precinct Masterplan to ensure the delivery of high-quality, safe and attractive public spaces and provide for a greater range of activities to facilitate a more engaging and vibrant CBD. (short – medium term)</p>	✓	<p>The DCP already contains provisions within the Character Statement for the North Sydney CBD in relation to the <i>North Sydney CBD Public Domain Strategy</i> and <i>North Sydney CBD Laneways Project</i>.</p> <p>The specific outcomes of the Ward Street Precinct are still to be finalised and that any changes to the planning controls in this locality should remain unchanged until such time as these details are determined and considered as a more comprehensive package of amendments that will include amendments to NSLEP 2013. This will ensure that any new controls do not inadvertently impact upon the delivery of the finalised overall vision for the locality.</p>
<p>Action P1.4: Review/amend planning controls to allow for the contemporary requirements of late night trading and small bars to activate North Sydney CBD's streets and public spaces and support the night-time economy's diversity and ability to grow. (short term)</p>	N/A	<p>This project is progressing separately from this wider scale review of the DCP.</p>
<p>Action P1.5 Investigate opportunities to better integrate the education sector into the North Sydney CBD. (ongoing)</p>	✓	<p>The DCP already incorporates specific planning controls and considerations, which arose out of the <i>Education Precinct Planning Study</i> endorsed by Council in 2017.</p>
<p>Action P1.6 Collaborate with the City of Sydney to better understand and support cluster and commercial market interdependencies between North Sydney CBD and Sydney CBD. (ongoing)</p>	N/A	<p>This Action is outside the scope of the DCP.</p>
<p>Local Planning Priority P2: Develop innovative and diverse business clusters in St Leonards/ Crows Nest.</p>		
<p>Action P2.1: Reach an agreement on the long term role of St Leonards as a major employment centre and future planning framework for the centre with Willoughby and Lane Cove Councils and the DPIE. (short - medium term)</p>	N/A	<p>This Action is outside the scope of the DCP.</p>

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action P2.2: Work with the DPIE and other relevant State agencies to capitalise on the land use opportunities arising from Sydney Metro to strengthen the future productive role of St Leonards/ Crows Nest. (short - medium term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Local Planning Priority P3: Enhance the commercial amenity and viability of North Sydney's local centres</p>		
<p>Action P3.1 Prepare, finalise and implement the Military Road Corridor Planning Study (Stages 1 and 2) to ensure future development supports the functions of the precinct, and identify public domain and other public benefits to improve the safety, amenity, services and overall appeal and commercial viability of the Neutral Bay and Cremorne local centres. (short – medium term)</p>	N/A	The vision and strategy outlining the future for the Military Road Corridor has yet to be finalised by Council. The outcomes of this project will be implemented as part of a future and separate amendment to Council's planning policies, including NSDCP 2013 if relevant.
<p>Local Planning Priority P4: Develop a smart, innovative and prosperous North Sydney economy</p>		
<p>Action P4.1: Implement the North Sydney Visitor Economy Strategy and Action Plan to support the growth of a sustainable local visitor economy, maximising the economic benefits while managing the environmental and social impacts on the North Sydney LGA. (short - medium term)</p>	✓	<p>Action 5.4 to the North Sydney Visitor Economy Strategy states:</p> <p><i>Develop a Public Art Masterplan across the LGA, with a focus on increasing public art in the public domain (Council owned land) and in the private sector, in new development (through Council's Development Control Plan)</i></p> <p>Section 2.7.3 to NSDCP already contains provisions that encourage the implementation of public art in publicly accessible spaces.</p>
<p>Action P4.2: Implement the North Sydney Smart City Strategy 2019-2022 and Action Plan to increase North Sydney's smart city maturity. (short - medium term)</p>	N/A	There are no relevant actions that apply to NSDCP 2013.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Local Planning Priority P5: Protect North Sydney's light industrial and working waterfront lands and evolving business and employment hubs</p>		
<p>Action P5.1 Review current activities in the IN2 Light Industrial and IN4 Working Waterfront zones to better understand their current and future industrial and employment potential. (short – medium term)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action P5.2: Ensure all existing IN2 Light Industrial and IN4 Working Waterfront zones are safeguarded from competing land use pressures, especially residential and mixed use development and retained exclusively for employment purposes. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action P5.3: Ensure the important industrial and maritime heritage of North Sydney's IN4 Working Waterfront zones is protected.</p>	N/A	This Action is outside the scope of the DCP.
<p>Local Planning Priority P6: Walkable centres and a connected and sustainable North Sydney.</p>		
<p>Action P6.1 Implement the North Sydney Transport Strategy (2017) to deliver the community's vision for transport in North Sydney. (short-medium term) This includes:</p> <ul style="list-style-type: none"> prepare a Walking Action Plan, Public Transport and Advocacy Action Plan, Local Deliveries and Regional Freight Action Plan, Parking and Traffic Action Plan; and review the North Sydney Integrated Cycling Strategy (2013) in line with the directions of the North Sydney Transport Strategy (2017) and the North Sydney CBD Transport Masterplan (2019). 	✓	<p>Refer to Section 3.3 to the main report Section 10 to Part B of the DCP has been amended to reflect the outcomes of the <i>North Sydney Transport Strategy</i>. In particular, it will refocus the section on the delivery of high level transport outcomes rather than just focusing on the level of parking to be provided.</p>

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
SUSTAINABILITY		
Local Planning Priority S1 <i>Protect and enhance North Sydney's natural environment and biodiversity.</i>		
Action S1.1 <i>Continue to implement Council's Bushland Management Program guided by adopted Bushland Plans of Management, Rehabilitation Plans and Recovery Plans to protect and enhance the health of North Sydney's urban bushland and biodiversity. (short – medium term)</i>	✓	Section 15 to Part B of the DCP contains relevant provisions relating to the management of impacts on bushland areas. This section has been amended to reflect recent amendments to bushland and biodiversity legislation.
Action S1.2 <i>Review NSDCP 2013 to ensure identified biodiversity corridors in North Sydney are protected through the development process. (short – medium term)</i>	N/A	There has been insufficient time to commence and complete such a review since the adoption of the LSPS. Therefore, this will be a longer term project to be addressed at a later time.
Action S1.3 <i>Investigate opportunities to implement Water Sensitive Urban Design (WSUD) on public and private land to reduce stormwater runoff and water pollution and improve the health of waterways. (medium term)</i>	N/A	There has been insufficient time to commence and complete such a project since the adoption of the LSPS. Therefore, this will be a longer term project to be addressed at a later time.
Action S1.4 <i>Continue to liaise with adjoining Councils and relevant authorities to adopt a total catchment management approach to manage urban runoff using WSUD principles. (ongoing)</i>	N/A	This Action is outside the scope of the DCP.
Action S1.5 <i>Continue to collaborate with the Sydney Coastal Councils Group and NSW Government to develop appropriate coastal management practices on a catchment wide scale through a Coastal Management Program (CMP), and incorporate the recommendations and actions of any CMP into NSLEP 2013 and NSDCP 2013 where relevant. (short – medium term)</i>	N/A	A catchment wide Coastal Management Plan is currently being prepared in collaboration with the Sydney Coastal Council group. This document has yet to be finalised and adopted by Council. Any future recommendations to amend the DCP can be incorporated at the appropriate time.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action S1.6 Continue to develop/review/implement Council's Open Space Strategies and Plans of Management to improve access to the harbour foreshore and provide a range of passive and active recreational activities while protecting the environmental values of the harbour foreshore area. (ongoing)</p>	✓	<p>Council's Open Space Strategy has not been updated since the commencement of NSDCP 2013 and therefore no further amendments are required in this regard.</p> <p>A review has been undertaken of all the Plans of Management that have been amended since the commencement of NSDCP 2013. The review noted that the DCP remains consistent with these Plans of Management and therefore no further amendment to NSDCP 2013 is required.</p>
<p>Local Planning Priority S2 A high quality, well-connected and integrated urban greenspace system.</p>		
<p>Action S2.1 Continue to investigate opportunities for the provision of new open space in line with the principles for expansion outlined in Council's Open Space Provision Strategy (2009), giving priority to sites with the highest potential to meet the open space and recreation needs of both the anticipated and existing population. (ongoing)</p>	✓	<p>The DCP is already consistent with Council's Open Space Provision Strategy.</p>
<p>Action S2.2 Continue to liaise with relevant Federal and State government agencies and neighbouring Councils for opportunities to create links between major foreshore parks and reserves and improve foreshore access in line with Council's Foreshore Access Strategy (2007), Open Space Plans of Management and Open Space Masterplans (ongoing)</p>	N/A	<p>This Action is outside the scope of the DCP.</p>
<p>Action S2.3 Continue to prepare precinct-based planning studies that identify opportunities for provision of new and embellished public open space, particularly in high priority/high growth areas (ongoing).</p>	N/A	<p>The DCP will be updated as required in the future in response to the adoption of any precinct based planning studies.</p>
<p>Action S2.4 Implement the North Sydney Urban Forest Strategy (2019) to ensure no net loss of tree canopy cover and that canopy cover meets identified targets in the defined land use and land tenure zones. (ongoing)</p>	✓	

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action S2.5 Continue to advocate for the protection/increase of tree canopy cover (urban forest) across all local and state government projects. (ongoing)</p>		<p>Refer to section 3.25 to the main report. Council is considering a report on the implementation of the Urban Forest Strategy concurrently with this report. In line with the recommendations of this concurrent report, it is proposed to amend the thresholds for which approval is required to remove or prune trees and vegetation under the DCP. In particular, it is proposed to reduce the height, width and trunk circumference thresholds consistent with industry practice. This in turn would reduce the number of large canopy trees from being removed. Section 16 - Tree and Vegetation Management to Part B of the DCP is also being amended to reflect new approval processes.</p>
<p>Action S2.6 Collaborate with the NSW Government and others to review State Government Policies to enhance the protection of tree canopy cover (urban forest). (short-medium term)</p>		
<p>Local Planning Priority S3 Reduce greenhouse gas emissions, energy, water and waste.</p>		
<p>Action S3.1 Continue to review/implement the North Sydney Council Greenhouse Action and Water Management Plan, to drive further improvements in commercial and residential building performance and establish a pathway to achieving net zero greenhouse gas emissions across both the community and Council's assets and operations by 2050 in line with the North District Plan. (ongoing)</p>	N/A	Council is due to commence a review of its current <i>North Sydney Council Greenhouse Action and Water Management Plan</i> later this year. It is not considered appropriate to amend the DCP prior to this review, such that any relevant new actions can be more aptly incorporated upon the adoption of a new Plan.
<p>Action S3.2 Advocate that the NSW and Federal governments respond to the climate emergency through a range of measures, including higher BASIX targets and reintroducing a price on carbon, to incentivise higher resource use standards and support the transition to high performing energy buildings. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action S3.3 Advocate for the protection of the Cammeray dam to ensure Council continues to achieve its water reduction goals. (Short-medium term)</p>	N/A	This Action is outside the scope of the DCP.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action S3.4 Ensure Council's waste and recycling services continue to support the community in their desire to live more sustainably. (ongoing)</p>	✓	<p>Refer to Section 3.9 to the main report. The DCP is proposed to be amended to align with Council's revised Waste Management Guide and NSROC's regional approach to a Model Waste DCP.</p>
<p>Action S3.5 Continue to collaborate with Northern Regional Councils (NSROC) to incentivise the private commercial industry in investing in innovative and sustainable waste/recycling processing options. (ongoing)</p>		
<p>Action S3.6 Work with the NSW Government on the development of a long-term vision and strategy for waste and resource recovery in NSW, including the development of new or enhanced policies and programs, and a framework for the delivery of an integrated state infrastructure network to ensure waste processing is being considered and delivered in appropriate locations (short-medium term).</p>	N/A	This Action is outside the scope of the DCP.
<p>Action S3.7 Advocate for the Commonwealth and NSW Government to continue to work with the commercial waste industry to implement product stewardship schemes to manage problem wastes such as mattresses, paint, oils and tyres. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Local Planning Priority S4 Increase North Sydney's resilience against natural and urban hazards.</p>		
<p>Action S4.1 Consider vulnerability to heat within future Council programs and planning controls to minimise urban heating. (ongoing)</p>	✓	The DCP is proposed to incorporate amendments to reflect the outcomes and implementation phases of the 2019 Urban Forest Strategy, which in part seeks to minimise the urban heat island effect.
<p>Action S4.2 Prepare a Floodplain Risk Management Study and Plan to determine floodplain management measures necessary to mitigate flood risks to property owners and occupiers and incorporate measures into NSLEP 2013 and NSDCP 2013 where relevant. (short – medium term)</p>	N/A	The Floodplain Risk Management Study and Plan are still being prepared and yet to be finalised. The DCP can be amended in accordance with this Study and Plan once finally adopted by Council.

NORTH SYDNEY DCP 2013 REVIEW - CONSISTENCY WITH NORTH SYDNEY LOCAL STRATEGIC PLANNING STATEMENT		
Relevant Planning Priorities & Actions	Consistency	Comment
<p>Action S4.3 Continue to work with the NSW Fire & Rescue and the Manly-Mosman-North Sydney Bushfire Management Committee to implement controlled hazard reduction activities to minimise the risk of bushfire. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action S4.4 Continue to monitor, maintain and update contamination records on a site-by-site basis. (ongoing)</p>	N/A	This Action is outside the scope of the DCP.
<p>Action S4.5 Continue to pursue appropriate enforcement actions for unauthorised burning and any excessive smoke generated by wood heaters or open fireplaces. (ongoing)</p>	N/A	This Action is outside the scope of the DCP. It is noted that Council approval under s.68 of the Local Government Act is required to install new wood heaters or open fire places and that such development is also required to comply with certification requirements under the Protection of the Environment Operations (Clear Air) Amendment (Solid Fuel Heaters) Regulation 2016. It is not proposed to reinforce this issue within the DCP, as such structures are not outrightly prohibited.

NORTH SYDNEY DCP 2013 REVIEW – COMPARISON OF ADAPTABLE HOUSING STANDARDS – AS v LHDG					
Building Design Requirements		AS – Adaptable Housing	Liveable Housing Design Guidelines		
			Silver	Gold	Platinum
1	Dwelling Access	1 m width Accessible path of travel from frontage or drop-off point	Step-free 1 m width 1:14 max Even, slip-resistant	1.0m x 1.1 m clear width 2.5 m vertical clearance parking space Covered parking	1.1mx1.2 m clear width 3.8m x 6.0 m parking space
2	Dwelling Entrance	0.85 m width	0.82 m clear width Step-free 1.2x1.2 landing area	0.85 m clear width 1.35mx1.35m landing area	0.90m clear width 1.5mx1.5m landing area
3	Internal doors and corridors	0.82 m/1.0 m	0.82 m clear width Level transition 1.0 m width (int. passage)	0.85m clear width 1.2m width (int. passage)	0.9m clear width 1.2m width (int. passage)
4	Toilet	0.9 m clearance	Ground floor 0.9 m clear width 1.2 m circulation space Grabrails possible	1.2m clear width between walls/amenities	Toilet seat 0.45-0.46 m from nearest wall 0.6 m min clearance forward of cistern 0.46-0.48m Seat height
5	Shower	1.16m x 1.1 m	Slip-resistant Hobless Screens removable Grabrails able to be installed	Ground floor 0.9mx0.9m min dimensions 1.2mx1.2m clear space forward of entry	1.16x1.1m min dimensions 1.6mx1.4m clear space forward of entry
6	Reinforcement of bathroom and toilet walls	Grabrails able to be installed	Grabrails able to be installed	Grabrails able to be installed	Grabrails able to be installed
7	Internal stairways	1.0 m	Continuous handrail	1.0m clear width Straight Adjoin load bearing wall Non-slip (NCC)	Closed risers Continuous handrails both sides 1.2mx1.2m min landing area Non-slip (NCC)
8	Kitchen space	1.55 m bench clearance	-	1.2m bench/appliance clearance Slip-res floor Floor finishes under cabinets	1.55m bench/appliance clearance slip-res task-lighting

NORTH SYDNEY DCP 2013 REVIEW – COMPARISON OF ADAPTABLE HOUSING STANDARDS – AS v LHDG					
Building Design Requirements		AS – Adaptable Housing	Liveable Housing Design Guidelines		
			Silver	Gold	Platinum
9	Laundry space	1.55 m bench clearance	-	1.2m bench/appliance clearance Slip-resistant Floor finishes under cabinets	1.55m bench/appliance clearance Slip-resistant
10	Ground (or entry level) bedroom space	No requirement	-	Room on ground level 10 sqm 1.0m path of travel beside bed	1.54mx2.07m clearance on side of bed closest to door 1.0m path of travel on other side of bed Assume queen size bed
11	Switches and power points	0.9 m- 1.1 m for light switches Power points no lower than 300 mm	-	Consistent location 0.9m-1.1m above FFL Aligned with door handles at entrance Power points at least 300 mm above FFL	Rocker action, toggle, push pad switches 35mm minimum width
12	Door and tap hardware	Lever or D-pull style hardware Basin, sinks, tubs with capstan style tap, central spout	-	Door hardware 0.9-1.1m above FFL	Lever or D-pull style hardware Basin, sinks, tubs with capstan style tap, central spout
13	Family/Living room spaces	2.25 m diameter	-	-	Free space min 2.25m diameter clear of furniture
14	Windowsills	No requirement	-	-	Sills on ground level in bed/living no higher than 1.0m above FFL Window controls operable with one hand, reachable from seated or standing position
15	Flooring	Slip-resistant	-	-	Firm, even, slip resistant Level transition between abutting surfaces, 5mm rounded/bevelled lip

NORTH SYDNEY DCP 2013 REVIEW – COMPARISON OF ADAPTABLE HOUSING STANDARDS – COUNCILS		
Council	AS or LHDG	% or no. of dwellings of adaptable housing required by DCP
North Sydney	AS	15% (5+ dwellings)
City of Sydney	AS	1-3 (for 8-29 dwellings) 15% (for 30+ dwellings)
City of Parramatta	AS	1 (less than 10 dwellings) 2 (10-20 dwellings) 10% (20+ dwellings)
Bayside Council	AS and LHDG	20% (for multi-res and RFBs with 10 or more dwellings)
Blacktown Council	AS	10% (in RFBs and multi-res with 10 or more dwellings)
Burwood Council	AS	10% (for residential) 1 room per 10 (in boarding houses)
Camden Council	AS	10% (10+ dwellings)
Campbelltown Council	AS	10% (10 or more dwellings, in R2) 10% (10 or more dwellings, in R3)
Canada Bay Council	AS	1-3 (for 8-29 dwellings) 15% (for 30+ dwellings)
Canterbury-Bankstown Council*	AS	10% (in villas, town houses and apartments) <i>* Investigating changing to LHDG</i>
Cumberland Council (various DCPs)	AS	10%-15%
Fairfield	AS	10% (for units in RFBs) 10% (of rooms in boarding houses)
Georges River Council (various DCPs)	AS	1-5 units (3-50 dwellings) 6 units (51+ dwellings) and an additional 10% of all dwellings (beyond 60) 10%
The Hills Shire	AS	1 dwelling (6-15 dwellings) 2 dwellings (16-30 dwellings) 10% (30+ dwellings)
Hornsby	AS and LHDG	10 % adaptable housing 20% silver level for 10+ dwellings
Hunters Hill	AS	Not specified

NORTH SYDNEY DCP 2013 REVIEW – COMPARISON OF ADAPTABLE HOUSING STANDARDS – COUNCILS		
Council	AS or LHDG	% or no. of dwellings of adaptable housing required by DCP
Inner West Council	AS and LHDG	20% (5+ dwellings) (Marrickville DCP) 10% (for multi-res) (Ashfield DCP) 10% (35+ dwellings) (Leichhardt DCP)
Kur-ring-gai	LHDG	For RFBs and Multi Dwelling Housing: 100% Silver 15% Platinum 70% of dwellings visitable
Lane Cove Council	AS	20% (for class 2 buildings: multi-res, RFBs, dual occ)
Liverpool Council	AS	10 % (10+ dwellings in Liverpool City Centre)
Mosman Council	AS	10% (5+ dwellings)
Northern Beaches Council (various DCPs)	AS and LHDG	10-50% AS 20% Silver level for RFBs, shop top and mixed use with residential component (Pittwater DCP) 50% AS for multi-dwelling housing, boarding houses, hostels, group homes (Pittwater DCP) 25% AS (4+ dwellings) (Manly DCP)
Penrith Council	AS	10 % of all dwellings
Randwick Council	AS and LHDG	20% (10 or more dwellings in multi-res, shop top and RFBs) 100% silver* (attached dwellings, multi dwelling and RFBs) *Controls adapted from LHDG
Ryde Council	AS	1-3 (10-30 dwellings) 10 % (of all dwellings 30+)
Strathfield Council	AS	15 % (every multiple unit development)
Sutherland Council	AS and LHDG	20% (6 or more dwellings) 1 dwelling silver level (1-5 dwellings) 10% silver level (6+ dwellings)
Waverly Council	AS and LHDG	20 % (10+ dwellings) 100% Silver level for medium and high density residential

NORTH SYDNEY DCP 2013 REVIEW – COMPARISON OF ADAPTABLE HOUSING STANDARDS – COUNCILS		
Council	AS or LHDG	% or no. of dwellings of adaptable housing required by DCP
Willoughby Council	AS	10% (single storey attached and multi dwelling housing) 25% (two storey attached dwellings, multi res and RBFs) 33% (three storey) 50% (3 storeys +) 50% (shop top) 100% (secondary dwellings)
Wollondilly Council	AS	1 dwelling per 5 (medium density) 30% (in RFBs with 5+ dwellings)
Woollahra Council	AS	10% (for 10+ dwellings)